



Standing Committee on Procedure and House Affairs

June 7, 2018, 3:30 EST by videoconference

Opening statement by Victoria Henry, OpenMedia

Good afternoon, I'm Victoria Henry, a digital rights campaigner specializing in privacy issues with OpenMedia, a community-based organization committed to keeping the Internet open, affordable, and surveillance-free.

I'd like to thank the Committee for the invitation to discuss Bill C-76 today.

The revelations stemming from the Cambridge Analytica and Facebook scandal have highlighted the extent to which our privacy laws are failing to protect the privacy of ordinary people in Canada.

While Bill C-76 makes some positive steps to protect the integrity of elections and safeguard our democracy, the omission of political parties from privacy legislation is a concerning gap.

And this is the issue I'd like to address today.

Support for political party privacy legislation in Canada

People around the world are increasingly concerned about how their personal information is gathered, used, and stored. Over ten thousand people in Canada have recently signed on to a letter asking for reform of our privacy laws. And a key demand in that letter is for Canada's political parties be subject to Federal privacy laws.

The existing privacy exemptions for political parties has left many Canadians convinced the current system is not working in our best interest. We need guarantees that our governments' political interests will not take precedence over our privacy and security.

A national online omnibus survey conducted from May 7th to May 14th of this year, revealed that a large majority - 72% of Canadians - supported changing the law so that political parties follow the same privacy rules as private companies. Only 3% support the status quo policy of fewer restrictions for political parties.

This polling also showed that support for extending PIPEDA to political parties has broad support for partisans of all stripes. I can provide the full polling results as well as the letter from Canadians to the Committee members with my notes.

The need for legislation instead of privacy policies

These views are supported by the Privacy Commissioner of Canada. In his testimony to this committee, the Commissioner stated that “information about our political views is highly sensitive and therefore particularly worthy of privacy protection.”

Because of this, simply asking political parties to have their own privacy policies, without defining the standards that must be applied, is not enough. For example, the standards set by C-76 do not include measures such as:

- Limiting collection of personal information to what is required
- Obtaining consent when collecting, using or disclosing personal information
- Collecting information by fair and lawful means

Because of this, the Privacy Commissioner calls for internationally recognized privacy principles (not policies defined by parties) be included in domestic law and that an independent third party have the authority to verify compliance. We support this call, as well as the recommended amendments put forward by the Commissioner’s office.

Conclusion

The recent scandal clearly demonstrated how weak privacy safeguards can have serious effects that go beyond the commercial realm. With Federal elections due in 2019, we need to safeguard our democracy and protect against undue influence stemming from online privacy violations.

Many ministers have indicated that they are willing to strengthen our privacy laws. The status quo is at odds with wishes of most people in Canada, whose confidence in our political processes are undermined by the singling out of political parties when it comes to privacy. On behalf of the vast majority of people in Canada who support stronger privacy rules for political parties, I ask you today to strengthen the protection of our democratic institutions and make these changes now.

Thank you.