



Nov. 12, 2012

RE: Privacy commissioners misunderstand Bill C-30  
*Vancouver Sun*  
Saturday, November 10, 2012

We have no objection to allowing for immediate access to subscriber data in urgent circumstances. Our objections relate to the fact that there will be no determination of whether the circumstance is urgent or not, thus allowing for far greater collection of subscriber data.

In fact, Bill C-30 was not drafted to address serious and immediate harms to persons or property. The proposed warrantless access power is not even confined to criminal investigations, let alone serious ones, and can be used for the purpose of any function or duty of law enforcement.

It has long been acknowledged that Bill C-30 does not provide law enforcement with the authority to access the content of private communications without a warrant. However, in the case of subscriber data, such as Internet Protocol Addresses and email addresses, new analytic tools and algorithms now make it possible, not only to link those pieces of information with an identifiable individual, but also to combine information from multiple sources, ultimately creating a detailed personal profile of a personally-identifiable individual.

The true value of privacy must be recognized – and ideally enhanced, not diminished – in any effort to modernize law enforcement powers.

Elizabeth Denham  
Information and Privacy Commissioner, BC

Ann Cavoukian  
Information and Privacy Commissioner, Ontario

Jill Clayton  
Information and Privacy Commissioner, Alberta