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Chair

The Honourable Michael Chong

Standing Committee on Industry, Science and Technology

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• (0900)

[Translation]

The Chair (Hon. Michael Chong (Wellington—Halton Hills, CPC)): Welcome to the 9th meeting of the Standing Committee on Industry, Science and Technology, this Tuesday, July 27, 2010.

[English]

Pursuant to Standing Order 108(2), we're here for a study of the long-form portion of the census.

In front of us today are Minister Clement and Deputy Minister Dicerni. Welcome to you both.

We'll begin with an opening statement from the minister.

Hon. Tony Clement (Minister of Industry): Thank you, Mr. Chairman and honourable members. I'm pleased to be here today to talk about the government's decision to replace the mandatory census long form with a voluntary form.

Our government's reason for replacing the mandatory census with a voluntary national survey on the long form is clear. We do not believe it is appropriate to compel Canadians to divulge extensive private and personal information. We do not believe Canadians should be forced under threat of fines, jail, or both to divulge the answers to questions such as these: How many sick days did you take last year? Were you paid for those? What were your total payments for your primary dwelling last year? Do you have any broken floor tiles in need of repair in your bathroom?

We recognize that the information gathered in the long-form census is valuable. However, we also recognize that a balance must be drawn when the government is collecting data under the threat of fines, jail, or both.

Now, although the census goes back to 1871, the long-form census has only been around since 1971. The level of detailed personal information that Canadians are being asked to hand over to the government has grown. The basic eight census questions have remained constant for decades. The additional questions that suddenly appeared in 1971 have been modified, with new ones added each census.

[Translation]

The short-form census is mandatory and consists of eight mandatory questions on basic demographic information, such as date of birth, gender, marital status and mother tongue. This form will be distributed to all Canadian households.

[English]

Now, as both a member of Parliament and the minister responsible for Statistics Canada, I have heard directly from individuals and groups a very compelling message—that the government should not threaten people with prosecution when collecting detailed private and personal data. That is why our government announced that we would no longer punish Canadians for choosing not to complete the 40-page long-form survey sent to 20% of households.

Now, critics of this decision believe that if a Canadian refuses to fill out the long form, that person deserves to be prosecuted to a maximum fine of \$500, or to imprisonment of three months, or both. The government asked Statistics Canada to provide options for administering a voluntary long-form questionnaire. I want to be clear on this point: it was our government that took the decision to put an end to the concept of threatening Canadians with fines and/or jail time for not completing the 40-page census long form, and we then sought options from Statistics Canada on how to implement a reliable voluntary survey. This led to the creation and implementation of the national household survey.

This reasoned and responsible approach is about finding a better balance between collecting necessary data and protecting the privacy rights of Canadians. That long-form data will now be collected through this new voluntary survey, the national household survey. The questions that will be asked in the new survey are identical to the questions that would have been asked in the mandatory long-form census. Moreover, on the advice of StatsCan, who recognized that the sample size would decrease as the long form becomes voluntary, we have agreed to send the national household survey to 4.5 million Canadian households, almost double the sample size from 2006. This will be the largest survey distributed to the Canadian population in our history.

The short-form census of population remains mandatory. We count on every Canadian to provide this basic information, as they did in previous censuses. StatsCan will administer the national household survey in close coordination with the census, and will use a variety of non-coercive methods to encourage Canadians to respond to the survey. We will also take steps to strengthen the communications and advertising efforts around the national household survey in order to address concerns about response rates.

Now, this is the first time StatsCan is conducting the national household survey. StatsCan will be monitoring the results carefully, applying the same rigorous methods and standards used for all of its voluntary surveys. This will achieve the appropriate balance between the need to collect information on households to inform public policy without undue legal requirements on Canadians to do so.

• (0905)

[Translation]

A number of concerns have been raised after the announcement. Let me try to shed some light on this debate.

[English]

Some critics have raised a concern that the government will not be able to comply with its obligations under the Official Languages Act.

[Translation]

But I assure you that all the questions on official languages that were asked in the 2006 census will be asked in the 2011 short-form census questionnaire.

[English]

The new national household survey includes questions on Canadians' knowledge of official languages, mother tongue, and languages spoken at home. This government remains fully committed to take into account the priorities of the office of the commissioner of languages in the development and implementation of its policies, programs, and services.

[Translation]

Genealogists also told us that they worry about no longer being able to refer to the personal information included in the long-form questionnaire after 92 years, without the respondent's consent. In order to address those concerns, I specifically asked Statistics Canada to include in the national household survey a question asking the respondents for their consent to the release of personal information after 92 years.

[English]

As I've stated before, our government felt the need to strike a fair and reasonable balance between asking mandatory personal and intrusive questions and making those questions voluntary. However, we've not heard anything from the opposition or critics regarding their views on which questions should be mandatory versus voluntary. Now the opposition parties have promised to force all Canadians to answer personal and intrusive questions about their private lives under threat of jail, fine, or both.

With the opposition failing to support our government's tough on crime agenda, I find it curious that the only people the opposition are willing to get tough on are those law-abiding Canadians who do not want to divulge extensive personal and private information to representatives of the state. We believe, however, that our new approach, combining a mandatory short-form census with a voluntary long-form survey, achieves an appropriate balance between the need for data to inform public policy research while respecting the privacy of Canadians.

I want to comment for a moment on the role of the cabinet and the suggestion by some that politicians should play no role in these decisions.

Under section 31 of the Statistics Act, answering census questions is mandatory, and Canadians who refuse are subject to fine or imprisonment. I understand that there are some who believe that the people's elected representatives should have no say in this decision, but that is not what the legislation provides. The legislation requires democratic accountability before the penal power of the state is engaged. Specifically, subsection 21(1) of the legislation says that cabinet must approve the questions that Canadians are forced to answer.

Mr. Chairman, this just plain makes sense. If a Canadian is subject to imprisonment for not answering, he or she should be assured that the mandatory questions were approved by the democratically elected government. Further, citizens deserve to have the right of appeal to their democratically elected representatives rather than be told that they have no rights because democratic accountability has no place in the census.

As I said, starting with the Trudeau government in the 1970s, Liberal cabinets have dramatically expanded the list of mandatory questions. Now, one can agree or disagree with those decisions, but they were properly made by elected governments discharging their accountability under the legislation.

Our government has exercised our statutory responsibility differently—by reducing the number of mandatory questions and increasing the number of voluntary ones. Again, this is what the legislation provides. So to those in the opposition or to commentators who have criticized not just the decision but the very authority for the decision, I ask this simple question: who do you want to decide under what circumstances you are subject to jail—your duly elected representatives or someone else who is unaccountable to you?

I believe our government's decision finds that balance between collecting necessary data and protecting the privacy rights of Canadians.

I look forward to hearing the views from today's committee meeting. This coming spring, I encourage all Canadians to fill out the national household survey should they choose to do so. StatsCan will continue to conduct and oversee the census process, and its employees will maintain the same rigorous methods and standards used for all of its surveys.

Thank you, Chair. *Merci, monsieur le président.*

• (0910)

[Translation]

The Chair: Thank you, Mr. Minister.

The members of the committee now have 50 minutes for questions and comments.

[English]

We begin with Mr. Garneau.

[Translation]

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Minister, I would first like to congratulate you on your act of courage last Sunday. We all heard it on the news. I hope you will demonstrate the same courage again today in answering my questions.

[English]

Mr. Clement, is it true that senior members in the finance department, that senior members in the Privy Council, including the clerk himself, and senior members in StatsCan recommended to the Prime Minister to maintain the mandatory long-form questionnaire?

Hon. Tony Clement: No, I have no knowledge of what PCO or Finance would recommend. I can tell you that we've had a dialogue for months with StatsCan on the nature of the long-form census. We take full accountability for the decision, as a government, to move from a mandatory long form to a voluntary set of questions with the view to balancing off the need for this data with the concerns of Canadians over the intrusive and personal nature of the questions.

That was a government decision. There's no question about that. I'm not trying to suggest otherwise. We've worked with StatsCan over the months to implement that kind of decision, to make sure that the data that is collected is usable and reliable for the purposes for which it was intended.

Mr. Marc Garneau: Thank you. I was hoping to get an answer on that one, but let me ask you another question.

Are you intimately familiar with the long-form questionnaire from the 2006 census?

Hon. Tony Clement: I've been working more on the 2011 national household survey, which was released yesterday and is now found online. I'm much more familiar with that. But I'll try to answer any questions, and maybe—

Mr. Marc Garneau: The reason I bring it up is that I've heard you, up until very recently, state that, you know, Canadians shouldn't have to tell people how long it takes them to get to work and what time they go to work. But those questions are not actually on the census.

I've heard Minister Baird talk about how many bathrooms. That question is not on the census.

I've heard Mr. Bernier make similar inventions.

I've even heard Mr. Blaney, on the radio, talking about how people have no business knowing what you have for breakfast.

If you're going to speak about these kinds of supposedly intrusive questions, I would recommend to all of you who are going to make these statements that you actually know what questions are on the long-form census.

Hon. Tony Clement: Can I be permitted to respond to that and clarify the situation?

Mr. Marc Garneau: Sure.

Hon. Tony Clement: Obviously I was speaking with knowledge of the 2011 national household survey, which has been released and is found online at StatsCan.

Question 48 asks, "What time did this person usually leave home to go to work?" Question 50 asks you to give the total number of weeks worked for pay, including how much time was taken for vacation, or sick leave with pay, wages, salaries, tips, or commission. Question 53 asks, "In 2010, did this person pay child or spousal support payments to a former spouse or partner?" Dwelling repairs are found in question E6, which asks about "loose floor tiles, bricks or shingles, defective steps, railing or siding". Question E8 asks what the yearly payments are for electricity.

These questions would have been found in the mandatory long-form census were not the decision made to go to a voluntary form, and they're still found in the voluntary form.

• (0915)

Mr. Marc Garneau: There are lots of questions like that in, for example, the agricultural survey, which is still, incidentally, mandatory, and has about 200 questions in it.

I would like to go to the question of forthrightness. I would like to ask you why it is—because this is something that many people have brought up—you have created the impression that StatsCan came forward with what you've described as a perfectly workable proposal that would compensate for the fact that the long-form census was no longer mandatory, and that by making it voluntary and educating Canadians we would have the same quality of data.

We know that this is not true. I know that it is not true. We know that the chief statistician resigned as a result of it.

Why is it that you indulged in this misinformation in front of Canadians as opposed to being forthright and open and honest about how StatsCan actually felt about it—namely, that a voluntary approach was not going to yield the same quality of data?

Hon. Tony Clement: Well, let me disagree with your characterization of the history of this. Let me say that probably you and I have a difference of opinion. I do not believe that Canadians who do not wish to hand over this kind of personal and private information—some of the questions that I've read off here today—deserve to be threatened with jail or with fines, or to be fined or go to jail. That's a fundamental difference that your party and our party has.

Having said that, I've been crystal clear—I hope I've been crystal clear, and I think I have—that this is a decision made by government. Government, under the legislation, has the power and authority and obligation to decide which questions are mandatory and which questions are voluntary.

There are many voluntary surveys done by StatsCan. We have changed the mix based on the reasons I have just enunciated. We made that decision, not StatsCan. I've made it clear that StatsCan probably would have been quite happy to move along with the status quo, but we felt, for the public policy reasons I've described, it was important to balance those desires for more and more data with the concerns of Canadians. We made that decision.

Mr. Marc Garneau: I suggest that you manufactured this crisis, because 95% of Canadians filled out the long-form questionnaire in 2006 without any fuss whatsoever. Yet you announced this in the dead of summer, that you were making these changes.

I want to go to your credibility in terms of... Do you really understand the difference between a mandatory census and a voluntary census? You know, for the longest time, I was quite convinced that you understood it but that you were toeing the party line. I would like to know, do you really understand, from a scientific rigour point of view, the difference between a mandatory and a voluntary census?

The Chair: Thank you, Mr. Garneau.

Mr. Clement, after you answer that, we'll go on the next questioner.

Hon. Tony Clement: Sure.

There's actually no such thing as a voluntary census. There's a mandatory census and a voluntary survey. So yes, I do know the difference.

The Chair: Thank you very much, Minister Clement.

[*Translation*]

Mr. Bouchard, you have the floor.

Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ): Thank you, Mr. Chair.

Good morning, Mr. Minister. I would also like to congratulate you on your recent act of bravery in saving a person from drowning. I hope you will be equally brave in recognizing that there is a consensus in Quebec, and even outside Quebec, against your decision.

Here is my first question. In an important notice, stakeholders described the loss of data accuracy resulting from your decision to replace the mandatory form with a voluntary form. Could you tell us whether your department has conducted the necessary preliminary studies to assess the consequences of losing the accuracy of the information?

Hon. Tony Clement: Of course, as I have said, the government made the decision to change the long questionnaires in order to protect Canadians who worry about the penalties provided for in this act.

Of course, I am aware that Statistics Canada recommended the status quo. It is true and it is important to acknowledge it. But our government chose an approach directed at striking a fair balance between the burden placed on Canadians and the needs of data users. In my opinion, it is a fine balance.

However, it is important to specify that the long questionnaire is no longer mandatory since the situation changed. That is why I asked Statistics Canada to weigh the options. We have chosen one of the options provided by Statistics Canada to address our concerns and those of all Canadians.

• (0920)

Mr. Robert Bouchard: Thank you, Mr. Minister.

The Council of the Federation will meet in a few days to discuss the changes you have made to the census form, among other things. If the council reaches a consensus against the voluntary form, and since Quebec is going to ask you to reconsider keeping the form mandatory, like in the past and the last censuses, would you give up

your bill on adopting a voluntary rather than a mandatory questionnaire?

Hon. Tony Clement: Of course, we have received many comments saying that the long form should be mandatory, but, as I said earlier, we decided it was important to strike a fair balance between the needs of the institutions, provinces, territories and private companies that always want to obtain a great deal of information on our census results, and the protection of Canadians. Actually, it is important that Canadians do not face very severe penalties if they consider that the answers to some questions are of a very personal nature.

[*English*]

I could say to you that obviously we are trying to be fair and reasonable about how best to balance those interests of citizens and of those who would like to have more and more data. If there are other solutions that are arrived at by this committee or by the provinces or by other groups that do not do violence to the principles that we are trying to express, I would certainly take a look at those. I'm not closing the door to any of that. But at the same time, it has to be consistent with the principles that the government has enunciated and that I have described here today.

[*Translation*]

Mr. Robert Bouchard: Thank you, Mr. Minister.

I am not telling you anything new by saying that we are currently fighting the deficit. Have you assessed the additional costs that might be incurred as a result of your decision? How do you justify the increase in costs?

Hon. Tony Clement: As I told members of the media, there is an additional \$30-million cost for a public campaign launched to convince Canadians to fill out the questionnaire. At the same time, each census is expensive. In our opinion, it is important to pay the price for achieving a fair balance between Canadians' rights and information needs.

• (0925)

The Chair: Thank you, Mr. Minister.

Thank you, Mr. Bouchard.

Mr. Lake.

[*English*]

Mr. Mike Lake (Edmonton—Mill Woods—Beaumont, CPC): Thank you, Mr. Chair.

Thank you, Minister, for coming before us today.

I want to go back to the question that Mr. Garneau was asking, focused on the difference between mandatory and voluntary. Of course, for something to be mandatory there has to be some threat attached to it. Back in the early 1970s, the Liberal government of the day introduced the long form. They decided to force Canadians to answer the questions under threat of jail time or fines.

Obviously we've made a little bit of a different decision. I want to go to the basis of this decision and ask what went into making this decision. What was the government thinking about as we made this decision?

Hon. Tony Clement: Thank you for the question.

Of course, as we ramp up closer and closer to another census, we know that the concerns of Canadians—not all Canadians, but some Canadians—who felt that the long-form questions were too personal, too intrusive, were going to bubble up again, just as they do every census. In fact, our tracking indicates that the number of complaints from Canadians increases every census. That was what we were facing again for 2011.

Again, we have heard the objections—that Canadians be compelled by law to answer detailed questions, which I've outlined and can do so very briefly again. Those are questions about child support, in question 53, or about spousal support, dwelling repairs, detailed questions about income, about when you usually leave home to go to work. These kinds of questions are being asked.

We believe, and we've come to the conclusion, that it is not appropriate to threaten jail, to threaten fines, to exact fines; God forbid someone actually takes it to the limit and actually finds himself with a three-month jail sentence for objecting to answer those personal questions.

That is why we sought different options. That's why we had this months-long dialogue with Statistics Canada to see whether we could have usable and reliable data that could be obtained at a reasonable cost for the purposes for which surveys are intended, while at the same time allowing those Canadians who object to this kind of personal information the ability to say no without sanction or penalty. That was a decision that we made.

So that's what we've been trying to do, and that's why we've upped the sample size to 4.5 million homes. This makes it the largest survey in the country's history.

That's a crucial difference between ourselves and the other side of the aisle in the House of Commons. We do not feel that Canadians should be forced, on threat of jail or fines, to provide this detailed information; we should at least give them the option of declining to do so.

Mr. Mike Lake: A couple of weeks ago I had the opportunity to host a few round tables, three round tables, in my constituency. About 45 constituents overall came to these round tables. It was interesting; despite all the media coverage, not one of those constituents actually brought up any opposition to this decision at all.

In my conversations I've had with constituents, they're very surprised, actually, when they understand, when they hear, that there's a threat of jail time or fines for not answering questions on how many bedrooms you have in your house, or how many hours you spend doing yardwork or housework. One of the questions in the 2006 census was on how much time, basically, you spend with your kids.

When I articulate to them that these are the types of questions that have been in the long form, and that if they refuse to tell the government how much time they spend with their kids they can be threatened with jail time or fines, they're astounded by that. I think many Canadians don't really.... You know, they fill out the long form, maybe, if they're the one in five who get it, but they don't actually know that they're threatened with jail time for not filling out those questions. They're surprised and quite agitated by the fact that we

would actually threaten them with jail time for not answering a question about how much housework you do or how much yardwork you do.

Now, I've heard our opponents on the other side, the Liberals, go forward and actually, I think quite surprisingly, continue to press for prosecution for not answering these questions, or press for the threat of prosecution for not answering these questions.

Is that the crux of this issue? Is that the defining difference between the parties?

• (0930)

Hon. Tony Clement: Yes, it is. It's a combination of the intrusiveness of some of the questions that are being asked in the 40 pages of the long form and the fact that if you object to some of those questions or wish to decline to answer those questions, the threat is fines and/or jail time, up to three months in jail.

That is in fact used by census takers. I was speaking to a former census taker on the weekend who indicated that they were instructed to use those threats of penalties quite a lot if they encountered resistance from Canadians. So it is part of their repertoire to threaten the jail time, threaten the fines.

For some people who may be new Canadians who have escaped from hideous regimes, they see this as a very real threat. This one census taker told me this story about how people were in tears, absolutely terrified of being deported if they didn't fill out the long-form census. So there are instances of that fear.

I don't think government should be around, for law-abiding Canadians, to instill fear. I think we should encourage people and use non-coercive methods if we want data from them. That's simply our position, and maybe that's a great disagreement that we have with our friends in the opposition.

The Chair: Thank you, Minister Clement.

Mr. Angus.

Mr. Charlie Angus (Timmins—James Bay, NDP): Thank you.

It's good to have you here this morning, Mr. Minister.

I think you probably deliberately mischaracterized, or maybe you and your members are so blinded you accidentally mischaracterized, the fundamental difference between us and you—that we expect that an industry minister makes his decisions based on fact, not on urban myth, not on supposition, not on what people on talk radio would posit as government threats.

Now, my colleague Mr. Lake certainly lays it out. He has to hold a meeting and warn people...that they had no idea that they'd be jailed, that we have to create this belief that jackboots are going to kick down the doors and make poor immigrants cry.

I've checked the statistics. Nobody in 40 years has ever gone to jail. This is a manufactured crisis.

So if we look at the manufactured crisis, we have to look at whether there was any due diligence done or any preparatory work to justify this. Could you provide the privacy impact assessment analysis that was done on the 2011 census? Were there any problems with that?

Hon. Tony Clement: Well, of course the 2011 census hasn't been done yet, but—

Mr. Charlie Angus: But there was an privacy impact analysis done on it. Do you have that?

Hon. Tony Clement: Let's be clear: StatsCan does its own consultations prior to any census, in a very professional way, with not only Canadians who are interested in this matter but also with the groups that are the recipients of the data—

Mr. Charlie Angus: Do you have the impact analysis? Have you done that? Have you looked at it?

Hon. Tony Clement: —so in that sense they do their job. Our job is to set the public policy for...

Sorry.

Mr. Charlie Angus: But I'm asking you, did you look at the impact analysis? Did you look at it? There was a privacy impact analysis done. Did you look at it?

Hon. Tony Clement: We take advice from Statistics Canada as well as public servants throughout the departments. Any analysis done there is then forwarded to us—

Mr. Charlie Angus: Did you consult with the Privacy Commissioner?

Hon. Tony Clement: The fact of the matter is that—

Mr. Charlie Angus: Did you consult with the Privacy Commissioner?

The Chair: Mr. Angus, let the minister finish his answer—

Mr. Charlie Angus: I'm just looking for a clear answer.

The Chair: —and then you can go to your next question.

Hon. Tony Clement: The fact of the matter is that, as I've said from the outset, we as MPs, we as individual members of government, have also heard from Canadians who might not automatically go to another arm of the House of Commons or another arm of government in order to make their position known, but they make it known to their MPs.

The fact of the matter is that we did it on a principled basis, that we wanted to balance off the interests of those Canadians who were worried about this with the desire for more and more data.

Mr. Charlie Angus: I was asking because, again, as the industry minister, one expects that you make decisions not just based on blind ideology. I would have expected that you would be able to refer to the privacy impact assessment that was done, because you would have found there weren't any problems. I would have expected that you would have called the Privacy Commissioner, who addresses these, and that wasn't done. My colleague Brian Masse was speaking with the Privacy Commissioner, and they have had three complaints in ten years.

Now, I suppose if you go out like my colleague Mr. Lake did and have to tell constituents that they're threatened by it, they might think there was a problem. But the fact is that this was a manufactured crisis. You don't have evidence to show that this is bubbling up as a problem.

You talk about the need for balance. You talk about the fact that nobody's offering you alternatives. Last Monday a group—quite a divergent group, including the Canada West Foundation, key bankers, municipal planners, provincial thinkers, all the top bank economists—tried to meet with you in order to address this issue and try to find solutions, and you blew them off.

How can you find balance if you're more than interested in following the people who believe black helicopters are falling from the sky but you won't meet with people who rely on the data, who are credible, and who want to find solutions?

Why did you blow off that meeting?

• (0935)

Hon. Tony Clement: Well, you and I, Mr. Angus, are colleagues in the House of Commons. Perhaps I differ from you; I don't characterize people who disagree with me in the way that you have just done, for those Canadians who legitimately have some concerns.

I am willing to acknowledge here that people, institutions, private sector businesses, banks, love to get this data. They do. Yes, they do, and they would love to have the status quo, absolutely. What we are trying to do is find a way to balance off their desires for more and more information, more and more data, with those Canadians who have concerns about the intrusiveness of the information that is requested—demanded, not requested—and the penalties they are threatened with if they don't comply. That's the reasonable approach that we are seeking to find.

Mr. Charlie Angus: But don't you think it would be reasonable, as the Minister of Industry, that when key bank economists, social planners, municipal leaders, and provincial governments ask to sit down and meet with you about the implication of an ideological decision you made, that you would sit down and meet with them?

Hon. Tony Clement: Well, I have round tables all throughout the summer. Since the House has risen, I've had round tables with businesses, round tables with Canadians generally—

Mr. Charlie Angus: But you didn't meet on the census. You refused to meet them.

Hon. Tony Clement: —and people are free to raise whatever issue they wish to raise with me. It's no holds barred, I can assure you of that.

And I have met with—

Mr. Charlie Angus: So you didn't meet with any of them. But you did tell the Canadian people that you had the backing of census Canada, that they said that this would be a valid approach—the ideological decision that you made, without consultation, without due diligence—that, hey, you had the backing of census Canada.

Mr. Sheikh had to resign in order to maintain the integrity of the bureau, to say, wait a minute, we didn't support this decision and we don't believe these data will be valid.

So with the resignation of this key bureaucrat, would you at least admit that this decision was made solely for ideological purposes to satisfy a mysterious group that you say is bubbling up out there; that you didn't have the backing of census Canada; that you refused to meet with the key bankers and the social planners; and that this is something your government is implementing strictly on an ideological whim?

Hon. Tony Clement: I think I've gone through the looking glass, Mr. Chair, where the NDP is demanding that I meet with bankers.

Voices: Oh, oh!

Hon. Tony Clement: But having said that, I'd be happy to answer your question.

Obviously Mr. Sheikh's resignation was accepted with regret. In fact, I was working with him for months in order to implement the government's decision to protect Canadians from the coercive and intrusive methods that had been used for the 40-page long form. And we were working together to come up with, I think, options that work to make sure that the data obtained are usable data, are reliable data, for the purposes for which a voluntary survey is intended.

Certainly that's the balance that we have tried to strike, and we think we've struck it. If others have other ideas that could help animate this discussion, we're willing to listen to them.

The Chair: Thank you, Minister, and thank you, Mr. Angus.

Mr. Rota.

Mr. Anthony Rota (Nipissing—Timiskaming, Lib.): Thank you, Mr. Chair.

Thank you, Mr. Minister, for being here today.

Over the course of your decision-making, obviously you asked for advice. You say you consulted with Statistics Canada. The former head of Statistics Canada pointed out that you have the authority to release the written advice that was provided to you.

Will you provide this committee with that advice?

Hon. Tony Clement: Well, I may have the authority, but the fact of the matter is that if it's advice to cabinet, as you know, Mr. Rota, there would be some issues of the oath that I have taken. So that's the challenge—

• (0940)

Mr. Anthony Rota: It's about the information that was provided to you. Will you provide us with it?

Hon. Tony Clement: I think I can tell you again, sir—

Mr. Anthony Rota: Yes or no—simple.

Hon. Tony Clement: I'm trying to answer your question. Sometimes questions may sound simple but the answers deserve to have some detail attached to them.

The fact of the matter is that I've said before this committee already, and I've said before the public previous to this committee, that it was we who made this decision. We take full accountability and responsibility for making this decision. Then we worked with StatsCan over the last several months to come up with options to implement—

Mr. Anthony Rota: I'll take that as a no.

I'll just move on to my next question, then, if you don't mind. I have some concerns, to follow up on what Mr. Angus was talking about, with regard to the crises that have been created. Recently you introduced Bill C-14, which all in all wasn't bad legislation—"Fairness at the Pumps"—but it was the title that came with it; it was the "anti-chisellers" act, to give the impression that everybody's out to get us when in reality a very small number of people actually are cheating at the pumps. There may be problems with some of the measurements, but it's a small percentage. But it made it sound like we were under attack, like there was a crisis there.

And now, all of a sudden, it sounds like the government will come to your door and throw you in jail. There's this crisis: if you don't fill out this form, you'll go to jail. Flashback to 1995, when I was a city councillor in North Bay; not long after that you were made a minister in a previous government. I've seen this show before. It's a replay. You create a crisis and get everyone upset, and all of a sudden you have a crowd of mad people out on the streets chasing something down that really doesn't exist.

