



Submission to Standing Committee on Public Safety and National Security

Steve Anderson, Executive Director

OpenMedia

March 23, 2015

Good evening, my name is Steve Anderson and I am here today on behalf of OpenMedia, a non-profit digital rights organization.

Last year we helped start the [Protect Our Privacy Coalition](#), which is the largest pro-privacy coalition in Canadian history with over 60 organizations involved.

You know you've hit on a common Canadian value when groups ranging from the Canadian Taxpayers Federation, to pro-democracy organizations, to small businesses, to labour unions, join together.

I am happy to be joined today by representatives from the Canadian Civil Liberties Association and the Principled Conservative forum Free Dominion.

To help ensure the voices of the majority of Canadians are heard I have brought with me petition signatures of over 100,000 people against this Bill, gathered by OpenMedia and LeadNow.

I also reached out online to get input for my testimony, and I will reference some of the input directly.

Support for C-51 is plummeting because **the more Canadians know about C-51, the less they like it.**

My testimony falls under two themes:

- 1. Bill C-51 is reckless and dangerous.**
- 2. Bill C-51 is ineffective.**

1. Reckless and Dangerous

Canadians believe C-51 reckless and dangerous, in part because it exhibits a blatant disregard for our right to privacy.

C-51 provides spy agency CSE with an offensive domestic mandate, thereby setting the eavesdropping agency loose on Canadians. By empowering CSE to take unspecified disruptive measures, the bill provides the agency with open-ended powers to act against Canadians on our own soil.

New CSE digital disruption activities could also include measures such as false attribution to individuals, the takedown of legitimate websites, or the planting of malware on individual devices.

Concerningly, C-51 also facilitates the distribution of information on law-abiding Canadians, without our knowledge or consent, to no fewer than 17 agencies and institutions, along with foreign governments.

I think many Canadians agree with Allen Ramenbergh who wrote on Facebook that if we “surrender our privacy and liberties to unaccountable, central authorities, the terrorists have won.”

Now I have heard a representative of the government claim that our sensitive data will not be stored in one big database, but I wonder why the legislation then explicitly states that the data will be quote “collated”.

That said, duplicated data flowing between multiple unsecured government databases might in fact leave Canadians even more open to being victimized by data breaches and cyber-criminals.

The reckless treatment of sensitive data strikes Canadians as fundamentally irresponsible, especially considering the fact that in recent years federal government agencies have seen over 3000 breaches of sensitive private information of an estimated 750,000 innocent Canadians.

More than 200 Canadians have come forward in recent months to say their personal or professional lives have been ruined, due to information disclosures, despite never having broken the law.

Privacy is security in its most basic and individualistic sense.

2. Ineffective

Not only is C-51 reckless and dangerous, it is also frankly ineffective in achieving its stated aim.

As Professor Roach pointed out to this committee, the information distribution envisioned in this bill would drown the government in information rather than providing actionable data points.

Furthermore, with zero added oversight and accountability there is no way even to know if these powers are working as intended.

Experts agree that what we need are *targeted tools* for the digital age, not mass disclosure of personal data.

Additionally concerning, many elements of the Bill are not even focussed on terrorist threats, but rather apply broad security-oriented powers to a range of other, less-serious contexts.

Careless drafting of this legislation will muddy the waters of investigations, taint the work of security officials and make Canadians less safe.

Sadly for a bill that purports to take on terrorism it also lacks any measures to address the root cause of radicalization unlike the law passed by our counterparts in the UK this past December.

Conclusion:

C-51 is reckless, dangerous and ineffective both in terms of content and process. The Bill is deeply flawed, and must not be made law.

I'll close with this comment submitted from a young Canadian on reddit: "As a Canadian citizen I feel that our country fosters and promotes values that encourage upcoming generations to voice their opinions and outlook without fear of repercussion or consequence. This is a Canadian value that, in my view, should be perpetuated."

Thank you. I will now turn this over to my colleagues from the Canadian Civil Liberties Association and Free Dominion.