# Public Policy & Global Affairs Review



## MONTHLY EDITION

# Public Policy & Global Affairs Review

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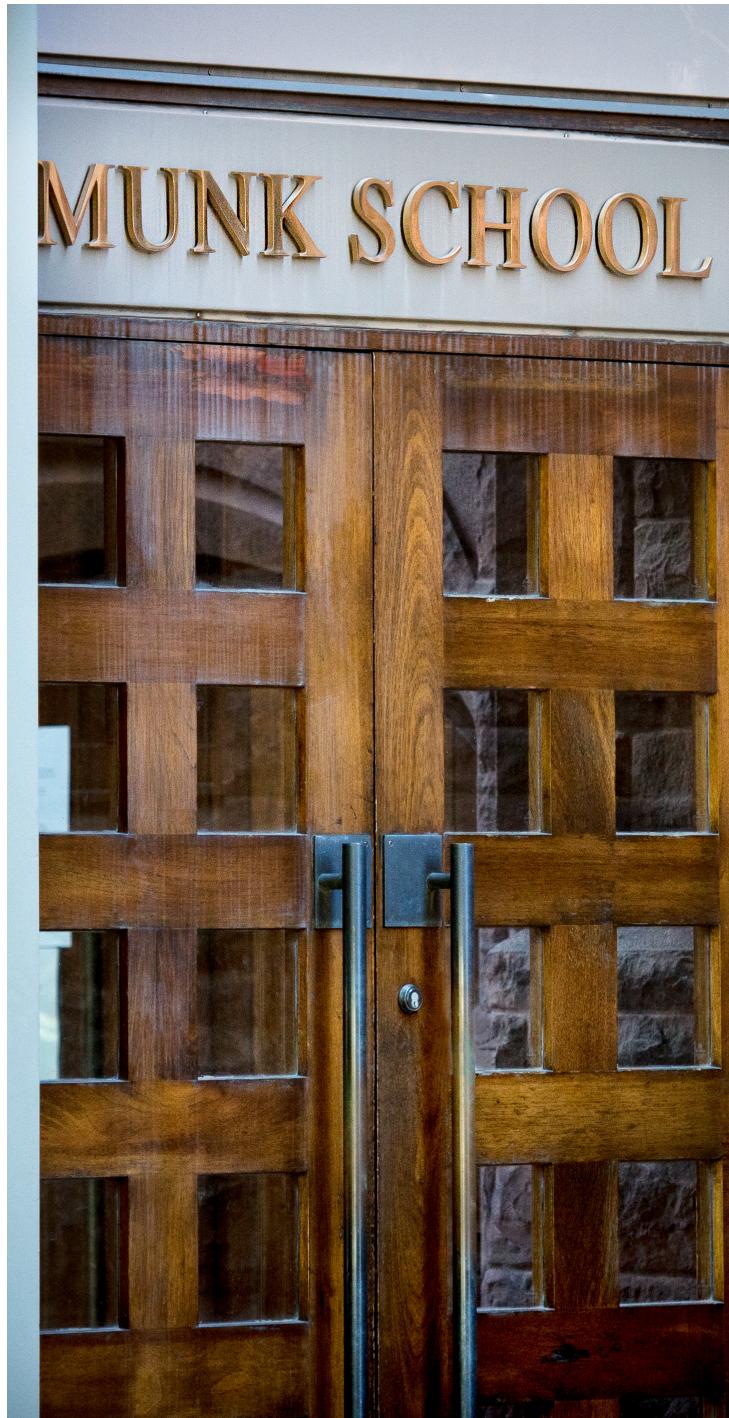
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# Making Room to Grow: Densifying Downtown Lindsay

## BY ANNA HANCIN

Photo: Looking East on  Kent Street West, Downtown Lindsay (Anna Hancin)

# Making Room to Grow: Densifying Downtown Lindsay

In the heart of the City of Kawartha Lakes, the town of Lindsay is uniquely positioned to choose its next path for urban growth and housing development. Amid ongoing population and economic expansion, and new provincial funding to accelerate housing development, Lindsay's historic downtown (a designated Heritage Conservation District) has the potential to become a vibrant urban core. Lindsay's Heritage Conservation District, recognized by the Ontario Heritage Trust for its high concentration of historic buildings and cultural landscapes within Kawartha Lakes, protects the architectural and artistic features of its downtown.

**Setting the Scene: Lindsay Today**
Lindsay's need for urban housing stems from an increase in population, access to the town, and housing demand.

Since the 2001 amalgamation of the County of Victoria with 16 former lower-tier municipalities, the City of Kawartha Lakes has been a single-tier municipality with eight wards. The City of Kawartha Lakes has a population of 83,000 residents (2023), with growth expected to reach 117,000 by 2051. Lindsay, located in Wards 5 and 7, is the most populous urban centre in Kawartha Lakes with 22,367 residents. To accommodate this population growth, Kawartha Lakes may leverage . Granted in 2023, they provide the mayor with increased powers and duties, such as the ability to propose budgets and submit matters for the council's consideration when they advance a provincial priority, particularly those related to housing. These new powers enable Kawartha Lakes to
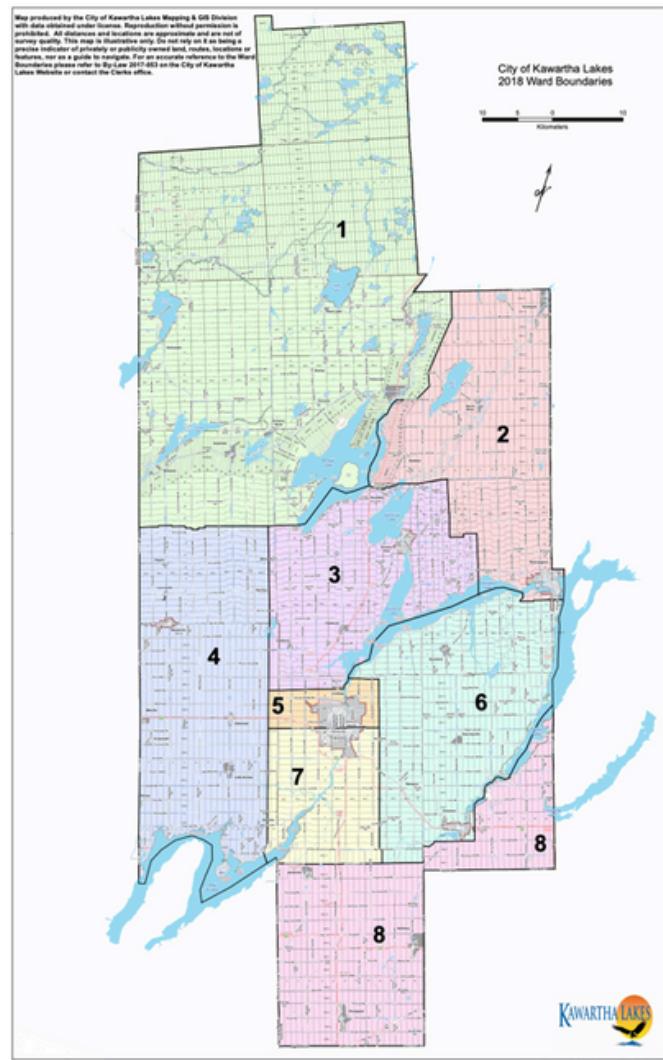


