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Chair

Mr. Dan Ruimy

Standing Committee on Industry, Science and Technology

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• (0845)

[English]

The Chair (Mr. Dan Ruimy (Pitt Meadows—Maple Ridge, Lib.)): Welcome everybody to meeting 53 of the Standing Committee on Industry, Science and Technology. Pursuant to the order of reference of Tuesday, February 7, 2017, we are studying Bill C-36, an act to amend the Statistics Act.

Today we welcome Anil Arora, chief statistician of Canada, and Andrée Desaulniers, senior analyst, information management division.

Mr. Arora, you have 10 minutes.

Mr. Anil Arora (Chief Statistician of Canada, Statistics Canada): Thank you very much, Mr. Chair. I want to thank the committee for inviting me to appear today. I appreciate this opportunity to provide some brief opening remarks.

[Translation]

I am accompanied today by Andrée Desaulniers, a senior analyst at Statistics Canada. Ms. Desaulniers is here to help me and, more specifically, to answer any technical questions you may have about the bill.

As you know, statistics play a key role in democratic societies. Statistics Canada produces information that helps Canadians better understand our country—its population, resources, economy, society and culture. Statistics provide our elective representatives—you—businesses, unions and non-profit organizations, as well as Canadians in general, with a solid foundation that helps them make informed decisions.

[English]

We at Statistics Canada take our role very seriously. We are committed to protecting the confidentiality of all information entrusted to us, and to ensuring that the information we deliver is timely and relevant to Canadians. This as you know is no small task as in addition to conducting a census every five years, we conduct and provide high quality results from about 350 active surveys on virtually all aspects of Canadian life.

Statistical agencies must operate with a high level of independence in order to obtain the co-operation of respondents and earn the trust of the users of our information. Currently, the Statistics Act has no specific provision establishing the independence in how we conduct our business at Statistics Canada.

The amendments proposed in Bill C-36 are designed to strengthen the agency's independence to ensure the ongoing impartiality and

objectivity of the national statistical system. The proposed changes aim to better align Canada's legislation with international standards promoted by the UN and the Organisation for Economic Co-operation and Development.

There are limits to independence of course. We must be accountable for the decisions we make and the actions we take. Under the proposed legislation, the minister would retain authority to provide direction on material changes to the scope of the statistical program. The chief statistician, consequently, would be able to request written public direction before acting on ministerial directions relating to the statistical program. The proposed bill would now directly assign authorities for decisions on methods and operations to the chief statistician, including for the collection, compilation, analysis, abstraction, and publication of statistical information.

However, should the minister deem it to be in the national interest to make a decision that directly involves methodological or operational matters, that decision would now be authorized by the Governor in Council and tabled in Parliament.

In our view, working independently does not mean working in isolation. Statistics Canada has never worked in an isolated way. For example, we work in partnership with Public Services and Procurement Canada on contracting and facility issues, and with Canada Post for delivery of census questionnaires.

There are advantages to working with others. One example is cybersecurity. We will benefit from the investments the government is making across the system in terms of security. We will take advantages of opportunities to move to the latest technologies and standards, and to really focus on our area of expertise which is to collect and provide high quality statistics. We have made substantial progress on our IT infrastructure challenges, and I'd be happy to provide additional details on that front.

We will continue to do our part, and hold all our service providers to do their part with no compromise to security or confidentiality, or the integrity of our statistical programs. Bill C-36 also proposes to create a new Canadian statistics advisory council. The existing National Statistics Council has been an important contributor to the work of Statistics Canada for more than 30 years. The new advisory council would fill an important gap, and focus on the overall quality of the national statistical system, including the relevance, accuracy, accessibility, and timeliness of the statistical information produced. The council would provide an advisory role to the minister and the chief statistician, and would publish an annual report on the state of the national statistical system.

I for one will welcome the increased transparency the new approach would bring to the important work we do at Statistics Canada, and the perspective and advice the council would offer. If there are things we can do better, we want to hear about them, and we certainly want others to hear about them as well.

● (0850)

Under the amended act, the chief statistician would be appointed to a renewable term of five years. The chief statistician would serve during good behaviour and may only be removed by the Governor in Council for cause.

The bill would remove a requirement for consent to transfer census records to Library and Archives Canada after 92 years, beginning with the 2021 census. This change responds to the growing needs of historians, genealogists, and Canadians, who require this important information for research purposes.

The bill would remove from the act provisions related to the imprisonment of people who refuse to provide information related to mandatory surveys or who impede access to such information. There is general consensus among Canadians that imprisonment for such behaviour is inappropriate and disproportionate to the offence. Provisions related to fines for the same offences will, of course, remain.

Finally, the amended act would offer a technical fix to modernize language that does not align with current operational practices, often due to technological changes such as the introduction of online rather than paper questionnaires.

In closing, Mr. Chair, let me assure members that the employees of Statistics Canada remain dedicated to their work. We will continue to look for innovative approaches to collecting and communicating high-quality information that matters more than ever in today's complex society.

My colleague and I are happy to address any questions or concerns that you may have.

Thank you.

The Chair: Thank you very much.