This is about being jailed. It's about the penalty.

How many people have been jailed since 1971?

Hon. Tony Clement: Of course, I disagree with your characterization. Our motive is—

Mr. Anthony Rota: No, no. The question is how many have been jailed since 1971? It's a simple question.

Hon. Tony Clement: Our motive is—

Mr. Anthony Rota: No, no. The question is how many have been jailed?

The Chair: Let the minister finish his preamble sentence, and if he doesn't provide you with an answer, then he doesn't have it.

Hon. Tony Clement: The difference between you and me—

Mr. Anthony Rota: Mr. Minister, I didn't ask what the difference was between you and me; I asked how many people have been jailed since 1971.

Hon. Tony Clement: —is that you're willing to continue a situation where, if a Canadian—

The Chair: Let him finish his sentence.

Hon. Tony Clement: —objects to filling out a 40-page census form, you are willing to threaten them with jail. You are willing to threaten them with fines and/or jail, and we are not willing to do so. That's the fundamental difference.

The Chair: Thank you, Minister.

Mr. Rota, go ahead.

Mr. Anthony Rota: Have you considered taking the penalty away or changing the penalty? That would seem to be the logical way of looking at it. That seems to be an option.

Hon. Tony Clement: Sure, certainly we have considered that. The issue, though, is that if you have a situation where something is mandatory but there's no sanction, it's pretty much an empty threat. We would prefer to work with Canadians to voluntarily fill out the long form in order to get the robust information and reliable data that some people require for their businesses or their institutions. We think that's a better way to go.

Mr. Anthony Rota: For the short-form census and the agricultural census, what is the penalty?

Hon. Tony Clement: For the short-form census, it's the same penalty as before. The agricultural census—

Mr. Anthony Rota: So you're willing to throw people in jail for not filling out a short-form census but not a long-form census. I don't see the logic here. And agricultural farmers you're willing to throw in jail, but not the people who won't fill out the long-form census. I fail to see the logic and the connection. You're getting rid of something that's useful when you really should be looking at the penalty, which is—

Hon. Tony Clement: I know that you and I disagree, but for the agricultural census, obviously I rely on the advice of the Minister of Agriculture. For the short-form census, as we've said, there are eight questions or thereabouts. Basic information is asked, and we do require that every Canadian household that receives that fills it out.

Our problem is not only with the threat of jail time, it's the intrusiveness of the questions. I think I've made that pretty clear here.

The Chair: Thank you, Minister, and thank you, Mr. Rota.

We're going to go now to Monsieur Petit.

[*Translation*]

Mr. Daniel Petit: Thank you, Mr. Chair.

Good morning, Mr. Minister. Thank you for coming.

I would like to ask you a general question. I am from Quebec and, according to the last survey, we are the most reluctant province to answer under threat of jail. More than 62% of the people I am representing do not want to answer these types of questions under threat of jail or fine. That is what we are experiencing in my riding. Quebec is the most reluctant province.

Mr. Minister, this is what I would like to know. The media made a lot of noise when our government decided to make some of the mandatory questions voluntary. As I said in the preamble, I do not think that Canadians must be forced, under threat of fine or jail, to disclose private and personal information.

First, I would like to thank you for having the courage to stand up for privacy. It is very important. This is the first government in 30 years to protect privacy in this way.

Could you tell Canadians why the government made this decision and why you came to this decision, other than the fact that the surveys show that Quebec does not want the so-called mandatory system?

• (0945)

Hon. Tony Clement: Thank you for your question.

Actually, the short-form census is mandatory and is distributed to all Canadian households. However, the 2006 long-form census, for example, was a 40-page questionnaire with 66 very detailed questions on language, education, housing, ethnicity, religion, citizenship and immigration, income, activities, and so on. Section 31 of the Statistics Act indicates that every person who refuses or neglects to provide any information is guilty of an offence and liable on summary conviction to a fine not exceeding \$500 or to imprisonment for a term not exceeding three months, or to both. It is a very harsh measure.

So, we decided that it was important to strike a fair balance between the needs of private companies, institutions, the provinces and territories to obtain more information, and the protection of Canadians. This way, if Canadians decide that this information is too personal, they have an option.

Mr. Daniel Petit: Mr. Minister, you talked about the short form and long form in terms of balance. You want to remove the obligation to fill out the long form and the threat of jail or of being fined.

As the parliamentary secretary to the Minister of Justice, I have a hard time with that. The opponents of our decision do not want to send real criminals to prison, but now they would like to make criminals out of honest people. That's exactly what they want to do by taking this stand. They want to keep jail sentences and fines the same if someone does not answer the long questionnaire. So, here in the House, we are imposing a more severe penalty on an honest citizen than on the real criminals.

Could you explain how you would be achieving the balance between the long form and the short form?

Hon. Tony Clement: You are right. We actually want to find a fair and reasonable balance. That is why, after we decided to change the long questionnaire, I asked Statistics Canada to find a way to obtain the necessary information and protect Canadians at the same time.

The Chair: Thank you, Mr. Minister.

Mr. Nadeau.

Mr. Richard Nadeau (Gatineau, BQ): Thank you, Mr. Chair.

Good morning, Mr. Minister. Good morning, Mr. Dicerni.

The census issue we are currently debating is truly very disturbing. First, it is important to note that the Conservatives also conducted this type of census in 1986, under the Progressive Conservative Party, and in 1991, under Mr. Mulroney. The census had the same parameters.

As to imprisonment, could we not start with the fact that no one has ever been sent to jail? Why aren't you taking the initiative to simply eliminate this aspect? Rather than creating a state of psychosis or something like that, we would simply no longer talk about it. The fact that you are using this kind of argument to back out is extremely disturbing.

Scientists who make a living by doing studies based on statistics, including those of Statistics Canada, have clearly said that, on a scientific level, we would not get the same results from a voluntary questionnaire as from a mandatory questionnaire. It is not me saying that. It is people who have a Ph.D. and who work in this field. It is not gossip in the street or some political will to avoid frightening Canadians. As far as I know, 95% of the people who receive the long form fill it out. So we are creating a state of psychosis, a non-existent problem.

Perhaps we should first look at the origin of censuses. In modern times, and that is where I would like you to be rather than going back to the dark ages, as we went from absolute monarchies to some forms of democracy, information was needed to help citizens in all areas. The objective was mainly to combat poverty and improve health care conditions. At the time, we called it political mathematics. We now call it statistics. It is very useful for the state, especially for helping the population.

Mr. Minister, by choosing to send the long form to 30% of the population instead of 20%, as part of a voluntary process, you are ready to run the risk of having less data and fewer good results on a scientific level. Comparative elements will no longer be acceptable.

Under these conditions, we must remember that we will no longer provide the same service to Canadians. The City of Gatineau is against your approach, and so is the Province of Quebec. A host of organizations, institutions—parliamentary or otherwise—and citizens' representatives have spoken out against this change, as opposed to the few allies you have mentioned.

Mr. Minister, are you ready to back off, to admit that you followed the wrong path and agree that the current approach should be maintained, based on the comments of people who know this field?

• (0950)

Hon. Tony Clement: We are seeking to achieve a fair balance between the needs of data users and the burden placed on Canadians. Of course, as I have said today and over the last few days, replacing the mandatory survey with a voluntary survey is a challenge in terms of data accuracy. That is why we asked Statistics Canada's opinion on how to structure the national survey in order to reduce this risk. So, we chose the option of sending the form to more households, to one in three, which represents 33% rather than 20% of the population.

The Chair: Thank you, Mr. Minister.

We are now going to the third round, with Mr. Lukiwski.

[*English*]

Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC): Thank you, Chair.

Mr. Minister, I want to go back briefly to an observation Mr. Angus made earlier. He was apparently quite critical of my colleague Mr. Lake, who had held round tables in his constituency informing some of his constituents that there's a threat of imprisonment or a fine if you don't fill out the long-form census. Mr. Angus seemed to be suggesting that most Canadians don't realize this, and so no harm, no foul.

Would that be an accurate commentary, that just because people don't realize that there is a threat of imprisonment or a fine we should just leave things the way they are?

• (0955)

Hon. Tony Clement: Obviously not, and these issues tend to percolate up the closer and closer we get to census time. They reach a crescendo when the census takers start knocking on doors and doing their follow-ups.

The fines and/or imprisonment are in the legislation. They're found in the Statistics Act, and that is part of the repertoire of inducements and/or threats that are used to get people to fill out the form. So we think that's inappropriate. We think that's government going too far in the pursuit of more and more data.

We acknowledge that data is important for making decisions, but we think we should be searching for a middle way of protecting citizens from the overbearing nature of the state when it comes to these things, and at the same time obtaining usable data that serves the purpose for which the survey is intended. That's the balanced approach we're taking.

Mr. Tom Lukiwski: I know we'll have officials from Statistics Canada appearing before this committee later this morning, and I'll be asking them similar questions, but my understanding is that Statistics Canada now has a number of voluntary surveys that they utilize in the collection of information for various purposes. Is that correct?

Hon. Tony Clement: Absolutely. In fact, that role of StatsCan has grown over the years with more and more demand for more and more information. The government gets to make a decision pursuant to the legislation, and we have decided that in order to obtain the right balance, more of the information required from Canadians will be in the form of voluntary questions, and less will be mandatory. That's simply the decision we have made, and I think it's a fair and reasonable decision to be made.

Mr. Tom Lukiwski: In the case of the multitude of surveys that Statistics Canada puts out on a voluntary basis—again, this question would be better served by asking those officials, which I will be doing—I assume that a lot of information comes back on a voluntary basis, otherwise Statistics Canada would probably be lobbying for many of those surveys to be made mandatory. Is that a correct assessment?

Hon. Tony Clement: I encourage you to ask that question of some of the deponents today as well, but certainly the fact of the matter is that I'm here to say, as the minister responsible for StatsCan, that StatsCan is a highly professional organization. They do their job well not only on mandatory censuses but also on voluntary surveys. I have certainly received a commitment from StatsCan that they will apply the same amount of professionalism, in the case of the national household voluntary long-form survey, as they do in other voluntary surveys.

Mr. Tom Lukiwski: Finally, Mr. Minister, I would just ask you this. It seems like an obvious question, given the government's position, but I'd like you to express it verbally to this committee, if you can.

What is your level of confidence that changing the long form to a voluntary basis would elicit the same information necessary for Statistics Canada to do the work they have been doing over the past number of decades?

Hon. Tony Clement: Well, there's no question, if I can say, that if you don't threaten people with jail and/or fines, you have to be a bit more persuasive in moral suasion, using non-coercive methods, to obtain the same information. I don't want to be on record saying anything other than that, but it can be done and it will be done.

The Chair: Thank you very much, Mr. Lukiwski.

Thank you to our two witnesses, the deputy minister and the minister, for appearing.

This meeting is suspended until 10:30.

• _____ (Pause) _____

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• (1030)

The Chair: Welcome to the 29th meeting of the Standing Committee on Industry, Science and Technology on July 27, 2010. We're here pursuant to Standing Order 108(2) for a study of the long-form portion of the census.

In front of us today we have two former chief statisticians of Statistics Canada, who are appearing as individuals: Mr. Sheikh and Mr. Fellegi. Welcome to you both.

I understand that Mr. Sheikh has with him his lawyer, Madam McIsaac.

You're welcome to advise Mr. Sheikh, but I'd ask that you direct your advice to him directly and not to members of the committee.

Mr. Sheikh, you're free to consult with your lawyer at any time. I'd just ask that you and you alone direct your comments to the committee.

Without further ado, there will be an opening five-minute statement from both Mr. Sheikh and Mr. Fellegi, beginning with Mr. Sheikh.

Dr. Munir Sheikh (Former employee of Statistics Canada, As an Individual): Honourable Chair, members of the committee, I want to thank you for giving me this opportunity to appear before the committee today.

I think it will be useful, given the recent discussion of issues related to the census, to briefly describe the census process. This will be the basis for my five-minute remarks.

I'll describe this process with reference to two objectives that Statistics Canada tries to achieve, among others—first, to get as high-quality data as possible; and second, to gather these data at the least cost possible. These are the kinds of approaches that have given Statistics Canada the international reputation it has.

Let me break this entire process into six parts.

The first step is consultations with stakeholders and data users. The *2011 Census Content Consultation Guide* was released in July 2007, and the *2011 Census Content Consultation Report* was released in July 2008. Statistics Canada received more than 1,200 content-related suggestions from more than 150 organizations and private citizens.

The second step is the development of questions. Based on these consultations, and the need for continuity of historical information, changes from one census to the next are generally quite small. Sixty per cent of the questions asked in the 1971 census still remain. Questions in the 2006 census now dropped are related to unpaid work. Questions added for the 2011 census include commute time, child care support and its costs, and subsidized housing.

The third step is to determine which questions go into the short form and which to the long form. The distinction between the population short and long forms began with the 1971 census, as before that there was just a single questionnaire.

Statistics Canada does not differentiate among these questions on the basis of their importance, as they are all tied to the needs of a variety of users. For example, the head-count question in the short form may be the most important for governments in the distribution of parliamentary seats or federal-provincial transfers. But for a city's transportation planning department, the most important piece of information may be about how people get to work and how much time they spend commuting, a question that is in the long form.

It therefore is not the importance of the questions that determines whether they are in the short or the long form. What determines this division is a cost-efficiency test: how can we get the highest-quality data possible at the least cost?

To the best of my knowledge, those working at Statistics Canada on the 1971 census determined that for reasonably comparable levels of quality, some questions must be asked of the entire population. These ended up in the short form. For other questions, the required quality of information would be achieved by scientifically selecting a representative sample and making it mandatory for the sample to respond; this became the long-form questionnaire.

Naturally, the cost of using one-fifth of the population as a sample, rather than the whole population, reduces the cost of the census significantly, while reducing the response burden substantially as well.

Since 1971 Statistics Canada methodologists have reviewed this distribution of questions between the short and the long forms for every census cycle. This is the only reason why the following question is on the short form—and I quote—“What is the language that this person first learned at home in childhood and still understands?”, and on the long form, “During the week of Sunday May 1 to Saturday May 7, 2011, how many hours did this person spend working for pay or in self-employment?”

• (1035)

The fourth step in the process is for Statistics Canada to submit the proposed questions to the government and for the government to review these proposed questions and tell Statistics Canada what the census content will be.

The fifth step is to collect data. Again, to constantly strive to reduce costs, Statistics Canada moved in a substantive way to Internet data collection in the 2006 census. The May 2009 census test indicated the potential to double this response rate in 2011 to about 40%.

Statistics Canada's per-dwelling census cost is \$43.77 in 2009-10 dollars, which compares with the cost of \$126.18 in the U.S. and \$49.68 in Australia, all in terms of Canadian dollars. Both are countries that we normally compare ourselves to.

The sixth step is to transform raw data into data that is useful for the users and to disseminate it. Dissemination begins about a year after the census, as the large amount of data has to be processed, edited, and checked for accuracy, gaps, and consistency. The data is analyzed thoroughly to understand the results before it is released publicly.

The whole process takes about seven years.

Thank you, Mr. Chair.

The Chair: Thank you, Mr. Sheikh.

Mr. Fellegi, you have five minutes for an opening statement.

Dr. Ivan Fellegi (Former employee of Statistics Canada, As an Individual): Thank you.

Thank you for inviting me to appear before this committee. I prepared slightly longer opening remarks, which I'm not going to read. They have been distributed or are available for distribution.

I'd also like to mention that I asked the Clerk of the Committee to distribute the National Statistics Council statement, "Seeking Solutions", which was released yesterday.

I'll restrict my oral comments to a very few issues.

First of all, I want to underline how impressed I am—even I am impressed, having spent 51 years in Statistics Canada—by the widespread support and testament to the usefulness of the census and its importance. I wouldn't have believed that there would be so many groups mobilized and ready to make statements emphasizing their basic, fundamental dependence on the census. There cannot be any dispute about that at this point.

Second, I want to underline that any voluntary survey is intrinsically biased. That matters a great deal, because bias, unlike sampling error, cannot be estimated from the survey data themselves. Sampling error we can estimate. We make statements, as pollsters do, such as that 19 out of 20 times the results are within plus or minus 2% or 3% or whatever. Bias is a sneaky, pervasive risk, which we seek to understand always, but we never do. And the more widespread and the more detailed the breakdown of the data, as is the case with the census, the more pernicious the risk of bias becomes, because we don't know where it crops up. If it's used widely without an appreciation of the likelihood of bias, that's a major societal risk. It's not a statistical risk; it's a societal risk.

You don't have to take my word for it. The Statistical Society of Canada and the American Statistical Association both came out and made totally unambiguous statements on this issue.

What makes the bias particularly worrisome in this context is the fact that most users are really not interested in a snapshot; they are interested in how things have changed since the last time they were measured. And if the last time they were measured they were measured in an unbiased manner, and the next time they are measured in a biased manner, the results become basically not usable for that purpose. Even if they could in some sense be used as a kind of general guide for what the score is now, they really become unusable for purposes of making comparisons in terms of what has happened since the last census. And a great deal has happened since the last census. Among other things, there was a financial crisis in 2008.

My third point that I want to emphasize is that privacy is a central concern at Statistics Canada and has always been, and we have taken innumerable steps to improve the situation that was already very good to begin with.

First of all, there isn't a single case of any information ever reported to Statistics Canada having been released with identification of the source—that is, who reported it.

Second, way back in 1971—and this is just a factual correction I want to make—it wasn't the first time that we used the long form; in 1971 it was the first time we used a short form. Prior to 1971, every census was a long form—complete, 100%.

• (1040)

In 1971, at my personal initiative, actually—I wasn't chief statistician yet, but I was senior enough that I could take that initiative—we introduced sampling into the census for the very first time and created a short form, and the long form went to one in five people.

I won't go into all the other things we have done to improve privacy, because the chair has indicated that my time is maybe up, but I do want to close with really the fundamental point where I hope I'll be questioned—that is, where do we go from here? Statistics Canada and, through Statistics Canada, all its users are facing a unique situation, and we need to find constructive solutions.

I want to call your attention to the solution proposed by the National Statistics Council, which is a body actually appointed by the minister to advise the chief statistician. They came out yesterday with what I consider to be totally constructive proposals for resolving the impasse.

I want to close on that point. Thank you.

The Chair: Thank you, Mr. Fellegi.

We'll have about 15 minutes of questions and comments from members, beginning with Mr. McTeague.

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Mr. Chair, thank you.

Mr. Sheikh and Mr. Fellegi, I want to thank both of you for being here today. I think it's extremely important. For an issue to have risen its head in the dead of summer, as it has now, is amazing. I've not seen this in my 17 years as a member of Parliament where a decision by the government has raised such opposition throughout the land.

Arthur Carty, the national science adviser; Jean-Pierre Kingsley, the former chief electoral officer; Linda Keen, the nuclear safety commissioner; Peter Tinsley, the former military complaints commissioner; Paul Kennedy, the former RCMP public complaints commissioner; Adrian Measner, former chair of the Wheat Board; and now you, Mr. Sheikh: after 38 years in a distinguished career of public servitude, for which we are indeed grateful, you have now found yourself in a position where you have had to resign.

Mr. Sheikh, could you please inform this committee about your unprecedented and courageous action to resign as chief statistician for this country?

Dr. Munir Sheikh: If I tried to write down in detail the answer to the question you have posed, I don't think I would do a better job than the answer posted by Mr. Alex Himelfarb, a previous Clerk of the Privy Council.

With your permission, Chair, I'll just try to read that answer in response to the question. He said, and I'm just going to quote the whole thing from him verbatim, the following:

In Canada, our professional, non-partisan public service has traditionally been guided by the principle of "fearless advice and loyal implementation." This is based on the belief that governments work best when they have access to the best possible information, options, and advice—including what they may not wish to hear—and, in the end, democracy demands that the public service implement loyally whatever lawful decision the elected government of the day makes—whether the public servants agree or not. That's how it works when it works. I know Munir to be a man of great integrity, committed to the value and values of a professional, non-partisan public service....

Munir also had another responsibility as Canada's Chief Statistician and that is to protect the integrity and credibility of the agency and its products without which Statistics Canada cannot deliver its mandate. In Munir's introduction to the Statistics Canada website he spoke with evident pride of the objectivity and neutrality of the agency's data. Statistics Canada, which has earned a sterling international reputation, has long understood that it can do its job of informing public and private decisions and supporting democratic accountability only if people trust in its integrity and technical competence.

I have not yet had the opportunity to talk with Munir but I imagine that this is why he felt it necessary, when doubts arose about what Statistics Canada advised, to acknowledge publicly that the voluntary approach he was to implement is not a substitute for the mandatory survey. No Chief Statistician would want people to lose trust, to think that Statistics Canada compromised its technical advice to the government or would, in any way, misrepresent the information it provides to Canadians. This goes to the heart of the agency's credibility and of the values of public service.

•(1045)

Hon. Dan McTeague: Mr. Sheikh, I am among many who believe that your integrity, sir, is very much intact, and we thank you for that. But I want to ask you, what led to the resignation? Was it that the minister had forced you, out of the question of principle and integrity, to do something such that you, as an independent arm's-length civil servant of some 38 years, decided that the future of the census at Statistics Canada was very much at stake? Why were you forced to resign, sir?

Dr. Munir Sheikh: Let me first of all say that it is the right of the government to make decisions that, if lawful, should be, as I said, loyally implemented by any department of the government.

The reason I resigned, which I made clear in my resignation statement, was that when doubt began to be expressed about the nature of the advice we gave, which to any statistician would come across as not the work of a statistician, I came to the conclusion that I cannot be the head of an agency whose reputation has suffered.

Hon. Dan McTeague: The interference, then, by the government is well founded...the government itself. Listening to the minister's testimony, I'm surprised, sir, that you survived as long as you did.

Mr. Fellegi, there was a comment by the minister in the previous testimony in which he pointed out that the reasons for eliminating the long-form census—not all of them, but some of them—were because of people's perception of giving and contributing to information that might lead them to fear deportation, that people coming from "hideous regimes" might be averse to answering those kinds of detailed questions.

Mr. Fellegi, you come from a totalitarian regime. How well founded are those comments by the minister?

Dr. Ivan Fellegi: Well, I grew up in a regime that certainly was totalitarian. It was Hungary in its socialist period. I chose to leave for that reason, as soon as the first opportunity presented itself.

But yes, the answer is that of course it's not founded, unambiguously not founded. Statistics Canada goes to endless lengths to protect the confidentiality of the information it receives. There is no single instance where the Statistics Act had to be used against a person because he or she released such information, knowingly or unknowingly. So it's not just a question of wilful release; wilful or inadequate attention...to make sure that it doesn't happen.

•(1050)

The Chair: Thank you, Mr. Fellegi, and thank you, Mr. McTeague.

Monsieur Bouchard.

[*Translation*]

Mr. Robert Bouchard: Thank you, Mr. Chair.

Good morning, gentlemen.

Mr. Sheikh, I am very happy and pleased that you have agreed to appear before the committee. I would like to congratulate you on your courage and decision to resign. Your decision is of great concern to me.

Mr. Fellegi, I would like to thank you for speaking to the media. Your comments were very insightful. Thank you.

My questions are for Mr. Sheikh in particular.

In your view, what is the main disadvantage of the minister's decision?

[*English*]

Dr. Munir Sheikh: Let me clarify a question, one that may be on some people's minds, by giving an analogy. We of course have voluntary surveys, lots of voluntary surveys; we have mandatory surveys; and we have a census. There could be a question as to why you would need a mandatory census if you have voluntary surveys.

I would say that we are like an auto manufacturer who produces passenger cars, SUVs, and 56-footers. We stand behind each one of our products. However, I would never recommend that somebody use a passenger car to deliver merchandise on a regular basis to a Wal-Mart, and I would not recommend to anybody to use a 56-footer with two people inside it to drive around the city of Ottawa. These things are produced for specialized purposes, and as long as they're used for that purpose, they are really great.

The difficulty with a voluntary survey as a replacement for a mandatory census is that, as my predecessor has explained, it does not capture the biases or deal with them. That would not be the case with a mandatory census. The reason we have those problems is that we know for a fact that there are certain geographical areas that would not provide the response rate one would want, and there are certain classes of individuals who have very low response rates. Indeed, these are exactly the people from whom you would want information if the government is to develop policies to deal with their issues. This would include aboriginals, people with low incomes, people with less education, visible minorities, and immigrants. Their response rates are quite low.

So a voluntary survey creates the problem that we will not get information from these groups, which of course will skew the averages in the overall research.

The other difficulty in a voluntary survey of a regular type is that when we get biases we can correct for those biases by comparing the information with the information available in a census. But if the census itself becomes voluntary, then there's no benchmark that one can use to actually fix the problem for the voluntary survey. That is the difficulty we would face.

• (1055)

[Translation]

Mr. Robert Bouchard: Thank you.

You have already answered my second question to a certain extent, but could you expand on the people and groups concerned? In your opinion, are there people or groups who will be more at a disadvantage because of the government's decision?

[English]

Dr. Munir Sheikh: I don't think it is my place to comment on that, because we are not a policy department. Our job is to basically collect data, and the thing that's on our minds is the quality of data. I think I can go as far as saying that the data are going to be of a lesser quality if it is voluntary survey-based.

How policies will deal with that, or whether it has any impact on policy development, is not an issue on which I am knowledgeable, given the nature of my work. You are probably better off asking policy departments for the answer to that question.

[Translation]

Mr. Robert Bouchard: Would you like to answer this question, Mr. Fellegi?

Dr. Ivan Fellegi: I completely agree with Mr. Sheikh on our role.

However, I would be ready to provide you with examples where, as a statistician, I could question the quality of data, especially data on new immigrants and their economic integration in Canadian

society, or on aboriginal people. The census is almost the only source of information on their level of education that allows us to find out whether the gap between the Canadian population and aboriginals, as a subset of the population, is growing or shrinking.

Those are just two examples, but there are others where, as a statistician, I questioned the quality of data.

The Chair: Thank you, Mr. Bouchard.

Mr. Lukiwski, you have the floor.

[English]

Mr. Tom Lukiwski: Thank you very much, Mr. Chair.

Thank you both, Mr. Sheikh and Mr. Fellegi, for appearing here.

We have a lot of ground to cover, so I'm going to try to keep my questions short, and I would appreciate if you could try to keep your answers short as well.

Would it be a fair assessment, gentlemen, for me to say that in your role as statisticians, it really doesn't matter to you how the information is collected as long as you get the information you need, but that your position is that you believe, in the census, a mandatory requirement is the most effective way to get the information you request? Would that be a fair statement?

Dr. Munir Sheikh: As I said earlier, there are some needs that users have out there for which you need a census. There are other needs that can be satisfied quite easily by a voluntary survey.

The questions that are in the census are, in my view, the questions that can be answered...or most of them are. Maybe there is the odd one here or there that doesn't belong there, but in terms of the long form overall, you're not going to get the reliable information you seek on those questions from a voluntary survey.

Mr. Tom Lukiwski: Mr. Fellegi has stated that you believe that the information received from voluntary surveys or census is biased, although, having said that, is it not true that in Statistics Canada, between census, perhaps the majority of your surveys are of a voluntary nature? I speak of things like the Canadian community health survey, the adult education and training survey, and the aboriginal peoples survey.