Source: City of Kawartha Lakes. The City of Kawartha Lakes and its eight Wards.

accelerate the growth of provincial housing initiatives to keep pace with its rising population.

In addition to population growth in Kawartha Lakes, expanded transportation routes increased access to towns like Lindsay. A Highway 407 extension recently joined Highway 35 and Highway 115, south of Lindsay. Additionally, the east section of Highway 407 from Pickering to Clarington, which includes the exit to Lindsay, is now toll-free, making commuting to and from Kawartha Lakes more accessible.

 The recent rise in Kawartha Lakes residents and access points has led to an increase in demand for housing and social services. To address this policy problem, Kawartha Lakes built 451 new homes in
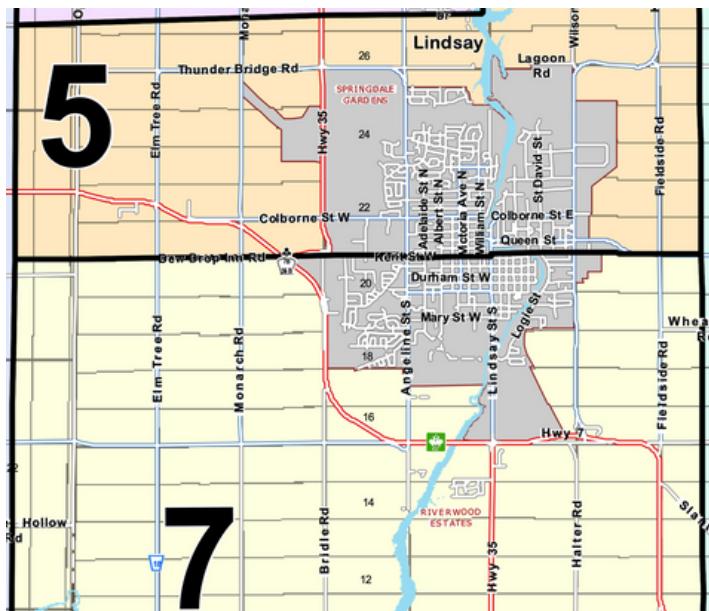
Source: City of Kawartha Lakes. Grey represents Lindsay's urban centre.

2024, or 83 percent of their provincial housing target. By passing the 80% threshold, Kawartha Lakes qualified for $1.4 million through Ontario's Building Faster Fund in July 2025. These emerging developments of growth, access, and housing demand, together with funding, exemplify a crucial moment for Lindsay. These pressures make Lindsay's next development path especially critical. The City of Kawartha Lakes must now decide whether to expand outward or to revitalize its historic downtown.



Source: Kawartha Now. The Ontario government and the City of Kawartha Lakes officials gathered for the announcement of the Building Faster Fund.
From left to right: Haliburton-Kawartha Lakes-Brock MPP Laurie Scott, Kawartha Lakes councillor Mike Perry, Municipal Affairs and Housing Minister parliamentary assistant Matthew Rae, Kawartha Lakes mayor Doug Elmslie, Kawartha Lakes building and property housing manager Don Quibell, and Kawartha Lakes human services director Cheryl Faber.

**Emerging Opportunity: Unlocking Lindsay's Downtown Potential**

Revitalizing Downtown Lindsay offers both a great opportunity and a challenge for managing local growth. Revitalizing unused downtown infrastructure provides a more sustainable alternative to outward expansion into surrounding farmland. Currently, medium- and high-density housing units account for 17 percent of the total housing supply in the City's active development approvals process.



Source: Anna Hancin. Driving east on Little Britain Rd into Lindsay.

Lindsay remains underdeveloped to meet the increased demand for local services, particularly in its downtown area. There is an immense opportunity but little momentum. Wesley Found, Chair of the Lindsay Downtown Business Improvement Association and President of Linborough Property Corp., has sparked discussion surrounding the creation of new living spaces above Kawartha Lakes' largest urban centre: Lindsay's downtown Kent Street West stores. The main residents of the upper floors above the stores are pigeons, not people. Estimates show that forty to fifty percent of second-floor spaces and seventy to eighty percent of third-floor spaces are vacant.

As my former public policy professor, Dr. Peter Kikkert, would say, this is the perfect policy "window of opportunity:" the utilization of existing downtown infrastructure to benefit Lindsay's downtown and community. Densifying growth by leveraging existing infrastructure offers economic, social, and environmental advantages that would benefit Lindsay and the larger City of Kawartha Lakes.