We're going to move to questions, starting with Mr. Arya.

You have seven minutes.

Mr. Chandra Arya (Nepean, Lib.): Thank you, Mr. Chair.

Mr. Arora, welcome back to the committee.

I have worked in several countries, and wherever I worked, when they were looking for quality statistics, Statistics Canada was one of the top sources. With these new changes, where does Statistics Canada stand in comparison with similar institutions across the world?

Mr. Anil Arora: Statistics Canada has been one of the pre-eminent statistical agencies in the world. In fact, it is operated very much in line with the legislation.

What has happened over time is that a number of organizations like the United Nations and the OECD have actually formalized a lot

of the good practices that statistical agencies, at least the eminent ones across the globe, follow.

What you have now, essentially, in the proposed legislation, is a codification of what has generally been the practice. In many international fora, Statistics Canada is regarded very highly, in terms of the way it operates. The legislation essentially now takes it one step further, and codifies in law some of the responsibilities that leverage the expertise that statisticians bring to a statistical agency.

● (0855)

Mr. Chandra Arya: The National Statistics Council has been here for 30 years. How is this new Canadian statistics advisory council different? What changes will it showcase?

Mr. Anil Arora: First of all, Statistics Canada has always looked for advice on various matters from Canadians, eminent Canadians. In fact, we have 13 advisory committees in various subject-matter areas. We have seven federal-provincial committees, with representation from every province and territory. We have international experts who provide us with advice on a range of statistical matters. As you said, the National Statistics Council has been an integral part of the advice that we've been given. It has over 40 members, of whom 33 are active.

What we're talking about, in terms of the evolution of statistical systems in the world, is the formation of a council or body that can actually speak to Canadians transparently about the advice that it gives to the minister and the chief statistician. It speaks about the health of the national statistical system in comparison to the evolution of society, in terms of where statistical systems are going internationally. That's a gap in Canada currently.

In fact, as I said, we have sufficient representation of all aspects of society in the vast array of advisory committees that we have. What the legislation proposes is the creation of a Canadian statistics advisory council to fill the gap that, as you see in many other jurisdictions, is now formalized.

Mr. Chandra Arya: Are you happy with this bill? Are you satisfied? There are some people who say that this bill doesn't go far enough. They say it doesn't make Statistics Canada more independent than before.

Mr. Anil Arora: We at Statistics Canada take great pride in two basic functions. One is to be able to interact with Canadians and make sure that when they give us their confidential information they can count on Statistics Canada to keep it confidential. The other is to ensure that when we put information out it is trustworthy and credible, so that when Canadians use it, they needn't worry about things such as independence.

I think we have done a good job as a country, as a nation, and as this democratic institution within it. What this bill does is remove any doubt, if there was any, that we operate in a fashion that is independent, that we bring our expertise to bear, and that Canadians can have absolute confidence and trust in what we put out.

Mr. Chandra Arya: If there is a Governor in Council directive that you feel is not appropriate to professional statistical standards, are you obligated to ignore it?

Mr. Anil Arora: The way the bill is laid out, in broad terms, is to separate the “what” from the “how”. I think for Statistics Canada to be relevant, it has to make sure that it is responding to the policy needs of the nation and how they're evolving, and I think the government sets that policy direction and defines what the gaps are.

In terms of that responsibility, and the resources that go along with it for us to do our job, that's really a responsibility of the government. I think what the bill does now is it puts explicitly in writing that the chief statistician is responsible for methodology, the process of how to collect the statistics so that they are defensible. So if there is a desire, or if there is a need for the minister to intervene, it's going to be clear, because such an intervention would be put in the form of a Governor in Council directive in both Houses, and it would be a transparent process.

Similarly, should a minister decide to intervene on a content matter, the chief statistician can now publicly make that request of the minister in writing. It would be transparent who made the decision and who holds the accountability, and that would be now codified in law.

● (0900)

Mr. Chandra Arya: Can you talk a bit about transfer of data to Library and Archives Canada and what benefit it brings to Canadians?

Mr. Anil Arora: I think you have to see the landscape today. More and more people are looking at their heritage. They're doing a lot of research. Genealogists, historians, researchers, and academics all rely on that information. What this bill does is provide that information to them 92 years after a census is conducted, because a census is essentially a portrait we take of our country and of our people every five years.

The Chair: Thank you.

We'll move to Mr. Dreeshen.

Mr. Earl Dreeshen (Red Deer—Mountain View, CPC): Thank you very much, Mr. Chair, and my thanks to our guests this morning.

I had the opportunity to go to the Blue Sky III Forum in Ghent where it was obvious that the work done for years by Stats Canada is well received. Of course, Blue Sky II was in Ottawa, and we were able to set the stage for a lot of great things being done with regard to statistical analysis. As a former math teacher, I have had students whom I'm very proud of who have worked in Stats Canada. So it's nice to have you here to talk about some of the issues that are important. From my perspective, it's certainly a case of striking the balance between getting good quality data and respecting the privacy of Canadians.