They are all voluntary, are they not? And if they are, do you utilize the information that you glean from those surveys?

• (1100)

Dr. Ivan Fellegi: Yes, they are voluntary, and they benefit from the terrific advantage of having a benchmark like the census against which they can be compared. So we know exactly, when we design the survey and when the data become available, how they compare on those variables that are included in both surveys—how they compare with the census and whether or not some potentially very big biases have crept in that need to be corrected.

Mr. Tom Lukiwski: But if I may interject, on their own merit, as a stand-alone voluntary survey, would you make the statement that you believe the information you glean from that is biased?

Dr. Ivan Fellegi: If we didn't have the census to compare them against, I would never know the answer. That's what makes it pernicious.

Mr. Tom Lukiwski: Do you also agree, sir, that...? I want to get one thing clarified, if I can, on an earlier statement that you had made.

You had said, in response to a question from Mr. McTeague, that you did not believe that...I think you put it "unambiguously"; you did not believe there was any danger of an immigrant feeling threatened by the mandatory nature of the census.

But how can you say that, sir? If there is a threat of imprisonment, or threat of a fine, for failure to answer the census, how can you say with clarity that no one would feel threatened by that?

Dr. Ivan Fellegi: I hope I didn't say that. I certainly didn't intend to say that. What I intended to say unambiguously—and I repeat, unambiguously—was that there are no grounds for such fears, because nobody's information has ever actually been released with an identification or with any way through which that information could be traced back to that person.

That was the context of the question. As to whether or not people coming from oppressive regimes have reason to fear when they give information to the census, the answer is that they have no reason to fear.

Mr. Tom Lukiwski: But there is a threat that they could be imprisoned or fined if they don't answer the questions, so how can you say that they may not feel threatened?

Dr. Ivan Fellegi: They need not be threatened about their information becoming public.

Mr. Tom Lukiwski: No, but the question is that if they do not give you the information you ask for, they could be jailed or fined.

Dr. Ivan Fellegi: Well, they certainly wouldn't be jailed, because it has never happened in the history of the country. But could they be fined? Yes, absolutely.

Mr. Tom Lukiwski: Do you not believe, then, people might feel threatened because of that?

Dr. Ivan Fellegi: If they make any offence against Canadian law, they will be prosecuted under Canadian law, like any other Canadian.

Mr. Tom Lukiwski: But my question then, sir, is that if they do not divulge the private information, or information that they may consider to be private, and they are threatened with imprisonment or threatened with a fine, do you not feel that they may take some offence to that? And some Canadians may feel that this threat is real.

Dr. Ivan Fellegi: Or they may take offence to it—and that wasn't the question. My question, to which I answered unambiguously, was do they have any reason to fear for the information that they provide to the census about their personal security and safety? The answer is unambiguously no.

Mr. Tom Lukiwski: It doesn't really matter whether or not their information is released publicly. The real threat to them is whether or not they could be fined or imprisoned.

Dr. Ivan Fellegi: Absolutely.

Mr. Tom Lukiwski: So you agree with me that they could feel threatened because of that.

Dr. Ivan Fellegi: I agree with you and I agreed with the previous statement, because those are two very different questions.

Mr. Tom Lukiwski: So at least we've got the premise of the difference of opinion here, because what we have been stating is that we do not believe it is appropriate for Canadians to feel threatened and be forced to divulge what they may consider to be private information. We believe that the information that you require—and we agree that the information serves a very useful purpose—can be gleaned through other methods rather than coercion or threats of imprisonment.

If you receive that information, which is very valuable, and it was given on a voluntary basis—because the government was able to persuade the Canadian public that this information was important—then it wouldn't impact your work whatsoever, would it? You would have the information that you require.

Dr. Ivan Fellegi: That's a conditional statement with which I agree—given the condition. Our experience is that response rates to voluntary surveys are hugely different from compulsory surveys, on the order of 60% to 70% for most of our surveys. Secondly, those response rates are falling.

So I would be very concerned about any comparability between data that are collected in one year on a compulsory basis—a compulsory basis with response rates close to 100%—and in another year with response rates that may be only 60% to 70%.

• (1105)

The Chair: Thank you very much.

Mr. Angus.

Mr. Charlie Angus: Thank you, Mr. Chair. I'll be sharing my time with my colleague Mr. Gravelle.

Gentlemen, I'm very glad to have you here. I'm certainly disturbed, especially in your case, Mr. Sheikh, that you have to be here under these circumstances. I hope you will be kind with us, because as politicians we are extreme generalists. We don't know—none of us here knows—the best methodology for statistical accounting. That's not our job. Our job is to rely on, as you said, Mr. Sheikh, the non-partisan, professional civil service. This is what separates us from oligarchies, what separates us from dictatorships; we don't rely on sycophants, we rely on professional civil servants to give us advice.

Mr. Sheikh, you said the first step in the census is the consultation with stakeholders in order to develop anything. I tried to find out from the minister who the stakeholders he met with were. He did not meet with the Privacy Commissioner. He's refused to meet with key economists, the banks, the social planners.

So that leaves us...that he relied on advice from your department. The minister made very clear that he had the support of your department in not just scrapping the mandatory census but also monkeywrenching with the questions, depending on what the Conservatives believed was intrusive or not.

Yet you were forced to resign because, as you said in your statement this morning, your number one job is to protect the credibility of the agency. Is that a fair assessment of why you had to resign, given the minister's comments that he had the support of Statistics Canada for these changes?

Dr. Munir Sheikh: To go back to the day I resigned, there were stories in the media, particularly in *The Globe and Mail*, which had a headline on page 4 that said the chief statistician supports what the government is planning to do.

As I think I said earlier, my job was to give the best possible advice to the government. It is the government's right to make a decision as to what policies should be implemented. While we may have a different view from the government, it is my responsibility to implement that decision. So whatever the decision of the government was, Statistics Canada was going to implement that decision to the best of their ability.

The minister spoke about a need for balance. The minister has every right to want that balance. The issue for us is the quality of our data. Even there, the government has to acknowledge, as the minister did, that they are the ones who make decisions, not the public servants.

The reason I stepped aside is because of some media stories that Statistics Canada was not just implementing the decision of the government but was actually recommending that to the government.

Mr. Charlie Angus: Just to clarify, it's the minister's right to make a decision and it's your duty to implement that decision, but it's not the minister's right to misrepresent your role at Statistics Canada and pretend that it was your idea or that you supported it. Am I not correct?

Dr. Munir Sheikh: Well, I don't really want to comment on the minister saying whatever he said, or misrepresenting it, because I don't really know what the minister said. What I'm really going on is the stories that emerged in the media.

But regardless of what the minister said, even if the minister had not said what was reported in the media, the fact that in the media and in the public there is this perception that Statistics Canada is supporting a decision that no statistician would, it really casts doubt on the integrity of that agency, and I, as the head of that agency, cannot not survive in that job

So it doesn't really matter what the minister said. It is what the perception is out there; that really is the deciding factor.

• (1110)

The Chair: Thank you, Mr. Sheikh.

Mr. Angus, do you want to yield the floor to Mr. Gravelle?

Mr. Charlie Angus: Yes.

Mr. Claude Gravelle (Nickel Belt, NDP): Mr. Sheikh, I'd like to commend you for being here today. I know it's quite stressful for you to be here today, so thank you.

Minister Clement said that he had the support of Statistics Canada. When the minister says that, you would think it means he has the support of the manager or the chief statistician of Statistics Canada. So what happened between the time that Mr. Clement said he had the support of Statistics Canada and the day that you resigned? Was he misrepresenting your views?

Dr. Munir Sheikh: Again, I'd like to emphasize that I actually don't know what the minister said. I don't know whether or not what he actually said was misrepresenting whatever advice we may have given him.

The point is that Wednesday morning, when I read the story in the media, they started to cast doubt on StatsCan's integrity. It is what I read in *The Globe and Mail*. As I've said a couple of times, it doesn't matter to me what the minister said; it is what perception is out there and what Canadians believe in that will have an impact on whether I can do my job.

After that story appeared, by the end of that same day, I had resigned from my job. There's a fairly straightforward process for doing that.

[Translation]

Mr. Claude Gravelle: All right.

Mr. Fellegi, the government refers to the threat of imprisonment often enough when discussing the census. During your 51 years of service, how many Canadians were imprisoned for refusing to fill out the census form?

[English]

Dr. Ivan Fellegi: None, and to the best of my knowledge, never anytime before, either. I sometimes jokingly say I've been chief statistician since Confederation. I haven't been chief statistician since Confederation, but I looked at the record, and to the best of my knowledge, there have not been any.

This is an old act, and I want to call your attention to it again, because I hope we can turn our attention to where we go from here. There is a set of very constructive proposals on the table from the National Statistics Council on moving forward. We are facing a problem. The census is literally around the corner, and we have just days for any alternatives to be considered. The alternatives presented by the National Statistics Council of 40 extremely eminent people appointed by the minister seek to address the issue that the member raised and Munir Sheikh has emphasized, which is the right of the government to protect privacy, to establish the right balance.

They are proposing to address those concerns and at the same time safeguard the integrity of the next census. Give us some time, then, beyond that, for consultation and a thoughtful consideration of alternatives—all kinds of alternatives, international examples and others.

The Chair: Thank you.

We'll go to Mr. Garneau.

Mr. Marc Garneau: Thank you, Mr. Chair.

One of the last questions the minister was asked this morning, by Mr. Lukiswki, was how we can be sure that this voluntarily collected data will be useful. To paraphrase what the minister said, he said that it can be done and it will be done.

To me this is an example of wishful thinking dominating, triumphing over, scientific reality. I would like to hear your comments, both of you, on that assertion.

Dr. Ivan Fellegi: I'm happy to be first.

Nobody knows whether it can be done. The point is that Great Britain just announced a decision a few days ago to look at its 2021 census and consider whether there are completely drastic alternatives to taking the census that could be applied in the United Kingdom.

It's applied in Scandinavia, in very different circumstances, but they said that 2011 is so close that they will not do anything to it. They'll let it go ahead as planned, and they'll think about 2021.

The National Statistics Council is doing something better. They are saying to do what we can do for 2011 and then think about other things that can be done for 2016. I think that's a very constructive proposal.

• (1115)

Mr. Marc Garneau: We've heard a number of people talk about the fact that certain European countries—Denmark, Sweden, and others—have abandoned the census process we use and that perhaps we should be looking in that direction. However, we've also heard recently that they have adopted a system in which the information is gathered based on large databases and population registers.

I suspect that Statistics Canada has studied what goes on in other countries. I'd be interested in knowing your views on the direction that's been taken in some of those countries and whether, specifically, those are less intrusive.

Dr. Ivan Fellegi: I've served as the chair of the Conference of European Statisticians and also as the chair of the OECD statistics committee, and I've been president of the International Statistical Institute, so I have some awareness of what's happening in other countries. I can't say that it's my life's expertise.

The census in those Scandinavian countries is taking place in a completely different manner and is based on pre-existing registers, which are quite intrusive. Everybody who moves residence has to register with the police, compulsorily. Everybody who changes jobs has to have that registered, either by oneself or by the employer, compulsorily. When anybody enrolls in an educational institution or leaves an educational institution, that enters a register. Income—earned and other kinds of income—enters in great detail those registers. Then, of course, once those are there, they can be brought together at relatively low cost and with a very high level of precision, because they're all based on compulsory collection.

Whether that's appropriate in Canada is not for me to say. If it were there, Statistics Canada would be very happy to use it and certainly consider how it compares with the traditional census.

What I would also say, however, is that it's very expensive if you consider it as a statistical collection. If statistics is a byproduct, then of course it's very cheap, because the data are already there; they can just be brought together for statistical purposes. But if it's put in

place for the purposes of statistics, I suspect that it would be many times the cost of the census.

[*Translation*]

Mr. Marc Garneau: Could you reassure worried Canadians and explain to them that the information collected by Statistics Canada for censuses, especially through the mandatory long questionnaire, is protected?

You have certainly specified that no personal information has ever been disclosed in Statistics Canada's entire history. But, in order to reassure Canadians, could you briefly describe the process that guarantees data confidentiality?

The Chair: Could you answer briefly, Mr. Fellegi?

[*English*]

Dr. Ivan Fellegi: Well, there is no quick answer, because there's an endless number of steps, processes, and safeguards that we build into everything we do, including the last time, when we had the census in 2006. We ordered a security audit in which basically we mandated security firms who specialize in “white hat” hacking, as it's called, to try to hack into the database to try to penetrate our security. They couldn't.

• (1120)

The Chair: Thank you very much.

Mr. Anderson.

Mr. David Anderson (Cypress Hills—Grasslands, CPC): Thank you, Mr. Chair.

Thank you, gentlemen, for coming here today.

Mr. Sheikh, does your home need renovations?

Dr. Munir Sheikh: Sorry?

Mr. David Anderson: Does your home need renovations?

Dr. Munir Sheikh: Yes.

Mr. David Anderson: Mr. Fellegi, does your home need renovations?

Dr. Ivan Fellegi: I don't think so.

Mr. David Anderson: Okay.

Are they major or minor, Mr. Sheikh?

Dr. Munir Sheikh: We've gone through major renovations. We have some minor ones to do.

Mr. David Anderson: Well, I notice that my colleagues across the way are laughing at that question, but I take it that your position on this question is that it is important, because you have made it mandatory on the long-form census in the past.

Should something like that be a mandatory question?

Dr. Munir Sheikh: I think I want to emphasize the fact that we are a data collection agency. We are not the users of the data. We hold consultations, and it is the users of the data who tell what data they need.

If there are users out there who need information on renovations, or there are policies of the government that depend on that kind of information, and they ask us to collect that information, our job is to make sure that we collect the best possible information.

So you should ask that question of the people who are actually the users of that information.

Mr. David Anderson: Well, I find it interesting that you've distanced yourself from that question, because the next question is, then, is it worth threatening to imprison Canadians for your users?

Dr. Munir Sheikh: Again, I think that's a question that the government needs to answer. If the government doesn't want people to go to jail, it's not my issue. The government can go and change legislation. I don't have any problem with that.

Mr. David Anderson: So you don't have any problem, then, with the government making those types of questions voluntary?

Dr. Munir Sheikh: I have problems with the consequences of making something voluntary, and I've explained that the quality of the data would fall.

The simple point I'm making is that the government has every right to do whatever they want to do lawfully. I have no issue on that. However, the point I'm trying to make is that if the government makes those decisions, some of those decisions may have an impact on the quality of the data. I cannot provide the same quality of data with a different legislation than I can with this. As long as it is understood that the quality of the data is lower, that's the end of it.

Mr. David Anderson: So my question to you is this: Is it worth imprisoning Canadians in return for that data?

Dr. Munir Sheikh: It's not a question for me to answer, sir.

Mr. David Anderson: I think the government has answered that by making this voluntary.

Dr. Munir Sheikh: Well, if the government has answered that question, I don't have any problem with it. All I'm saying here is that it is the government's right to determine the level of punishment of someone who doesn't comply with the legislation.

Mr. David Anderson: So Mr. Fellegi—

Dr. Munir Sheikh: It is the government's right to establish a balance. It is our duty to produce the information that the government wants.

All I'm stating here, sir, is that the quality of the information produced under a voluntary survey would be less than that under a mandatory census. That's a technical question. Every statistician on this planet would answer that question exactly the same way, and that's the only issue on my mind.

Mr. David Anderson: I see that Mr. Fellegi suggested that the provision to jail Canadians who don't fill out the census paperwork could be repealed, and I think Mr. Rota made some of those same points earlier.

So if the penalty for not filling out the personal and intrusive questions is removed, doesn't that make the long form voluntary? I think we've heard Mr. Rota suggest that, and Mr. Angus seemed to imply that to some extent, and you've made some of the same assertions, and Mr. Fellegi in his comments on July 22 seemed to say that as well.

The Chair: Go ahead, Mr. Fellegi.

Dr. Munir Sheikh: Can I just respond to that again?

The Chair: Go ahead, Mr. Sheikh.

Dr. Munir Sheikh: I think I will repeat myself in saying this, but the only thing I am saying is that when a census that is mandatory is turned into a survey that is voluntary, the quality of the information will fall.

The government has every right to go down this path. Nobody is disputing that the government has the right to do whatever it wants, and our job is to implement the government's decision—as long as we all understand that the statisticians are saying that the quality of data will be lower.

The Chair: Mr. Fellegi, did you care to respond as well?

Dr. Ivan Fellegi: No, that's fine.

The Chair: Okay.

Mr. Anderson.

Mr. David Anderson: I think I need to point out that Canadians do want freedom to choose on this issue. The notion of threat is not ambiguous—we talked about that a bit earlier here. The intimidation and harassment does take place. I've got agriculture surveys that are used regularly in my riding, and I've had to call and ask your former department to quit calling people who were dying of cancer. They would not stop phoning them. So this idea that there's no threat to people, that there's no harassment or intimidation.... It's something that I think needs to be made known. Mr. Garneau talked about agriculture surveys, and clearly did not know what he was talking about.

I want to follow up on some of the other questions. In 2006, StatsCan asked how much a household spent annually on water. That was a mandatory question, right? It seems to be important information to you.

They asked about annual household spending on shelter. I guess you saw that as important enough to be mandatory, as well?

•(1125)

Dr. Munir Sheikh: Again, we are not the users of the data. It isn't my issue whether or not the information on water consumption is important. It is the users who have told StatsCan that they need that information.

Mr. David Anderson: Okay, but you also asked about annual household spending on transportation—

Dr. Munir Sheikh: Every question—

Mr. David Anderson: —except that wasn't mandatory. You seemed to think that one was okay to be on a voluntary survey. There seems to be an awfully tight grey area between what needs to be mandatory and what can be voluntary.

The Chair: Thank you, Mr. Anderson. I'll allow Mr. Sheikh to respond and then we'll go to Monsieur Nadeau.

Mr. Sheikh.

Dr. Munir Sheikh: I think I actually responded to the question. The users tell us what to collect and it is our job to figure out how to collect it.

The Chair: Thank you.

Monsieur Nadeau.

[*Translation*]

Mr. Richard Nadeau: Thank you, Mr. Chair.

Good morning, ladies and gentlemen.

Since you are statisticians, you could perhaps give me your opinion. Is the fact that 95% of Canadians who receive a long form fill it out not a strong enough argument to say that we have a good system and that we are about to destroy something that works well?

[*English*]

Dr. Munir Sheikh: From the perspective of data quality, which is really my issue, StatsCan has a world-class reputation that we produce the best possible data at the least possible cost. That is our mantra.

But as the minister said, there could be other things on the government's mind just beyond data quality. For example, he said that the threat of jail and fines, the questions, and all of that stuff, are important to the government. We don't have any issue with that.

The only thing I'm trying to highlight here is that if you go down the path of going from mandatory to voluntary, it is going to have an impact on the quality of our data. Of course it is going to go down. And that's where we left it.

As I said in my response to an earlier question, we are loyally implementing a decision from the government, whether we like it or not, and we have no issue with it.

[*Translation*]

Mr. Richard Nadeau: What do you think, Mr. Fellegi?

[*English*]

Dr. Ivan Fellegi: I'll just add one point to that, and that is to emphasize that every single question on the census questionnaire is approved by the government; otherwise it wouldn't be on the census questionnaire. If there are certain questions that the government, very appropriately in its own right and judgment, considers too intrusive to be included in a compulsory long-form questionnaire, they should be removed. It's the right of the government. There is no question in my mind about it.

Our problem, as Dr. Sheikh mentioned, is that we need to be open to the public, to the government, to everybody, about the quality of our data and what works better and what works less well.

[*Translation*]

The Chair: Thank you, Mr. Nadeau.

[*English*]

Thank you to our two witnesses, Mr. Sheikh and Mr. Fellegi.

This meeting will suspend until 12:30 p.m.

•

_____ (Pause) _____

•

• (1230)

[*Translation*]

The Chair: We are now going to continue the meeting of Tuesday, July 27, 2010.

[*English*]

I welcome our witnesses and members of the committee to the continuation of the 29th meeting of the Standing Committee on Industry, Science and Technology. We're here today, pursuant to Standing Order 108(2), to study the long-form portion of the census.

In front of us today on this panel we have Monsieur Simard,

[*Translation*]

who is a professor at the Université du Québec in Chicoutimi.

[*English*]

We have Mr. McLeish, who is president of the Statistical Society of Canada. We have Professor Tanny, an associate professor at York University. We have Mr. Doucet, who is the English editor of *Le Québécois Libre*.

Welcome to all of you. We'll begin, without further ado, with questions and comments from members of the committee, beginning with Mr. Rota.

Mr. Anthony Rota: Thank you, Mr. Chair.

I want to thank our witnesses for coming today, a beautiful summer's day, and for giving it up to be here. Obviously this is a very important issue.

I'd like to start with Mr. McLeish on a question regarding the Statistical Society of Canada. From what I understand, you have members who work in various areas of statistics gathering and reporting. Who exactly are the members of your society? Maybe we'll start off with that. Can you give us just a brief overview?

I realize that we don't want to take up too much time, but this way we'll establish where you're coming from.

Professor Don McLeish (President, Statistical Society of Canada): We have about a thousand-and-some members, including a large number of academic statisticians from universities across the country, students, practising statisticians—a number from Statistics Canada, of course, and provincial statistical agencies—and statisticians who work in biostatistics and for private firms.

Mr. Anthony Rota: Very good. You have a lot of credibility and a lot of people there.

This seems to have just shown up out of nowhere. Were any of your members, or were you as a society, consulted before any announcements were made?

Prof. Don McLeish: No, we were not consulted—but then, I would have been a bit surprised if we were.

I think what we might have expected is that statisticians, in one or other of the various related agencies, would be fairly thoroughly consulted on this issue.

Mr. Anthony Rota: Are you aware of any of your members who were thoroughly consulted?

Prof. Don McLeish: No.

Mr. Anthony Rota: No. So it's out there, and....

The long-form census is something we've heard a lot of information about over the last little while, but especially today. What do you believe would be the effect of making this a voluntary item as opposed to enforcing that people actually fill it out?

Prof. Don McLeish: Well, in general, the presence of bias in voluntary surveys is well known and well documented. I think any statistics society anywhere would support that, including the American Statistical Association and the Royal Statistical Society. The real question is how much bias is present in each of the responses. It can be quite pernicious in some cases; it can be less severe in others. So the correct answer to the question is that it's a complete unknown.

Mr. Anthony Rota: So there's no way of knowing what we'll end up with down the road.

Prof. Don McLeish: No, not without a carefully conducted pilot, which could be done provided the 2011 census went ahead in its standard, traditional mandatory form. A pilot could be conducted that would at least try to investigate the degree of bias associated with a voluntary survey. But we know that bias will be present.

Mr. Anthony Rota: A plan should have been thought out, then. What you're saying is that a plan should have been well thought out as to what the implementation would be for voluntary. Would you have a parallel survey? Is that the way you would run it, with the voluntary and the mandatory going through similar tracks so that you could compare the outcome of the two?

Prof. Don McLeish: Well, I'm not referring to what should have been done.

Mr. Anthony Rota: What would you normally do with your...?

Prof. Don McLeish: You have a copy, I think, of a statement we made. We're suggesting, among other things, that the mandatory long form be reinstated for 2011 and that Statistics Canada, with the advice of the National Statistics Council, be directed to undertake studies to show the impact of a voluntary survey over a mandatory one. That's essentially what I'm saying. I'm looking forward, not back.

• (1235)

Mr. Anthony Rota: Very good.

A lot of the decisions that are made, whether they're on business, science, or social programs, rely on the accuracy of the long-form census. When making decisions, whether they're provinces making policy, municipalities, or employers, there's a bias there. How does

this affect them? Is it an unknown? What exactly would it mean to someone who's trying to come up with a decision when they're given information that really doesn't reflect what happened in the past? Where do they go with this? What do they do? Or do they just throw it aside and...?

Prof. Don McLeish: That's entirely up to them. Clearly if there's an undercount in a certain ethnic, social, or economic group and we don't know the degree of that undercount, there isn't a great deal they can do except perhaps run their own attempt at estimating those quantities.

Mr. Anthony Rota: That's where I'm going with this, or trying to figure out. We have groups that are represented, as it is now, and by making it mandatory everyone has to answer the questionnaire so everybody is represented. What groups will be more represented and what groups will be less represented on something like this?

Prof. Don McLeish: That's part of the difficulty. We really don't know. It's a combination of factors, obviously. I have a daughter with three children under the age of 2, all in diapers. There are days when she can't brush her teeth. She has a neighbour with one daughter who is nine years old. Which of those two, given the voluntary survey, is more likely to be inclined to fill it out? I think there will be a clear bias in favour of people who have time, who are motivated, who see some benefit to the data coming from this, and who are perhaps civic-minded and law-abiding citizens.

Unfortunately, governments at all levels make policy decisions not just for the law-abiding citizens who drive under the speed limit and don't litter but for all of society, including those who exceed the speed limit.

Mr. Anthony Rota: Would it be fair to say that those who need it most will likely be underrepresented?

Prof. Don McLeish: I don't want to speculate too much on who's undercounted. We do know that people with language difficulties and the poor will probably be undercounted. But the only way of knowing for sure is to do a properly designed study comparing the two.

Mr. Anthony Rota: So from what I'm getting, then, or from what I'm understanding, it wouldn't be unfair to assume that the decision to get rid of the long-form census was rather rash and not well thought out, and doesn't lead to good policy-making in Canada.

Prof. Don McLeish: No, I'm not going to say that. What I'm going to say, on behalf of statisticians in Canada, the U.S., the United Kingdom, Australia, New Zealand, and every other place where a census is essentially mandatory, is that I would like the government to go forward with the compromise position that the National Statistics Council has outlined. It's very much in parallel to what the Statistical Society has provided you with today. It provides for reinstatement of the 2011 census and, simultaneously, a study of the impact of a voluntary survey for any bias that might—and I think very likely will—creep into the responses on certain questions.

The Chair: Thank you, Mr. McLeish, and thank you, Mr. Rota.

Monsieur Bouchard.

[*Translation*]

Mr. Robert Bouchard: Thank you, Mr. Chair.

I would also like to thank the witnesses for being here with us this afternoon.

My first question is for Mr. Simard.

Mr. Simard, you are a professor and researcher. I believe you use the data from Statistics Canada. So you know how important it is to have reliable and accurate data.

As we know, the minister's decision is to replace the long questionnaire, which is currently mandatory, with a voluntary questionnaire.

Why are you opposed to the minister's decision?

● (1240)

Mr. Martin Simard (Research Professor, Department of Human Resources, Université du Québec à Chicoutimi): I would first like to mention that I am a geographer and urban planner in addition to being a professor at the Université du Québec in Chicoutimi. The census data are very useful for the applied research we do on the environment, transportation, residential construction, urban planning, and so on. This research is often conducted jointly with local municipalities, which are also major users of census data.

Personally, I am against the changes or the reform the government wants to implement right now. So I join with the Canadian Association of Geographers and the Canadian Institute of Planners, of which I am a member, and which have clearly expressed their opposition to these changes. We are opposed to this for a technical reason, meaning that it could seem like a rather minor change, but this minor change, when you know the methodology of surveys and the scientific methodology, may have serious consequences on the validity and reliability of the data from Statistics Canada.

