



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

House of Commons Debates

VOLUME 148 | NUMBER 135 | 1st SESSION | 42nd PARLIAMENT

OFFICIAL REPORT (HANSARD)

Tuesday, February 7, 2017

Speaker: The Honourable Geoff Regan

Statistics Act

The House resumed from January 30 consideration of the motion that Bill C-36, An Act to amend the Statistics Act, be read the second time and referred to a committee.

Ms. Dianne L. Watts (South Surrey—White Rock, CPC):

Mr. Speaker, I will be sharing my time with the member for Haliburton—Kawartha Lakes—Brock.

I am pleased to speak to Bill C-36, an act to amend the Statistics Act.

The legislation aims to provide more independence to Canada's chief statistician. It would update penalties for Canadians who failed to complete their short form census. It would replace the National Statistics Council with the new Canada statistics advisory council. There would no longer be a requirement to obtain the consent of Canadians to transfer their personal information from Statistics Canada to Library and Archives Canada.

I would like to address each one of these changes. Some of them are supportable and some are not.

Let me first begin with the increased independence of the chief statistician.

Under the legislation, Canada's chief statistician would have sole responsibility to decide the methods, procedures, and operations of all statistical programs under Statistics Canada. It would also mean that he or she would have full authority over the collection, compilation, analysis, abstraction, and publication of all statistical information. The chief statistician would also have control of the content released and publicized, and how and when this information would be circulated.

While some aspects of the legislation make sense, and the chief statistician should be able to decide the best way to gather data and what the process should look like, we also need to

ensure that he or she remains accountable to the minister and Canadians. Moreover, the new powers granted are such that he or she will have the final say on where information is stored, as well as the type of information being collected, as he or she will have powers to decide what questions are asked and which ones are not.

I will acknowledge that this will likely be good news to the former chief statistician, Wayne Smith, who resigned recently over the Liberal government's push to use Shared Services Canada to store statistical information. While there may be a need to use a different method to protect Canada's data, we need to ensure we have a system of checks and balances and ensure that this information does not fall to a third party to store and potentially undermine the security of Canadians.

We have seen many examples of the hacking of systems worldwide. We have seen the manipulation of information, the selling and trading of information, and our own systems have been subject to these same practices. The Liberal government is now reopening the process to allow a Chinese company to buy a Canadian IT firm against the recommendations and warnings from CSIS. We need to ensure the minister and all departments under Statistics Canada's purview are held accountable to Canadians. Giving the chief statistician the final say without any accountability really undermines that process.

The second change would remove the penalty of imprisonment for Canadians who failed to fill out census forms. I think we can all fully support this change. In fact, it was the previous Conservative government that removed this penalty from every survey, except the short form census.

The third change is the bill would create the Canadian statistics advisory council. This council would replace the National Statistics Council, which has been in place since the 1980s. This new council would reduce the membership of the current council to just 10 members. In addition to advising the chief statistician, the new council would also advise the minister and would be required to produce an annual report.

Again, the issues with this section have to do with accountability. In particular, I am concerned with the new membership structure.

The current council has representation from every province and every territory in Canada. However, the new council will only include 10 members and will not include representation from every province and territory. In fact, three provinces and territories will not be represented. What is even more troubling is that we will not know the makeup or representation of the council until the Prime Minister and his cabinet appoint the members.

It is inappropriate for cabinet to decide which regions are important enough to have a voice at the table and which ones are not.

We collect data from Canadians in every province and every territory across the country. Not to have representation from three provinces and territories is unacceptable. This change needs to be rectified.

The fourth change is one that gives myself and my colleagues on this side of the House the most concern. The government will no longer require the explicit consent of Canadians to transfer their personal census information from Statistics Canada to Library and Archives Canada after a period of 92 years. Once the information has been transferred to Library and Archives Canada, it will be public and available for anyone to view and use at will.

The privacy and security of Canadians should be of the utmost priority for any government. The work that Statistics Canada does is so important, not only for policy-makers in crafting our legislation, but also for helping Canadian research and academia sectors, business sectors, environmental sectors, and for future historians who will be looking to understand the evolution of Canadian society.

However, regardless of all the great work Statistics Canada does, the right of Canadians to privacy over their own information cannot be compromised. Canadians should have the right to consent to the transfer of any personal information obtained through the census.