You mentioned that for 2021, for that census, you would start talking about 92 years. Does that mean we go back to 1929 and say that any information we have there is now fair game, as of 2021, or are we starting the clock at 2021 and moving forward 92 years? My point is, if it is something we're going to start at the next census, what would be wrong with having an opt-out provision for that data to be ultimately given out?

Mr. Anil Arora: First of all, it's always great to be able to talk statistics with somebody who has had first-hand experience in using and teaching. We're glad that we benefited from your efforts in the

form of students. We're grateful for the capacity that's being built across this country, which I think, in itself, is another issue. Statistics seem to scare a lot of people, so it's always great when we can actually create the capacity in an ever more complex society that needs data.

As to your question regarding the 92-year rule, maybe I can provide just a bit of context. First of all, census records have in the past been made public after periods of time. That period of time has changed over time. Records have been made available. With the evolving privacy legislation that's been brought in, and an evolution of the Census Act to the Statistics Act, and so on, there was a legal question about the assurance of confidentiality and the necessity to make those records public. How were those two things going to play each other out?

The concerns were and still are really, on the one hand, that you want to make that information available for research and genealogical and other work, while on the other hand, that you don't want to put the census collection at risk because people are concerned about their confidentiality and privacy. You could see huge numbers of people not participating in the census because they feel in some way that their confidentiality would be at risk.

There have been studies across time about this very balance. For a period of time in 2006 and subsequent to that in 2011 and 2016, the notion of a provision to seek consent was put in place. I think it's important to see how quickly people's attitudes about participation in the census, and then making it public, have evolved. In the 2006 census, just over 50% of Canadians gave an explicit consent to make their information available publicly after 92 years. In 2011 and 2016, that number jumped up to over 80%, where people are explicitly giving consent to make their information available from Library and Archives Canada 92 years later.

The landscape, and the acceptance of this, is changing. On the other side, we're not seeing a massive decrease in response rates on the census. If anything, in the case of the 2016 census, we've seen a higher response rate.

I think Bill C-36 responds to that change in people's attitudes. What it proposes now, starting with 2021, is that records be automatically made available 92 years hence and for that intervening period, between 2006 and 2016, that the wishes of people would be respected. Even in that period, people can change their mind about going from a no to a yes. In fact, the overwhelming response so far—well it's not large numbers—shows that people's wishes are going from a no to a yes, even in that intervening period.

● (0905)

Mr. Earl Dreeshen: Basically you're extrapolating that from 50% to 80% now means that it's going to be even higher in the future, but things do change as time goes on. What might have been the factors that would have caused that increase? We're not sure just what might happen. Historically, around the world you can imagine that there are certain events that take place where all of a sudden people say, “You know what? I think we've been giving too much to the government and therefore, we'd like to have that opportunity to back out.” That's the point that I look at.

I still believe that having that option is valid. We can go 50% to 80% and assume it's got to be close to 99% by the time we get there, but that doesn't really bring into effect some of the other things that could happen worldwide. If my residency was a federal penitentiary or something like that, maybe I wouldn't want that to be known for 92 years, if that was the sort of information that was being presented, but I think there are a lot of others. That's one point that we have.

The other question has to do with the advisory council and what we did have and what we do have now with the federal-provincial-territorial consultative council on statistical policy versus the new entity that is being looked at. When the whole focus was about getting representation from each region, which is basically my conception of what the first part was about, to saying now we only need 10 and of course, we consent to have those 10 chosen in a particular manner. There's this look of impropriety to that. One could say, "Yes, we know that they're all going to be chosen and they're all going to be the best people that are going to be on this, so therefore, we don't have to worry."

The Chair: I hate to cut you off, but your 40 seconds are over already. Perhaps we can get back to that answer.

We're going to move to Mr. Masse. You have seven minutes.

Mr. Brian Masse (Windsor West, NDP): Thank you for being here again. I appreciate that.

The relationship with Lockheed Martin is one of the things I've always been concerned about. I raised it last time, and I hope perhaps you have a little bit more that you could provide on it. Obviously, that was something that I raised immediately, the concerns related to their being an arms manufacturer and distributor of weapons across the world, including bombs, land mines, and a series of other things that we've signed conventions against. The crux of it was the fact that as it was an American company, when we were going to potentially...and it was good that we got the reversal of that...data to the United States. It was susceptible to the U.S. Patriot Act. My understanding is that once that act is engaged in the United States, a company cannot provide anyone else the notation that they're under investigation or review, or that their data is being compromised by U.S. administrative authorities, when that data is then actually requested by their system under the U. S. Patriot Act.

What other types of outsourcing are currently being done at Statistics Canada? That problem with Lockheed Martin seems to have gone away for the most part, at least the main stuff.

One of the strongest components of Stats Canada is the quiet confidence that Canadians had in the protection of their personal information. Unfortunately, we live in a world where some of that protection is at risk, even under the best of circumstances. Most recently we had Snowden, but we also have U.S. legislation, other countries' legislation, and other hacking that has been done on systems across the world. I just came back from Washington, where they are obsessed now with the Russian issue. But what comes to light as the bigger component in the protection of personal data, even in the Canadian government, is outsourcing. I've been here long enough to notice the constant accidental compromise of a person's personal data.