It is a shame since Statistics Canada is a well-respected institution in Quebec, and in the rest of Canada, a source of pride for many. So the data may be deemed as less reliable, especially for academic research. That may hinder our research, making it less accurate than the research done in other countries. That may also affect private companies that conduct market studies to choose locations for restaurants or businesses. Major problems will also arise in the development of public policies, especially locally and regionally where data may be even more inaccurate.

So, there are a number of negative consequences. Finally, we ask ourselves why we should change something that works well. If we were on The Red Green Show, we would say: "If it ain't broken, don't fix it."

Mr. Robert Bouchard: Thank you. We can see that you are very knowledgeable about the data from Statistics Canada and that the decision entails many repercussions.

In your opinion, Mr. Simard, are there people or groups who will be particularly at a disadvantage because of the implementation of the decision to make the long questionnaire voluntary?

Mr. Martin Simard: Absolutely. My colleague explained it very well a few minutes ago. When you ask people to fill out the form voluntarily, even if it seems to be completely normal and positive, it

actually distorts the data in the census sampling process. In other words, the people who will answer are more likely to display specific characteristics. For example, they have more time or more education, so that they value the census or understand its importance better. So the data we get are not representative of the whole population, but rather of people who show goodwill or who like to take part in surveys.

So, at first glance, it is a small change that is well intentioned and can seem like a good idea. In fact, it is a technical change that will drastically alter the credibility and value of the census. At the end of the day, it is a rather technical debate, but it is still quite important given the repercussions on the quality of census data.

Mr. Robert Bouchard: So, if I understood your comments correctly, the government's decision would significantly compromise the quality of the data collected by Statistics Canada.

● (1245)

Mr. Martin Simard: Precisely. I will say it again. At first, we could say that, given the concerns expressed by some Canadians, we will not make all forms mandatory. That may seem easy. We do not abolish the forms completely, but we make the responses voluntary. That may seem like a rather minor change and like something that finally makes sense .

But actually, on a technical level, that would change the sampling process fundamentally. The people who will answer will not necessarily be representative of the whole Canadian population. So that will seriously compromise the quality of data. This leads us to say that everyone using the data, in both private companies and scientific research, will be affected by these changes.

The Chair: Thank you very much, Mr. Bouchard.

Thank you, Mr. Simard.

Mr. Bernier.

Hon. Maxime Bernier (Beauce, CPC): Thank you, Mr. Chair.

I would like to take this opportunity to answer one of my opposition colleagues' questions.

This morning, my Liberal and Bloc colleagues said there were no problems in Canada, that 95% of Canadians filled out the long, detailed questionnaire on their private lives. They said that this debate was useless, that everything was going well and that people were happy to fill out the 40-page detailed questionnaire. What I would like to say to the members of the opposition is that people fill it out because they are threatened, either with a prison sentence or a fine. If the opposition members want to improve the participation rate, I suggest that they increase the threat, so that Canadians have to pay a \$5,000 fine rather than \$500, and that the prison sentence be three years rather than three months.

Mr. Chair, that is not the issue. It is really simple. It is a question of principle. In my opinion, people should be free to answer or not answer questions about their private lives. I would like to hear Mr. Doucet's opinion on that.

In a democratic society, do you believe that it is normal to threaten people with a prison sentence and a \$500 fine if they refuse to answer questions on, for example, how many bedrooms they have in their houses or the time they leave their house to go to work?

[English]

Mr. Bradley Doucet (English Editor, Québecois Libre): It's normal in the sense that it's widespread, but I don't think it's normal in the sense that it makes sense. I don't think it should be that way.

I agree with the government's position that if people need to be forced to provide this information, then there's something wrong there. I don't think it's right that if someone refuses to fill out the long form, he or she has either a fine or a jail term. If the people who are supposedly being helped by the information collected from the census can't be persuaded to fill it out, I don't think they should be forced to under penalty of law.

Hon. Maxime Bernier: Thank you very much.

Monsieur David Tanny, what is your position on that?

Mr. David Tanny (Associate Professor, Department of Mathematics and Statistics, York University): I'd like to speak from two points of view.

First of all, I don't think this is a technical debate. The reason I don't think it's a technical debate.... There is the issue of the statistics. I'm not going to deny, as a statistician, that if one makes the form voluntary without any other incentives, then in fact there will certainly be a change in the response rate. One should know, however, that there has already been a change in the response rate. One should also know that there are other factors that have to be considered.

In 2006, Statistics Canada went to using the Internet. There are many people, for example, who don't know how to use the Internet and simply turn it over to their children. So we don't know exactly the quality of the information we're getting once the information is turned over on the Internet. It could be a 15-year-old going ahead and putting in the information rather than an adult, as we were doing in the past.

Now, I agree with the idea or the general principle that using the Internet is a less costly way and probably a much more efficient way of doing it, but what I'm saying is that there are other factors that

come into play with regard to the quality of the information and how much people can rely on the information we have.

A second issue is that Canada is one of the few nations—a handful of nations—that actually do a full census every five years. There are rolling censuses being done continuously. The Americans have moved to what's called the “American community survey”. We have a national household survey.

The American community survey, of course, is going ahead and every month sending out a certain number of forms and requiring it. It is mandatory in the United States. I disagree with that, though. There is such a thing known as negative bias that does occur when you make a survey mandatory. There are studies on negative bias, and the question is, how do you overcome it?

Well, let's just take a look. Here is our survey. On one end of the scale you have the penalties. If you want to make sure that everybody does a particular survey, make it 10 years in jail, 10 years for not answering any questions—

• (1250)

The Chair: Professor Tanny, I think Mr. Bernier wants to ask you another question.

Hon. Maxime Bernier: I think you're absolutely right. As I said at the beginning...just increasing the penalties and people will answer all that.

But I have a question for Monsieur Simard.

[Translation]

From what you said earlier, you are in full support of

[English]

the long survey, mandatory census,

[Translation]

for everyone who will receive the questionnaire.

What questions should be mandatory? Should people have to answer the question on what time they leave their house to go to work, under threat of being fined or sent to jail?

Mr. Martin Simard: We could examine the questions and filter them out.

Hon. Maxime Bernier: Do you think we should send people to jail if they do not answer this specific question?

Mr. Martin Simard: You are indeed right. We should not do that.

Hon. Maxime Bernier: Should we send them to jail if they do not reveal how many bedrooms they have?

Mr. Martin Simard: No, but...

Hon. Maxime Bernier: Thank you. You have answered my question. There are more than 49 questions, and I would like to know your opinion. We think that people are free and independent and that they should not be threatened with a prison sentence.

Should we send people to jail if they do not tell us how many bathrooms they have?

Mr. Martin Simard: If you'll allow me to answer, I'd say that the prison sentence could be re-examined. I agree with you on that point, but as for the citizens' duty to fill out a census form, I don't really think that it's asking too much. In some provinces or countries, they start each morning with a prayer...

Hon. Maxime Bernier: According to you, in order to reduce the margin of error, statisticians prefer that people who receive the questionnaire be obligated to complete it, under penalty of fine or imprisonment, rather than respond to an optional survey, which would respect their freedom.

You said earlier that the first option improves the quality of the data. So, to get the best possible data, the Cadillac of data, you would like Canadians to be threatened with imprisonment. Is that right?

The Chair: Thank you, Mr. Bernier.

Mr. Martin Simard: I said that imprisonment struck me as an extreme measure, but perhaps that is a separate issue.

That being said, I don't think that...

Hon. Maxime Bernier: But that is precisely the issue today, Mr. Chair. Are Canadians and Quebecers free to answer the questions with this threat hanging over them, or not...

The Chair: Thank you, Mr. Bernier.

Mr. Martin Simard: Allow me to finish my answer.

We should keep in mind that answering census questions is not a task that is very difficult or unreasonable. It should be seen as a citizens' duty rather than as a possible source of punishment.

The Chair: Thank you.

Mr. Gravelle.

Mr. Claude Gravelle: Thank you, Mr. Chair.

[English]

I'm kind of baffled by the line of questioning from Mr. Bernier.

This morning Mr. Anderson tried to make us believe that the questions that were asked were questions from Statistics Canada, when all along they're questions from the government, to whom the census belongs. It belongs to the government.

So Mr. Bernier is the owner of the 2006 census. If he feels that strongly about imprisonment, or threats of fines, or the questions that are asked, can you give me an opinion as to why he wouldn't have changed it when he was industry minister? He had every opportunity to change the census, because the Minister of Industry owns that census. The government owns it.

Why didn't he change it, or why didn't he start the process of making changes, if he feels that strongly about it? Or is this just an issue that popped up because this is the summer and they're just trying to get media, maybe? I'm baffled.

Can anybody answer that?

•(1255)

Prof. David Tanny: I can't answer for Mr. Bernier, but I can answer for myself. I didn't have the opportunity to send in a brief, but I do have a short statement to make, if you wouldn't mind.

The end of the compulsory long-form census in favour of the voluntary national home survey has resulted in some lively, engaging, and fruitful discussion. Statistics Canada believes that "one of the major challenges is to clearly demonstrate the importance of the Census to Canadians". This comes from an article, "Testing for the 2011 Census of Canada", page 3.

The media has certainly assisted us in that endeavour at no monetary cost to Statistics Canada. For this, all taxpayers should be grateful. However, the media has not helped to place the debate in its proper context. The government's ending of the compulsory long-form census is part of the debate concerning an individual's rights versus the state's rights in a free and democratic society. An individual's duty to the state and the state's duty to the individual form an important part of this never-ending debate.

The government has concluded, correctly I believe, that an individual has the right to choose whether or not to participate in what amounts to a survey, even though it is called a long-form census. The issue is not the economic or social usefulness of a survey. The issue is not how many people have complained. The issue is not good citizenry. The issue is not how privately the information will be held. The issue is to what extent the state has the right to compel the individual to provide information. The issue is about when an individual has the right, without any explanation, to just say no.

There was a time in Canada when the police could stop an individual and demand identification upon threat of arrest. This right, clearly, is beneficial to the state in performing the obligation of preventing crime and apprehending criminals. Yet despite the benefits and likely cost savings, Canadian society has freely and firmly chosen to limit this right of the police. The uproar about a temporary Ontario law restoring this power to the police in a limited public space, and only during the G-8 and G-20 sessions, is evidence that Canadians have not changed their minds about the need for this right of the individual.

Compelling an individual because society benefits is one of those oft-talked-about slippery slopes. For concreteness, I give two examples, neither of which I endorse.

Mandatory voting is the first one. Some countries, such as Australia, do have mandatory voting for their federal elections. Canada does not, notwithstanding that voter turnout rates have declined. A free society should benefit when its citizenry vote. Compelling completion of the long-form census is not far from compelling revelation of candidate preferences in a much more anonymous process.

The second example is requiring all children to attend public schools during the hours that public schools are in session. The argument is that the public schools would be strengthened, children from all backgrounds would mix, and better citizenry would result. Children would still be entitled to attend private schools at other times, and so are not deprived of their private education—or at least this is what the proponents might argue.

Besides, the gain to society outweighing the parents' rights is eerily similar to the argument being made for the long form—

The Chair: Excuse me, Professor Tanny. I think Mr. Gravelle has an interjection to make.

Prof. David Tanny: Sure.

Mr. Claude Gravelle: Thank you for your statement there.

In your opinion, with regard to census collection, do you think it's a citizen's responsibility to gather...for the government to gather data? I mean, this is useful data that, as Mr. Simard said, is very useful in urban planning. So....

Prof. David Tanny: Well, I have an alternative, if that's what you're asking me. I believe if you look at the—

Mr. Claude Gravelle: No, I'm asking you if you think it's wrong.

Prof. David Tanny: I'm not saying that it's not a citizen's duty. That's not the issue, though. The issue is whether there are other ways to do it that do not compel.

There are a number of things we could compel the citizen to do. We could compel the accused citizen, for example, to testify at a trial, to allow a judge to question him. That would also save time, save money, and make it easier for the prosecution. We don't do that in Canada.

Where is the dividing line? That's the issue.

Mr. Claude Gravelle: I have a question for Mr.—

The Chair: Go ahead, Mr. Gravelle. And I think Mr. McLeish would also like to respond to you.

Prof. Don McLeish: Yes, I'd just like to say that the Statistics Act, of course, was passed and is under the control of the Government of Canada, and I see no problem with changing the penalties there for non-compliance. I think the phrase “under threat of imprisonment” is very misplaced in this discussion, since it's never occurred, but “under threat of fine” makes perfect sense.

I park in downtown Ottawa, downtown Toronto, and I also drive at speeds occasionally exceeding 100 kilometres an hour, also under threat of fine. I believe that the value to the Government of Canada, to the society, to the provinces, and to all of the interest groups that have spoken on this debate makes that small price, perhaps a \$100 fine—which is in fact consistent with the practice in Australia and with the American community survey, which Professor Tanny brought up—a level that I don't think most Canadians or statisticians would have a problem with.

The word “mandatory” itself says to Canadians: we would like you to fill this out. If, on the other hand, you proceeded with the words “intrusive” and “voluntary”, you are saying to Canadians: don't bother filling this out, because it'll just disturb the rest of your day.

•(1300)

The Chair: Thank you, Mr. McLeish.

Mr. Gravelle, do you have an additional question?

Mr. Claude Gravelle: Yes.

Mr. McLeish, I'd like to know if you offered any advice to the minister on this decision he's taking.

Prof. Don McLeish: Well, on behalf of the Statistical Society of Canada we wrote first on July 9. We've written again, with the points that you have in front of you, and they include the reinstatement of the 2011 census. They do provide for, and I think they should provide for, a proper study of the impact of the voluntary survey.

However, there's one more issue at play here, and that is the reputation of Statistics Canada for independence. As many people have testified, Statistics Canada is a pre-eminent agency in the world. I believe it should be reaffirmed that they are able to provide data, both methodology and analysis, that is independent of the judgments of government and NGOs and other special interest groups.

The Chair: Okay, very briefly, Mr. Gravelle.

Mr. Claude Gravelle: Very briefly, then, did the minister respond?

Prof. Don McLeish: I haven't had a response from the minister, but I believe he's quite busy these days.

The Chair: Thank you, Mr. Gravelle.

Now we're going to go to Mr. McTeague.

Hon. Dan McTeague: I will ask this of all of you here. With regard to the integrity of the information that is before us, whether it is mandatory or not mandatory, it seems to me that if you want an outcome, say for instance on jury duty, or for instance if you want to ensure that...I don't know; I don't see the government making a request to remove the mandatory aspects of filing an income tax. There are certain public goods that tend to put that sort of utilitarian process of the good of the many coming before the interests of the individual.

If we're talking about mandatory from the perspective of fines and jail, that may be one thing, but without that potential for compliance, without the certainty of compliance, I'm wondering how can you then make an argument that a voluntary or less onerous penalty would have the same effect.

Mr. McLeish, could you expand on what you're trying to establish as a potential compromise?

Prof. Don McLeish: The compromise, in the next round, would effectively do both. In the United Kingdom, where they have an 11-year lead time before the cancellation of the 2021 census, there will be all sorts of interest groups and other considerations in providing data to them.

The compromise, I suggest, is to once again do the long form in its usual fashion—it's presumably prepared—and to simultaneously run a voluntary census with Statistics Canada and the National Statistics Council being responsible for providing a report indicating the degree of bias, where individuals or groups are undercounted, and how that bias is going to affect us in the future.

Hon. Dan McTeague: Mr. McLeish, one of the greater comparisons suggested by my colleagues on the other side—a friend of mine called them the Vandals and Visigoths and Luddites on this issue, but I won't be that disparaging—was that the patterns established in the United States may be very similar to Canada. Given that the Americans have looked at a form of voluntary compliance and have walked away from that, what does that really say for us in terms of the next 10 years, as you are...through your proposal?

I mean, if the Americans have rejected this, if we have more onerous interventions from places like Sweden and Europe in general, to get away from this intrusiveness and this idea that seems to have been trotted out suddenly by our Conservative Party members, how do we...? Are we not using the best methodologies that are out there, the experience of other nations, to guide us into the determination that maybe it's best to leave well enough alone?

• (1305)

Prof. Don McLeish: Well, in answer to the question briefly, the U.S. did study this in 2003. They sent essentially the same questionnaire to people, with the covering message that it was, on the one hand, voluntary, and in the other case that it was mandatory. The difference in response rates was approximately 20%. In other words, the voluntary survey had about a 20% less response rate. As Statistics Canada does as well, of course they do repeated callbacks. If they wanted to have even vaguely comparable data quality, they needed so many callbacks that it was infinitely more expensive in this case, and so they abandoned it and returned to a mandatory American community survey.

Hon. Dan McTeague: If by statistical or scientific analysis being done day in and day out—and we'll have a chance to speak to a pollster a little later on—a voluntary system, which seems to be the panacea offered by Conservatives who have suddenly discovered this is an issue...if 19% of Canadians aren't prepared to even fill that out, what does this say for the entire credibility and assumptions that we need? What does it say for our understanding of our country?

It seems to me that while we want to talk a great deal about knowing a bit about our country as it evolves, perhaps more rapidly than other nations, if you don't know where you're going, chances are, as Yogi Berra said, you're going to wind up somewhere else.

With 20% of people in Canada saying they're not going to comply if it's voluntary, how certain are you that it will be necessary even to have a Statistics Canada down the road?

Prof. Don McLeish: I can't really speak to that, but I do believe that 20% will very likely not respond. I believe the government's responsible for those 20% as well as the 80%, and the policy should be made for everyone.

Hon. Dan McTeague: What if the damage is already done? If the government, in a sudden fit of enlightenment, decided to back off—I doubt it's going to do that, but if it did—do you believe there are organizations across this country that would take up this issue and say, “Damn it, we're not going to let this happen, we're not going to comply”, which would of course create the damage that is potential, either with the voluntary system or without?

Prof. Don McLeish: Well, I refuse to believe that the damage is done. I believe we can move forward with this, and in fact there's an

incredible silver lining here. All of the groups that have spoken in favour of the long form of the census in the data, and Statistics Canada in general, have shown a tremendous vote of confidence in what they have done. Canadians are more than ever aware of the data that's provided and its importance to society, the economy, small business, and so on. I believe that if the mandatory long form of the census returns, we will get pretty much the same response rate that we've had in the past, which is 99% or so.

The Chair: Thank you, Mr. McLeish, and thank you, Mr. McTeague.

Mr. Lake.

Mr. Mike Lake: Thank you, Mr. Chair.

First I have a quick clarification on Mr. Gravelle's comments regarding the last census. Of course, the order in council that established the 2006 census was dated March 22, 2005, under the former Liberal government. This is in fact the first census that this government is responsible for.

Moving to the question of the day here, it seems there might be some confusion about the question. It seems that some people feel this question is a statistical question. But the reality is that the fundamental question that we're debating is about our free and democratic society here in Canada.

In a free and democratic society, which we have in Canada, should individuals be threatened with jail time or fines for refusing to answer, for whatever reason, questions like how many bedrooms are in your house; how much housework did you do last week; or how much time did you spend with your kids last week? Those are all questions from the 2006 census. In a free and democratic society, should someone be threatened with jail time or fines for not wanting to answer those questions, for whatever reason? It doesn't matter what the reason is.

The Liberal Party, of course, has said, yes, that should be the case. Our party says, no, it shouldn't be the case, and we are making a change because of that. That's what this debate is about today.

Of course, then we answer the statistical question and bring in the experts to answer the statistical questions about how best do we collect the information we need to collect. We rely on the experts at Statistics Canada to do that.

Mr. McLeish, I want to go to the fundamental first question. In your view, should Canadians like your daughter—you were talking about your daughter—be threatened with jail time or a fine for not wanting to answer the question, “How much housework did you do last week?”, if she just doesn't want to answer the question?

• (1310)

Prof. Don McLeish: Sir, with respect, you're asking a question that you yourself have control over. Statisticians, to the best of my knowledge, have not enacted laws sending people to jail or fining them.

Mr. Mike Lake: Okay, but I'm asking you a question as a Canadian, in your view—because you're advocating for a mandatory long form that would ask these types of questions.

Prof. Don McLeish: No. My society has not taken a position on what the penalties associated with non-compliance with the Statistics Act should be, because that's not really our expertise. That's a government decision.

Mr. Mike Lake: Your association does advocate for penalties, though.

Prof. Don McLeish: No, my association advocates that the long form of the census be mandatory, as in the past.

Mr. Mike Lake: Okay, so if it's going to be mandatory, there has to be penalties attached to it. If a Canadian citizen doesn't want to answer a question about how much housework they did last week, should they be subject to a fine?

Prof. Don McLeish: I think that's very clearly a decision that you should make. The word "mandatory", for example, assigns to all sorts of things: where I park my car, or how fast I drive on the highway. It's mandatory that I not drive speaking on a cellphone. The fines associated with non-compliance with those laws are under the auspices of our various levels of government, including the government here.

Mr. Mike Lake: But with respect, Mr. McLeish, you say it's a decision for the government to make. The government has made a decision and your organization has waded into it, saying that it is the wrong decision, saying that it should be mandatory, which implies penalties. It's incumbent on your organization, then, to say what those penalties should be. Which penalties are acceptable—the threat of jail time, the threat of fines—for not wanting to answer how much housework you did last week?

Prof. Don McLeish: In my personal view, they should not be threatened with jail time, in part because it has never happened and it's a red herring in this debate, and in part because it's all out of proportion—just as I shouldn't be threatened with jail time if I inadvertently leave my car five minutes too long on one of the streets in Ottawa.

Mr. Mike Lake: Fines?

Prof. Don McLeish: In terms of fines, look, I have to pay, as do you and most Canadians, a large chunk of my salary to the government for policy, to make decisions on our behalf that benefit society. How much time—

Mr. Mike Lake: Speaking about this particular issue, the concern has been brought up by Mr. Garneau, as well as by you and by one of the other witnesses today, that under a voluntary system the people who might not answer questions are those of low income, for example. Further to that, of course, if it's mandatory, those are the same people you're going to have to threaten with fines. Should a single mother with three kids, who's busy doing all the things she does and decides she doesn't want to answer, like her down-the-street neighbour, questions on how much housework she does or how much time she spends with her kids, be threatened with a fine of \$500?

Prof. Don McLeish: When you overpark, or drive at 150—

Mr. Mike Lake: We're not talking about overparking or driving.... Driving over the speed limit is dangerous.

Prof. Don McLeish: The point is that the maximum penalty associated with non-compliance with rules and laws in this country

is not always at the top of people's lists when they consider doing something.

The word "mandatory" is important. I submit that the level of fine associated with it, which is under government jurisdiction, is much, much less important. I am not here to suggest \$10,000 fines so that everyone will fill out the long form.

Mr. Mike Lake: What is the appropriate fine for that?

The Chair: Thank you very much, Mr. Lake and Mr. McLeish.

Monsieur Nadeau.

[*Translation*]

Mr. Richard Nadeau: Thank you, Mr. Chair. That's very kind.

I would just like to point out that the matter of compulsion and imprisonment, which irritates my Conservative colleagues so much, has been around since 1918. Mr. Lake surely remembers 1918 because that was the year that the National Hockey League was founded. Since that time, a number of Conservative and Liberal governments have been in power. This provision has been around for a long time. As you are currently in power, gentlemen, perhaps you could introduce a bill to abolish this provision.

Contrary to what my friend Mr. Bernier said earlier, this is not the issue today. The issue is science. I know that some Conservatives believe that humans and dinosaurs walked the earth together, but the world was not created 5,000 years ago. Once again, these are subjective beliefs. Let's get back to the science of the matter.

Mr. Simard, I would like to know how scientific research will be affected by what the Conservative government is suggesting.

•(1315)

Mr. Martin Simard: Research will certainly be affected. We will be left without tools.

Let's consider a hypothetical situation. If we are told that 67% of Montreal's population speaks English, we will not know whether that information is accurate. In reality, the figure is perhaps 61% or perhaps 77%. We will be unable to measure the inaccuracy, but we will always be unsure.

In an information society, scientists in the social or environmental sciences, or in other scientific areas, will no longer really be able to use that data, since it will be considered as unreliable and inaccurate. That could affect the reputation of Canadian research papers published internationally.

In addition to all that, we are wondering how, in an age of globalization and information, a government can reduce the reliability of information on society, economy and the country. It is a bit like making things more difficult on purpose.

Mr. Richard Nadeau: Okay.

Mr. McLeish, given your knowledge of the Canadian census and given what we currently know about Statistics Canada, I would like to know whether the privacy of Canadians is in any way compromised.

[English]

Prof. Don McLeish: As far as I know, there have been no compromises. The fact that you might find out that the average number of rooms in my census tract is 8.4 doesn't tell you how many rooms are in my house, since there are 7,900 other people living there.

So as far as I'm concerned, invasion of privacy is not generated when we provide aggregate information about groups of people. Privacy is invaded only when an individual's details are publicized, and I don't believe that has ever happened.

[Translation]

Mr. Richard Nadeau: Thank you very much, Mr. Chair.

Thank you, gentlemen.

The Chair: Thank you, Mr. Nadeau.

Mr. Petit.

Mr. Daniel Petit: Thank you, Mr. Chair.

My question is for Mr. Simard.

I believe you are from the same region as Mr. Bouchard. You teach at the Université du Québec à Chicoutimi. You said you use Canadian statistics. As you know, there are both voluntary questions and compulsory questions. We have talked about that enough since the beginning.

During the last census, in 2005—I was not yet a member at that time—all the questions in the long form were compulsory. All we want to do is make answering those same questions voluntary instead of mandatory.

A little while ago, you answered some very specific questions put by my colleague. In your view, should it be mandatory or voluntary to answer a question on what time I leave for work? The distinctions are very subtle.

What is your opinion on that? That is exactly what we are talking about.

Mr. Martin Simard: The way I see it, the main problem with the voluntary form has to do with methodology. When it comes to everything else, the questions can always be revised, as some questions may indeed appear to be a bit silly or pointless. But it is important to keep in mind that some of the questions in the old long form, which will be made voluntary and given a different name, are very useful, such as those on mobility or where people live. They provide information on Canadians' moves, on their mobility for work, from day to day.

Right now, I am researching what is known as commuting, in other words, travel for work, in the Saguenay—Lac-Saint-Jean region. All of that could be useful for the purpose of transportation, land-use planning or regional economic development. So....

Mr. Daniel Petit: I have to stop you there, Mr. Simard, as I do not have a lot of time.

Like me, you have read the long form, since you are here to give evidence on that very thing. You will have noticed that some of the questions in that form are the same ones that the provincial and federal governments ask me on my income tax return every year.

What is more, that same questionnaire asks me to add the tax from both sources, which other provinces do not do. I have to add them. Do you think I should be put in jail and fined because I made a mistake in calculating my taxes? Do you think it is mandatory or voluntary? I have already provided that information voluntarily; the governments have it. Are they just too lazy to share the information, or am I really missing something in terms of what is mandatory and what is voluntary?

I have already provided that information in full: if I am to receive an old age pension, employment insurance or child care costs that I have paid out. I have given all of that information to the governments every year, along with my address, my telephone number and my postal code. I even told them who I was living with, how I was living and whether I was living with someone of the same sex. I have given that information every year. Why should I provide that information again today on a compulsory basis? Why would it not be voluntary? Since I have already given it, I will give it again. Do you not see voluntary participation as a good thing?

