Preface

*Transparent Lives: Surveillance in Canada* details nine key trends in the processing of personal information, trends that are evident throughout the world. They affect all Canadians, but few citizens are aware of how, when, for what purpose, or with what consequences their personal data are used by large organizations. Hence the title: *Transparent Lives*. This book demonstrates that our lives are open and visible to organizations as never before and that in every area of life—as citizens, consumers, workers, and travelers—this makes a difference.

That difference is summed up in the subtitle of this book: *Surveillance in Canada*. By “surveillance,” we mean *any systematic focus on personal information in order to influence, manage, entitle, or control those persons whose information is collected*. Whether we are claiming health benefits in the clinic, using our loyalty cards in the store, performing our daily duties in the workplace, checking our messages on a smartphone, or waiting in the security line to board a plane, our data are collected, stored, classified, revealed, or even sold to others in ways that may variously guide our purchases, channel our choices, delay our departure, ensure that we are fairly or unfairly treated, or reward or punish our behaviour.

As organizations become more digital, they seek more personal data in order to increase efficiency, productivity, oversight, and control. As organizations find that they save money or increase their appeal to clients through their digital efforts, they intensify their use of new technologies and techniques to identify specific categories of people so that different groups can be treated differently. For instance, loyalty cards reward repeat customers, welfare payments are tightly targeted, street cameras “see” minorities and youth disproportionately in urban areas, and customers seeking coffee can quickly learn where the nearest Starbucks is located.

In these examples, as in those used throughout this book, surveillance is understood as an organizational tool that has ambiguous consequences. It is not simply good or bad, helpful or harmful. At the same time, neither is it ever neutral. This volume shines a light on how key surveillance trends produce outcomes that call for care in using personal data, especially by those who process sensitive information but also by those whose data are disclosed on a daily—even moment-by-moment—basis. The book draws attention to urgent questions of privacy, fairness, and justice.
What Are the Key Trends?

Trend 1: **Surveillance is expanding rapidly.** Our newly digital existence has dramatically multiplied possibilities for surveillance. This expansion is readily visible in the everyday lives of our children. Seeing how profoundly a young child is touched by surveillance makes it clear that the processing of personal data influences many routine aspects of life.

Trend 2: **The accelerating demand for greater security drives much surveillance.** This is obvious in, say, an airport, but it is also visible in policing and even in workplace monitoring. It is not clear, however, that such surveillance makes us safer.

Trend 3: **Public and private agencies are increasingly intertwined.** Where surveillance was once conducted mainly by government or policing agencies, outsourcing has brought for-profit organizations into the surveillance arena. Corporate gathering of personal data now outstrips that done by police and intelligence agencies. Personal data from commercial databases are now sought and processed by government, significantly increasing the amount of information that governments collect about their citizens.

Trend 4: **It is more difficult to decide what information is private and what is not.** Your name or social insurance number clearly identify you as an individual, but what about a group photo in which you appear that is later posted on Facebook or a picture taken by a traffic camera of your car licence plate number? Each can be used to identify or track you. And such identification can also be made through the combination of different forms of data.

Trend 5: **Mobile and location-based surveillance is expanding.** A growing number of organizations, from police to marketers, are interested in not only who you are (identification) and what you are doing (behaviour) but also where you are at any given moment. Our mobile devices make us more visible.

Trend 6: **Surveillance practices and processes are becoming globalized.** Canada is far from unique in experiencing rapid surveillance growth. In fact, much surveillance originates in broader international policy changes. Airlines, for example, operate with similar routines worldwide. How we deal with this depends on specifically Canadian traditions, laws, and cultures.
Trend 7: **Surveillance is now embedded in everyday environments** such as cars, buildings, and homes. Increasingly, each of these basic elements of daily life features devices that recognize owners or users through technologies like voice activation or card swiping. Surveillance is thus becoming more pervasive and less perceptible.

Trend 8: **The human body is increasingly a source of surveillance.** Fingerprinting, iris scanning, facial recognition, and DNA records are now commonly used to identify individuals. Our bodies become passwords, and delicate tracings of our body are sometimes seen as more reliable than our statements and stories.

Trend 9: **Social surveillance is growing.** Social media have facilitated an explosion of digitally enabled people watching. This somewhat different trend raises troubling questions about privacy while making surveillance seem more normal and less exceptional.

**What Can Be Done?**

We do not live in a police state. Canada has a fairly good track record of limiting unnecessary surveillance and promoting privacy, although in recent years, events such as the advent of no-fly lists and police access to personal data online have dented our reputation. Our privacy commissions (federal and provincial) are the envy of many countries, and individuals and agencies routinely question apparently egregious lapses in care with personal data in Canada.

*Transparent Lives* is concerned, above all, with unnecessary, excessive, and sometimes illegal processing of personal data. To oppose the growth of surveillance is to raise questions about abuses that often arise from the thoughtless extension of some legitimate surveillance to other areas. This is often referred to as “function creep” or even “mission creep.” Although some general protections exist, the main forms of resistance to unwanted or unwarranted surveillance happen when a specific issue comes into the public spotlight. At that time, several different responses typically occur, each of which is valuable. Together, they can be formidable.

We have a number of assets to draw upon in meeting the challenges we face. Canadians have some strong protections under the Canadian Charter of Rights and Freedoms (1982); the federal Privacy Act (1982), which
pertains to government; the Personal Information Protection and Electronic Documents Act (PIPEDA, 2004), which relates to commerce; and several provincial laws. The privacy commissioners at federal and provincial levels have been vigilant in their efforts to ensure that privacy laws are observed in spirit as well as letter. Privacy professionals and NGOs have buttressed the available protections and may also act as whistleblowers on specific issues. However, such protections can only be effective when supported by an informed and active citizenry. Ordinary citizens, along with educational initiatives, have a vital role to play in exposing and questioning surveillance and in pressing for privacy.

*Transparent Lives* demonstrates dramatically just how visible we have all become to myriad organizations and what this means—for better or for worse—for how we conduct our everyday lives. The irony is that as we have become more transparent to organizations, they have become less transparent to us. The politics of personal data involves making surveillance processes more visible to us so that we can engage democratically to seek fairness for all. Our hope is that this book will stimulate action toward greater accountability within organizations. In a digital age, data, especially personal data, are profoundly political.