What type of outsourcing does Stats Canada do right now?

● (0910)

Mr. Anil Arora: First of all, every single employee of Statistics Canada, in the act as well as beyond the act, in terms of the spirit of it, takes confidentiality and privacy protection very seriously. It is something that is indoctrinated in us right from day one.

Mr. Brian Masse: I agree. My question is on what companies you are outsourcing work to under Stats Canada. That's my interest.

This is one of the reasons I disagreed with the original outsourcing. It goes beyond the time that I was here. I have every confidence in the in-house operations and ethical propriety, which is part of the act.

What companies are you currently outsourcing to right now? For what type of business?

Mr. Anil Arora: Just to continue to provide that clarity, because we take that oath and that legal requirement to protect the confidentiality and privacy of respondent data seriously, the actual handling of confidential information or questionnaires, the data itself, is never outsourced to anybody else. Anybody who does the collection, anybody who is doing the processing of that information, anybody who has access to confidential respondent data—

Mr. Brian Masse: I understand that, but—

Mr. Anil Arora: It's done by Statistics Canada employees.

Mr. Brian Masse: I'm asking about what type, how much, and to what companies you do outsourcing. That is still part of the operations and possible compromise. I'm not looking for what you do in-house, but what you actually outsource—to whom, what components, and how much? Those are the specifics that I'm looking for. What companies are you outsourcing work to, and for what reasons? They are part of the chain.

I have every confidence in what we have in-house. I don't need that. What I need is how much outsourcing is taking place.

Mr. Anil Arora: That's what I'm saying. When you talk about something that's done inside that is now going to be done outside, which is essentially that definition, anything that is done outside does not involve the handling or access to confidential respondent data. That's the first point.

Our expertise is in collection and disseminating of information and the processing of it, so we don't build our own software if it's readily available and we're absolutely certain...and there are a lot of checks and balances in place to make sure. We have networks that have all the security that's required, so, of course, we don't duplicate things when there's a cost-effective solution out there that doesn't pose any risk to confidentiality and security.

Indeed, we buy software from various vendors, whether it's SAS or IBM SPSS, whether it's our processing hardware, whether it's the databases that we acquire to manipulate and actually process the information. With printing of questionnaires and things like that, we go out and we work with printers to make sure that's done. For distribution of questionnaires out and questionnaires back in, we use Canada Post to help us do that. Absolutely, there are activities out there where we rely on other parties to provide us with information, but never at the risk of putting Canadians' data that is private and confidential at any risk.

As I said, it starts with our deep commitment, because we understand that relationship with Canadians. It's embedded in the law—there are in fact penalties and jail terms should we violate it—and on top of that we have a very rigorous process. Before we engage in acquisition of any of those services, first and foremost we make sure that there's no risk to the confidentiality or privacy of Canadians' information.

• (0915)

Mr. Brian Masse: I appreciate that, and—

The Chair: That's time. We're going to move to Mr. Jowhari.

You have seven minutes.

Mr. Majid Jowhari (Richmond Hill, Lib.): Thank you.

Good morning, Mr. Arora. Thank you for coming in.

Let me start by going back to November 16 when Mr. Smith appeared before the Standing Committee on Government Operations and Estimates regarding the circumstances of his resignation.

At that time, he cited three major concerns that he had, and all of them were around Shared Services: number one was around intrusion; number two was around confidentiality; and number three, abbreviated, was around effectiveness and cost increases, etc.

Now, with you being in that position for the last four to five months, can you shed some light onto the relevance of those and whether there are points of concern?

Mr. Anil Arora: I took over on September 19. I think it's fair to say that there were significant opportunities to improve our relationship with Shared Services Canada in ensuring that we had the necessary capacity in the form of disk space and servers and so on for us to be able to do our job and make sure we weren't putting our ability at risk to put out information on a timely basis. We embarked on a formal arrangement, an agreement that Ron Parker, the head of Shared Services Canada, and I penned. We established a very robust governance structure between our two organizations to make sure we were going to minimize any risks associated with the lack of sufficient technical infrastructure that we needed as an agency to do our business.

We broke out the work into phases, and within those phases we broke them out into stages. We had a fairly robust planning session, very collaborative, between our two organizations to prioritize the work, to acquire the necessary hardware and software, to make sure that it was installed in a certain manner and tested and so on, as I just spoke about earlier. I'm pleased to report that we are working as planned. The risks to the inadequacy of the infrastructure that we require have significantly diminished. There's still work to do, and we continue to do that of course, but I think you can see that we're not putting our dissemination plans at any risk.

In addition to that, I just want to also clarify that in no way does Shared Services Canada tell us what we can collect or whom we can collect from. That's explicit in the agreement that we signed. They have absolutely no say whatsoever, as with any other vendor that we may work with externally or internally to the government, about how we go about doing our business. They never have, and they never will tell us how to go about doing what we know best. There is no real issue about their interference in statistical matters. As I said, we

are putting more and more controls in place to ensure that this infrastructure is managed properly over time. As our programs increase, of course there's a necessity for an increased infrastructure. We want to make sure the resources are there for them to do their job and for us to make sure that we get what we need to do our job, and that we're always going to be vigilant about who has access to information about Canadians.