With the $1.4 million in funding from the Building Faster Fund, Ontario and Kawartha Lakes have a unique opportunity to further collaborate on promoting downtown growth through policy incentives such as tax breaks, building grants, and streamlining the permitting process. A significant barrier is the expense and regulations associated with retrofitting the neglected upper floors of downtown buildings. The cost of updating these properties to meet building and fire codes, parking, and accessibility standards often prohibits small property owners, especially when paired with heritage restrictions and challenging approval processes. Lindsay, however, can and already has overcome these challenges in the revitalization of other properties to achieve the benefits of urban development.
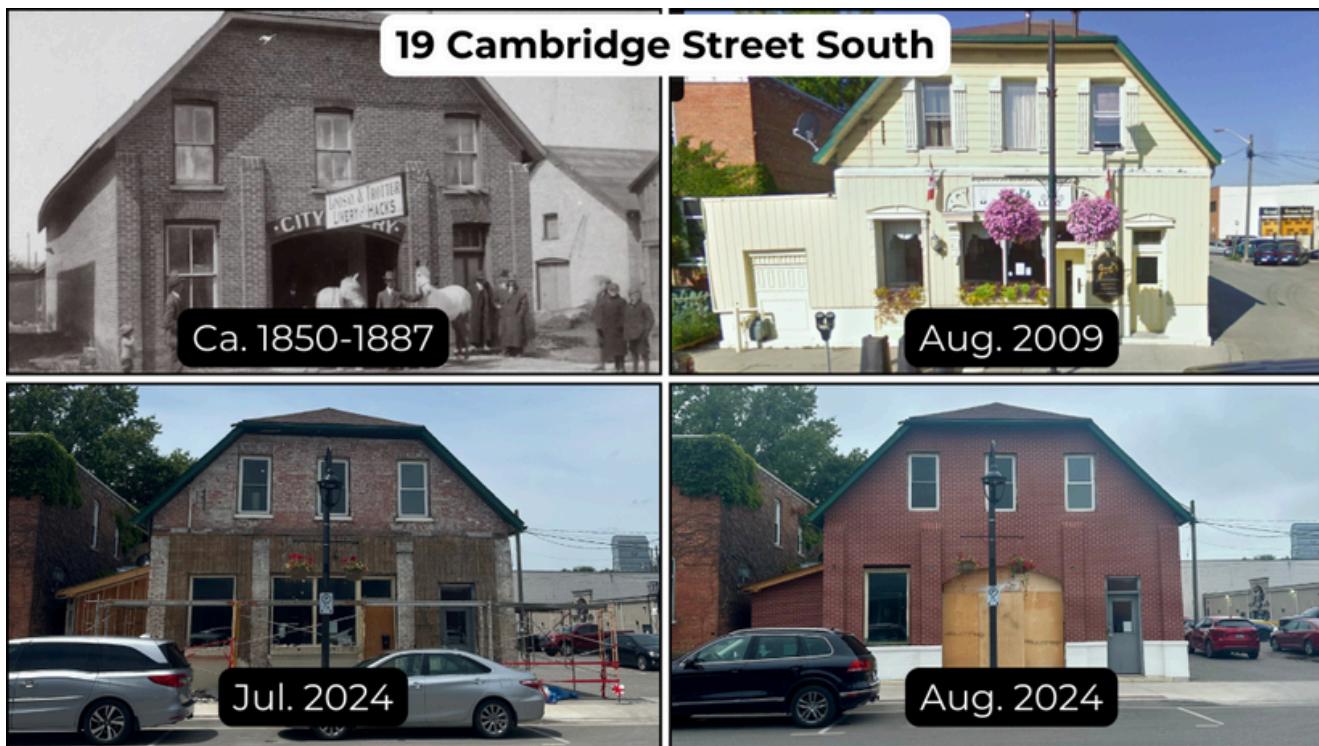


Source: Linborough Property Corp.

### Case Study: Revitalizing 19 Cambridge Street South

The revitalization of 19 Cambridge Street South exemplifies the possibility and value of developing downtown Lindsay. Found not only envisions the revitalization of Lindsay's downtown, but he is making it happen. The previously vacant building at 19 Cambridge Street South is being revitalized for the new home of the Kawartha Art Gallery on its main floor, with two new residential units above. Following the lot's five-year vacancy, Found's project keeps the building's history alive while adapting it for today's cultural, social, and residential needs. Found's revitalization project aims to honour the building's history while giving back to the community.

Source: Linborough Property Corp. 19 Cambridge Street South Ca. 1860-1887. Lindsay & Trotter Livery & Hacks.



Source: Author Anna Hancin admiring the view of downtown Lindsay from the roof of 189 Kent St. W (Anna Hancin).

**Conclusion: Imagining the Future**

Downtown revitalization represents Lindsay's most effective path to managing sustainable growth. Densification within the existing urban core strengthens the City's economic base, supports small and local businesses, and creates more connected and walkable communities. The development also helps expand a strong, walkable downtown centre.

These new residential units would generate additional tax revenue for the city. The success and positive impact of Wesley Found's 19 Cambridge revitalization project could inspire more downtown redevelopment projects. This is an excellent opportunity to strengthen provincial-municipal urban policymaking, honour Lindsay's past, and contribute to its future while giving back to its community.

Ultimately, Lindsay's path forward depends on embracing growth that revitalizes housing innovation while preserving heritage. By densifying within its historic downtown, Lindsay and the City of Kawartha Lakes can model how small cities can grow sustainably and inclusively while remaining true to their character.

