



Timely questions for those seeking to run the nation *Technology, intellectual property should be on politicians' agendas*

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On the cutting edge - Brian T. D. Bowman

IMAGINE the following scenario: Paul Martin, Stephen Harper and Jack Layton each show up at your door hoping to win your vote in the coming federal election.

After faithfully reading this column over the last year, you decide to ask each of the leaders cutting-edge privacy, information technology and intellectual property questions. To assist your efforts, today's column provides five timely questions for each leader.

What would you do to stop Internet spam?

Unsolicited and annoying commercial e-mail messages, or spam, have become a major problem for Canadians, so much so that last year the federal government created a joint government/private sector task force to come up with solutions to combat spam.

On May 17, 2005, the task force delivered its report entitled *Stopping Spam: Creating a Stronger, Safer Internet*, which recommended more rigorous law enforcement, public education, policy development and legislation.

Since receiving the recommendations, however, the federal government does not appear to have taken any concrete steps to stop spam.

What would you do to combat identity theft?

Identity theft has become one of the fastest-growing crimes in Canada.

Ipsos-Reid has reported that nine per cent, or almost 3 million Canadians, have already been victims of identity theft.

As a result, a forum of federal, provincial and territorial government representatives recently held public consultations that ended Sept. 15, 2005, to explore options to amend laws to combat identity theft.

Other than the consultations, however, the federal government has arguably not yet taken any substantive steps to combat identity theft.

Would you support the "lawful access" proposal?

Bill C-45, the Modernization of Investigative Techniques Act, died on the order paper when the federal election was called last week. The bill was commonly known as the "lawful access" proposal and was introduced under the guise of combating terrorism. If passed, it would require Internet service providers (ISPs) to develop means to intercept and retain your e-mail communications as they introduce new networks or technologies.

The bill would also allow law enforcement agencies such as Winnipeg police and the RCMP to compel ISPs to disclose subscriber information, including names, addresses, telephone numbers, IP addresses and cellphone numbers, all without having to first obtain a warrant.

The bill has been widely condemned for its privacy implications and expectation that it would create new costs for ISPs, which would likely be passed on to consumers.

Would you make any revisions to PIPEDA?

Since Jan. 1, 2004, the Personal Information Protection and Electronic Documents Act, or PIPEDA, has applied in most provinces to the collection, use and disclosure of personal information by organizations in the course of their commercial activities.

Notably, however, the legislation requires that the federal government review its provisions in 2006.

PIPEDA has been criticized for its highly subjective obligations and definitions, such as its definition of what constitutes "personal information" and "commercial activities."

Would you support the amendments to the Copyright Act found in Bill C-60?

Bill C-60 sought to amend the Copyright Act for the digital age, but it also died when the federal election was called. However, that might not be a bad thing. The bill was widely criticized for some of its ill-advised reforms including those affecting libraries. If passed, it would have allowed libraries to provide access to material protected by copyright, however, libraries would have to take the impractical steps of limiting the public from making multiple copies and using these copied materials for more than seven days.

The answers to these questions are critical because spam, identity theft, privacy and copyright matters affect us all.

That is why anyone seeking to become prime minister, or even an MP, should be able to express a basic understanding and opinion regarding these issues.

Hopefully, you will now be ready with pointed questions for Paul Martin, Stephen Harper and Jack Layton, or their candidates, when they show up at your door.

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