• (0920)

Mr. Majid Jowhari: That's great.

Is it fair for me to summarize that those three concerns that were specifically raised are not a concern for you at this point?

Mr. Anil Arora: As I said, infrastructure requirements continue to increase. They always will. There's no autopilot button. You have to work with parties. And we continue to work with them, and it's been very collaborative and very productive since.

Mr. Majid Jowhari: With about two and a half minutes left I'd like to go back to the role, and if you can help me understand the complementary aspects of the role of the chief statistician, the minister, as well as the Governor in Council.

Mr. Anil Arora: As I explained earlier, the legislation now codifies the various responsibilities in law. The government and the minister, reporting to Parliament, obviously, are accountable for the broad needs of the nation aligned to the policy needs. I think that is part of the benefit of my being able to sit at various DM policy tables, making sure that I'm certainly aware of where those needs are and where we have gaps and how those needs are evolving and how we can be part of the solution. I think that's a really important aspect: that it's not just independence, and then we go off and do whatever we want. We want to genuinely make sure we're part of the solution because Canadians deserve the best information to make decisions based on evidence.

That's the first aspect. Of course, if there are substantive changes to content in there that Statistics Canada feels are an interference in how we should go about best satisfying that content need, the legislation now gives the chief statistician the authority to ask us to please put it in writing, and it can be a public statement.

Second, there could be valid reasons in the future when a minister may intervene on methodological issues. It could be budgetary constraints, we could be going through a period of war, who knows what could occur in the future. There could be valid reasons that may have to be taken into account in the context of the proper statistical way of doing certain things. Should a government, a minister, wish to intervene, now they have to do it in a way, as laid out in law, through a Governor in Council transparent mechanism.

Mr. Majid Jowhari: Great, thank you.

I have 30 seconds, so I want to make sure I get in the last point.

While it was great that the long-form census was brought back, the long-form census has not been made mandatory in the legislation. Can you explain why?

Mr. Anil Arora: I think what I just talked about applies to the census as well.

As I said, the questions on the census are gazetted, they're put in Governor in Council.... That's the content piece. That's encoded in law, and that's still the case in this proposed bill. The methodology and how this information can be provided is a statistical matter, so sampling, whether it's mandatory or voluntary, remains in the purview of the chief statistician with all the mechanisms that I talked about.

The Chair: Thank you.

We're going to move on to Mr. Dreeshen. You have five minutes.

Mr. Earl Dreeshen: Thank you, all.

I'll try to get back to the question that I was talking about earlier, and I won't spend a lot of time on that.

Could you express some of the rationale that we have between going from where all provinces and territories were represented to the situation now, where the numbers don't add up, where you still going to have that representation?

Mr. Anil Arora: Perhaps I could dispel a couple of misconceptions out there.

The National Statistics Council was established back in 1985 to have broad representation from various aspects of society to make sure we were getting good advice on our statistical programs. As I mentioned earlier, our system of advisory committees has evolved quite a bit since then, and we have seven committees dedicated to ensuring that we have appropriate representation of each province and territory—not one, but seven.

In addition, we have—

• (0925)

Mr. Earl Dreeshen: Therefore, you don't see that as a....

I do have another question, and I didn't want to lose my time again on the second round.

So you don't see a major difference. You are satisfied there's going to be provincial representation, even though we're just choosing 10. They could all be from Ontario, or they could all be from Vancouver. There's no intent with the group of 10 that it would be representative throughout the country.

Is that more or less how you see it?

Mr. Anil Arora: As I said, the needs of the statistical system, especially as the law is now laid out, require an ability, if you like, for a body to be able to publicly comment on how the statistical system is responsive, how it's evolving to the needs of society today, how it is placed within the international sphere, what advice is being sought and given in a transparent way, and to speak to Canadians.

That's what the Canadian statistics advisory council is about. The National Statistics Council members themselves have done yeomen's service. This is not a commentary on the quality of the people or the work they've done over the last 30-odd years, and they in fact have the opportunity to take part, or express an interest in taking part, on the new council or on the multitude of advisory committees that we have.

Mr. Earl Dreeshen: Earlier on, you mentioned that you don't build your own software. You take a look at wherever it is

economically feasible but you have security in all of the data you have.

I always talk about this, but there's a difference between physical science and political science. When you state that no one is going to say there's a 100% chance that you are not going to be hacked and so on, that's where the political scientists jump in and say, well that means that this is going to take place and here's where the future is going to be.

If it did happen, how quickly could one stop such a breach? Do you have the ability to manage it, because, again, that's where the confidence part comes in that I mentioned earlier. You know, all of a sudden, you can find out.... As I said, you don't know what's going to happen in the next hundred years. Knowing somebody's religion today a hundred years from now could be extremely critical, and we've opened up the doors for that type of information to be presented.

How quickly can you ensure that you'd be able to move from one type of structure to another in order to close that gap, or would you simply shut things down until you knew you had that security?