Mr. Martin Simard: The act of asking the same questions twice may seem silly. I agree with you that certain questions should not be included in the census because that information can be obtained in other ways, for example, from the income tax return.

However, I do not think that is the issue here. To come back to the compulsory nature of the form, I think the section on punishment by imprisonment in the Statistics Act should be changed, because it is clearly excessive.

You need to put that in perspective, though. The obligation being imposed on Canadians is not very demanding. It is not something that is impossible to do. It is relatively easy to do, and something we do for the public good. In my view, someone who complains about how long the form is will regret or perhaps experience, in two or five years, the effects of a lack of public policy targeting groups in his or her situation. So it is in the person's interest to fill out the form, even if he or she does not realize it.

Let us be real here. The person is not being asked to take part in forced labour in Siberia for six months, but to fill out a form that takes ten minutes to do.

● (1320)

Mr. Daniel Petit: Mr. Doucet, you introduced yourself earlier as a citizen who came here to testify. A number of questions have been asked since the beginning. Those questions existed in 2005, and they were mandatory. What we are doing is making criminals out of honest people if they do not answer.

You heard the questions I asked Mr. Simard. I have already given the answers to all the questions in the long form to both the provincial and federal governments, including the one on the number of bedrooms. The Canada Housing and Mortgage Corporation has all that information.

Do you think people should have to answer those questions under penalty of a fine or jail term?

The Chair: Thank you, Mr. Petit.

[English]

Mr. Bradley Doucet: I don't think it should be mandatory. The arguments that I've heard here today and that I read in the newspapers for keeping the mandatory long form seem to me to boil down to, well, the information we get from this is useful, and if we changed it we wouldn't get quite as good information; it might be a little less useful.

I don't think it's the government's job to do everything that is useful. I think human beings should be free to pursue their own goals, their own aims in life, as long as they don't interfere with other people's freedoms, as long as they don't use force against other people. I think the idea that this is useful and therefore it should be mandatory is basically saying that my freedom is inconvenient to the government.

The Chair: Thank you very much, Mr. Doucet.

The last round goes to Mr. Gravelle.

Mr. Claude Gravelle: Thank you, Mr. Chong.

We've heard a lot, Mr. McLeish, from the Conservative side that the big issue here is the threat of jail time and fines. We've also heard this morning that the government owns the census. Is it fair for us to think or for me to say that the government with the stroke of a pen could abolish these fines and then we wouldn't be here today playing up to the media about putting people in jail? All we have to do is bring in a private member's bill or a government bill removing the fines. Is that not something the government could do?

• (1325)

Prof. Don McLeish: Well, you know and I know that the government controls penalties under the Statistics Act—certainly they can change those penalties—and that Statistics Canada does not.

Mr. Claude Gravelle: They could do it at the next sitting of Parliament, then, if they wanted to.

Prof. Don McLeish: Presumably, if they have opposition support.

Mr. Claude Gravelle: Okay. So they are just playing up to the media, more or less, wanting to get media attention.

There's also been a lot said about the confidentiality of the census. I want to read to you question 53 from the 2006 census. The statement—it's not a question—says:

The Statistics Act guarantees the confidentiality of your census information. Only if you mark "YES" to this question will your personal information be made public, 92 years after the 2006 Census. If you mark "NO" or leave the answer blank, your personal information will never be made publicly available.

So what is the problem?

Prof. Don McLeish: Well, I dearly wish that my information could be compromised under that clause, but I don't think it'll happen.

I don't want to join the political fray here. I want to look forward. Statistics Canada, as you frequently heard, is one of the pre-eminent statistical agencies in the world. Their independence and therefore their credibility is at stake here.

I'd like to read a one-sentence quote from the most famous living statistician in the world, Sir David Cox. He is a U.K. statistician and

former head of Nuffield College in Oxford. He says on this matter—they were discussing this at lunch, in fact—that they had always "... greatly admired Statistics Canada as a model of what a government statistics service should be and rarely is. That makes it all the sadder to see its integrity in any way undermined."

[Translation]

Mr. Claude Gravelle: Mr. Simard, we have heard about a great many organizations that benefit from the census, including schools, large and small cities, planners, Statistics Canada and francophones. Who will benefit if we get rid of the census?

Mr. Martin Simard: I do not think anyone will benefit. Some people who are more sensitive may feel more comfortable, but as I said earlier, what the government is asking is not unreasonable: filling out a few pages, which takes between 10 and 15 minutes to do but which goes a long way towards helping citizens, and supporting economic development as well as research and planning.

I think we are really looking for problems where there are none. Everything was just fine until this bill was clumsily introduced. The intentions behind it were good, but when you know a little bit about statistical methods, processing and surveys, it becomes clear that it is a mistake. Everyone will lose with this bill. As they say, it is a lose-lose situation.

The Chair: Thank you, Mr. Gravelle and Mr. Simard.

[English]

You have a point of order, Mr. Lake?

Mr. Mike Lake: In his last question, Mr. Gravelle talked about the elimination of the census. No one here is saying that the long form is being eliminated.

The Chair: That's a point of information. I'm not going to allow it to go ahead.

Mr. Mike Lake: We're simply saying that we're not going to throw people in jail who decide that they don't want to answer questions.

The Chair: That's not a point of order. It's a point of information.

The witness testimony is finished for this round.

This meeting is suspended until two o'clock.

I want to thank our four witnesses, Mr. Doucet, Professor Tanny, Mr. McLeish, and Professor Simard, for their testimony.

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_____ (Pause) _____

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• (1400)

[Translation]

The Chair: Welcome to the 29th meeting of the Standing Committee on Industry, Science and Technology, on Tuesday, July 27, 2010. Pursuant to Standing Order 108(2), we are here to study the long-form portion of the census.

[English]

Welcome to our fourth panel of witnesses.

I want to welcome in front of us today Mr. Darrell Bricker from Ipsos Reid; Mr. Boyko, the adjunct data librarian for the Carleton University library data centre; Monsieur Paul Hébert, the editor-in-chief of the *Canadian Medical Association Journal*; and Mr. Don Drummond, chair of the advisory panel on labour market information. Welcome to all four of you.

We'll have about an hour of questions and comments from members of this committee, beginning with Mr. Garneau.

We have a point of order from Mr. Lukiwski. Go ahead.

Mr. Tom Lukiwski: It's actually probably a point of clarification.

Do we also have Mr. Veldhuis?

The Chair: That's right. Thank you for that.

We also have, via teleconference from Vancouver, Niels Veldhuis, the senior research economist from the Fraser Institute.

Mr. Veldhuis, welcome to our panel.

Mr. Niels Veldhuis (Senior Research Economist, Fraser Institute): Thanks for having me.

The Chair: Without further ado, we'll start with Mr. Garneau.

Mr. Marc Garneau: Thank you, Mr. Chairman.

My first question is for Mr. Drummond.

I've heard some of your views about this whole thing, Mr. Drummond, but could you summarize for us what your views are on a voluntary survey versus the current mandatory questionnaire?

Mr. Don Drummond (Chair, Advisory Panel on Labour Market Information, As an Individual): I think we have enough experience in Canada with existing surveys and from other countries to know there would be a sharp distinction in the response rate. I'm personally not troubled if the response rate dropped, from almost 100%, even 20 or perhaps even 40 percentage points, if it was still representative of the population. I think the more troubling thing is that, if the experience in Canada and elsewhere is that it's not going to be representative, you would get an over-weighting of—let's face it—white, middle-class Canadians and a dramatic under-weighting of some other groups, particularly the poor and the very wealthy, particularly some recent immigrants, and certainly first nations.

Over time you could probably sort that out, but it would probably take three or four cycles of a survey to understand what the weights are. In the meantime, I think the data could actually be worse than not having anything. It could be misleading. You may be making misleading inferences because you don't actually know how to properly weight the groups that might be underrepresented.

Mr. Marc Garneau: Thank you.

Mr. Boyko, I'm going to ask you exactly the same question.

Mr. Ernie Boyko (Adjunct Data Librarian, Carleton University Library Data Centre): Thank you.

I think my response would be the same. We need to remember that in Canada we use the census to adjust and to weight and to properly estimate using our voluntary surveys. No country in the world has been able to implement a voluntary census. They've all relied on some form of either making questions mandatory or, in some cases,

using administrative registers, which in my opinion are far more intrusive than anything we've been talking about here in Canada.

Mr. Marc Garneau: Thank you.

[*Translation*]

Recently, Mr. Hébert, when the government made its decision, your opinion was in the papers. Could you give us your overall opinion on the government's decision to change the system?

Mr. Paul Hébert (Editor-in-Chief, Canadian Medical Association Journal): Thank you, Mr. Garneau.

Like my colleagues, I agree that the census is the ideal tool. A voluntary survey can give rise to very specific biases. The big problem, as Mr. Drummond mentioned, is that even though we can still obtain something that works, we are not sure. The census is a very specific tool that helps all health sectors. It tells us if there are economic issues in terms of education and so forth.

• (1405)

[*English*]

We're able to work at the level of a community to better understand how to tailor and adjust programs. It's the only instrument of its kind in our country, and until we develop something better we're stuck with it. It's been studied over so many years that we fully understand its error rate, when it's over-represented and when it's under-represented in certain areas.

For the health and well-being of Canadians, we need this instrument. It impacts policy planners in regions. In fact, public health officials have been sending me e-mails left, right, and centre, and giving me specific examples in their communities of how this is impactful.

For example, if you want a dental program here in Ottawa or in Toronto, where do you put it? Where do your health sector resources go if you're the public health officer in that community? Well, with the census information you're able to target those resources. Similarly, you're able to take those resources away or plan away from areas that you think might not need them, such as wealthy neighbourhoods in sectors of Toronto. So it's an invaluable tool at the community level and for all sectors of government.

My opinions are clear in the paper. I can say more, but I'll start with that.

Mr. Marc Garneau: Thank you, Mr. Hébert.

Mr. Bricker, I read the poll that you recently published, and of course I also read the one that came out from Angus Reid a little bit later. I believe you said that in the poll you conducted, 19% of respondents said that they would not fill out a voluntary form, if I'm correct in my interpretation.

What do you make of the fact that there may be a decision by many people not to fill out a voluntary form, and what are the implications, from your point of view?

Mr. Darrell Bricker (President, Public Affairs, Ipsos Canada): Well, 19% is what we found, but that meant also that about 80% said they would. So if you imply that, or take that over, to any....

First of all, let's separate between the census and the sample, because they're two different things. Nobody, I think, is talking about changing the census. The sample, which, by the way, 80% of Canadian households don't respond to, is the thing that we're talking about.

You could imply from that research, and it's just very preliminary, that 20% of that 20% probably wouldn't fill out the form. But in my experience, a survey response rate of 80% is better than anything I've ever seen. I agree with the other panellists, though, that there's a lot of work that has to be done in terms of calibrating all of this and sorting through what the potential biases are. But it's not impossible. These are problems that statisticians deal with every day.

Mr. Marc Garneau: Yet in the last census, 95% of Canadians filled it out without saying a word. They went and did it. So could 95% down to 81%, if that 19% actually turns out to be a good statistic, indicate that perhaps some people are saying, well, I'm not going to participate in this thing, because it's no longer going to be accurate anyway—I've listened to some of the people who've talked about this—so what's the point? I'm just contributing to a biased census data pool.

Mr. Darrell Bricker: It could very well be the case, and I agree with the other panellists that this is something that's going to have to be assessed if the government decides to proceed with changing the way the sample—not the census—is done.

Mr. Marc Garneau: Can you account for the reason why the Angus Reid poll—I'm sure you get these questions often—has a slightly different result from your own Ipsos Reid poll?

Mr. Darrell Bricker: They probably asked a slightly different question, but I'm confident that what we found is a fair representation of what the public opinion environment was at the time we did the survey.

Mr. Marc Garneau: What question did you actually ask?

Mr. Darrell Bricker: Actually, I have it here. I can give it to you.

It will take me a second to find it.

Mr. Marc Garneau: Sure.

Mr. Darrell Bricker: Perhaps you can go to somebody else in the meantime.

The Chair: While you're looking for that question, Mr. Bricker, we'll go to Mr. Bouchard. Once you've found it, you can let the committee know.

Go ahead, Monsieur Bouchard.

[*Translation*]

Mr. Robert Bouchard: Thank you, Mr. Chair.

I also want to thank the four witnesses for being here this afternoon.

My first question is for Paul Hébert.

Mr. Hébert, in your presentation, you said that Statistics Canada's compulsory detailed form needed to be maintained, as a tool. How do you think the government's decision will affect the implementation of public health policies? I am asking about that specifically because that is your area of expertise, I believe.

•(1410)

Mr. Paul Hébert: I am a physician, but I do not work in the public sector. So I am more familiar with the issues in the private sector. However, my journal publishes a lot of articles on public health in Canada. Canadian researchers use that data to write for our publication.

The impact on Canadian researchers would be huge. I have been told that a voluntary survey would cost \$30 million more. The economic impact is much greater. In Montreal and the Quebec regions, they need that public health tool to determine where to target programs, for example, in the areas of Montreal where people's socioeconomic situations are less favourable, where there are immigrant populations. It could really affect program delivery at the regional level.

Yesterday, I sent an email mentioning that I would be appearing before this committee. Ten or so doctors in the public sector sent me a list of the programs that would be directly affected if the census were to disappear. I have here a list of 15 to 20 programs, such as community dental care programs, public health programs and even influenza A (H1N1) vaccination programs. How will we manage those programs? Which communities will they target? How will we know who is doing well and who is not? How will we obtain a description of those people?

The census sampling is much more important than people know. It forms the basis of all of our surveys. Statistics Canada conducts 250 to 280 surveys a year and uses the census for all the other surveys. Canada's public health researchers use that census information for data matching. They are able to look in large Canadian databases and see what the data means when matched with the census data. So the major impact will be twofold: first, on all the other surveys and second, on all the research linked to other databases. Canada is very good in that regard.

I brought a number of documents with me.

[*English*]

How many Canadians will be diagnosed with diabetes between 2007 and 2017? It's a study done with the StatsCan survey. I have about 20 of these. Major impact studies—on obesity, on diabetes, on aging in our populations—are all using the long-form sample, as was stated before.

The Chair: Thank you very much.

Briefly, Mr. Bricker, I believe you have an answer to Mr. Garneau's question.

Mr. Darrell Bricker: Here is the question we asked:

If I am one of the one in three Canadians who receives the new voluntary long form I will fill it out. Please indicate whether either of the following applies to you. Yes or No.

The Chair: Thank you very much, Mr. Bricker.

Monsieur Bouchard.

[*Translation*]

Mr. Robert Bouchard: Mr. Hébert, what would be the biggest disadvantage of maintaining this decision, in your opinion?

Mr. Paul Hébert: First of all, essential data would be lost that is used to plan and deliver public health programs and health services in every region in Canada. My colleagues and I both feel it would have a very real and direct impact.

Second of all, it would have a negative impact on research investment in Canada, on innovation and all health services related research. It is especially significant in Quebec. Quebec's health insurance system....

• (1415)

Mr. Robert Bouchard: The Régie de l'assurance maladie du Québec.

Mr. Paul Hébert: Researchers at the Université de Montréal and McGill University use RAMQ data to establish links with census data for planning in terms of populations. So it is very important. The impact is very real. And I find it very troubling that the real impact of cancelling the census has not been evaluated.

The costs would be staggering. They include not just the \$30 million for a larger census, but more importantly the effects on all government research and planning, which have not been evaluated.

If I were making the decision, if I were in your shoes, I would make sure to do the census this time around and to create committees to look into limiting the consequences for Canadians. No matter what, you have to have a government-mandated census, otherwise the impact and the costs would be staggering. If all of you, in your communities, tried to find this information, you would not be able to, and the costs to everyone and every organization concerned would be huge. In my view, we are not able to do that right now.

[English]

Mr. Don Drummond: Can I just add something to that?

The Chair: Yes, go ahead, Mr. Drummond.

Mr. Don Drummond: I think one of the principal concerns is the loss of continuity.

A voice: Absolutely.

Mr. Don Drummond: Take as an example the study predicting diabetes. Nobody does a study that just looks at one particular census; you're always tracking the changes over five years. So you'd be looking at the determinants of health outcomes not just in 2006 but also in 1991, 1996, 2001, and 2006, and looking at the changes in lifestyles and then predicting from that.

Even if the voluntary survey worked out fairly well, we'll never be able to establish a bridge from 2006 through 2011. As I said, in my view it will take three or four cycles of a voluntary survey before we're able to make use of it. So we're going to have this continuous, pretty solid data through 2006, and then I think we're going to have a fog for a number of periods.

It's kind of a shame for the people who did take the trouble to fill out surveys in 2001, 2006, and other years. We won't get the full benefit of theirs, because it's going to hit a dead end.

Mr. Paul Hébert: Mr. Drummond, that would presume that we eventually do know the weights and can figure it out, and it's unbiased in the long term, right?

So that would be the best-case scenario.

[Translation]

Mr. Robert Bouchard: Mr. Hébert, you said it could mean a direct cost of \$30 million. If I understand correctly, institutions seeking specific data would have to get to work. Is that what you mean? Are you saying it will cost \$30 million to obtain the data that Statistics Canada will no longer have?

Mr. Paul Hébert: According to Statistics Canada, increasing the number of voluntary survey forms distributed will cost \$30 million. So we are talking direct costs. The indirect costs are huge because Statistics Canada provides a service to all Canadians, a service used by partner agencies across the country.

Mr. Robert Bouchard: And it is free, is it not?

Mr. Paul Hébert: Every Canadian contributes to it.

First of all, we give our information. And that information is confidential.

[English]

We have never violated privacy.

[Translation]

Because of that, there is a huge impact on all the other organizations, at every level.

The costs of replacing the survey are huge, even if it were possible over time. What is more, there would be a break in data continuity. It would no longer be possible to study long-term effects related to diabetes, for example.

[English]

The Chair: Merci.

[Translation]

Mr. Robert Bouchard: So the institution would have to ensure that continuity.

The Chair: Thank you, Mr. Hébert.

Mr. Lake, the floor is yours.

[English]

Mr. Mike Lake: Thank you, Mr. Chair.

Before I get started with the rest of my questions, can you point out which questions in the 2006 census asked about diabetes?

Mr. Paul Hébert: What they typically do is they link questions on income, education, sex—which are part of the short form, obviously—and the counts. So with anything that determines socio-economic status, they effectively link that to any other database.

So you don't ask about the actual condition. What you do is that you link it to another data set. That's all done privately, anonymously, within StatsCan—

• (1420)

Mr. Mike Lake: Okay; through voluntary service.

Mr. Paul Hébert: —and then you're able to actually determine trends over time.

Mr. Mike Lake: Okay. I just wanted to clarify that it's not a specific question about diabetes.

Mr. Paul Hébert: Absolutely; it's not a specific question within the study itself.

Mr. Mike Lake: My question, then, for Mr. Drummond will sound a little repetitive if you heard my questions for Mr. McLeish. I made the argument to Mr. McLeish that this is not a statistical question the government is trying to answer with the measures that we've taken. We're answering a fundamental question about democratic freedom in our society.

The primary question is should individuals be threatened with jail time and/or fines because they don't want to answer such questions as how many bedrooms are in your house, how much housework do you do, how much time do you spend with your kids, or those types of things? Some people, the opposition parties, say, yes, that's the way to go, and we say, no, we don't think that should happen.

I guess my question for you is do you think that Canadians, in order for us to achieve the mandatory part of the long form you're talking about, should be threatened with jail time and/or fines if they don't want to answer a question? I'll use the specific example of how much housework you do a week.

Mr. Don Drummond: Actually, it's interesting that you paired the two, because I think you've picked out the two parts of the long form of the census that are not necessary.

I'll declare my bias; in 23 years as a finance official, my approach to any policy issue is exactly the same: what is the problem? If the problem is the threat of jail time, remove it. You don't need it. It's not used. If the problem—and this was the majority of complaints to the 2006 survey—is the survey of household activity, do you need that? In my view, you do not need that in the long form of the census. You should reserve the census questions to questions that are difficult to ask through other means. You can actually get at household activity through a much smaller survey.

So I would say that if those are the two concerns, you can take those and address both of them, and keep in place the rest.

Mr. Mike Lake: We'll deal with fines, then, specifically, as opposed to jail time.

In 2006, Statistics Canada asked how much a household spent annually on water. That's question H6(c). Does that sound as though it should be a mandatory question? Should someone be forced to pay a fine if they just don't want to answer that question for whatever reason? I don't know why they wouldn't, but let's say they have a reason not to answer.

Mr. Don Drummond: Right off the bat, the municipalities have told us that when they're designing their water systems and they're designing the sewers, they use that. So yes, you could do without it, but then you're going to have a less efficient system.

Mr. Mike Lake: Okay.

It asks about annual household spending on shelter. That's important. And again, if someone doesn't want to answer that question, should they have to face a fine of \$500?

Mr. Don Drummond: Again I would have the same view. The fine itself is not the issue. There is a notion in Canada, and it has

been well promoted and well understood, that filling out the census is mandatory. I don't think people look at the fine. The fines are not evoked very often. I don't think that's the notion.

The right notion, which people have understood in Canada, is that it's mandatory. The vast bulk of Canadians do it. I don't think they do it because of a threat of a fine, and we certainly do not need the threat of a jail sentence. We have not used it in Canada, it is not in place in other countries, and that has not caused a problem in compliance.

Mr. Mike Lake: So you're saying we could go without fines, then.

Mr. Don Drummond: Oh, the fines probably have to be there on paper, but I think they're not really the central issue. If people understand that this is a benefit and is part of being a Canadian citizen, they will fill it out whether there are fines or not. They won't pay attention to the existence of the fines.

Mr. Mike Lake: Isn't that a voluntary system, then?

Mr. Don Drummond: The fines are there on paper. It's more of an attitude and it's a promotion of it. "Census day": there has been a lot of promotion around that. There has been promotion that this is part of your duty as a Canadian. There are broader benefits to you as an individual: better shepherding of your government taxes, better benefits to other Canadians. If that's understood, I think that's the key.

Mr. Mike Lake: Right. Okay. So basically that's the approach that the government has put forward, and that sounds like the same approach that you're talking about—

Mr. Don Drummond: No, it isn't.

Mr. Mike Lake: —because if we remove the fines, or if we don't enforce fines and make it public that we're not going to enforce fines, pretty much it's a voluntary system.

Mr. Don Drummond: No. I think, first of all, the promotion would be different under those two, and I think you do need some measure, on paper at least, hopefully not used very much, of some kind of fines, but certainly not jail.

Mr. Mike Lake: We have annual household spending on transportation and annual household spending on food, for example, in addition to the other two. Do you think transportation and food are as important as water and shelter?

Mr. Don Drummond: First of all, my general point—and we did release a letter yesterday, as part of the Statistics Canada national committee—is that we set out a number of principles for the questions. I think the principles are more important than individual questions.

We should go through each individual question and determine its importance, and more importantly, can the answers be given from other sources? Some of those can. Some of those can be removed over time. Some of them cannot be, so they would have to remain on the form.

But I don't think it's a black and white issue that the form should continue in its exact form or that it should be scrapped. We could look at it and certain things could be modified or dropped. The primary candidates are the three questions around the household activities, which in my view can be dropped.

• (1425)

Mr. Mike Lake: It does seem kind of interesting, because transportation and food are actually questions that are asked on voluntary surveys, so people don't have to answer those questions, yet shelter and water are mandatory questions in the long form. Does that make any sense to you? It seems there's kind of a grey area in terms of what questions are going to be mandatory and what questions are going to be voluntary, don't you think?

Mr. Don Drummond: But all the questions on the existing long form are mandatory, as they are in the short. So there is no grey area there at the moment.

Mr. Mike Lake: Right. So I get a call from Statistics Canada and they want me to tell them how much I spend on water or shelter and I get threatened with a \$500 fine for not giving the answer, but if they ask me about transportation or food, I can clearly not answer that question and face no repercussions whatsoever.

What is less important about knowing what people spend on food than knowing what people spend on water?

Mr. Don Drummond: If there are questions on which the answers can be readily gotten from other sources and there is not a profound reason to believe there will be a bias in that response, they don't need to be on the long form of the census. That is the sort of deliberation that I think needs to take place.

Mr. Mike Lake: Let me move to Mr. Bricker, if I could, for a second.

You said that about 95% of the people fill out the long form now. Your survey said that 80% say that they would fill it out voluntarily, and that leaves 15%. I'm just curious about the 15% who will only fill it out under threat of jail time or fine, apparently. For that 15%, have there been any studies done in terms of what the reliability of that information they fill out is going to be? For example, there has been much reference to the 21,000 people who referred to Jedi Knights as their religion. Among that 15%, could that have resulted from a great number of that 15% just saying, "You know what? I don't really want to fill this out. Someone is telling me that I have to fill it out or they are going to send me to jail." They spend 10 minutes, fill it out, and are done with it. How accurate does that sound to you?

Mr. Darrell Bricker: There has been research done on this. I'm the guy here at the table who actually does surveys every day and deals with this in 25 countries. I can tell you that these are problems we confront all the time.

The most recent research on the issue of non-response is that actually the more strenuous you make the need to respond, the less

reliable the data are. You can check the Pew foundation. They've done this research.

I'm a little concerned that Canada only has 21,000 Jedi whereas in the U.K. they have 390,000 who claimed that on their census forms.

The Chair: Thank you very much, Mr. Lake and Mr. Bricker.

We'll go to Mr. Angus.

Mr. Charlie Angus: Thank you, Mr. Chong.

I'm glad to have you here today, gentlemen. This should be a very dry and dull conversation—although no offence to statisticians; I'm sure you guys find it fascinating.

What I find fascinating is that here we are in a committee trying to go through line by line what's acceptable and what's not acceptable. It would seem to me that this is the kind of discussion that happens with the planners, with Statistics Canada, with the minister. We have a former minister here who signs off on the questions, so if there were objectionable questions in 2006, the man over there rubber-stamped them. The objectionable questions for 2011—

[Translation]

Hon. Maxime Bernier: Point of order, Mr. Chair.

[English]

The Chair: Mr. Angus, I have a request for a point of order from Maxime Bernier.

Go ahead, Mr. Bernier.

[Translation]

Hon. Maxime Bernier: I would like him to withdraw his statement. It is totally false. The 2006 census was approved by the Liberal cabinet in 2005. So I am not the one who approved this census.

[English]

The Chair: Thank you, Maxime. That's not a point of order. I am not here to judge the veracity of anybody's comments.

Go ahead, Mr. Angus.

Mr. Charlie Angus: Thank you, Mr. Chong.

Looking at the questions then, and the reasons... We're trying to find out why a political decision was made, and the example my colleague mentioned was Jedi Knights. A week ago, we had Dimitri Soudas, who is not known as a statistician, trashing the work of Statistics Canada and claiming that 21,000 members of the Jedi Knights were in the survey.

Mr. Boyko, when you look at survey data and see a spike like that for the Jedi Knights, is that not common—there are certain areas where people might provide misinformation? Are you still able to use the data? Is Statistics Canada's credibility damaged because 21,000 people said that they were Jedis as opposed to Druids?

