

**Public opinion in Quebec
on privacy issues and protection of personal data
(1994-2004)**

A
Report

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April 11, 2005

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Introduction

This report is the result of the compilation of all the publicly available surveys conducted in the past 10 years which can give an overview of the state of mind of Quebecers on privacy in general and especially on the value they place, in different contexts, on the confidentiality of their personal information.

If privacy is, in fact, multidimensional and manifests itself in many different aspects and situations of our existence, mainstream public opinion surveys on privacy tend to focus on aspects delimited by policymaking priorities. At least, this is certainly the case for the polls that have been made in Quebec over the last decade. Whether it's testing the idea of implementing a national ID card or a health smart card or juggling with the development of online government services, or wanting to evaluate health care services, or trying to identify obstacles to Internet financial transactions, government and private interests' recourse to «privacy polls» are all but innocent or multidimensional. Technology and personal information are the central «characters» in most of these surveys: it's as if policy makers and private interests wanted, through them, to appraise the tension between, on one hand, certain orientations they want to give to technology development -orientations which have a lot to do with personal information (accessing to, collecting of, control of)- and, on the other hand, the degree of resistance of citizens, torn between a typically modern enthusiasm for technology (*per se* and/or because of the efficiency gain) and distrust against potential invasion of their privacy.

In view of all this, the *Queens Surveillance project's* intention to conduct an international survey on privacy couldn't be more timely: it is indeed time to give breadth, depth and even recognition to neglected dimensions of privacy in a post-9/11 world and with an angle where the citizen is not reduced to the unidimensional figure of a consumer, a «transactor» and, especially, a consumer of technology.

Our literature research has been quite thorough and we feel quite confident to have covered every important source of public opinion data, whether scholar, governmental, interest groups or media. A systematic document search was performed with Internet tools and consultation of well known Quebec newspapers and magazines databases (*Euréka-Biblio branchée* and *Repère*)¹. The search covered the period of 1994-2004, but the bulk of the usable references date back to the last 5-6 years; indeed, the issues dealing with privacy and protection of personal information have become, with the accelerated development of

¹ Many thanks to Thierry Hurlimann, of the Centre for bioethics, who performed the major part of the literature research.

technologies and ensuing governmental initiatives, more intensive and widespread in the recent years.

All in all, more than 15 surveys are presented here, in part, or in full when relevant. We've also included Canada wide surveys with disaggregated Quebec data: they offered a basis, even though methodologically hazardous, for some Quebec/Canada comparisons.

The structure of this report is straightforward.

The first section lists the main and current privacy, confidentiality and personal information regulatory instruments in Quebec. Across Canada, Quebec had and still has the reputation of being at the forefront of privacy legislation in this country. While we have no opinion regarding this reputation and whether it is deserved or not, we cannot but acknowledge the vigour of civil society here and relentless efforts of such organizations as the Quebec Human Rights Commission (*Commission des droits de la personne du Québec*), the Ombudsman (*Protecteur du citoyen*) and The Quebec Information and Privacy Commission (*Commission de l'accès à l'information*): the «battles» around national ID, voter ID and electronic health cards projects have indeed illustrated such vigour as we will briefly see in sections 4 and 5.

The second section describes surveys made on Quebec citizens' knowledge of the instruments that protect their privacy and personal information.

The third section is also general in nature and offers general survey data on privacy and personal information circulation. We have found no detailed report or survey embracing the *whole* area of privacy. There is no equivalent of, for example, the study sponsored by the Albertan government «Albertans' Awareness of and Views on Privacy, 2000» which covers several topics such as citizens concerns about privacy protection, experiences of breach of privacy, levels of privacy concerns for specific information items, awareness and support for privacy laws, awareness of the Alberta Information and Privacy Commissioner, etc. Many Quebec authored books -essays- are to be found around privacy issues, especially in the nineties, but no extensive and broad survey².

The available surveys are basically thematic. This is why sections 4 to 7 are thematical: surveys on ID and voter's card and on the Quebec health smart card projects, on health information privacy and health care intimacy, and finally on information technologies and Internet. Sections 3-7 are all structured in the

² Among notable essays, for example : *Privacy Without Frontiers. Cross-Border Flux of Personal Information from Canada* (Vie privée sans frontières. Les flux transfrontières de renseignements personnels en provenance du Canada). René Laperrière, René Côté, Georges A. LeBel, Pauline Roy et Karim Benyekhlef, 1991; Michel Venne, *Privacy and Democracy in the Computer era* (Vie privée et démocratie à l'ère de l'informatique), 1994.

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same way: each section has a brief introduction offering, in advance, cross-survey highlights and summary, then followed by all the individual surveys of the section, each one in a table format with all relevant information (source, context, sponsor, date, methodology and main findings)³.