# The Myth of Expansionary Austerity: Lessons from the Global Financial Crisis on Why Cutting to Grow Does Not Work

BY THEA BAINES
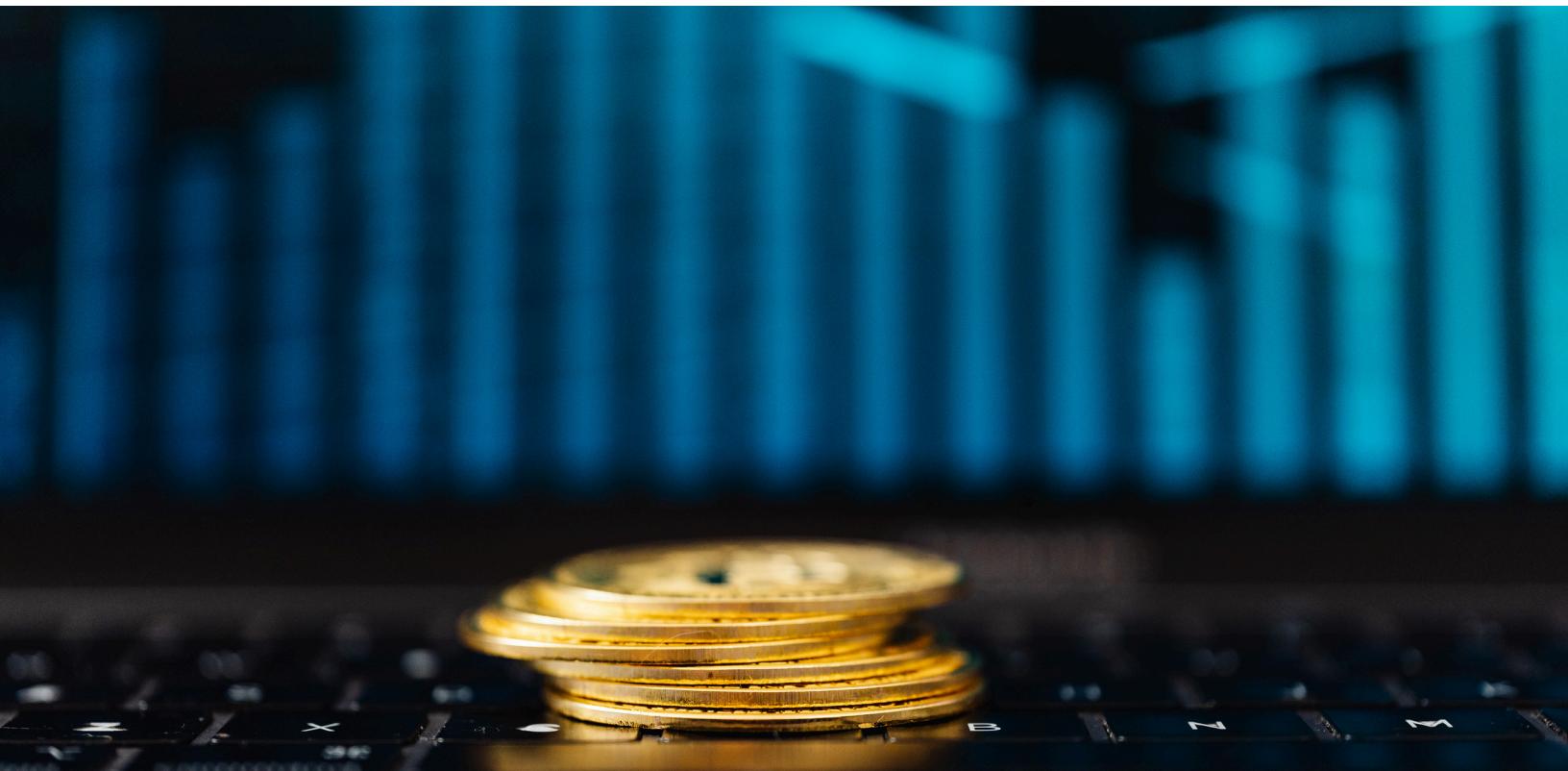
# The Myth of Expansionary Austerity: Lessons from the Global Financial Crisis on Why Cutting to Grow Does Not Work

Fiscal austerity is a popular neoclassical economic strategy for reducing government debt. Either through decreasing social programs or raising net tax rates, fiscal austerity aims to cut government spending and balance the budget. The idea holds that by lowering government debt and restoring confidence among investors, savers, and consumers, a country will re-establish stability in its budget. In response, investors and consumers will increase their spending, leading to economic expansion. However, fiscal austerity rests on fragile assumptions of certainty, financial liquidity, and rationality – phenomena that are not typically achieved in the real economy. The circular flow of the macroeconomy indicates that lowering government spending will lower equilibrium income, resulting in less tax revenue for the government. Most attempts at 'expansionary' austerity – the idea that reduced government spending will boost economic growth – have failed, leaving countries in long-term overlapping economic and social crises.



This essay will critically evaluate the theory and outcomes of expansionary austerity by outlining assumptions underpinning the policy and assessing real-world results, using the European debt crisis and the Global Financial Crisis as contrasting case studies.

The shortcomings of expansionary austerity are most clearly illustrated by the European Union's response to the Global Financial Crisis (GFC) and subsequent debt crisis. Following the GFC, Southern European nations, including Spain, Portugal, and Greece, were forced to adopt austerity budgets that prioritized deficit reduction over social welfare.

Government intervention is necessary to achieve GDP growth during a recession: the impacts of government austerity on spending power outweigh the effects on the 'confidence' of investors and consumers. Conversely, the Australian government implemented Keynesian-based strategies aimed at boosting aggregate demand and economic activity during the recession. As a result, Australia weathered the GFC without its economy entering a major recession. As the world grapples with the aftermath of the COVID-19 pandemic, and many countries are experiencing another severe economic downturn, we must critically evaluate the impacts of post-GFC austerity

packages and reassess the prominence of such methods for deficit reduction in policy.

Expansionary austerity is a political theory positing that reductions in government spending will decrease government debt and increase GDP growth. Fiscal consolidation can be defined as a policy aimed at reducing budget deficits and public debt through spending cuts and revenue increases. This typically includes measures such as reduced social benefits and public goods, increased taxes, and cuts to public sector pay and employment. For austerity proponents, running a deficit and postponing consolidation would limit the government's ability to meet debt obligations and weather potential financial collapse. By reducing the government deficit, budgetary consolidation will rebuild consumers' and investors' faith in market stability, making them optimistic about the economic outlook. This strategy is based on the hypothesis of 'Ricardian equivalence,' which suggests that agents, such as businesses and households, are forward-looking and rational, and can predict the effects of changes in government policy today (Demopoulos and Yannacopoulos, 2018). By this logic, cutting spending and reducing deficits in the present will signal to these perfect-foresight agents that they will have more money in the future (when debts are decreased) and should therefore spend more money now.

The theory of expansionary austerity rests on assumptions that cannot be consistently realized in the actual economy, which is marked by uncertainty, illiquidity, and human error (Demopoulos and Yannacopoulos, 2018). Because these constraints cannot be met, the expansionary effects of austerity policy fail. Financial constraints and irrational behaviour in the face of uncertainty undermine the hypothesis.