Mr. Anil Arora: You're pointing out about cybersecurity threats and how things are evolving on that front. First of all, we go to great lengths to make sure that, once the confidential information comes into Statistics Canada, it's kept in isolated systems that don't have external connections and so on. It's a one-way in and that's it.

Cybersecurity threats, as you said, are a reality today. In fact, that's one of the advantages of having Shared Services Canada have the expertise, build a centre of expertise, where they're tracking those threats, finding the vulnerabilities. They're identifying what the remedies and patches are. They're building that monitoring capacity and making sure that all the systems across the government are robust.

I think that's one of the advantages, again, of doing what we do best and allowing others to specialize and help us when and if there is a perceived or real threat.

The Chair: Thank you.

We're now going to move on to Mr. Longfield. You have five minutes.

Mr. Lloyd Longfield (Guelph, Lib.): Thank you, Mr. Chair, and thanks, Mr. Arora, for being here again.

First of all, as a full disclosure, I have an English and math degree, but I haven't done matrices or linear algebra for a few years now, so it's a good thing there's no test today.

I am interested in the advisory council and how it interacts. In particular, I am thinking of things like the labour market information. Industry is telling us that they are having trouble filling jobs, and youth are having difficulty finding jobs they can fill with their skills.

Does the advisory council look at market needs, or does it play more of an advisory role in terms of governance?

Mr. Anil Arora: Perhaps I could turn to.... It's not the National Statistics Council per se, but we actually have an advisory committee on labour markets and how that whole situation is continuing to evolve. That also builds on a number of previous studies.

I think Don Drummond did a study earlier, on labour market availability. It looked at the whole system, including our EI system and so on, and how it needs the kind of information to allow policy-makers to make the decisions around where there should be investments in skills and training, and where there should be more information on things such as job vacancies.

In fact, it's the work of that committee and of some of the panels that predate the current period that actually led to a couple of statistical programs being launched.

Today, we go out and look at how many jobs are advertised, how long they have been on the market, what kind of wage rates they pay, and where they are vis-à-vis where things are.

I think that's the kind of information for which we look for advice, and then we make sure, in working with ESDC and other partners, that we're responding to that.

• (0930)

Mr. Lloyd Longfield: The Barton report, the Drummond report, or the other reports that come would go directly to you, but what's the advisory council's role in determining priorities?

Mr. Anil Arora: That specific council is really looking at how we go about best filling that gap. There are numerous ways that one could go about that. One could do searches on various job sites to see the number of jobs that are available. One could go out and do a survey to find out where.... It's about ensuring we have the robust mechanisms that provide the information to fill that very gap.

Mr. Lloyd Longfield: It is similar to a board of directors then, in terms of their role.

Mr. Anil Arora: It's an advisory committee, so they give advice to me as the chief statistician and, of course, to the department, in terms of statistical methodologies, how they align with international trends and standards, and how we can collect that information so that it can better link with other sources of information, to tell the very story that we're interested in learning more about.

Mr. Lloyd Longfield: We're trying to develop good legislation all around the table here. One of the concerns I think the opposition parties and ourselves have is to make sure independence is maintained. That's part of my question about the advisory role, whereas the independence in decision-making still rests solely within your department.

Mr. Anil Arora: That is correct.

Mr. Lloyd Longfield: That is reviewed by Governor in Council and by Parliament in what way?

Mr. Anil Arora: Let me parse that out.

First of all, the robust set of advisory committees we have currently provides technical advice on how best to go about measuring a phenomena, how things are evolving in the landscape of that particular aspect, and how we should go about responding to it. What are the data sources that are accessible to us that balance in respond and burden would cost with the kinds of outputs we get? They are technical committees, and they provide us with technical advice on how we would develop the instrument to go about measuring that gap.

As I said earlier, what the legislation does now, in fact, is fill a gap, because those advisory committees give advice to us internally, and it is very technical. There is no committee, no body that speaks to Canadians about how, overall, the system is evolving and where Statistics Canada is in that evolution journey, both domestically and internationally.

That's what that Canadian statistics advisory council will now do. It's mandate is to make the advice that's sought public, and to put out an annual report that speaks to the various dimensions, if you like, of quality, that consists in the national statistical—

Mr. Lloyd Longfield: We just finished a review—

The Chair: Thank you.

Mr. Lloyd Longfield: I was going to go to C-25, but we won't go there.

Thanks.

The Chair: We're going to move on to Mr. Nuttall.

Welcome back.

Mr. Alexander Nuttall (Barrie—Springwater—Oro-Medonte, CPC): Thank you, Mr. Chair, and thank you, Anil, for joining us today.

One of the questions or concerns that has been brought up with regard to the changes to the advisory committee is that when these changes take place there's always the background of partisanship in Ottawa. Picking up where Mr. Longfield left off, is there going to be any change in the system used to determine who will be on this advisory committee?

Mr. Anil Arora: The current National Statistics Council has had an interesting evolution in terms of how members were selected and made it onto the committee. There was a period of time when it was the minister, then it was the chief statistician making recommendations to the minister, and then it became the chief statistician essentially deciding who's on that council. What you've seen over time is an evolution of that.