Finally, the conclusion opens a discussion on the basis of the survey results. To what extent do they help us to understand Quebecers' attitudes towards privacy? Do they evaluate differently than other Canadian citizens privacy threats? And what lessons can be learned from this exercise and that could prove useful to the *Global Surveillance* team's project of an international survey?

³ One exception is section 4, *ID and voter's card*, which, in addition, details context leading to these projects and provide elements of the debates.

1. Background: Quebec legislation on privacy, confidentiality and protection of personal information

Not specifically defined in any legal document so as to not limit its scope, privacy in Quebec encompasses such rights and protections as: safeguard of dignity and reputation; respect of lifestyle and values (language, religion, sexual orientation), protection of integrity and autonomy; protection of intimacy, right to confidentiality and right to protection of personal information.

Notwithstanding federal regulation applying in Quebec, here are the main instruments directly or indirectly relative to the protection of privacy in Quebec:

1.1 The Charter of human rights and freedoms (1976)⁴

The Quebec Charter is in place and effective since 1976. Under the "Fundamental freedoms and rights" chapter, Section 5 reads: «Every person has a right to respect for his private life.» In addition, other sections protect indirectly privacy.

The mission of the *Quebec Human Rights and Rights of the Youth Commission* (CDPDJ), guardian of the Charter, is to see that «human rights are promoted and respected in Quebec».

The Charter is said to be a fundamental law, because most of the rights it recognizes - and among those the right to private life - cannot be countermanded by any provision of any other law.

1.2 The Civil Code

Sections 35 to 41 of the Civil code pertain to privacy. The first two read as follows:

«35. Every person has a right to the respect of his reputation and privacy. No one may invade the privacy of a person without the consent of the person or his heirs unless authorized by law.

36. The following acts, in particular, may be considered as invasions of the privacy of a person:

- (1) entering or taking anything in his dwelling;
- (2) intentionally intercepting or using his private communications;
- (3) appropriating or using his image or voice while he is in private premises;
- (4) keeping his private life under observation by any means;
- (5) using his name, image, likeness or voice for a purpose other than the legitimate information of the public;
- (6) using his correspondence, manuscripts or other personal documents.»

⁴ The CDPDJ Web site: <http://www.cdpdj.qc.ca/en/home.asp>

1.3 An Act respecting access to documents held by public bodies and the protection of personal information (1982)⁵

The Quebec *Information and Privacy Commission* (CAI) is responsible for administering the *Act respecting access to documents held by public bodies and the protection of personal information*. The Act applies to government departments and agencies, municipalities and agencies under municipal control, educational institutions and health and social service network institutions.

The Act is divided into two components. The first gives individuals a right of access to documents held by public bodies, while the second is designed to give maximum protection to personal information held by public bodies. The second component also recognizes a right of access for all individuals, as well as a right of correction of their personal information.

1.4 An Act respecting the protection of personal information in the private sector (1994)

The CAI is also responsible for the application of the *Act respecting the protection of personal information in the private sector*. All enterprises supplying goods and services must comply with this Act if they collect, store, use or communicate personal information.

This Act allows citizens to have access to files that companies detain on them, to require correction when needed, to refuse the communication of these informations to third parties and to challenge companies practices before the CAI.

Among different functions, the CAI is also responsible for overseeing compliance with the obligations imposed upon public bodies and private sector enterprises concerning the collection, storage, use and communication of personal information. It may, for example, authorize researchers to receive information, give opinions on agreements relating to the communication of personal information, carry out investigations on its own initiative or following complaints, verify compliance with the legislation and give opinions on bills or draft regulations whose provisions may affect current standards.

1.5 An Act to establish a legal framework for information technology (2001)

Recognizing that the use of information technologies can heighten risk of personal information disclosure, the Quebec government adopted this Act to provide a measure of protection for electronic transactions, to standardize legal documents and to create a functional equivalence between electronic and paper documentation.

⁵ CAI Web site: <http://www.cai.gouv.qc.ca/index-en.html>

In addition, this Act has provisions relating to the use of biometrics (sections 43-45). Biometrics are authorized for linking individuals and documents under three conditions: a) Biometric identification cannot affect the physical integrity of the individual; b) It cannot be used to link an individual and a location, except for reasons of health and safety and c) There must be express consent provided by the person concerned and only for purposes of verification and confirmation of identity.

2. Citizens' knowledge of the instruments protecting their privacy

What knowledge do Quebecers have of these instruments? Do they feel that their privacy is protected? Are they familiar with the institutions responsible to enforce them?