Mr. Ernie Boyko: We're talking about 21,000 out of a population of respondents of 12 million households, or three million households in the case of the long form.

When you see responses like that, you can deal with them analytically and it does not destroy the credibility of Statistics Canada any more than it did the Office for National Statistics in the United Kingdom.

There are people who respond a certain way, and we don't really worry about that. The large bulk of people who responded to the question on religion responded appropriately, so there was not a huge worry.

• (1430)

Mr. Charlie Angus: Mid to late last week, the Conservative talking points changed, and they suddenly invoked Denmark in their reason for scrapping the long-form census. We had asked Mr. Clement who he spoke with. He doesn't seem to have spoken with anyone in Canada, and I don't know if he spoke with anyone in Denmark.

Mr. Drummond, my understanding of Denmark is that the reason they can data-mine is that every single citizen has an identity number. With that identity number is included their credit history, where they are living, what their job status is, and all manner of trackable information, which makes data-mining much easier.

Now, I'm not sure if the Conservatives are going to this number that we all have to sign on to so they can track our credit history and know where we're living at a given time, but they seem to be saying that Denmark is a better solution for us than Canada.

Are we talking apples and apples here, apples and oranges, or are we talking about a scramble to come up with some excuse as to why they made this move?

Mr. Don Drummond: Well, this is the alternative to a census like the one we have in Canada or in the United States. You use administrative records. Several Scandinavian countries already do this, and this is something that the United Kingdom has indicated it wants to study for 2016.

You are absolutely right, they track it through a variety of administrative sources, and they track absolutely everything. You may not be aware directly, so it may not be as intrusive to your privacy, but somebody is literally following your every single move: if you move, if you change jobs, if your income status changes, if you buy a new car, and so on.

It's more expensive, we do know that, because the countries that implemented it had to increase their overall public expenditures. I think it's a debating point as to whether it's less intrusive. My own view is that their system is actually more intrusive than the type of system we have.

Mr. Charlie Angus: So it would be more intrusive than what we have now.

The other interesting question is at what point do people draw the line on their own personal moral privacy and are willing to be dragged off to jail? We haven't seen anybody being dragged off to jail yet, but apparently there are certain questions that trigger that.

Mr. Anderson said this morning that renovation was one such issue. He seemed to take personal offence to renovation. I find it surprising from a party that stood up in the House and waved their renovation tax credit. I would have thought that they based that on

data that they may have gotten from the census, and are very supportive of renovations and having tax credits.

Nonetheless, let's say, for example, that 100 of Mr. Anderson's constituents are deeply offended by anybody asking them if they've ever renovated their house. Is it not possible to have those questions removed? Is there not a system, before the census is brought forward, where there's a review of the workable questions? As we understand it, the minister can even say, "Under my watch there is absolutely no way that you're going to interfere with people's privacy and ask if they've ever renovated their home".

If we remove the question on renovation, does it change the nature of the census?

Mr. Don Drummond: You're absolutely right on the process. The questions are always put to cabinet. As Mr. Bernier indicated, the 2006 census would have gone to cabinet in 2005. At the latest, the questions for the 2011 census will go to cabinet in December 2010. They're proposed by Statistics Canada, but they are under the ultimate control of the cabinet. They can absolutely be changed.

I don't think it's fruitful at this time to go through every one of those questions, but I would refer you to the set of principles we have put out as an advisory committee. One of the key ones is that if you can get it on a reliable basis from another form, then don't put it on a long form of the census. You can get a number of these things.

Much of the discussion has been around a binary choice. You can continue it exactly as it was or you can move away from it, and I don't think it needs to be that way. It can be moulded into something that causes less difficulty. Keeping that in mind, as an advisory council we tried to determine how many complaints there had been through the privacy commission, the Prime Minister's Office, the Privy Council Office, and Statistics Canada directly. There were about 100 on the 2006 census out of over 30 million who would have filled out the long form—roughly one-twentieth of who would have filled out the long form.

Mr. Charlie Angus: It would be interesting to see how many complaints Mr. Clement has received on cellphone fees. It would be amazing to see if he acted on those tens of thousands of complaints, as opposed to the 100 he may have received on this.

Since these questions go to cabinet and our colleagues across the road are concerned with questions about renovation and water, should this not have been an internal discussion at their caucus meeting, since Minister Clement signed off on the questions he's now denouncing? You say that cabinet would have had to approve them. Then why are we having to discuss questions that they would have already looked at?

Mr. Don Drummond: Well, of course we have no idea whether they approved a set of questions, because they proposed a different form. So I have no basis on which to speculate what happened in the cabinet discussion.

On a normal basis, yes, whatever questions were in the 2001 and 2006 censuses would have been approved by cabinet. I have no idea what the process would have been leading to this.

• (1435)

Mr. Charlie Angus: But they could have taken out any questions they found offensive.

Mr. Don Drummond: Absolutely—and proceeded without those questions, absolutely.

The Chair: Thank you, Mr. Angus, and thank you, Mr. Drummond.

Mr. McTeague.

Hon. Dan McTeague: Thank you, Mr. Chong.

I don't know where to begin here.

Mr. Bricker, perhaps you could give us an opinion, from your recent survey, as to how many Canadians would not comply if it were simply a voluntary system. That's a very simple question.

Mr. Darrell Bricker: It would be 19%.

Hon. Dan McTeague: Okay.

Mr. Drummond, with an inaccuracy level of 19% to 20%, how difficult would it be for the Minister of Finance for Ontario, who said last week on July 20 that in every spending and tax decision, the census information assists them? You sat, sir, in the federal finance ministry, I believe as deputy minister. Without accurate, reliable information, or with information that's skewed 19% to 20%, how difficult will it be for the minister, Jim Flaherty, when he makes his next budget decisions or future budget decisions, should he still be minister, in terms of reliability of information?

Clearly, one in five not reporting is going to create a significant skew. In your professional opinion and with your experience, what does that do for data collected generally? How is it going to impact on, let's say, a decision by our Conservative colleagues to slash social spending if they don't have accurate information on what social spending should be for the makeup of the country?

Mr. Don Drummond: Again, the fact that one in five might not respond is not terribly relevant. Having something like 25 million Canadians respond to a survey would be overwhelming. Angus Reid would do a survey with 1% and consider that to be a huge survey. The labour force survey is only 40,000 households, and we base a lot on that, so the size is not.... The key question is whether the 19% who didn't respond would be representative of the overall population. So it's the skewness within the response rather than the overall response.

Again, we can only draw on the results of previous surveys, particularly the experiment in the United States in 2003, where they did a pilot project on a voluntary basis and benchmarked it against the actual survey. The people who did not respond were highly unrepresentative of the total population.

But you don't really know, without having done that, exactly where the non-representation would be. We certainly overwhelmingly would speculate that they would be at the two extremes of the income distribution, and they would tend to be in first nations communities and our recent immigration.

If we knew what that bias was, even that would not be a problem, but we have no reason for doing it a priori. If, for example, in 2011 we did one more run of the mandatory survey and we ran a voluntary one on a pilot project at the same time, then we could benchmark them. Then I think we'd probably be okay, because we would know how to adjust for those biases.

Hon. Dan McTeague: This is perhaps a question for you, and maybe Mr. Bricker, but I'll go to you first, Mr. Drummond.

Do you feel that the Government of Canada...? You've heard it from several Conservative members here, suggesting that the census is an intrusion, a violation of the privacy of Canadians. Do you think those kinds of comments will favour or help or encourage people to actually participate in future censuses?

Mr. Don Drummond: I do worry that the longer this continues, the lower the response rate we'll get. We have been reasonably successful without enforcing fines, and there has never been prison. People feel it's a duty to fill this out, and whether they want to or not they do it and off it goes; they don't deliberate on it a lot.

I do worry that we can create a sense that, "You know what? You don't really need to fill this out. It's not that important." Again, I don't really care if that brings the overall response rate down, but it may do it in a differentiated fashion, of course—people in different socio-economic conditions.

Hon. Dan McTeague: What does it say when you have one particular position taken by the minister on the long form, to remove the mandatory aspect of it, and not the same with, say, the agricultural form, on the form relating to, say, the short form, if...?

Is there a possibility that this patchwork of obligations not only creates confusion above the government's narrative that the intrusion of privacy is encouraging people not to be there...? What does that do, apart from creating absolute confusion?

Mr. Don Drummond: I think the perception could be that it would create difficulty in conforming to other voluntary and mandatory....

The other thing that's important to note is that in almost every survey, as was indicated, the reason we can get reliable data from very small samples is because we target the people to survey using the long form. For example, I believe that if we did not have a mandatory long form we would have to increase the size of the labour force survey. Keep in mind, the labour force survey is only the second of two compulsory household surveys; there are no other compulsory household surveys. In some sense, if we get a lesser response on the census, we will have to increase the sample size in the labour force survey, which is just as intrusive and—

• (1440)

Hon. Dan McTeague: My take is that this is going to damage beyond repair the ability for us to collect critical, credible data down the road.

Do you also think that this perhaps is an attempt to try to privatize this process, make a few people happy? A couple of people might be contributors to the Conservative Party. Ultimately there are people who around this table have said that they can do this kind of information.

If it's done from a perspective of the private sector, how credible is it in creating analysis for public policy-makers down the road?

Mr. Don Drummond: Well, I think it is critical. I won't speculate on the motive to privatize. I don't think you need to speculate on that. I mean, there's a legitimate reason to look at it. It is intrusive. That's why I'm amazed, when people are asked whether the questions that are floating around are intrusive, that some people are saying they're not. I'm kind of surprised by it, because let's face it, the long form takes 20 or 30 minutes. It asks you private questions.

I personally think it's worth it, and the advisory council thinks it is worth it, because there are benefits from it. But when you're asking people for private information that is taking that 20 or 30 minutes of time, is it the absolute best set of questions? Is it the minimal set of questions? Are they the right sort of penalties? I don't think we're quite there. I think some of those things could be changed.

That's why I'm kind of surprised here. We can go, okay, there are some things that are perhaps not as good as they should be in the long form of the census, but why are we abandoning it? Can we not deal with it and improve that? There are legitimate reasons to question it. There is a legitimate debate that needs to happen here about the intrusion of these questions.

The Chair: Thank you very much, Mr. McTeague and Mr. Drummond.

Monsieur Bernier.

Hon. Maxime Bernier: Thank you, Mr. Chair.

I will ask my question of Mr. Veldhuis from the Fraser Institute.

You wrote recently—I will quote you—that “The long-form questionnaire...is a truly intrusive instrument”. As Mr. Drummond just said, it is an intrusive questionnaire.

Can you explain to me why you think it's so intrusive?

Mr. Niels Veldhuis: Thank you, Mr. Bernier. I certainly can explain. I do believe that the long-form census is too intrusive.

If you look down the list of questions, they are on everything from a person's sexual orientation, whether they live with a same-sex common-law spouse or an opposite-sex spouse; how much time they spend playing with their kids; how much time they spend with their elders, be they grandparents or parents; and all sorts of questions on their home, such as whether it needs minor repairs or major repairs; their religion; and their ethnicity, whether they're black, white, Arab, or Filipino. I could go on and on.

I, at least, feel that the government really has no business forcing or threatening Canadians to provide this very personal information.

Hon. Maxime Bernier: Thank you.

You're also doing a lot of studies at the Fraser Institute. Are you using the data from the long-form questionnaire?

Mr. Niels Veldhuis: From time to time, yes, we do use data from the long-form questionnaire. Of course, we don't know exactly what data will be available from the voluntary survey, but it's not critical to our mandate. Certainly we do a lot of our own surveys, especially on waiting lists in hospitals. We do surveys of different sectors of the economy, including the mining and petroleum sectors.

So we use a combination of our own data collection and Stats Canada data.

Hon. Maxime Bernier: Thank you.

What do you think about the position of Mr. Paul Hébert that it's very important for all departments to have a lot of information about Canadians for their well-being, and that if we don't have the mandatory questionnaire and all of these intrusive questions, some departments at the federal level, and maybe at the provincial level, won't be able to achieve their goals?

What do you think about that? Do you think it will be the end of the world if we don't have a mandatory long-form questionnaire?

Mr. Niels Veldhuis: No, I certainly don't think it will be the end of the world.

Look, if the information is needed and people are willing to pay for the information, we can certainly collect the information on a voluntary basis.

Now, as far as planning goes, certainly there are some departments who use the census for planning, but whether that relates to positive results or negative results, I think you have to be much more specific.

As a final note on the census, again, if the information is needed, it can be voluntarily extracted. There's no need to threaten someone to disclose their personal information, as currently is the case.

• (1445)

Hon. Maxime Bernier: Thank you.

With regard to the 19%, if we go to a voluntary questionnaire... and I hope we will do that. I think it's the most important thing, because the principle here is the freedom to choose of Canadians. They must have the right to choose if they want to answer it or not, because we just said these are all intrusive personal questions. I'm very proud of the decision of the minister on that.

But only 19% of Canadians won't answer the questionnaire if it's on a voluntary basis. Do you think it is an important number? What is your position on that? Do you believe that number?

Mr. Niels Veldhuis: Well, again, I think that's an empirical question. I think we do have some research from the U.S. that does show the response rate goes down, as Mr. Drummond indicated. I'm also not too concerned about the decrease in the response rate.

The U.S. Census Bureau actually came to the conclusion that if they expended more resources, they could still get the same reliable data on a voluntary basis just as they did on a mandatory basis.

So if it's a question of data reliability, the U.S. Census Bureau certainly came to a different conclusion.

Hon. Maxime Bernier: Thank you.

So do you agree with the decision of the government not to threaten Canadians with a fine, or maybe jail time, if they don't answer questions about their private lives?

Mr. Niels Veldhuis: I certainly agree with the government that it should not be mandatory. We've heard a lot about the fact that no one has been thrown in jail. We don't know exactly how many fines have been paid. But it's certainly not the case that you would judge this by how many people were thrown in jail or how many people paid fines; it's the threat of those things that obviously is very intrusive to Canadians. It's the threat of getting a fine or being put in jail that might force them to answer the question.

Hon. Maxime Bernier: Thank you very much.

The Chair: *Merci, monsieur Bernier*, and thank you, Mr. Veldhuis.

Monsieur Nadeau.

[*Translation*]

Mr. Richard Nadeau: Thank you, Mr. Chair.

Good afternoon, gentlemen.

In my view, the big question here has more to do with science. The census should be scientific, it should be based on a scientific method, and every census should provide information on trends, profiles and the progression or regression of society.

Certain areas have been mentioned. This morning, I heard Minister Clément say that it was a risk but that the government was going to send a voluntary long-form questionnaire to 30% of the population. You know the story.

I have heard the question here and elsewhere in various forms. We have heard about trends, the loss of continuity, less reliability and benchmarks. Those are all components in question, but it is still the scientific component that takes precedence, in my opinion. That is the heart of the matter.

In addition to that, we talked about the confidentiality aspect. I heard the witness from British Columbia say that this change would allow us to know the name of someone's spouse, when everything is confidential.

Now, since there are so many of you and since I have less than five minutes left, I will direct my questions first to Mr. Bricker of IPSOS Canada, then to Mr. Boyko, Mr. Hébert and Mr. Drummond.

Will we suffer, from a scientific perspective, if the Conservatives' plan goes forward?

[*English*]

Mr. Darrell Bricker: I don't necessarily think that you're going to be hurt. The reality with survey research, and even with the census, is that it changes over time. It's an organic process. You learn as you go along. As far as I can see, the idea of going to a voluntary census, or actually a voluntary sample, carries with it certain risks. I think they've been well identified by the people who are here on the panel. The question is whether or not they're unmanageable risks.

Based on my professional experience doing this research all over the world, I can tell you there are people who manage these risks all the time quite successfully. It may take a couple of cycles, as Mr.

Drummond indicated, but it's not impossible to move to a voluntary census and generate very high-quality data that would be of as high a standard as anywhere in the world. As I said before, an 80% response rate is about as high as I've ever seen on anything.

[*Translation*]

Mr. Richard Nadeau: I am putting the same question to Mr. Boyko.

• (1450)

[*English*]

Mr. Ernie Boyko: I think the word "hurt" is probably too strong. I think what we'd end up doing is we'd end up misallocating resources. The reason for asking a lot of the questions is because we have government programs and we have other important stakeholders in Canada who allocate resources based on the census. If you have biased information, you're going to misallocate resources. On the other hand, a lot of the groups that we suspect may be less likely to reply, be they people at lower income levels or new immigrants, may be the ones who will not be targeted for programs that are important.

I would also worry about the response in rural areas. The populations in rural areas are diminishing. A lot of very important decisions depend on this. I was recently in rural Manitoba, and there the issue was projecting school enrollment looking at education data in a municipality. They were trying to determine whether they could keep their high school.

I look at the kind of investment decisions made using the data. One example brought to my attention recently was that Toyota made a decision to locate its plant in a certain part of Ontario after having looked at the education data of the population from which they would be drawing their workers. They chose that spot in Canada as opposed to a place in the United States. Their reasoning was that there would be lower costs involved in training the workers.

So decisions will be made; unfortunately, they will not be made with the best information available.

The Chair: Thank you very much, Mr. Boyko.

[*Translation*]

Thank you, Mr. Nadeau.

[*English*]

Mr. Anderson.

Mr. David Anderson: First I'd like to ask Mr. Bricker, does your organization purchase census data from StatsCan?

Mr. Darrell Bricker: Sometimes, sure.

Mr. David Anderson: Do you use data that's collected on a voluntary basis? I wonder if you could give me some—

Mr. Darrell Bricker: Our entire business is about collecting data on a voluntary basis. The entire market research industry in Canada, a billion-dollar industry, is all about collecting data for the private and public sectors on a voluntary basis. We wish we had a mandatory way of making people respond to our surveys, but we don't.

Mr. David Anderson: Do you think it's reasonable or fair, then, to coerce people to give out this information—or necessary?

Mr. Darrell Bricker: Well, I think that Canadians do feel.... There were some other questions that we asked on this survey, and Canadians, 77%, tell us that it's their civic duty to complete the census. It's not that there's a huge, overwhelming majority of the population saying that they're not going to complete the census. Most people say that they would, and they think it's their civic duty. But they do have trouble with the intrusiveness of the census. I mean, 51% say that completing the long form is an intrusion in their lives. This isn't just a couple of crazy people saying they're Jedi. This is a bit of an issue out there.

Either Statistics Canada gets that figured out and tries to factor it into the process it uses for generating data or it's going to start running into a fairly non-compliant population, rules or not, laws or not.

Mr. David Anderson: Right. I actually think the Liberals in particular are underrating Canadians when they say they aren't going to be willing to participate. I think Canadians will be willing to participate.

In terms of a bit of the pressure that's on people to conform, I want to talk to Mr. Boyko.

You worked for census Canada for a long time. I assume you're familiar with the non-response follow-up manual that the enumerators use. There's some information in there and I just want to ask you some questions about content.

In one place, it tells StatsCan enumerators to obtain private and personal information from Canadians, and tells them clearly to treat sensitive questions the same way as they would treat other questions.

In your time at Statistics Canada, what would you have seen as a sensitive question? What kinds of things would qualify?

Mr. Ernie Boyko: During my time at Statistics Canada, I was not involved in the data collection portion of the census. The census is a large project. I was involved more with the dissemination side of things and dealing with the many users across the country. I can't answer that specific question.

Mr. David Anderson: You may not be able to answer this one either. The manual also tells them that if they expect to have a problem with a question that they consider personal, sensitive, or delicate, and they treat this question differently, the respondent will pick up on it and then they will have a problem.

In their manual, what type of problem were they talking about Canadians having with questions? I assume that, as Mr. Bricker talked about, it's those questions that are intrusive. People don't want to be asked how many bedrooms they have in their home and those kinds of things. Is that appropriate?

•(1455)

Mr. Ernie Boyko: I believe what they're telling the enumerator is that if you start backing off in the way you ask certain questions, that may set the tone for the rest of the interview; therefore, the mandatory aspect of it, or the momentum to complete the questionnaire, may be lost. That's what I would read into that.

Mr. David Anderson: Okay. I think that actually is a good point, because the threat is not benign. We talked about that a little bit this morning. I'm as familiar with the agriculture surveys that come out regularly and people being harassed by phone from seven in the morning until midnight if they won't answer them. We've had the same complaints about the long form in every census that has come around.

I just want to read something to you. There's a total refusal form in the enumerators' manual, and down at the bottom it has instructions for the enumerator to put in the description of the person who refused—the age, the gender, the height, the weight, other physical details such as facial hair, tattoos, birthmarks, distinctive clothing, etc. Do you have any idea where that information would have gone or what it would have been used for?

Mr. Ernie Boyko: I'm sorry, I do not have any information on that.

Mr. David Anderson: Okay. I guess I'm a little concerned about that.

I'd like to go back to Mr. Veldhuis. Many today who favour the mandatory aspects of this whole process have really been running all day from the penalties. I want you to talk a little bit about whether you think it's appropriate at all to have penalties here. Is it necessary, in your opinion, to coerce Canadians in order to get this information?

I found it interesting as the day has gone on that we've had Liberal MPs here who don't seem to want to have any mandatory penalties to it. We had witnesses earlier, such as Mr. Drummond, talking about fines perhaps but nothing more than that. So do you have any comments on that? It's easier for the opposition to say they want this thing to be mandatory but they certainly don't want any penalties. But I think “mandatory” means they do have them, right?

The Chair: Thank you, Mr. Anderson.

Mr. Veldhuis, would you care to respond to that?

Mr. Niels Veldhuis: Yes.

I don't believe that the government should fine Canadians to disclose personal information. I certainly don't think that the government should threaten jail or put people in jail for not disclosing personal information. Again, this has nothing to do with whether or not those actions actually occur. It has to do with whether or not people can be threatened. And people certainly will comply when they're threatened with fines and when they're threatened with jail time.

The Chair: Thank you very much, Mr. Veldhuis and Mr. Anderson.

We're now going to go to Mr. Gravelle, briefly.

Mr. Claude Gravelle: Thank you, Mr. Chair.

Mr. Drummond, Mr. Lake keeps bringing up jail time. I guess he doesn't understand that no Canadian has ever been put in jail for refusing to answer the long-form census. Mr. Bernier blames the Liberals for the 2006 census, yet this morning Mr. Clement was here and he rhymed off three or four questions—I don't remember what the questions were—that were inappropriate to be on the census.

If the government owns the census, couldn't Mr. Clement have removed those questions, and couldn't the Conservative government remove the fine if they wanted to?

Mr. Don Drummond: Yes, sure. As I said before, I think the most important thing is the question of whether or not there's a sentiment that it's part of your civic duty to fill it out. I think the fines and the penalty are relatively irrelevant relative to that.

Absolutely there's a discretion over the questions. There are a lot of questions on the form, and they can be modified. It's entirely within the government's power to do so.

Mr. Claude Gravelle: They can be modified by the minister or the government.

Mr. Don Drummond: Right.

Mr. Claude Gravelle: So if that is possible, they can also remove the fines. If Mr. Clement was not happy with the questions, he could have easily removed them. Is that not true?

Mr. Don Drummond: Yes, absolutely.

Mr. Claude Gravelle: So what are we doing here? Is this just a media event, or...? What are we doing here?

The Chair: That's a bit of a comment, so I don't think the witnesses are going to respond to that.

We're going to end there, Mr. Gravelle.

Thank you very much for your comments.

We'll suspend the meeting to 3:30.

• _____ (Pause) _____

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• (1530)

The Chair: Welcome to the 29th meeting of the Standing Committee on Industry, Science and Technology this July 27, 2010.

We're here, pursuant to Standing Order 108(2), for study of the long-form portion of the census.

In front of us on the fifth panel today we have Madam Stoddart and Mr. Baggaley from the Office of the Privacy Commissioner of Canada; we have Mr. Coleman from the National Citizens Coalition; we have Madam Sheutiapik and Madam Cooper from Inuit Tapiriit Kanatami; we have Mr. Paul McKeever, as an individual; and finally, we have Madam Kenny from the Fédération des communautés francophones et acadienne du Canada.

Welcome to all of our witnesses.

Without further ado, we will begin with questions and comments from members of this committee, beginning with Mr. McTeague, who I understand will be sharing his time with Mr. Rota.

Hon. Dan McTeague: Thank you, Mr. Chong.

Witnesses, thank you for being here today.

Ms. Stoddart, I just wanted to start with you with a very simple question. In your time as Privacy Commissioner and before that period, can you tell us how many complaints you have received relating to the long-form census form?

Ms. Jennifer Stoddart (Privacy Commissioner, Office of the Privacy Commissioner of Canada): Over the last 20 years, we've received 50 complaints about the census. I can't break them down into short- or long-form.

Hon. Dan McTeague: So 50 complaints in 20 years covering four censuses?

Ms. Jennifer Stoddart: Yes.

Hon. Dan McTeague: That's astounding. I would have thought the government would have had a far better argument to make.

Let me turn to you, Madam Sheutiapik and Ms. Cooper. I have read your brief—compliments of my colleague Carolyn Bennett, who has a little bit more experience in this area—and I am concerned about the comment that you have made here with respect to your group, the Inuit Tapiriit Kanatami. You've said in here that your “long-term goal of closing the gaps in health, education and economic development between Inuit and other Canadians” is a priority, and that the long-form census is “one of the key tools we use to assess the conditions in which Inuit live and to propose evidence-based social policy measures to address the scope of our social disparities”. You further say, “The ill-conceived cabinet decision to repeal the mandatory long-form census in favour of a voluntary survey in 2011 has a severe impact on our ability to close those gaps.”

That's a pretty solid statement of condemnation of what Mr. Clement and others are trying to do. I take it that there are more than 50 Inuit who are interested in this. Can you explain and expand on why you object to this?

Ms. Elisapee Sheutiapik (Board Member, Inuit Tapiriit Kanatami): Thank you for the question.

You have to remember that in the long form there are questions such as how many bedrooms are in the house. In Arctic communities it's too cold to be homeless. There's hidden homelessness. We'll never get that data if that long form is not filled out.

Hon. Dan McTeague: My God; I hope my colleagues in the Conservative Party just heard that.

In terms of further information, you say you have a relationship with the census. Are many Inuit involved with the census taking?

Ms. Elisapee Sheutiapik: Actually, there is an amazing partnership that has been developed between Arctic communities and the government when it comes to Statistics Canada. There is a partnership there where they have trained bilingual Inuit people who can work with unilinguals on filling out these forms. It took a lot of time to educate people about how important this data is, because after all, we use those data to help us plan into the future.

Hon. Dan McTeague: It's astounding that the Prime Minister has made a great deal about sovereignty in the north and yet is prepared to walk away from something that's vital to you as Canadians in the north.

Thank you. I'm going to turn this over to Mr. Rota.

Mr. Anthony Rota: Thank you, Mr. McTeague.

Thank you for being here.

If you don't mind, I'll continue on that. You say there are some new skills that have been developed within the community in relating information and collecting information. Now, with what's being said right now in minimizing the importance of the census, how will that affect what has been built up over the years?

• (1535)

Ms. Elisapee Sheutiapik: Well, we use that data, and once you change the kind of data you're collecting, you're not going to have data to be able to compare what was in the past and moving forward. You're going to change the different kind of data that's being collected. And it's real data that we need.

