



Canadian Association
Library canadienne
Association des bibliothèques

Mr. Stephen Woodworth, M.P.
House of Commons
Ottawa, ON
K1A 0A6

May 12, 2015

Dear Mr. Woodworth,

Thank you for taking the time to write back and for including insightful questions regarding Bill C-51 in your letter dated April 20, 2015.

The Canadian Library Association (CLA) speaks on behalf of the Canadian library community. Canadian public and academic libraries serve well over 78% of Canadians each year, providing access to resources and community spaces to research, learn, and engage in dialogue. It is well-understood and widely accepted that surveillance has a chilling effect on free speech and civic participation that extends well beyond people with criminal intent. Canadian libraries' have always sought to protect and respect the privacy of Canadians in their intellectual pursuits. On behalf of our members, The Canadian Library Association maintains that the privacy and freedom of law-abiding Canadian citizens should not be compromised as the government seeks to improve the capabilities of law enforcement.

The government heard from many organizations and individuals who have emphasized that privacy is highly valued by Canadians. Whether the privacy of Canadians' personal information is or is not a "core principle" of our democracy, it is certainly considered important by Canadians; it is for this that Canadian governments at all levels have very strict requirements for safeguarding the private information held by them about individuals. Canadians expect that information gathered from them or about them by an organ of government for a particular purpose is used only by the department that acquired the information for the original purpose for which it was gathered. We did not say there could never be exceptions to this; we did call for strong, independent oversight of the interdepartmental sharing of information that is envisioned in this bill.

You asked whether we had suggestions for narrower and clearer definitions of what freedom of expression should be limited as "terrorist propaganda." In general, we would prefer that freedom of expression not be limited by law without considerable public debate. The significant consultation and the longer periods of public and parliamentary discussion in the cases of obscenity and hate speech were important in clarifying these concepts before Parliament passed relevant legislation (and still the courts have had to define them further since). We would have preferred similar opportunity for fulsome societal and parliamentary debate on the present topic.

The government opened the discussion on Bill C-51 to allow for somewhat broader discussion and examination of the Bill in committee. However, it appears that many of the concerns expressed by civil society groups were not heard in the context of the committee process; not even the Privacy

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Commissioner was invited to present to the committee. We do not propose a particular minimum number of hours of debate in Parliament or a minimum number of committee witnesses, but we do suggest that a House of Commons process of three months seems very rushed for legislation of this importance. Parliamentary history could likely offer guidance on more customary lengths of process for issues of similar weight for Canadians.

We are pleased to hear you wish to make constructive suggestions to Bill C-51 and we hope you will review the concerns raised by numerous experts to the same effect during and outside of the committee process in your remaining Parliamentary caucus consideration of this legislation. We would encourage you to include a review period for this Bill to ensure that, if passed, it is properly monitored in its implementation to ensure it is not causing unintended consequences for Canadians.

Should you have any further questions, please do not hesitate to contact me at (613) 232-9625 x306 or vmckay@cla.ca.

Yours sincerely,

A handwritten signature in cursive script that reads "Valoree McKay".

Valoree McKay, CAE
Executive Director