Personal Information Collection: Canada and Blackberry

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Abstract

Personal information collection is commonplace today. Governments like Canada and Canadian private sector companies like Blackberry Limited collect information on citizens all the time. This personal information includes name, location, race, gender, income to name just a few pieces. Canada has two privacy acts that indicate what might be collected and what is being done with that information. These two acts separate public and private sector rules in relation to personal information collected. Blackberry Limited maintains a privacy policy on their website for users to read. Ensuring accountability for collecting and using personal information is tantamount for a better digital world.

**Canada vs Blackberry**

Canada is the 2nd largest country in the world. Despite its size it has an estimated population of only 37.59 million citizens (compared to the United States estimated population of 327.2 million). Like most countries, Canada does collect data on its citizens. They conduct a census every five years. Canada also has three primary law enforcement agencies: Royal Canadian Mounted Police (RCMP), Canadian Security Intelligence Service and Communications Security Establishment (CSE). Similar to the United States these law enforcement agencies use surveillance techniques in country as well as globally to protect Canadian interests.

The Office of the Privacy Commissioner of Canada states, “It [personal information] can include your race; national or ethnic origin; religion; age; marital status; blood type; fingerprints; medical, criminal or employment history; information on financial transactions; home address; and your Social Insurance Number, driver’s licence [*sic*] or any other identifying number assigned to you.” CSE collects communication metadata including IP address and geographical location of device. As the federal/national police force RCMP also collects personal data. Although they have said that the data is stored and deleted after it is no longer needed.

Blackberry (formerly Research in Motion Limited) is a software company based in Waterloo, Ontario. Blackberry used to be one of the most popular business smartphones on the market. They have now moved over into the software industry specifically enterprise software. It isn’t clear exactly what personal data Blackberry does collect however it is clear from their privacy policy that they do collect personal information, may share it with Third Parties. This personal information may include data backed up to the cloud and usage information.

**Advantages and Disadvantages of the Collection of Personal Information**

Personal information collection is unavoidable in today’s modern world. Almost every website store “cookies” on your devices. Often times those very same websites attempt to collect your name and other personal information by enticing you to sign-up to be on their email list. In our modern world it is also understood that most governments are collecting data on its citizens (and non-citizens) as well. Canada states that it’s collection on personal information is to increase its ability to provide services to its citizens. As this is a major tenet of government, it is surprising to hear that personal information is collected. It allows Canada to make national decisions based on what it knows about its people. This can be hugely helpful with tax collection, where to spend infrastructure money, where to allocate specific resources such as police and sanitation, etc. Also, since Canada has a universal single-payer healthcare system, personal information can help with maintaining that system as well.

The advantages to Blackberry Limited collecting information can be hard to see from the consumer perspective. Perhaps one advantage might be the ability to have access to your information from different devices: a cloud backup of a single device means you won’t “lose all your stuff”. From Blackberry’s position it can be helpful to have user information. Most importantly it can provide them with a better understanding of their market. That better understanding has the potential to increase profits. The disadvantages to collecting personal information apply to both Canada and Blackberry. The two most important disadvantages are a lack of understanding on how that information will be used and by whom; and the lack of privacy once that data has been collected. Citizens always hope that their government would not use the information they collected in an inappropriate way nor would they share it without reason. The same goes for private companies. However, history continues to prove that without significant oversight governments and companies do not treat collected personal information with the significant protection. Nor are they transparent about what they are doing with the information collected.

**Private or Public Sector: Concerns about Information Privacy**

Surprisingly enough Canada seems to be more on the right-side of the Privacy argument. They have a significant *Privacy Act* which outlines what they may collect and what it can do with that information. Private sector entities like Blackberry Limited are more concerning about their collection and use of the personal information. Especially when a company is a global player. It can be easy for those large companies to feel as if the protection of personal information isn’t important or even manageable. Just look at the number of significant data breaches the United States has had in the last few years.

Canada has the *Personal Information Protection and Electronic Documents Act* (PIPEDA) that governs what a company may do in its collection, storing and sharing of personal information. PIPEDA requires that private companies can only collect, use and disclose personal information with the individual’s consent and can only use the information for the stated purposes. This act goes a long way in protecting Canada’s citizens.

**Ethical Dilemmas in Personal Information Collection**

At the core of personal information collection is the worry: how will the data be used and who will be using it. There’s the intentional targeting of individuals based on the data collected. Personalized advertisements and marketing are a key strategy for many companies today. They can do this because they have access to people’s locations, their shopping history, their basic demographic information: age, race, gender etc.

What’s more worrisome is the unintentional (and sometimes inappropriately intentional) sharing of one’s data with third parties. Consumers/citizen’s data should be highly protected. However, with the number of data breaches on the rise, that protection is not strong enough. Also given today’s global marketplace, it is often difficult to police when data has been breached or intentionally shared when it shouldn’t have been shared at all with that particular third party. And what does that third party do with the data, are they sharing it again; are they using it for the state purposes.

**Policy Recommendations**

Canada appears to be on the right track with separating out it’s governmental privacy practices and what it expects from the private sector. Since the government is expected to keep its citizens secure, they are approaching this issue thoughtfully. Also, these laws (acts) aren’t economic based like many of the United States laws are (with the exception of HIPPA). It would be nice to see other countries move towards a clear privacy act for both the public and private sectors.

The one drawback to any such overarching policy is how to monitor it. How to ensure that the rules are being followed appropriately. Citizens should be able to know and understand what its government is doing. Independent non-governmental oversight in both cases may be more appropriate.

**Conclusion**

All citizens should be concerned about the information that anyone including the government is collecting on them. No one country is doing everything perfect. Canada itself recently released personal information about its citizens to a third party. These types of incidents should not be the norm (like it appears they are today). National and global private sector companies need to do their part as well. They need to be more proactive in protecting the data they collect. More transparent about what they are doing with that data. Privacy concerns are not going to abate any time soon. It is up to each of us to learn and understand how different privacy rules affect our daily lives and to encourage the companies we do business to be and do better.

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