In today's digital age of easy and instant information sharing, we cannot forget how easy it is for information to be shared and used without our permission. We should not be giving anyone the power to transfer some of our most personal data to a public domain without our explicit permission.

Even though the legislation has a delay period of 92 years for transferring and publishing our personal information, the type of information collected by Statistics Canada will often include or impact not only those individuals, but also their spouses, their children, and other family members. The argument that 92 years is a sufficient length of time to cancel out any worry about invasion of privacy assumes that the data looks at the individual in a vacuum.

We need to be aware that sharing and transferring this information to Library and Archives Canada will impact not only the individual, but also those who are, or were, connected to that individual. This is the most problematic piece of the legislation. An amendment that requires the explicit consent of the individual should be included.

The bill has potential. The work that Statistics Canada does is extremely important, but the collection and storage of data cannot come at the expense of the privacy of individuals or their families.

We also need to ensure that Canadians from all regions are represented equally and fairly, and that Canadians can be confident that the personal data they provide to the government is stored securely and is not shared without their consent.

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):

Mr. Speaker, this legislation is a strong positive step forward for StatsCan. I was a bit surprised at the member's argument about the release of information. She can correct me if I am wrong, but she seems to be of the opinion that it is the only way the census information that is collected could ever be released to Library and Archives Canada. I appreciate that she noted that the government said that, after 92 years it should be released, but the member is suggesting that it be qualified. Does that mean, for example, that before the information that had been collected from millions of Canadians 92 years ago could be released to Library and Archives Canada, their descendants would have to give consent? Could the member expand on how the Conservative Party would see that actually work? Should we try to trace the descendants of those people from 92 years ago through genealogy, and if we cannot trace them, then it would never be given to Library and Archives Canada? I am not quite clear exactly how it would be implemented.

Ms. Dianne L. Watts:

Mr. Speaker, it is not as involved as the member is making it out to be. It would be a simple question on any census sheet that asks, "Do you give consent to have this information released in a period of 92 years?" Anyone who fills out a census form can sign it. It would not be

necessary to go through the whole process of trying to track down descendants. I think that is just hogwash. It is merely adding a question on any census form for people to give their consent to have it released, pure and simple.

Mr. Pierre Nantel (Longueuil—Saint-Hubert, NDP):

Mr. Speaker, we all have a lot of questions. I am glad to see that my colleague seems to think Statistics Canada and the long form census are so important.

The Conservative Party seems to be more open-minded about some issues than before. Do I detect a schism in the Conservative Party line on these issues, on the long form census and the party's deliberate scientific blindness regarding demographic data that are so important to industry? Are they becoming more open-minded, or have I misinterpreted?

Ms. Dianne L. Watts:

Mr. Speaker, I would think that the Conservatives have always been open-minded. I would also say that it is not about being fractured; it is about common sense. The collection of data is very important for Stats Canada, and for research right across the board for many organizations and many sectors. It is the anonymization of that data that becomes useful. When it is attached to a name or a family and can be traced back, that is where the problem comes in. Data is collected and used in many cases, but is anonymized, and it gives researchers a tool to gather information and do the research they need to do. Therefore, how this could be done is very simple.

Mr. Mark Gerretsen (Kingston and the Islands, Lib.):

Mr. Speaker, going back to the discussion we were having about the 92 years and the requirement for that data to become accessible to the public, the fact that the member is suggesting we need to consent to that in advance underscores the disregard for how important it is for the data to be a requirement. Requiring people to fill out the long form census is what makes the data relevant. If we do it in a fashion that lets people make the decision as to whether or not they want to do it, the data will be skewed. Likewise, if the only people whose data we are giving out 92 years from now are those who consent to it, the data would be skewed because it would only be representative of the people who are interested in giving it out. Therefore, it underscores the fact that I believe the former Conservative government did not understand the benefit in having the data be a requirement.

Ms. Dianne L. Watts:

Mr. Speaker, all data could be used. People would be giving their consent to have their information put out there and their name used. If they do not give consent, and I go back to the anonymization of the data, they do not have their name attached to it. We still have the exact information and exactly what is there, but one's name is not attached to it. People should have the choice to do that. I think it is disrespectful to just put the data out there without consulting Canadians.