Now we have 40 members on that council. We have gaps in terms of representation. In fact, five provinces and territories aren't represented on it. There's duplication in terms of content advice in an advisory committee, as well as from the National Statistics Council. The big thing is that in the evolution of the statistical systems, the independence that we're talking about here, there is a practice internationally on a body that can speak to the public at large. That's what this tries to do, provide that transparent mechanism for a body to be able to see where things are.

• (0935)

Mr. Alexander Nuttall: Right, but my question was specifically about whether there was a change in the way these people are chosen.

Mr. Anil Arora: Right.

That's what the legislation proposes, that it would be through the Governor in Council process, that they would go through the process as described in terms of the selection, the remuneration, and the representation they now would have to have, as with any other individual who serves in that capacity in many other bodies across the country.

Mr. Alexander Nuttall: Who is the individual, at the end of the day, who is responsible for these appointments?

Mr. Anil Arora: Again, it is a GIC process. I'm not the expert on that particular process, but there is an established process and we follow that.

Mr. Alexander Nuttall: Basically what you're saying is that previously the chief statistician would have been heavily involved in that process, and now it is the government itself. Is that correct?

Mr. Anil Arora: My understanding is that recommendations for people to serve in those capacities can come from various means.

Mr. Alexander Nuttall: Just to clarify, previously the recommendations were put forward by whom?

Mr. Anil Arora: As I said, in that evolution since 1985—

Mr. Alexander Nuttall: Okay, no more of this. They were previously put by the chief statistician. Is that correct?

Mr. Anil Arora: There was a period when they were appointed by the minister, there were also periods when the chief statistician recommended people, and there were points when the chief statistician actually nominated people.

Mr. Alexander Nuttall: One year ago, or two years ago, what happened? The chief statistician put forward the names. That's my understanding.

Mr. Anil Arora: My understanding is consistent with that.

Mr. Alexander Nuttall: Tomorrow, or the day after this is adopted, that will no longer be the case. Is that correct?

Mr. Anil Arora: That is correct.

There will be a formal, transparent process.

Mr. Alexander Nuttall: Leave the politcspeak to the people who are in politics.

The process now will be a cabinet or a minister directly overseeing this and appointing people, so my concern is that we are actually getting away from an objective third party process. When I look at our bureaucracy, because I'm sure there are people of all parties working for the Canadian government, I hope that everybody leaves his or her personal feelings at the door when stepping into a job and really takes an objective approach to this. I'm not sure that can be said of politicians themselves, being one.

My concern is that this legislation, and you've confirmed this, is actually taking the objectivity away from this process. We're taking it out of the hands of the professionals and we're putting it into the hands of politicians.

The Chair: Thank you.

We're going to move to Mr. Baylis.

You have five minutes.

[*Translation*]

Mr. Frank Baylis (Pierrefonds—Dollard, Lib.): My question is for you, Madam Desaulniers.

Finding a balance between the need to have solid data we can rely on and Canadians' right to privacy is always an issue.

Can you explain to us what Statistics Canada is doing to achieve that balance?

Ms. Andrée Desaulniers (Senior Analyst, Information Management Division, Statistics Canada): I assume you are talking about the census. Unless your question is about our data in general.

Mr. Frank Baylis: I am talking about data in general, but especially the census. There were some issues related to that.

Ms. Andrée Desaulniers: My role is to explain the legislation, so perhaps you have some questions about how the legislation works. I can explain the data from the past, if you like.

Mr. Frank Baylis: Yes. From what I understood, some changes were made.

Ms. Andrée Desaulniers: Okay.

Until 2001, data was made public without Canadians' consent.

● (0940)

Mr. Frank Baylis: After how much time was the data made public?

Ms. Andrée Desaulniers: After between 72 years and 100 years, approximately. I can get the figures for you if you want.

Mr. Frank Baylis: How was the number of years determined?

Ms. Andrée Desaulniers: The 72-year period predates Confederation. So we lack information on how the waiting period was determined at the time. Generally speaking, the number of years is set based on an individual's lifespan.

Mr. Frank Baylis: So it had to do with an individual's lifespan.

Voices: Interesting. That's good.

Mr. Frank Baylis: The individual must be dead.

Ms. Andrée Desaulniers: Yes, generally. That is why the period would not be 30 years.

Mr. Frank Baylis: Okay.

Ms. Andrée Desaulniers: The chief statistician explained it well. Over the years, with changes in legislation, determining what the legislator's intent was became complicated, especially in the early 1900s.

Once an enumerator promised to keep the information confidential, it meant that the entity as a whole was required to maintain confidentiality.

Many years later, we find ourselves trying to figure it out. We were not there at the time. So it was decided that a mechanism, under the Privacy Act, would allow data to be made available after 92 years, without people's consent. In any case, the data was collected a long time ago.

Mr. Frank Baylis: In what piece of legislation does the 92-year period appear?

Ms. Andrée Desaulniers: It appears in the Privacy Act. Actually, it's in section 6 of the Privacy Regulations.