Empirical data highlight that budgetary austerity does not necessarily reduce government debt (Boyer, 2012, 299). The economic slowdown associated with austerity reduces GDP growth and undermines government responses to contraction. The International Monetary Fund (IMF) (2023), a major advocate of austerity policy during the European debt crisis, has admitted that, on average, "fiscal consolidations do not reduce debt ratios" (73). In fact, less than half of all fiscal consolidations achieve debt reduction targets (IMF, 2023). The debt-to-GDP ratio is the most meaningful measure of government indebtedness, illustrating that when GDP falls, the debt burden arithmetically rises. Reduced government spending inevitably targets social services such as unemployment insurance and benefits, which work as automatic economic stabilizers. Thus, fiscal contraction decreases output and employment, which which filter back into the economy through lower tax revenues and spending. Austerity's impact on growth is predominantly negative and must be considered a contractionary policy. The effect of spending cuts on GDP growth, incomes, and tax revenues confounds any hoped-for reductions to the debt burden.

The negative impacts of fiscal consolidation were clearest during the European debt crisis of the 2010s. Triggered by the GFC and the Great Recession, countries across Europe experienced both government and private debt. The most affected countries were Greece, Portugal, and Spain (Callan et. al., 2011). The coalition of the European Commission, the European Central Bank, and the International Monetary Fund – known as the Troika – emphasized deficit reduction and privatization in their bailouts (Heimberger, 2024). "In these agreements, the EU and the Troika did not care much about the composition of deficit reduction policies," Alesina, Favero, and Giavazzi (2018)

explain, "they just cared about the bottom line in terms of multi-year deficit targets" (9). Limits to government spending and signposts around debt reduction were conditions to the bailout packages adopted by struggling nations (Reeves et. al., 2013). As shown by the Gini coefficient, cuts in public services and the trend towards privatization increased income inequality, especially in Southern Europe (Lopez-Valcarcel and Barber, 2017). Undermining the essential services provided by the welfare state, fiscal austerity has increased unemployment and poverty rates (Lopez-Valcarcel and Barber, 2017).

Fiscal austerity also has a social cost that directly affects the living standards of those most dependent on public services. Investigations in the United Kingdom found that austerity measures decreased life expectancy by increasing elderly poverty and homelessness (Stuckler et. al. 2017). Because healthcare comprises a substantial proportion of social spending, it is often targeted by structural adjustment programmes. For example, the conditionalities of the Troika bailout package for Greece restricted public health spending to less than 6% of GDP (Reeves et al., 2013). This has increased waiting times for healthcare, limited access to services for undocumented and homeless populations, and increased mental health challenges (Reeves et. al., 2013). Additionally, data from Greece shows that there is an association between suicide rates and the announcement of new austerity packages.t (Branas et. al., 2014). Austerity measures take a toll on social health and well-being, which weakens economic productivity: an unhealthy population cannot sustain a productive workforce. Furthermore, in addition to these negative outcomes, these strategies failed to achieve meaningful debt reduction. However, the consequences of austerity, namely, privatization and instability, disproportionately harmed the broader population.

The logic behind fiscal austerity packages has been contested theoretically and through the natural experiments of the GFC. Instead, the economy is demand-constrained, and thus generally held back by limited spending power. The multiplier effect of government spending, where government intervention generates economic activity in the larger economy, must be considered when developing economic recovery strategies. Governments in Europe should have continued to stimulate their economies with more spending. A counterfactual to the European case can be found in Australia's response to the GFC. Unlike Europe and North America, Australia did not experience a large recession during 2008 (Rudd, 2018).

Countering austerity, the Rudd government implemented a major stimulus package to prevent economic downturn. Some strategies in their stimulus package included a lowered cash rate, guarantees on deposits and bonds, and payments to individuals (Kennedy, 2009). They also invested in large-scale infrastructure projects, including a new schoolhouse for every primary school and the installation of solar panels and insulation in family homes (Alexander, 2013). Following a Keynesian approach to aggregate demand theory (Boyer, 2012), which argues that the economy is driven by consumer spending, the government incentivized industry to increase demand and strengthen economic stability. In the face of returned global volatility, countries must look to practices outside the dominant neoclassical paradigm.

The severe recession in the aftermath of the COVID-19 pandemic represents a new opportunity for nations to develop creative mechanisms for economic stimulation and stabilization, and learn from the mistakes made during past crises. The IMF, one of the chief architects of the structural adjustment programmes to manage the European

debt crisis, has acknowledged the negligible impact of austerity measures on reducing debt across Europe (IMF, 2023). The Organization for Economic Cooperation and Development, another conservative body that previously advocated for austerity, has warned countries against this policy in the wake of COVID-19 (Ross, 2021). Moreso, Germany, one of the biggest supporters of the Troika's policy, has also abandoned its long-term spending cap to boost public spending on national defence and infrastructure. Eliminating their long-standing 'debt brake,' Germany's plan to increase spending and borrowing is expected to "boost the domestic economy," a notion in opposition to the idea of 'expansionary austerity' (Jones, 2025). The fact that some of the largest proponents of austerity have shifted strategies underscores the failures of austerity programming in the 2010s to achieve economic growth and recovery.

The myth of expansionary austerity has been disproven on many occasions. Both the faulty economic logic and the real-world implications of such fallacies highlight the mistakes made by governments in response to the GFC. Instead, as the Australian reaction to the GFC exemplifies, Keynesian aggregate demand theory provides a stronger base for tangible economic recovery., The failure of expansionary austerity highlights the enduring relevance of Keynesian principles in guiding effective economic recovery policies. Governments must recognize these lessons to avoid repeating mistakes and ensure more resilient economic responses to future crises.

# Codifying the Rights of Nature: The Legal Imperative for Canada's Environmental Future

BY ROSE BARRETT

# Codifying the Rights of Nature: The Legal Imperative for Canada's Environmental Future



As natural disasters increase in frequency and severity and Canada experiences the fastest increase in temperature on earth, it has never been more evident that Canada needs to establish the legal rights of nature through a comprehensive law granting the environment the right to exist, regenerate and thrive. Developing and passing a law of this sort would not be without challenges, but it would protect the environment for generations to come by de-incentivizing environmental contamination and facilitating retribution against actors found to be knowingly harming the environment. A Rights of Nature Law would also, in theory, lay the groundwork needed for holding the government accountable for inaction on climate change.