Language is an issue in Arctic communities. Those are the kinds of information that are asked about as well in the long form. Moving forward, language and the use of it is a concern, so moving forward we need to know about and continue to keep tabs on where our language is at, not just housing but language as well.

Mr. Anthony Rota: Other areas get affected. What kind of planning do you do in education and health planning? Are those all areas that would come from the information collected?

Ms. Elisapee Sheutiapik: That's correct. I will put on my hat as a mayor. For example, we have a young population, so for me, recreation is very important to ensure that we have healthy youth and are moving forward. Those kinds of numbers really help us in planning.

Mr. Anthony Rota: If it were voluntary, would it have the same uptake as if it were enforced, in your opinion?

Ms. Elisapee Sheutiapik: It would be very much different, yes, because in northern communities, they're still very much intimidated by forms, especially the elders, because some of them still can't read English, so they're intimidated. But if you have someone who has been trained through Stats Canada going house to house, they would be very comfortable having the person come and help to fill out those forms.

Mr. Anthony Rota: But if it's voluntary, and it is just mailed to them and it says, "Fill it out when you get a chance and mail it in", what kind of response would we get?

Ms. Elisapee Sheutiapik: If it's in English, it's going to go in the garbage.

Mr. Anthony Rota: Okay. Thank you very much.

My next question is for Mr. McKeever.

I've been reading some of the stuff you've put out. You've mentioned a few things about pandering, and that this really isn't about the census, and that nobody really cares about the census. It's more about pandering to a portion of the Conservative Party or to those who vote Conservative who are disillusioned. Maybe you could comment on that, as a Libertarian.

Mr. Paul McKeever (Employment Lawyer, As an Individual): Just for clarification, I'm not a Libertarian. I'm a capitalist.

Mr. Anthony Rota: Very good. I apologize.

Mr. Paul McKeever: The context of what you're talking about was something I had written in which I had said that there is a political purpose that can be served by proposing to make the long-form census voluntary. The political purpose to which I was pointing

was simply that there are those who do call themselves Libertarian, for example, or Libertarian Conservatives, who, like me, are not in favour of someone requiring them to identify their race, sex, religion, and so on at the point of a gun or a fine or imprisonment.

The other part of my argument, though, was that I did not think there was really a substantive problem with making the census voluntary, because it's more form than substance. I think this data is available already, outside of the census. This is more an overture to those who think that maybe the Conservatives are more friendly with the social conservatives than they are with those who are sort of free-market types. It's an olive branch, if you will, although I'm not sure how effective it will be.

The Chair: Thank you, Mr. McKeever, and thank you, Mr. Rota.

We'll go to Monsieur Bouchard.

[*Translation*]

Mr. Robert Bouchard: Thank you, Mr. Chairman.

Ladies and gentlemen, good day. Thank you for being with us this afternoon.

My first question is addressed to Ms. Jennifer Stoddart, Privacy Commissioner.

We know that the replies to the Statistics Canada census form questions are confidential. Do you feel that Statistics Canada does a good job when it comes to protecting private information?

Ms. Jennifer Stoddart: In my opinion, it does that well. Indeed, over the decades, the people from Statistics Canada have always been open to our suggestions. For instance, in 2006, they asked people whether they would accept, 92 years from now, to have their replies made available to the public. I feel that Statistics Canada listens to the suggestions we make to them concerning the protection of private information.

• (1540)

Mr. Robert Bouchard: Consequently, can we say that Statistics Canada's questions do not violate the confidentiality of private information?

Ms. Jennifer Stoddart: The issue of confidentiality has more to do with the security Statistics Canada provides regarding the replies that are given. I think that Statistics Canada has a very good reputation with regard to keeping data secure. In the entire history of our office, I believe that there has only been one incident involving census information security, and this dates back to 1986.

Mr. Robert Bouchard: Thank you.

Good day, Ms. Kenny. I believe I understood that you were opposed to the minister's decision. Can you tell us why?

Ms. Marie-France Kenny (President, Fédération des communautés francophones et acadienne du Canada): The mandatory long-form questionnaire of 2006 and previous years contains questions of a linguistic nature that are very important for the francophone and acadian communities and the anglophone communities of Quebec. These questions allow to measure the vitality of the communities and are used in the preparation of programs and services. I am not only talking about the federal level, but also the provincial level, since there are transfer payments and the provinces use these data.

We feel that the government's decision breaches section 20 of the Canadian Charter of Rights and Freedoms, as well as the Official Languages Act, in that there has not been any consultation, and the regulations under part IV of the act as they are worded today are entirely based on the language questions contained in the long form.

After the 2011 census, there will be an office designation exercise. A decision will be made as to whether offices are to be designated bilingual, whether here or in my organization. We will not have the data since these questions will no longer be asked. We may have some data, but no one can tell us now whether we will have at our disposal regional data of this nature.

Thus, if the number of citizens who answer the questions in a small community such as Falher or St. Isidore-de-Bellevue is not sufficient, we will not have any data for that region.

Mr. Robert Bouchard: Thank you very much.

That is all for me.

The Chair: Thank you, Mr. Bouchard and Ms. Kenny.

[English]

Mr. Anderson, go ahead.

Mr. David Anderson: Thank you, Mr. Chair.

I guess I've found it interesting, as we've gone through the day today, that many of the people who came into the room supporting a mandatory application of the coercive elements of the long-form census really seem to be running away from that today. I think Mr. Rota was expressing doubt about that, and Mr. Gravelle wondered why were even here—

Mr. Anthony Rota: Excuse me, Mr. Chair, but he's putting words in my mouth again, and I don't appreciate it. That is just a point of order.

Mr. David Anderson: I think this morning you said that you didn't like the idea of jail terms.

The Chair: Just one moment here. Mr. Anderson has the floor, and if anybody wishes to respond to the truthfulness of anybody's statements, they can do so during the time I give them the floor.

In the interest of keeping this meeting in order, Mr. Anderson, you have the floor. Please go ahead.

Mr. David Anderson: Thank you, Mr. Chair. I'm just pointing out that there are a number of people who've expressed real concerns about the coercive elements of what's happened in the past, including Mr. Rota. Mr. Gravelle seems to have expressed some of that concern. Mr. Fellegi did earlier, as did Mr. McLeish. Even Mr.

Drummond, I think, was distancing himself from that compulsive and coercive aspect of the survey.

I want to ask Ms. Stoddart where she stands. Is it necessary, in your opinion, to coerce Canadians to get this information we've been talking about today?

Ms. Jennifer Stoddart: I think that's a decision for the experts. As Privacy Commissioner, though, I can say that coercing people to give very sensitive information about themselves is clearly contrary to their privacy interests. Over the years, Canadians, I think, have shown increasing concern about some of the questions in the census, and in fact, my office has been working with census Canada over the last 20 years on Canadians' concerns, either about the questions or about the fact that their information is revealed after 92 years—previous to 2006—without their consent.

• (1545)

Mr. David Anderson: Okay, and actually, I'd like to talk about some of that history. I think that maybe would be interesting for people today, because in 1999-2000, former Privacy Commissioner Bruce Phillips said this in his annual report, and this is a quote:

Canadians have never been particularly comfortable about the intrusiveness of census questions. The number of inquiries and complaints to the Privacy Commissioner over the years is one indicator of this discomfort. Yet Canada's census response rate is high. Despite the intrusiveness of the questions, the sensitivity of the answers, and their unease with the process, Canadians agree to participate. Part of the reason is that they are coerced. Intrusive questions were, and are, backed by the threat of fines or imprisonment.

Do you agree with Mr. Phillips? Do you find this to be an accurate statement?

Ms. Jennifer Stoddart: Yes, it is.

Mr. David Anderson: Do you agree that Canadians are uncomfortable with that?

Ms. Jennifer Stoddart: Yes. From my office's point of view, they are uncomfortable with that.

Mr. David Anderson: He actually made some very interesting comments in 1999 when he came before the Senate committee. One of the things he said was:

If you would assess the degree of freedom that exists in any particular society, look first to the degree of private life that its citizens can command and you find a striking correlation....“Privacy,” in short, is just another word for “freedom.” Without it, we do not have any personal autonomy, no liberty and darn little dignity.

He also said, when referring to the mandatory questions of the census, the following:

That is a compulsory collection of information. We get, in my office, many complaints from people about the intrusive nature of the questions I mentioned merely to testify to the sensitivity of the information. It is not for me as Privacy Commissioner or, I submit, for any other individual, to decide how much privacy the people who give up that information in the expectation that it will be held confidential and secret by Statistics Canada can be expected to give up.

Do you agree with that comment, that if somebody feels the questions are intrusive, it's not your place or anyone else's place to decide how much privacy they should be expected to give up?

Ms. Jennifer Stoddart: Yes, I think it points to the fact that privacy is a highly individual thing and that it may vary enormously among Canadians. Therefore, I think it's for Canadians to judge how intrusive they feel the questions are.

Mr. David Anderson: And you're prepared to allow individuals to make that choice?

Ms. Jennifer Stoddart: Well, individuals do make that choice, as a matter of practice in their everyday lives. It's something else with the census because currently the census is obligatory, and both the long form and the short form were until recently.

Mr. David Anderson: Do you have concerns about the obligatory nature of that, or not?

Ms. Jennifer Stoddart: I have concerns about the fact that people are obliged to answer questions about which some of them, not all of them.... Although I did say that Canadians were concerned, I must qualify that, because it does vary among Canadians. A good number of Canadians are concerned, which we know through studies and through complaints to my office.

If you put that together, feeling that the questions are overly intrusive on one hand, on the other hand with them being mandatory, then for many Canadians this is seen as an invasion of privacy.

I must point out, though, that others see it as a civic duty and not an invasion of privacy.

Mr. David Anderson: We would agree with that. We think that sense of civic duty would definitely come forward were this to be made voluntary; and with it being made voluntary, people will take up that sense of duty and participate.

I want to talk about a couple of changes that were made, or that supposedly have been made. In the 1995 annual report, it says:

Among the report's highlights is resolution of the Office's

—this is your office, or Mr. Phillips' at the time—

longest and most complex investigation; 27 outstanding complaints against Statistics Canada's Census. To resolve the complaints, Statistics Canada has agreed to a number of important changes, including...eliminate questions about fertility and religion from the long form.

I guess at that point the census had triggered, as they called it, the "longest and most complex investigation" by your office.

Statistics Canada was forced to make those changes, but why didn't they?

Ms. Jennifer Stoddart: I believe they did with regard to the fertility question. I believe that was the question of how many children were ever born to you. My understanding is that has been dropped.

My understanding also is that through the investigations of our office and our discussions with Statistics Canada, another question, which was basically who also slept under your roof last night, was also dropped from the long form.

With regard to religion, I can't speak to that.

Mr. David Anderson: Well, the religion one is not.... Maybe they split the difference, but they put it on every second census. I think their agreement with your office was to remove it, but I guess they continue to put it on every second census.

In terms of inquiries and complaints, when you said you've only had 50 complaints in 20 years, I thought maybe they were calling my office instead of yours.

From the data I'm told that you've had about 342 inquiries over the 2001 census, so there were a number of complaints and inquiries. Is that accurate?

• (1550)

Ms. Jennifer Stoddart: I don't recognize the 342 number. I'm only familiar with later statistics that show there are relatively few calls about the census.

I must say, though, that most of the complaints to my office were made before 2000. They were made in the 1990s, and I think specifically around the censuses of 1991 and then some for 1996.

Mr. David Anderson: Okay. In 2006, did you stop publishing information about inquiries on census questions? I think your office stopped publishing that information.

Ms. Jennifer Stoddart: Not as a conscious decision, no.

Mr. David Anderson: Okay, well, it's my understanding that you did.

I do want to talk about the 2006 census; if you recall, I think you stepped in. Statistics Canada had plans to have the census form containing sensitive personal information processed by the U.S. company Lockheed Martin. I think you stepped in and said that was inappropriate. Is that correct?

Ms. Jennifer Stoddart: Yes. We said it was preferable that such sensitive information be processed in Canada.

The Chair: Thank you very much, Mr. Anderson. Thank you for those questions.

Thank you, Madam Stoddart.

Monsieur Gravelle.

Mr. Claude Gravelle: Thank you, Mr. Chair.

I want to clarify something that Mr. Anderson is alluding to.

The only thing I'm concerned about—I'm not concerned about the long-form census whatsoever—is that the government has the power to change any question it wants, and it has the power to remove the jail time, and it's not doing it. That's my concern; it's not the long-form census.

I guess Mr. Anderson and some of these Conservatives have selective hearing. We've heard time and time again today from experts about how much damage this would do to Statistics Canada, to the data collecting, but they refuse to hear what the experts are saying.

I'd like to ask this of each member of the panel. If the census were not mandatory, what would this do to the poor, who are least likely to answer the census if it's not mandatory?

What would this do to the minorities and the poor, Madame Kenny?

[Translation]

Ms. Marie-France Kenny: Firstly, I want to say that I am very concerned when I hear my Inuit colleague tell us about the problems that exist in her region, in particular as regards language issues. Indeed, people will not fill out the form if it is not mandatory and if it is in English. To my knowledge, the census does not exist in any other languages than French and English.

I am here to discuss language issues. I am also a responsible citizen, ready to do my duty for the good of my country. I must tell you that it is difficult for any society, rich or poor, to plan its future if it has no data on its past and if it does not have information on the current context. Thus, it is difficult for communities to prepare an overall development plan if they do not have the data that would allow them to evolve toward a more positive and prosperous future.

[English]

Mr. Claude Gravelle: Does anybody else want to answer that question?

Ms. Jennifer Stoddart: I'll just say that my office has no particular expertise in either demographic data or its impact on poorer Canadian citizens. So I really have nothing to say.

Mr. Claude Gravelle: All right.

Let me ask another question, Madame Kenny.

[Translation]

Did the Office of Minister Clement, Statistics Canada, the Treasury Board Secretariat, the Office of the Minister of Heritage Canada or any other office of the federal government consult the FCFA before announcing this measure?

Ms. Marie-France Kenny: Neither the FCFA nor any of its members were consulted in any way regarding the change in the mandatory nature of the long form.

The Chair: Mr. Gravelle, I think that Ms. Sheutiapik would like to answer your question.

[English]

Ms. Elisapee Sheutiapik: Thank you.

In northern communities we wear many different hats. Today I can answer for all of the different hats I wear, be they as president of Pauktuutit, which automatically makes me a member of ITK; and as mayor of Iqaluit and president of our association, which also automatically makes me a member of the Federation of Canadian Municipalities. So it has an impact on all of the organizations I work with.

Firstly, I just want to state that to keep Canada strong, we need to know how the country is changing, where people live, work, and raise their families. This census helps us do that.

[Witness speaks in Inuktitut]

As Inuit, because of our small numbers within our great nation, sometimes we fall through the cracks, but this data brings real information that's needed in all levels of government and non-government organizations.

Thank you.

• (1555)

The Chair: Mr. Gravelle.

Mr. Claude Gravelle: So if we don't use this long-form census, if we don't make it mandatory, the cracks are going to get bigger for your community?

Ms. Elisapee Sheutiapik: Very much so, because it's not real data then that are collected by a federal government agency.

Mr. Claude Gravelle: Okay. Thank you.

[Translation]

Ms. Kenny, what steps has the FCFA taken since the announcement of the elimination of the long form?

Ms. Marie-France Kenny: First of all, we contacted Statistics Canada. Then we sent a letter to Minister Clement asking him to reestablish the long form. We also asked to meet with Minister Moore, the person responsible for official languages and part VII of the act, in order to ask that the communities be consulted. We also requested a meeting with Mr. Day, who is responsible for the designation of offices. We contacted the Treasury Board Secretariat several times in order to ask how the designation exercise was going to unfold. I must admit that much to our surprise, people were not aware that there were language questions included in the long questionnaire. I was told that the designation process had already been launched.

Thus, we made several representations but got nowhere. To date we are still expecting replies from these people.

Mr. Claude Gravelle: What impact will the absence of data on people's first official language have on the federal, provincial, territorial and municipal governments?

Ms. Marie-France Kenny: Most provinces have a policy on services in French and an official languages policy or law. There is language legislation in Nunavut, among other places. Moreover, transfer payments are made for education and health purposes. These data allow the governments to ensure that they are meeting the needs of the French-speaking population of the provinces and territories outside of Quebec and of the anglophone population within Quebec.

The Chair: Thank you, Ms. Kenny and Mr. Gravelle.

It is now Mr. Bélanger's turn.

[English]

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Thank you, Mr. Chong.

Madam Stoddart, I have a quick question. Did you or your office conduct a privacy impact analysis of the upcoming census?

Ms. Jennifer Stoddart: Yes, we did.

Hon. Mauril Bélanger: Can you share the conclusions?

Ms. Jennifer Stoddart: Our conclusions concerned issues of process and administration of the forthcoming census. As I remember, we focused on two issues—generally security, Internet security, because it's foreseen that a growing number of Canadians will answer this census online; and related to that was the need for public education of the Canadian population because of the threats and the criminality on the Internet. You know there's a widespread phenomenon of phishing and spoofing that is luring people to fake websites. We know there have been fake websites of various government departments, and so we thought Stats Canada should warn Canadians in the time leading up to the census, and in the material being distributed, about these dangers.

Hon. Mauril Bélanger: But you didn't suggest that it not conduct a long-form census with a mandatory reply?

Ms. Jennifer Stoddart: No, that is not our role.

Hon. Mauril Bélanger: Thank you.

Is that document available publicly?

Ms. Jennifer Stoddart: I believe it could be made public with the consent of Statistics Canada, but I'd have to check.

• (1600)

Hon. Mauril Bélanger: Thank you.

[Translation]

Ms. Kenny, I have two or three questions to put to you, briefly. This past spring the Standing Committee on Official Languages undertook a study on the influence of immigration on minority official language communities. The very first witnesses the committee wanted to hear were representatives from Statistics Canada. When they appeared it was very clear that the continuity of statistics from the 1971 to the 2006 census was extremely important, just as the data compiled beyond 2006.

Is the FCFA concerned by that continuity? How is that continuity related to the government of Canada's constitutional responsibility and duty toward our communities?

Ms. Marie-France Kenny: In the short-form questionnaire, the only question of a linguistic nature asks the respondent which language the person first learned and still speaks. It does not take official languages into account. The questions in the long-form questionnaire, however, asked about the first official language spoken, the FOLS. Thus, if in Ontario the first official language of 16% of the population is French, that means that we are including immigrants from Morocco and various parts of Africa, France or elsewhere, as their first official language is French. This allows us to determine how to designate the offices. Currently, the short-form questionnaire does not allow this to be done. However the regulations state that this exercise must be based on the census and not on a national questionnaire sent out to households.

Hon. Mauril Bélanger: If I understand correctly, you feel that the government is no longer meeting its own constitutional and legal obligations.

Ms. Marie-France Kenny: That is correct.

Hon. Mauril Bélanger: I would also like to come back to one point. I was reading this morning in the media that the FCFA has taken legal action. Can you tell us a bit about that?

Ms. Marie-France Kenny: Yesterday the FCFA filed a request for a court remedy, to have the decision reviewed, citing section 20 of the Charter of Rights and Freedoms as well as part IV and part VII of the Official Languages Act.

[English]

Hon. Mauril Bélanger: *Merci.*

I have a quick question for Madam Sheutiapik.

Does the concept of honour of the crown imply that the government, before making the decision it did, would have had to consult with the aboriginal communities, according to you?

Ms. Elisapee Sheutiapik: Very much so. We're hoping they reverse the decision they've made to continue on with the 2011 consensus. It would give the government an opportunity to see if the kind of data they're looking to collect will be sufficient.

Hon. Mauril Bélanger: I think you're right: there is a consensus emerging about that. Thank you.

Thank you, Mr. Chairman.

The Chair: Thank you, Mr. Bélanger.

Monsieur Bernier.

[Translation]

Hon. Maxime Bernier: Mr. Chair, I would like to put a few questions to Ms. Kenny.

I think that you understand the changes made by our government very well. In 2006, there was a 40-page, detailed questionnaire and 20% of Canadians were forced to fill it out and were liable to imprisonment or fines if they refused to do so.

This year, the minister has made this questionnaire voluntary, in order to respect people's freedom of choice.

That said however, among the seven census questions there is still one mandatory question involving official languages, question number 7: "What is the language that the person first learned at home in childhood and still understands?"

There is also a sub-question, and I quote:

[English]

If this person no longer understands the first language learned, indicate the second language learned. English. French. Other.

[Translation]

And so I expect that this question number 7 is very important to you. If I understand your position correctly, you would like all of the other questions which were a part of the 2006 census to be kept, but you would like them also to be mandatory.

•(1605)

Ms. Marie-France Kenny: I would like to clarify something. According to the order, the language question asks the respondent which language the person first learned and still speaks. Official languages are not mentioned at all. If the person first learned Chinese, you will not know from his reply whether his preferred official language is English or French, or whether his first official language is English or French. And so it will be difficult for the government to determine how many francophones or French-speaking persons there are in each of the provinces, in order to offer services.

The short-form questionnaire in its current form will not allow the government to carry out the exercise as described in part IV of the act.

Hon. Maxime Bernier: Consequently, Ms. Kenny, you would like the 2006 long-form questionnaire questions to remain mandatory.

Ms. Marie-France Kenny: We would like the long questionnaire to remain mandatory.

Hon. Maxime Bernier: You have answered my question.

I would now like to mention four other questions that are put to Canadians. I would like to ask you whether you feel those questions should be voluntary or mandatory for Canadians.

The first concerns the linguistic group: to which linguistic group do you identify as a person? In your opinion, should this be a voluntary or mandatory question?

Ms. Marie-France Kenny: We feel that in order to ensure that the government respects....

Hon. Maxime Bernier: Please answer my question. Should the question be mandatory or voluntary?

Ms. Marie-France Kenny: It should be mandatory.

Hon. Maxime Bernier: There is also the following question: in which language do you speak to your child most often at home? Should that question be mandatory or voluntary?

Ms. Marie-France Kenny: It should be mandatory.

Hon. Maxime Bernier: They also ask: did you study the other official language, French or English, in high school? Should that question be mandatory or voluntary?

Ms. Marie-France Kenny: It should be mandatory.

Hon. Maxime Bernier: And here is the last question: during how many years did you study the other official language?

Ms. Marie-France Kenny: That should be mandatory.

Hon. Maxime Bernier: Madam, the four questions I just quoted to you are four questions that were voluntary in 2006. They were taken from the Survey on the Vitality of Official Language Minorities conducted by Statistics Canada. These questions were not mandatory in 2006. They were voluntary questions that were put within the framework of an independent survey on the vitality of official language minorities. I understand that you are still not satisfied with what happened in 2006 and that you would like to see these questions added to the questions that were there originally.

Ms. Marie-France Kenny: That is correct. In fact, we would like to see changes made to the questions that we were put in 2006. We were part of the consultation and that is what we said, Mr. Bernier. We asked that the questions be clarified in the long-form questionnaire. Currently, the government clearly states in its regulations that it is to rely on census data to measure significant demand and go through the office designation process. The government is in breach of its own legislation.

Hon. Maxime Bernier: In other words, you are saying—and I will conclude on this—that all of these questions are so important to your organization that we should continue to threaten people with imprisonment and fines.

Ms. Marie-France Kenny: Sir, all of these questions are important, not for my organization, but for Canadian linguistic duality and Canadian society.

Hon. Maxime Bernier: So you would continue to threaten people.

Ms. Marie-France Kenny: I am not threatening anyone. I am a responsible citizen, ready to do what is right for my country.

Hon. Maxime Bernier: That is what is normally done when the questions are mandatory. We ask people to reply to them and threaten them with imprisonment or fines if they do not.

The Chair: Thank you, Mr. Bernier and Ms. Kenny.

I will now give the floor to Mr. Nadeau.

Mr. Richard Nadeau: Thank you, Mr. Chairman.

Recently, the Chair of the Official Languages Committee, Mr. Steven Blaney, gave an interview to a CBC journalist. The interview concerned the topic of today's debate. The journalist pointed out that community organizations—I am thinking here of Ms. Sheutiapik, Ms. Kenny and any community organization—should themselves pay to go and get the information that will be missing because these questions will become voluntary, given that this is their area of expertise. Otherwise, there will no longer be data continuity from one census to another. Mr. Blaney replied that indeed the main stakeholders concerned will have to do so, because they are in a position to do so.

Ms. Kenny, would the Fédération des communautés francophones et acadienne be able to go and get the missing information? We understand the scientific aspect of things. Continuity will be broken from one census to another. Do you have the necessary means to go and get the missing information from one census to the other, to help the government to respect its own laws?

•(1610)

Ms. Marie-France Kenny: The government has obligations under the Official Languages Act. The community organizations are a tool, and they cooperate with the government in this regard.

As to our means, we are underfinanced. Currently, our employees are underpaid. And so it is out of the question that the communities take over a responsibility that belongs to the government. This obligation exists under the law. It is not our obligation, it is the government's obligation.

Mr. Richard Nadeau: I can't wait to see you again at a hearing of the Standing Committee on Official Languages to debate the motion which was submitted by the Liberals to rectify the situation and propose what you have just laid out.

Ms. Sheutiapik, I am talking about your organization because you know it well, just like all of the Inuit organizations you belong to. Does your organization have the financial means and the human resources needed to make up for the data shortfall that will ensue because of the government's current intention to make the collection of information simply voluntary?

[English]

Ms. Elisapee Sheutiapik: This is provincial-territorial. I think it really is unreasonable to suggest that Inuit bear the cost of collecting data to measure the size and scope of their inequality.

[Translation]

Mr. Richard Nadeau: I would like to know if you have the necessary funds to go after the missing information.

[English]

Ms. Elisapee Sheutiapik: No, we don't. That's why I'm saying it's unreasonable, because we are already at inequality in our territory.

[Translation]

Mr. Richard Nadeau: You get the picture. Certain government people are claiming that we can always compensate. The minister was telling us this morning that they were taking a risk, but that the fact that these voluntary questionnaires will be sent to 30% of the population rather than having mandatory questionnaires sent to 20% of the population will compensate and balance things out.

In the interview in question, it was pointed out that the organizations could make up the shortfall themselves.

Ms. Kenny, are there other aspects you talked about earlier that you would like to go over to ensure that the government understands your message properly?

Ms. Marie-France Kenny: The responsibility of implementing the Official Languages Act is incumbent upon the government and not the community organizations. Part IV of the act clearly indicates that in order to measure significant demand the government is to use data from the decennial census in order to determine which offices will be designated.

We would certainly not be in any position to do that. It is incumbent upon the government to do so. By eliminating the linguistic questions from the census, the government is breaching the Official Languages Act.

The Chair: Thank you, Mr. Nadeau.

Thank you, Ms. Kenny.

[English]

Mr. Lukiwski.

Mr. Tom Lukiwski: Thank you, Mr. Chair.

I thank all of the witnesses for appearing here. Since you are the last panel, I thought I would just take a moment or two to perhaps try to recap what I have heard here today and maybe clarify one or two other points, because I think there is some confusion.

The first point of clarification is that our government is not advocating scrapping the long-form census. There have been some suggestions by opposition members that that is our plan. It is not. We agree that much of the information gleaned from the long-form census is valuable to Statistics Canada. However, the only question is what should be mandatory and what should be voluntary. We're in agreement that the short-form census should continue to be mandatory, but our position is that the questions contained in the long-form census should be voluntary.

