

Response from Christian Heritage Party of Canada to CIPPIC's questions for the Election 2006

Received Dec 6th, 2005

Copyright Law and Technical Protection Measures

Question: Do you agree that we need legislation to protect Canadians from harmful technologies like the Sony-BMG rootkit DRM?

Answer - Yes.

Copyright Revision and Innovation

Question: Do you support Canadian innovators' rights to reverse engineer or otherwise deal with a work for the purposes of security or interoperability research?

Answer - Yes. Excessive protectionism inhibits innovation. That benefits no one. Reverse engineering for security or interoperability is not the same as copying.

Spyware

Question: Do you agree that we need stronger laws and enforcement mechanisms to protect Canadians from unwanted behaviours associated with spyware?

Answer - Yes.

Spam

Question: What would your government, if elected, do to stop the flood of spam that continues to plague Internet users?

Answer - No response

Lawful Access

Do you agree with civil liberties groups that:

1. There should be no increase in state surveillance without full justification, including clear evidence of the need for such new capacities and powers and of their likely effectiveness?

Answer - The key to this question is the vague phrase "full justification"; the monitoring of communications for purpose of defending the population against terrorism, for example, could be considered justification enough -- especially with terrorist groups now using VoIP to escape other forms of monitoring. It is probably best to provide regulatory oversight over the USE of

information so obtained. On the other hand, surveillance backdoors also greatly increase the risk of access by hackers.

2. Searches and surveillance should require judicial authorization on a "reasonable and probable cause to believe" standard; and that exceptions to this rule must be narrowly limited, subject to strict conditions and safeguards, and should not be expanded to include subscriber data?

Answer - There may be cases in which a court would agree that subscriber data are necessary to public safety.

3. All state search and surveillance activity should be subject to rigorous oversight by an independent body to guard against police abuse of these intrusive powers?

Answer - Yes

Privacy

Questions:

1. How would you reform Canadian privacy laws in order to provide meaningful privacy protection in the Internet era?

Answer - As in many other legal venues, the excessive costs of court procedures can effectively deny the average citizen true access to legal remedies; the "small claims courts" where cases are heard by a judge without cumbersome legal counsel for either side probably offer a model that can also be used to enhance privacy protection.

2. Do you support amendments to PIPEDA that would allow for class actions and penalties, so that companies are held accountable for privacy breaches affecting large numbers of Canadians?

Answer - Yes.

Identity Theft

Question: Do you support a Canadian law requiring companies to notify individuals of security breaches that expose the individuals to identity theft?

Answer: Yes

Telecom Policy

Questions:

1. Do you support continued government and regulatory intervention in telecommunications so as to ensure that Canadians of all income levels and in all regions of the country, including those with disabilities, have access to good quality, reliable, and functional telecommunications services at affordable and reasonable prices?

Answer - The CHP favours the widest possible access, with the minimum government regulation. Too much regulation will inhibit innovation, which has always been the key to improving access; too little would, of course, expose users to unacceptable risks. One of the most useful forms of semi-regulation would be “report cards” about providers’ services, rating security, quality, reliability, innovation and price. This would enable consumers to make informed choices among service providers.

2. Do you agree that the following policy objectives currently set out in the *Telecommunications Act* are fundamentally important and should remain the guiding principles of Canadian telecommunications policy:

s.7(a) “to facilitate the orderly development throughout Canada of a telecommunications system that serves to safeguard, enrich and strengthen the social and economic fabric of Canada and its regions”;

s.7(b) “to render reliable and affordable telecommunications services of high quality accessible to Canadians in both urban and rural areas in all regions of Canada”?

Answer - Yes.

3. Do you agree that any reforms to the *Telecommunications Act* should be subject to a full public review five years after they have been enacted?

Answer - Yes.