The idea of granting the environment legal rights or personhood is not a new concept. The Rights of Nature is an Indigenous-led campaign that seeks to grant legal rights to environmental bodies. Indigenous communities worldwide have largely championed the fight for the rights of nature. In Canada specifically, the Magpie River was granted legal personhood due to the efforts of the Innu Council of Ekuanitshit. Other advocacy efforts on behalf of Canada's wildlife and ecosystems have also largely been driven by Indigenous communities. It is worth noting that the rights of nature and granting legal personhood to the environment are similar concepts with several key differences; namely in scope and in legal status.

Granting legal rights to the environment describes a legal framework in which natural entities are accorded rights rather than being treated as property. Legal personhood is the status under law that allows an entity to have rights, duties, and the capacity to be represented in court, to own property, to sue and be sued. In the Canadian context, granting broader legal status presents the most feasible pathway forward. Legal personhood can effectively protect individual ecosystems, but on its own it remains too narrow to safeguard the environment in a more comprehensive way. Nevertheless, examples of nature being granted legal personhood can serve as roadmaps for establishing a right of nature law in Canada.

To adopt a law enshrining the rights of nature in Canada, we would need to fundamentally shift the way we see the environment from something we use and exploit to something to respect. Canada's settler-colonial and human-centered view has paved the way

for the degradation and exploitation of natural resources and the environment. We must let go of the human-centered perspective and adopt a more biocentric view. This paradigm shift would be inspired by Indigenous viewpoints, wherein the world is seen not as a commodity but as an entity with which we have a reciprocal relationship, and land encompasses much more than simply property.

A foundational piece in this school of thought is Christopher Stone's 1972 essay "Should Trees Have Standing: Toward Legal Rights for Natural Objects." Stone posits that we must grant legal rights to forests, oceans, rivers, and other natural objects in the environment. He asserts that it is not a great leap to grant the environment legal rights, because non-human entities such as corporations and trusts have long been granted legal rights, and that throughout history, unprotected groups such as women and children have slowly gained access to legal rights.

The Rights of Nature movement has made recent progress with the development of the definition of ecocide, and the recent decision from the International Union for Conservation of Nature, of which the Nature Conservancy of Canada is a member, to adopt a motion to recognize the crime of ecocide to protect nature. Ecocide is defined as "unlawful or wanton acts committed with knowledge that there is a substantial likelihood of severe and either widespread or long-term damage to the environment being caused by those acts." The motion called on states to recognize ecocide as a serious crime in national and international law. This decision comes as part of a larger movement to have the International Criminal Court formally recognize ecocide as a standalone international crime.

The need for an all-encompassing Rights of Nature law in Canada is exemplified by the Dryden Papermill case. In the summer of 2024, a study from the University of Western Ontario found that ongoing

contamination of water from the Dryden paper mill in Northwestern Ontario has caused the formation of methylmercury in the Wabigoon River. The poisoning of the Wabigoon River has been ongoing for decades and has resulted in devastating health effects for the surrounding Indigenous population and the ecosystem. This begs the question: if Canada had granted the environment the legal status of personhood, would this situation and many others have been avoided?

The basis of the Rights of Nature movement rests on the belief that nature is worthy of protection due to its inherent value. In addition to this core assumption, there are several key arguments in support of granting legal standing to nature. Granting the environment legal rights would facilitate retribution against those who knowingly degrade the environment. This would hinder corporations or cities from contaminating the natural environment. In the case of Grassy Narrows, if the river had held legal rights, there would likely have been a far stronger basis for holding the Dryden Paper Mill accountable for the long-term ecological damage and its impacts on the surrounding Indigenous community. Moreover, prior recognition of those rights could have created meaningful legal incentives for the mill to take preventative measures, reducing or even avoiding contamination.

Another argument for enshrining a "Rights of Nature Law" in Canada is that, codifying the rights of the environment could obligate the government to take necessary action to protect the environment and mitigate the effects of climate change. If they failed to do so, they would be legally liable. As the effects of climate change continue to worsen, incentivizing successive governments to work towards a solution is imperative. It is evident that without the legal imperative to act on climate change, governments will continue to fail to enact meaningful change.

There are several noted challenges in granting the environment legal status. To begin, the Rights of Nature movement has also been criticized for the lack of consensus on what conception of nature (biotic or abiotic) should be granted legal standing. The definition of nature can vary, and as such, reaching a consensus on the definition of nature itself in a legal document would be a major undertaking. Another important area of concern regarding establishing the rights of nature is the conflicts between environmental concerns and economic development. Granting legal standing to nature could, in theory, allow environmental factors to supersede other considerations such as economic and social development. Establishing legal precedence for when and where the environment would supersede other considerations would be a decades-long project.

Finally, critics of the rights of nature often cite the practicality of implementing such rights. Determining who would be responsible for representing the environment and bringing forward cases of environmental harm would require prior designation of a group or individual. These criticisms are not without merit and are essential in considering the practicalities of drafting and establishing the rights of nature in Canada.

Despite the challenges that come with embedding the rights of nature, several countries have had success in doing so. Two key examples can serve as a framework from which Canada could develop a law for the rights of nature: Ecuador and Bolivia.

Namely, Ecuador granted legal rights to nature and established these rights within its constitution. Under Chapter 7, Articles 71-74, Ecuador's constitution outlines nature's right to respect for its existence, maintenance, and regeneration as well as, the right to be restored, the right to be protected through preventative and restrictive measures, and the right

of the people of Ecuador to enjoy the benefits of the environment. It is important to note that changing the constitution in Ecuador is a very different process from that in Canada. Partial reforms or constitutional amendments in Ecuador can be done through several routes, including referendums, legislative votes, and, for more substantial changes, a vote in the National Assembly and a popular referendum. Since granting legal rights to nature, Ecuador has had a landmark ruling in favour of the environment. In 2021, Ecuador's highest court ruled against the proposed development of a copper and gold mine due to its infringement on the rights of nature.