I suppose there can be some discussion as to whether all of the questions currently on the long-form census should be included, or whether some should be amended or dropped, as has been suggested by some of the previous panellists. But we are not saying that we want to scrap it. We're only saying that it should be voluntary because there has to be a balance, we believe, between the privacy of individuals and the coercion or intrusiveness imposed upon Canadians, and the need for government to get information that would be valuable to client groups across Canada.

I would point out as well that the only panellist we had appear before us today who deals with voluntary surveys, analyzing and compiling those surveys on a full-time basis, is Mr. Darrell Bricker. Mr. Bricker's testimony suggested that 80% of Canadians would be willing, on a voluntary basis, to answer the long-form census. He went on to say that in his opinion even those people who might tend to be under-represented could somehow be convinced to give up that information. In other words, he says that in his professional opinion, doing it on a voluntary basis could get the proper information needed by the government. And he is the only one who has appeared before us who has expertise in that area.

I would point out to you as well that what we currently have are threats or coercion being used to obtain information for the long-form census. Ms. Stoddart, who is the Privacy Commissioner of this country, has stated that in her opinion that is not appropriate. We agree. We totally agree.

So my first question would be for Mr. Coleman. What is your opinion and your organization's opinion of the coercion, the threats of imprisonment and fines, being attached to the long-form census? Should those be continued or, in your opinion, should we be going to a voluntary method of collecting that information?

•(1615)

Mr. Peter Coleman (President and Chief Executive Officer, National Citizens Coalition): Yes, I think the biggest challenge for this committee is to deal with that issue by itself. I think it's a critical issue that has to be dealt with. I think in a civilized country like Canada, the threat of throwing somebody in jail because they don't want to fill out a census is ludicrous.

I believe there is good information to be gleaned in this area. But if you listen to all of these committee meetings, and I've been to several, the one special interest group that is not here right now is the Canadian taxpayer, who is afraid of big government and doesn't like big government and understands the duty to make sure information is there and can be valued and used in a proper way. But to think that somebody is going to be thrown in jail...

There are horror stories, as Greg Weston testified today, of people being intimidated and called at home. You must deal with this in your committee and stop that from going forward.

I don't believe you get accurate information when you threaten somebody like that, either. That's my personal belief. I think there has to be a balance between the privacy issue...the fact that we are a civilized country and not a banana republic that can use the threat of a gun to put pen to paper, if you will. I think that process is a really important issue for this committee to deal with.

I honestly believe some of these people today, too—there are all kinds of voluntary surveys done in this country for consumer products or what have you. They get very accurate information from voluntary surveys and polls and questions. There are dozens of cases. Banks use them, consumer products....

So I think you can get good information from a voluntary situation. I think there's a better explanation required for the Canadian taxpayers of what's going on here as well.

Mr. Tom Lukiwski: I appreciate that, Mr. Coleman.

Mr. Chair, my colleague Mr. Bernier has one short question he wishes to ask before we conclude, so I'll cede my time to Mr. Bernier.

Hon. Dan McTeague: Mr. Chair, just a point of order.

The Chair: I'll allow Mr. Bernier a very short question.

Mr. McTeague, on a point of order.

Hon. Dan McTeague: I just want something to be clarified. The witness has suggested that Mr. Weston was here. I've been here all day, and Greg Weston was not here. That's about as accurate as suggesting that the Prime Minister was the former chair in a position at your organization—

The Chair: Thank you, Mr. McTeague, for that information. It's not a point of order, but we'll take it under advisement.

Mr. Bernier, a short question.

[*Translation*]

Hon. Maxime Bernier: Thank you, Mr. Chairman. I am going to use the rest of my colleague's time.

All through today's hearing, questions have been put to the witnesses that were against my government's decision. They were asked whether people should be fined and threatened with prison if they refuse to provide us with information. To this specific question, the witnesses replied that we should abolish the imprisonment sanction.

I am happy about that. Several even said that we should perhaps also eliminate the monetary fines. I am satisfied with these statements as they demonstrated that there was a problem and that we were correct to question this today.

There is a fundamental problem when a civilized society uses threats or force to collect data. Today, everyone is recognizing that. So we were right to call this into question and to hold this debate.

[*English*]

The Chair: Thank you, Mr. Bernier.

I was going to go to Mr. Gravelle, but we'll go to Mr. Lake and then back to Mr. Gravelle.

Mr. Lake.

Mr. Mike Lake: Mr. Coleman, I'll have you maybe elaborate a little bit further, if you could.

As we've talked about here, there seems to be a little bit of confusion over the fundamental question we're talking about. Some think it's a statistical question. Of course, when the government took the measures we took, the steps we took, we took them from a more principled basis on a primary question of freedom and democracy: Should Canadians be forced to answer questions?

We've gone through many of those questions about the number of bedrooms, how much housework they do, and how much time they spend with their kids. Should Canadians be forced to answer those questions if they don't want to answer them, for whatever reason they might not want to answer, under threat of jail time or under threat of fines?

We can even set the jail time aside. It sounds as though everyone is unanimous that we get rid of the jail time. But with even the fines, should somebody in a poorer financial situation, someone in a lower-income household, which, it's been articulated—by Mr. Garneau, for example—as more likely to not want to answer the questions, for whatever reason...? Should someone in a low-income financial situation be faced with a \$500 fine for not wanting to answer how much time they spend with their kids? Could you comment on that, and maybe on the alternatives to this coercion, this forced answering of these questions?

• (1620)

Mr. Peter Coleman: Look, I think everybody believes the government should deliver services efficiently, so I think you have an obligation to find the information the best way you can at the cheapest cost to the taxpayers and make sure you can deal with a lot of the concerns that were raised here. But I just honestly don't believe, in a society such as Canada, that by forcing people to answer questions....

I'm sorry about the reference to Greg Weston, but I had read a column and he was talking about that.

But people do get intimidated; they get called, and get threatened with jail. A lot of people are afraid of big government and the bureaucracy that goes with it, as I said earlier. I don't know if you get great information with that threat, too, so I think you have to find a way to educate Canadians on why these censuses are important, deal with questions that are relevant, and drop the ones that quite frankly aren't.

I read it on the plane today, and there are a lot of questions in that survey that I think give you no value. I think you have to work on getting questions that can make the country more effective, more efficient, more opportunistic in today's global economy. But to go back to taxpayers and the citizens and say "Do this or we'll throw you in jail" is just something that a government of any stripe should not be proud of.

This shouldn't be a political conversation. This should be one that we all agree on. Throwing somebody in jail or the threat of it should not be there in a country like Canada.

Mr. Mike Lake: I just want to clarify some of the conversations, because I think there's a lot of focus on information and the value of information. I think that's actually something we could all agree on.

In terms of the changes that have actually been made, we still have a short-form census. There was talk about the number of people in communities across the country. That's still going to be known. We're still asking who lives in the house and what their birthdates are. That's still in the short form, just as it always was. Questions such as those relating to gender and first language are all still in the short form, so they're still going to be asked. They're still going to be mandatory—just for clarification for people, because I think there are some folks who don't understand that.

The changes we've made have been to the long-form census. Again, we haven't scrapped it. It's going to be a national household survey. It will be the largest survey in Canadian history. It will be implemented and run by the experts at StatsCan, experts in statistical methodology.

Are you confident that this course of action is going to yield the information that organizations need across this country but in a way that strikes a better balance for Canadians?

Mr. Peter Coleman: I think that's your challenge as a committee. The challenge for all of you is to try to remove your partisan blinkers for once and find a consensus that makes it work. These censuses aren't perfect sciences; you have to continue to work to make them better.

It would be best if you around this table listened to all the concerns people had and made sure you had the quality of information you want. But deal with the privacy issues, the threats. I don't think you can say these voluntary surveys won't work. They work in the private sector. I don't know how you can say that until you try it.

The Chair: Thank you, Mr. Coleman.

Thank you, Mr. Lake.

Mr. Mike Lake: There was a question that Mr. Anderson asked the Privacy Commissioner, and he referred to 342 inquiries. I have documentation here from the annual reports to Parliament from 2000-01 and 2001-02, where those numbers come from.

The Chair: Okay. If you give that to the clerk she will have it translated and distributed to members of the committee.

Our last round will go to Mr. McTeague.

Hon. Dan McTeague: Thank you, Chair.

Mr. Coleman, I don't know what column you're referring to by Mr. Weston. I hate to keep raising his name, since he wasn't able to be here, but I know he no longer writes for the *Sun*. You must be referring to an article before last week. Is that correct?

•(1625)

Mr. Peter Coleman: Yes.

Hon. Dan McTeague: Thank you.

Mr. Coleman, perhaps you can answer this question. It's my understanding that to assure accuracy of surveys and polls, you and other organizations, regardless of who you are, have to rely on Statistics Canada, particularly the long questionnaire, to provide the proper weight. You have to compare it to something, otherwise you're basically, to use an aphorism, calculating based on nothing.

I'm wondering why you don't think that's important. If what we're weighting against is inaccurate and off by 20% or 30%, obviously that means nothing. But I'm sure when it comes to the finances of this country and the accuracy of ensuring that taxpayers get value for their money, which your organization is very much in favour of, wouldn't you want to have reliable, credible, unbiased information? Otherwise your argument makes no sense, sir.

Mr. Peter Coleman: Let me be square with you. When we do our surveys, we pay for them ourselves as an organization. Our members pay for our surveys with questions that we do want. I do believe the partisan stuff has to stop as far as this dialogue as far as the census.

I do agree with you that information's critical in some areas. I do not agree at all with forcing people to do this. I do believe you need to have information to run the country properly. I'm with you there. I think you have to strike the balance between privacy and everything else before you get to the final decision. Try to take the political blinders off, for all of you, and come to a proper decision that all taxpayers in this country would value.

Hon. Dan McTeague: Mr. Coleman, it's hard for us to hear that kind of comment on partisanship and political blinders when your predecessor is in fact the Prime Minister of a Conservative government, and a former Reform and Alliance member.

Madam Stoddart, I'm wondering if I can ask you to reiterate, notwithstanding what happened prior to your time, is it fair to say 50 complaints, again, in 20 years? During your period of time, in the last 10, could you be more precise as to the number of complaints your office has received? I'm talking about your term as Privacy Commissioner—the last 10 years, covering most of your term as commissioner.

Ms. Jennifer Stoddart: I believe, honourable member, as I mentioned, the complaints dropped off after 2001. I believe there are only six, if I remember correctly—I could stand to be corrected—in the last decade.

Hon. Dan McTeague: Okay.

To the panel—I'd just like to take a poke at this—do any of you think a person should be put under the threat of jail or a fine for answering how much manure is produced on one's farm? Mr. Anderson may have avoided that in his comments, but I think the point has to be made that it's voluntary for urban Canada and involuntary and forceful in rural Canada. It seems to me that's terribly unfair to a portion of the country.

Of the complaints you've received, has there been a disproportionate number from rural Canada or urban Canada, or have you been able to parse them?

Ms. Jennifer Stoddart: We haven't been able to parse them. We could certainly try, if it would be useful for the committee.

The Chair: If you do want to submit further information, Madam Stoddart, submit it to the Clerk of the Committee, and I'll ensure that she distributes it to members of the committee.

Ms. Jennifer Stoddart: Okay. We'll have to get back to you to see if that analysis can be done.

The Chair: Okay. Thank you.

Hon. Dan McTeague: Before I pass this on to Mr. Rota, I think it's paramount, fundamental, and beyond question that the long form is absolutely indispensable to the integrity of the system of statistics and the weighting of all other considerations, including surveys, regardless of what polling company you work for and whatever business interest you might have.

Mr. Rota may have just one final question.

The Chair: Go ahead, Mr. Rota.

Mr. Anthony Rota: I have a very short question for Ms. Stoddart.

We've heard a lot of talk about the penalty end of things, and that seems to be what our Conservative friends are concentrating on.

Complaints that you've had in your office...and I'm not saying that we should or we shouldn't. I mean, they still continue to think that we should imprison farmers and agricultural people who don't fill out the form, but everybody else doesn't.

The penalty or the privacy issue—which issue comes forward to you?

Ms. Jennifer Stoddart: The privacy issue.

Mr. Anthony Rota: That's pretty well it. So the penalty is really a red herring that the Conservatives are putting out there and that, really, nobody else is talking about other than them.

The Chair: Thank you, Mr. Rota.

Ms. Jennifer Stoddart: I can't answer that question.

The Chair: Thank you, Madam Stoddart.

I want to thank all of our witnesses for their testimony today. This meeting is suspended until 4:45.

• _____ (Pause) _____

•

• (1645)

The Chair: Welcome, members, to the continuation of our 29th meeting of the Standing Committee on Industry, Science and Technology. We're here pursuant to Standing Order 108(2) for a study of the long-form portion of the census.

Mr. Gravelle, I believe you want to move a motion.

Mr. Claude Gravelle: Yes, sir.

Mr. Chair, in light of all of the expert testimony that we've heard today, that if we take away the mandatory long-form census it will hurt a lot of communities and a lot of organizations, and despite the Conservatives not wanting to listen to the experts, I'm going to present this motion, which was circulated yesterday.

Would you like me to read it, or is that okay?

The Chair: I believe all members have a copy of it in both official languages, so there's no need to read it.

The motion is on the floor. Is there any debate on the motion?

Mr. Lake.

Mr. Mike Lake: Mr. Chair, looking at the motion, I'm trying to figure out exactly what it's asking for. He notes the long-form census is a vital tool, but his statement here is: "Therefore, the government should immediately reverse the changes to the long-form census."

I'm not sure what changes he's talking about. Is he talking about the changes to the 2011 census? Is this where he's going with that? Is he talking about changes from 2006? There were questions added, so should we take those questions out, questions that have been added and are new to the 2011 national household survey? Do we want those questions taken out? They were questions that were removed from the 2006 long-form census. Should we add those questions back in? I'm just not clear.

For example, in the 2011 census, one of the new questions is what time do people leave for work in the morning? Is he suggesting that in reversing the changes this question be taken out? Maybe we can get some clarification on that.

Another new question that wasn't there in 2006, but is in 2011, is the religion question that we talked about. Does he want that religion question taken out of the 2011 national household survey? Maybe we can get some clarification on specific questions that we're talking about.

The Chair: Thank you, Mr. Lake.

Mr. Gravelle, do you have a response?

Mr. Claude Gravelle: Thank you, Mr. Chair.

As Mr. Lake well knows, the government—his government—has control over the questions. What I'm suggesting is to reverse the changes, to reinstate the mandatory long-form census. That's the only thing I'm talking about, not the questions. The government controls the questions.

Mr. Mike Lake: So again I understand, then, that when he says "reinstate" the national census, he wants to go back to the 2006 census and not have the questions that are added for the 2011 national household survey.

Mr. Claude Gravelle: No, no, I want to reinstate the mandatory long-form census.

Mr. Mike Lake: Again, I want to clarify this, because it's not clear—it clearly isn't clear—in your motion here.

Mr. Claude Gravelle: Let me clarify—

Mr. Mike Lake: It says, “Therefore, the government should immediately reverse the changes to the long-form census.”

Some of the changes to the long-form census involved questions in it. So....

Mr. Claude Gravelle: Let me clarify it for you, Mr. Lake.

Mr. Mike Lake: Sure.

Mr. Claude Gravelle: And listen carefully.

Mr. Mike Lake: Yes.

Mr. Claude Gravelle: You have control of the questions—not me, and not this committee. What this motion says is to reinstate the mandatory long-form census. It says nothing about the questions. It's to reinstate the mandatory long-form census.

That shouldn't be too hard to understand.

Mr. Mike Lake: Actually, that's not what it says, and I'll quote from it. It says, “Therefore, the government should immediately reverse the changes to the long-form census.” That's a quote.

I know you didn't write the motion, but—

The Chair: I think it's clear what the motion says, because everyone has it in front of them on paper.

Is there anybody who wishes to amend this motion to address some of the concerns raised?

Go ahead.

• (1650)

Mr. Tom Lukiwski: Can we have further discussion?

The Chair: We can have a discussion right now, if you so wish.

Mr. Tom Lukiwski: Well, to Mr. Gravelle, I'm not trying to be antagonistic here, but I concur with my colleague. The census is the list of questions. The questions are the census.

When Mr. Gravelle says we should immediately reverse the changes, he's talking about reversing the questions. What questions does he want eliminated? Do we go back to the 2006 questionnaire, because that is the census, or does he like the changes we made to the 2011 long form, because there are some added questions there and some deleted questions? Clarification is all we're asking for.

The Chair: Thank you, Mr. Lukiwski.

Mr. McTeague wants to move an amendment.

Mr. McTeague, you have the floor.

Hon. Dan McTeague: Could you bear with me for a split second, Mr. Chair, please?

I am thinking that the language here, I agree, is a little off. Perhaps what we could do is suggest the following.... I would ask colleagues to provide a moment of indulgence here.

I would change the wording. After “Therefore, the government should immediately”, remove the words “reverse the changes to the” and replace them with the words “reinstate the mandatory nature of the long-form census”.

The Chair: Okay, we have an amendment on the floor.

Is there any debate on that amendment?

Hon. Dan McTeague: I want to clarify that again.

The Chair: Go ahead, Mr. McTeague, please clarify that for members of the committee.

Hon. Dan McTeague: Chair, the words would be removed in the second to last line, the words “reverse the changes to”—

Mr. Tom Lukiwski: Replace them.

Hon. Dan McTeague: —and we would replace them with “reinstate the mandatory nature of”. It would read “the mandatory nature of the long-form census”.

The Chair: Thank you, Mr. McTeague.

The amendment is in front of us.

We'll go to Mr. Bernier.

[*Translation*]

Hon. Maxime Bernier: I would like to put a question on the amendment. Could the amendment also be translated into French, since you are perfectly bilingual?

Hon. Dan McTeague: This would mean changing... Listen, I haven't even read the French version.

So, the words “immediately cancel the changes made to the long form” would be replaced by the words “reestablish the mandatory nature of the long form”.

[*English*]

The Chair: Okay. Is there any debate on this amendment?

If not, we'll have Mr. Lukiwski.

Mr. Tom Lukiwski: Yes, thank you, Chair.

Mr. Gravelle and Mr. McTeague and others have talked about the testimony we've heard today. I would point out to all my colleagues at this committee that I think the most telling testimony appeared from the Privacy Commissioner of Canada, who said, in effect, that the mandatory requirements, including the threats and coercion, are inappropriate, and in her opinion should not be tolerated. This is the Privacy Commissioner of Canada who is opposed to the status quo.

I, for the life of me, cannot understand how opposition members can say that testimony was overwhelmingly in favour of retaining the status quo, because that, in effect, is what they're saying right now. It was not. The Privacy Commissioner, amongst many others, said that this is a real problem for her.

The Chair: Thank you, Mr. Lukiwski.

We'll go to Mr. Anderson and then to Mr. McTeague.

Mr. David Anderson: I just have a question, actually, for Mr. McTeague.

The act says, “Any person who, without lawful excuse” refuses to furnish information “is, for every refusal or neglect, or false answer”—so it is every single question—“guilty of an offence and liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding three months or to both”.

I just want to know if his amendment includes those prior coercive elements as well. He's talking about the mandatory nature of the long-form census. We understand, then, that those coercive elements of the act are included in his amendment. Is that correct?

The Chair: Okay, I will give the floor to Mr. McTeague to respond, but the words are the words, as they are written in the motion and the amendment.

Mr. McTeague.

Hon. Dan McTeague: Despite the adjectives and characterization by Mr. Anderson, the motion and my amendment merely restore it to where we were prior to the decision by Minister Clement to unilaterally change the forms. So the answer is yes.

Mr. Lukiwski pointed out his version of what he understood from Madam Stoddart. I asked her two questions, and confirmed one of the following. He will have heard it, but for the benefit of those who may not have been listening at the time, the number was 50 complaints in the last 20 years and three in the last 10.

More importantly, Mr. Chair, if we could put this in its proper perspective, she suggested that prior her term, many of those issues have now been resolved. There is an open hailing frequency between Statistics Canada.

She does not have the concerns as you've expressed them, Mr. Lukiwski.

•(1655)

The Chair: Thank you, Mr. McTeague.

Monsieur Petit.

[*Translation*]

Mr. Daniel Petit: I would like to put a question to Mr. Gravelle or to Mr. McTeague.

You stated that the government should reinstate the mandatory nature of the long form. If I understand correctly, you want to keep the so-called threat of imprisonment and fines. Is that correct?

[*English*]

The Chair: Thank you, Mr. Petit.

[*Translation*]

Mr. Daniel Petit: Could Mr. Gravelle answer? Because...

[*English*]

The Chair: Mr. Petit, I'm going to give the floor to Mr. Lake.

Mr. Mike Lake: You know what? We can let Mr. McTeague answer that question first, and then come back.

The Chair: Okay.

So Mr. Lake is yielding the floor to Mr. McTeague.

Hon. Dan McTeague: Thank you, Mr. Lake.

Mr. Gravelle, with your indulgence, I think I've answered that question with respect to Mr. Anderson.

[*Translation*]

Your question is the same as Mr. Anderson's. And so the answer remains the same.

In fact, this will exist for rural regions in Canada, as well as for other things. We want to maintain the status quo. We aren't talking about the threats that have made people get angry. This may be a question that was raised somewhere by the Conservatives. According to the information we heard, currently the system is effective and necessary. And so we want to maintain the status quo.

[*English*]

Mr. Lake, I hope that....

The Chair: Thank you, Mr. McTeague.

Mr. Gravelle.

Mr. Claude Gravelle: I think Mr. McTeague answered it. The motion just says to reinstate the long-form census. That's all it states.

The Chair: All right.

If there's no further debate, I'll call the question on the amendment, unless there are further questions and comments on the amendment.

Go ahead, Mr. Lake.

Mr. Mike Lake: Sorry, I just wanted to allow Mr. McTeague the chance to answer.

I know that we really want to get out of here, but I do want to get clarification, because the long-form census, right now, doesn't exist, right? The words “long-form census” don't actually refer to anything. We have a 2011 national household survey. So to get the words correct, what we probably want to refer to is making the 2011 national household survey mandatory.

Ultimately, if you look at the motion, you'll understand that I'm going to be voting against it either way, but at least I'd rather have it properly referred to.

The Chair: Let's deal with the amendment at hand first.

Mr. Mike Lake: Maybe Mr. McTeague wants to revisit some of the wording to make it a little bit more accurate.

The Chair: No, no, the amendment stands as it was originally moved.

Mr. Mike Lake: So it would refer, then, to all 47 questions, I think it is, in the new national household survey, the 2011 survey. Again, if someone doesn't want to answer them, they would be threatened with prison or a fine if they don't want to tell us their religion, for example, or what time they leave for work in the morning.

Just for clarification....

The Chair: Thank you, Mr. Lake.

Mr. McTeague, would you care to respond to that?

Hon. Dan McTeague: Yes.

The Chair: Okay. Thank you.

We'll go to Mr. Lukiwski.

Mr. Tom Lukiwski: Not to go over old ground again, but I just want to clarify, since Mr. McTeague referred to my questions and my comments.... We don't have the blues yet, unfortunately, but I know that there are many members of the media here, and many of them spoke with the Privacy Commissioner following her testimony.

I stand by my testimony. Mr. McTeague seems to suggest that because there have been a limited number of complaints over the last 20 years, it's okay to use threats and to try to coerce Canadians into answering the mandatory long-form census. In effect, that is exactly the opposite of what Ms. Stoddart said. She stated under direct questioning from Mr. Anderson that she felt that it was inappropriate, and should not be allowed, to coerce, threaten, cajole—call it what you will—Canadians into answering questions that they don't want to.

That is her position as the Privacy Commissioner of this country, yet the Liberals and the opposition seem to want to ignore that. I think it's unacceptable.

The Chair: Thank you, Mr. Lukiwski.

Seeing no further debate and seeing that the amendment is in front of us, I'm going to call the question on the amendment.

(Amendment agreed to)

The Chair: Now we have the main motion in front of us as amended.

Is there any further debate on the main motion as amended?

Mr. Lake, go ahead.

• (1700)

Mr. Mike Lake: Mr. Chair, if I could, I just noticed that Mr. McTeague's microphone was off when I asked my last question. He did reply “yes”. I just want to clarify that he did reply “yes”, because it may not have been caught for the transcript.

The Chair: Thank you.

We'll make sure that the clerk examines the transcript and that “yes” is on the transcript.

Seeing no further debate, I'll call the question on the motion as amended.

(Motion as amended agreed to [See *Minutes of Proceedings*])

The Chair: Thank you very much.

I understand that Mr. McTeague is going to move a motion.

Go ahead, Mr. McTeague.

Hon. Dan McTeague: Thank you.

I just want to make sure, for Mr. Lake's benefit and for everybody listening, that they can hear the following motion. It's for production of papers, as follows:

The committee request under the authority of Standing Order 108 in relation to its study on the long-form portion of the Census, that the Minister table all documents and emails between Statistics Canada, the Privy Council Office and the Minister of Industry's office on changes to the 2011 census. The committee also requests the analysis section of the Memorandum to Cabinet and requests that said material be delivered to the committee within 5 days.

[*Translation*]

My comments are addressed to my francophone colleagues. Do you want me to repeat that in French? Mr. Bernier, Mr. Petit, is there a problem?

Mr. Chairman, that is the motion I am presenting.

[*English*]

The Chair: There's a motion on the floor in front of us. Is there any debate on this motion?

Mr. Lake.

Mr. Mike Lake: I don't think the government has any issue with releasing anything that can be legally released. So no problem.

The Chair: Seeing no further debate, I'll call the question on the motion as moved by Mr. McTeague.

[*Translation*]

Mr. Daniel Petit: May I make a comment?

[*English*]

The Chair: I'm calling the question.

(Motion agreed to)

[*Translation*]

The Chair: Mr. Petit, do you have a comment?

Mr. Daniel Petit: No, there is no point anymore.

[*English*]

The Chair: Okay.

Mr. Anderson.

Mr. David Anderson: I have one comment before we go. I don't mean to hold things up here, but I was encouraged by Mr. McTeague's comments at the end of the testimony when he made some reference to manure, and talking about rural Canada being discriminated against by the mandatory nature. I think he was referring to the agriculture survey.

I just want to tell him that if he wants to work on making that voluntary as well, I would love to work with him on that project. I think we could do that and make sure that rural Canadians are treated properly.

Hon. Dan McTeague: This is exactly what happens when you don't have things organized, Mr. Anderson.

The Chair: We'll take that under advisement, Mr. Anderson. Thank you.

Mr. McTeague, Mr. Bernier has the floor.

Go ahead.

Hon. Maxime Bernier: I just want to add that I share the same concern. So if we want to have this debate, I personally am also open to having the debate.

The Chair: *Merci*.

Mr. McTeague.

Hon. Dan McTeague: Mr. Chair, in the spirit of cooperation provided by the platform that the member has talked about, I would suggest that next time a decision is made by cabinet to make a change of this substance, perhaps they ought to look before they leap—wherever that may be, including a pile.

The Chair: Thank you, Mr. McTeague.

I want to thank all members of the committee for their help today and for their participation.

This meeting is adjourned.

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