Mr. Frank Baylis: The regulations indicate that we must wait 92 years.

Ms. Andrée Desaulniers: Exactly.

That covered data that had not yet been made available. For example, the data from 1891 was made available in 1983, when the legislation was passed.

Do you like numbers?

Mr. Frank Baylis: You lost me a bit.

Can you please repeat?

Ms. Andrée Desaulniers: Okay. When the Privacy Act was passed....

Mr. Frank Baylis: Are you talking about the 1960 legislation?

Ms. Andrée Desaulniers: I'm talking about the act passed in 1983 whose regulations made it possible to make census data available after 92 years.

If you subtract 1891 from 1983, you get 92 years. We could make the data available when the act was passed, and that was done. As you know, the same figure is found in the Statistics Act.

Mr. Frank Baylis: Okay.

Ms. Andrée Desaulniers: In 1918, another amendment was made to the act. At that time, it was clear that data was confidential and there were no provisions that made it possible to make census data public after any period of time. In 2005, an amendment was made to the Statistics Act to decide what do to with data collected between 1921 and today.

It was decided that consent was not needed and that the data would be made available.

Mr. Frank Baylis: We are talking about data going back more than 92 years.

Ms. Andrée Desaulniers: Exactly. That is what was revised in the act that is currently in force. However, it was requested that consent be tested. That was done from 2006 to 2016.

Mr. Frank Baylis: What do you mean by tested?

Ms. Andrée Desaulniers: We didn't know how Canadians would react to the fact that they would now be asked for consent. A re-evaluation had to be done.

Mr. Frank Baylis: Mr. Arora said that Canadians seemed to be fairly open to the idea of data being made public. Is that right?

Ms. Andrée Desaulniers: According to the figures, yes, absolutely.

Mr. Frank Baylis: Let's say that a 92-year period seems to be a good balance. Can we say that?

Ms. Andrée Desaulniers: I will not pass judgment on that. However, I can give you more exact figures, if you are interested.

Today, the legislator's duty is to decide what will be done with that data.

Should we continue asking for consent or should we go back to the previous practice of making data available without consent?

Mr. Frank Baylis: After 92 years.

Ms. Andrée Desaulniers: Yes, after 92 years.

Mr. Frank Baylis: Thank you very much.

Ms. Andrée Desaulniers: It was my pleasure.

Mr. Frank Baylis: Thank you, as well, sir.

Ms. Andrée Desaulniers: Do you want to add anything?

A voice: No, it's fine.

[*English*]

The Chair: You have 10 seconds.

[*Translation*]

Mr. Frank Baylis: I have 10 seconds left?

[*English*]

The Chair: All right. Then you've got none. I'll take it away.

Mr. Masse, you can have the extra 10 seconds for the last question, three minutes and 10 seconds. I'm sorry, two minutes and 10 seconds.

Mr. Brian Masse: At any rate I owe Frank 10 seconds and that's fine.

I want to follow up and make something clear. How does the public and how do MPs get a list of the companies that you're actually providing some sources to and for what reasons? I'm looking for confidence in what's taking place there. How is that done?

Mr. Anil Arora: That's an excellent question. It depends on the vehicle and the mechanism. If it's above a certain dollar value and a threshold, as you know—

Mr. Brian Masse: Can you just provide the committee with that?

Mr. Anil Arora: Yes, we can certainly point out what you have to go to procurement services Canada for, what would be available from Statistics Canada.

Mr. Brian Masse: That would be wonderful.

Thank you, because privacy is a huge issue for many Canadians. Even under the most stringent rules and measures, it's being compromised, not just in Canada, of course, but across the world. It's one of the biggest things that is coming up, the relationship between privacy and security in data management.

So we're moving to a system right now—I just want to make sure—for the appointment of the advisory roles and positions. Where before it was approved by the chief statistician, it is now going to be basically an appointee of the minister. Is that correct?

● (0945)

Mr. Anil Arora: As I said—

Mr. Brian Masse: At the end of the day, I know it's going to go to this other filter or whatever that can be made up. That's not under the purview of Parliament, but at the end of the day, it's the minister who makes the appointment?

Mr. Anil Arora: It's a GIC appointment process. I'm not an expert in that process, but it's moving from using different mechanisms to appoint people to the council, to now actually going through a GIC process.

Mr. Brian Masse: Yes, and I understand my colleague's concern about that because often—not always—that's where a lot of the so-called “pork” is, in terms of political appointments, and people who don't necessarily have the expertise in fields get plunked down into that job. Just go, basically, to any community that has a port and take a look at that. The port is often filled with a political and a federal representative, and in fact, most recently, in my port—

The Chair: I'm going to have to cut you off, Mr. Masse.

Mr. Brian Masse: There are over 30—

The Chair: We're at two and a half minutes.

Mr. Brian Masse: Okay, thank you, Mr. Chair.

The Chair: Thank you.

That was the last question of the day.

I'd like to thank our guests for coming in today. It has been very informative and I'm looking forward to hearing the rest of what's going on with Bill C-36.

We're going to break for two minutes and go in camera to discuss committee business.

[Proceedings continue in camera]

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