Bolivia also passed a law in 2010 titled "Law of the Rights of Mother Earth" with the additional promise to "recognise and respect the rights and knowledge of the indigenous population's belief that nature has the capacity to regenerate natural systems." Bolivia's law on the rights of Nature outlines specifically that Nature has the right to life, diversity of life, water and clean air, maintenance of her components in a balanced way, preservation from pollution, and finally the right to be restored. Building off of the 2010 law, Bolivia also passed the "Framework Law on Mother Earth and Integral Development for Living Well." Since the adoption of these laws, Bolivia has had less success compared to Ecuador and shows that establishing these rights and implementing them are two separate challenges. Successive Bolivian governments have not been committed to upholding these rights and have instead allowed for the development of mining, hydroelectricity, and oil and gas exploration projects in biodiverse and Indigenous lands. The challenges faced in Bolivia in upholding the rights of nature can serve as an example of additional stipulations that would be necessary in Canada to ensure the law is upheld in successive governments, and how the law must balance economic and environmental considerations. Ecuador, Bolivia and other countries who have taken on the challenge of codifying the

rights of nature provide examples of how granting legal status to nature can be successful or unsuccessful.

Although Canada has never had an all-encompassing bill that would legally safeguard the rights of nature, there is one case in which a natural feature successfully gained legal personhood. In 2021, Muteshekau-shipu (or the Magpie River) was granted legal personhood by the Innu Council of Ekuanitshit and the Minganie Regional County Municipality. The river was granted nine rights, including the right to flow, the right to be safe from pollution, and the right to sue. This assertion granted the river the right to stop actions such as excessive pollution, regardless of human or legal rights.

In addition to the case of the Magpie River, there have been cases in which legal personhood was sought to protect a natural landmark. For example, there is an ongoing effort led by the Southern Chiefs Organization to have Lake Winnipeg legally defined as a person. In Alberta, several advocacy organizations submitted a statement of concern on behalf of the Athabasca River Basin in which they requested that the basin be recognized as a legal person. In both cases, legal personhood was sought to protect a natural feature from future development.

It is unlikely that the Rights of Nature would be enshrined in the Canadian Constitution. Amending the Canadian constitution would require cross-party and cross-country support. As environmental protection is highly controversial and partisan, especially when taking into consideration the economic priorities of the provinces, it would be difficult to achieve the level of support necessary for a constitutional amendment. As such, the most likely avenue for granting legal standing to nature would be through passing a bill through parliament and codifying it into law.
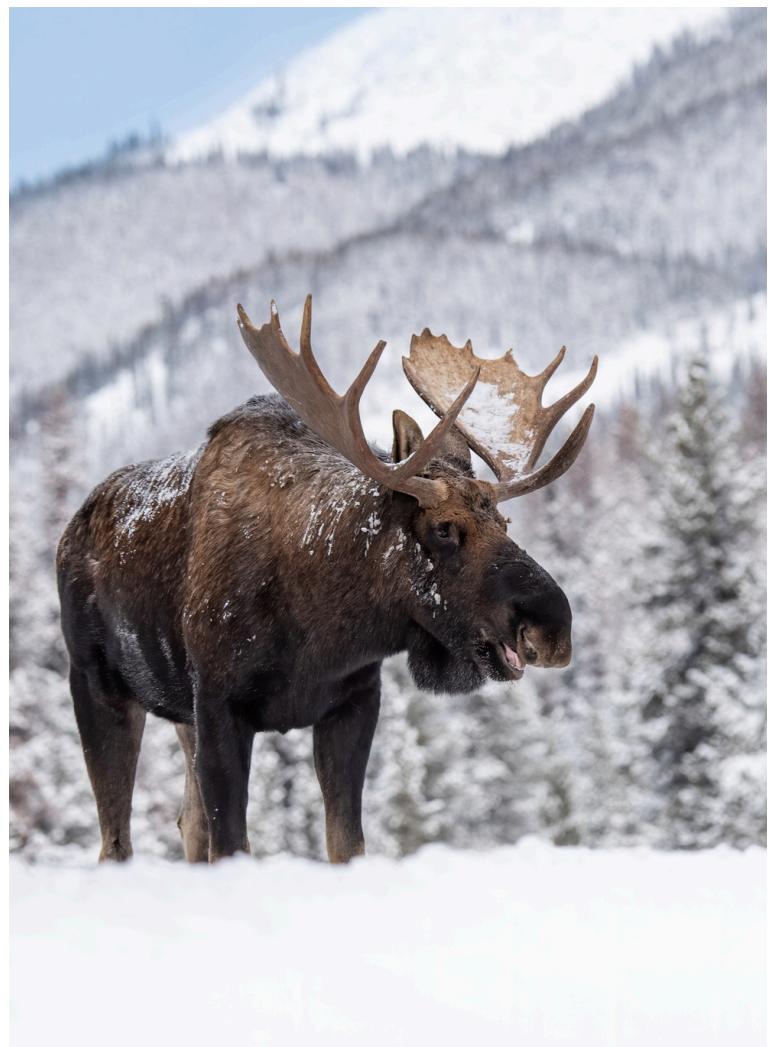
As it stands now, Canada has no law that weaves comprehensive environmental rights into law. Amending the constitution is improbable, but developing a piece of legislation that guarantees the rights of the environment is feasible. Although the process would require extensive consultations with stakeholders, Indigenous communities, and a lengthy review process, this would be worth it if it could slow down environmental degradation and ensure that Canada's environment is protected for generations to come.

# What's My Age Again? Assessing the Benefits and Risks of AI Age Verification Technology

BY VIC PASSALENT

# What's My Age Again?
# Assessing the Benefits and Risks of AI
# Age Verification Technology

Somewhere between your click and the content, artificial intelligence has already determined how old you are and whether you're too young to see what comes next. On 29 July 2025, YouTube posted a news release to its official blog, announcing that the platform would be piloting a machine learning age estimation system to a small set of users in the United States. Using AI, the system interprets a variety of signals – including "the types of videos a user is searching for, the categories of the videos they have watched, or the longevity of the account" – to determine whether the user is above or under 18 years of age. If the system identifies a user under 18, the platform applies age-appropriate protections, such as disabling personalized advertising and turning on digital wellbeing tools, to prevent children and teenagers from accessing adult content. As YouTube explains, this is part of a greater endeavour "to deliver safety protections while preserving teen privacy." YouTube's age estimation endeavours are part of a larger online conversation about the role of AI, age verification systems, and biometric data in making the Internet a safer place for young people. Facing increasing pressure from parents and politicians to restrict the availability of adult content in digital spaces, platforms like YouTube are updating their verification processes to include AI. However, implementing AI age estimation systems exposea new set of concerning questions: what criteria should these systems use to determine age; how should this data be collected, analyzed and disposed of; and, perhaps most importantly, do the

benefits outweigh the risks? This policy brief focuses on biometric-based verification using AI because the privacy implications of collecting biometric data, the potential for its misuse or abuse, and the inherent biases embedded within these emerging technologies operate under immense risk of doing harm and thus should not be implemented indiscriminately.

In Canada and around the world, internet usage has exploded over the last two decades. In 2020, 94% of Canadians reported access to household internet, 80% of Canadians reported access to a mobile data plan, and 92% of internet users were using social media. This rapid increase in online activity has created opportunities for malicious actors to exploit and harm minors and other vulnerable populations (e.g., seniors), who are increasingly embedded in digital spaces. In response to a perceived need to curate age-appropriate spaces, third-party service providers have cropped up offering verification mechanisms such as document-based verification, where users share digital

versions of authorized identification documents, and biometric-based verification, where users' ages are determined by their biometric characteristics. Biometric systems work by collecting sensitive user data to determine whether a person is beyond a certain age threshold – users' ages are determined through AI analysis of their biometric features (e.g., iris, fingerprint, voice) or behavioural characteristics (movements, gestures, motor-skills, etc.). Yoti, a leading service provider of facial recognition systems, had a true positive rate of 98.91% identifying 6-to-12 year olds, and in 13-to-17-year-olds the true positive rate was 98.65%. Similarly, using machine learning processes, biometric systems can be trained on users' online activity and browsing history to improve age recognition capabilities, rendering them increasingly effective at distinguishing between adults and youths. Compared with traditional content moderation methods – such as hiring full-time moderators to remove offensive content – AI verification purportedly avoids the necessity of moderating entirely, gatekeeping access to adult spaces.

Several countries – including the United States, the United Kingdom, and Australia – have already passed legislation to improve age verification standards as part of a global movement to tackle online child exploitation. In the US, legislation has been passed in piecemeal fashion, with twenty-five states enacting age-gating statutes that require platforms to deploy a "commercial age verification system" of some kind or confront the growing risk of civil lawsuits. This strategy constructs a patchwork of laws across the country; where legislation exists, victims are empowered to pursue direct litigation. Conversely, the United Kingdom and Australia have opted to introduce comprehensive, nationwide legislation. In the UK, the Online Safety Act has compelled digital platforms to implement rigorous safety measures to protect children or run the risk of significant monetary penalties.

The government of Australia has gone further, passing legislation introducing age checks for search engines, with a nationwide ban of children under 16 from social media to take effect in December. Although these legislative frameworks discourage negligence and, ideally, minimize exploitation of vulnerable populations, verifying responsible use by AI firms, who often safeguard the training data of their AI models as intellectual property or trade secrets, proves challenging. Often, remediation cannot be pursued until after a vulnerable person has been victimized.

In Canada, no legislation currently exists that mandates the use of age estimation systems. To garner a greater understanding of age assurance technologies and the privacy implications of their use, the Office of the Privacy Commissioner of Canada (OPC) has adopted an integral role researching the benefits and harms of biometric systems. In public consultations, the OPC invited interested parties from industry, civil society, academia, policy think tanks, and overseas data protection authorities to provide feedback that would inform future approaches to the topic. In conversation with the OPC, respondents emphasized that impacts associated with use or misuse of AI age assurance should not be underestimated, arguing that individuals may be discouraged "from operating freely in the digital environment and … [may] exclude users from encountering important information about employment, healthcare, housing, and other essential services based on their ethnicity, religion, or sexual orientation." The principle issue identified throughout these discussions was the intimate link between a person's identity and their online activity. Browsing history is just one of many biometric characteristics that can be monitored by an AI system, and, in combination with other behavioural preferences, can reveal private or confidential information about a user. Although not every person may see an issue with letting an AI

verify their age or collect their browsing data, those in marginalized communities, who already face increased oppression, may prefer to operate anonymously online to protect their identity and preserve their safety.

Nevertheless, Canada has pushed forward several regulatory frameworks and guidelines, mandating best practices for data collection and defining more rigorous standards as to how age assurance technologies should be designed and implemented. The OPC designed several overarching privacy and transparency policies, including the Ensuring the Right to Privacy and Transparency in the Digital Identity Ecosystem in Canada joint resolution produced in 2022, for adoption by federal, provincial and territorial governments. The document offers a "non-exhaustive list of conditions and properties … to ensure that rights to privacy and transparency are fully respected throughout the design, operation and ongoing evolution of the digital identity ecosystem in Canada." More recently, the OPC has published its own risk-based assessment guidelines and tools for businesses and federal institutions, reminding them of their responsibilities under applicable laws and regulations in Canada. These privacy obligations include securing consent to collect data, limiting unnecessary collection, retention and disclosure where possible, implementing safeguards, and integrating accountability into their implementation.

Although these systems appear effective at distinguishing between youths and adults, and address a critical barrier to online safety, AI technology continues to operate in tension between innovation and privacy priorities. Since implementing its pilot project in July, YouTube has come under intense scrutiny from users over potential privacy infringement violations, with a Change.org petition against the rollout garnering over 128,881 signatures as of October 2025. The move sets a concerning precedent – compromising online privacy for online

safety. As the petition poignantly states, "we risk losing our ability to browse, create, and enjoy content freely. … This is about digital freedom." Once normalized, these technologies have the potential to expand into other areas of digital life, leading to mass surveillance and data control.

With the capacity to capture and analyze user information, and the ability to make indiscriminate judgements based on that data, AI age verification further entrenches intrusive surveillance systems within our digital spaces. Furthermore, the potential benefits of safer spaces do not negate the serious risks of misuse and abuse by platforms, states and law enforcement, or malicious actors. While these verification systems have the potential to do enormous good for online communities by thwarting exploitative efforts by malicious actors, they do require invasive access to our most personal data. The physiological and behavioural characteristics captured by biometric systems are often unchangeable and difficult to conceal, tying us to our digital identities no matter where we go online. For some users, this may be insignificant, but for marginalized groups – who use the Internet to connect with others, or to access resources and support – this type of perceived surveillance may create a chilling effect on their online activity. Although Canada has not rolled out any verification systems of its own, if age assurance mechanisms are to be used at all, they must be implemented only when absolutely necessary and collect as little information as possible.

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