In 1997, an EKOS Research express survey among 550 Quebecers, on the occasion of an international conference on privacy, showed that the vast majority of the sample had no knowledge whatsoever of the existence of the *Quebec Information and Privacy Commission* (CPI) and that two thirds did not know that there was an Act protecting their privacy applying to private sector companies.⁶

More encouraging, in 1999, a survey conducted by the *Quebec Statistical Institute* (ISQ) on, more globally, cryptography and electronic identification, asked Quebecers: «Are you aware that there are in Quebec laws to protect your personal information and your privacy when you make transactions (ex: purchase and payment of goods, receipt, etc.)?»: 70,7% answered yes⁷.

In the first half of 2000, in the context of the 25th anniversary of the Quebec Human Rights Charter, two Léger et Léger surveys were carried out:

- In the first one, 67,5% of Quebecers knew that the province had its own Human Rights Charter. But when asked if they could name the *rights* conferred by the Quebec Charter, almost 60% could not answer this question and 1,1% said «Right to personal information protection». And to the question «Could you name *freedoms* conferred by the Quebec Charter», almost 55% had no answer to offer, and 0,1% said «Privacy».⁸
- A second poll indicated that 71,7% of the population considered human rights were well protected in Quebec; 73,5% know that there is a body protecting

⁶ Sondage de la firme Ekos Research. «Les Québécois ignorent l'existence de lois protégeant la vie privée.» *Le Devoir*, 25 septembre 1997.

⁷ Gouvernement du Québec, Institut de la statistique du Québec. *Politique québécoise de cryptographie et d'identification électronique. Étude préparatoire. Rapport d'analyse descriptive*. Mai 1999. 111p. Sample: 2004. Response rate: 61,7%. Margin of error: 2,9%.

⁸ Léger et Léger, *Évaluation de la notoriété de certaines dispositions inscrites à la Charte québécoise des droits et libertés de la personne*, avril 2000. Poll conducted March 29-April 2, 2000. Sample: 1001. Response rate: 63,6%. Maximum error margin: ± 3,1% 19 times out of 20.

these rights, but only 20% of these were able to make explicit reference to the Human rights Commission⁹.

Two years later, this time in the context of the 20th birthday of the Canadian Charter, a Canadian Press/Léger Marketing poll, *Canadians and the Canadian Charter of Rights*, revealed that 52% of Canadians (54% of Quebecers) could not name any one of the rights in the Charter¹⁰, results congruent with the first above Léger poll.

What should we make of these results? On one hand, Quebecers have a relative sense of security in terms of human rights protection and know that laws do offer some privacy protection; on the other hand, they don't know much about the specifics of the regulations and bodies responsible for their application; indeed, other polls show that the spontaneous attitude of many citizens when their rights are violated, is to call up a lawyer rather than to knock at the door of the appropriate institution.

3. General surveys and questions on privacy and personal information circulation

We've said it in the introduction, there has been no encompassing survey on privacy in Quebec in the last decade. The three surveys we submit here include some related general, and less general, questions: perception of personal privacy evolution in the last ten years, level of confidence towards some institutions possessing personal information, readiness to allow personal information circulation and eventual concerns about the government and private sector accumulation of personal information.

Of all Canadians, Quebecers (60%, see EKOS, 1998) are more inclined to say that they experience less privacy than 10 years ago, which stands in somewhat of a contrast with above results: they feel less privacy but still perceive themselves as reasonably protected.

Also, a short majority of Quebecers is concerned about government accumulating information on them but many more (77%, see SONDAGEM, 2001) are worried about private companies doing the same. And as we shall see, suspicion towards private sector collection and use of personal information, is a common thread running through the surveys described in this report.

⁹ Léger et Léger, *Évaluation des tendances de l'opinion des Québécois concernant certaines dispositions et situations liées aux droits de la personne et aux droits de la jeunesse*, mai 2000. Cited in *Droits et Libertés*, Commission des droits de la personne et des droits de la jeunesse du Québec, vol 20, no 1 novembre 2000. Poll conducted May 17-24, sample:1019
<http://www.cdpdj.qc.ca/fr/publications/bulletin.asp?noeud1=1&noeud2=6&cle=35>

¹⁰ Poll conducted October 3-6 2002, Sample: 1501.
<http://www.legermarketing.com/eng/tencan.asp>

Finally, 94% of Quebecers (see SONDAGEM, 1997) believe that disclosure of personal information detained by institutions such as banks, hospitals, governments and credit agencies should not be possible without their consent, while 37% of them recognizing that these institutions may have done exactly that already and without a valid reason: clearly, there is a tension between what citizens want -transparency, integrity and control- and what some of them believe is going on -opacity, lack of integrity and loss of control over their personal data, and probably even more so on the part of private interests.

Here are, one after the other, the three surveys we have just been referring to.

3.1. EKOS (1998)¹¹: More or less privacy than ten years ago?

NATURE OF THE SAMPLE		SURVEY CONTEXT	
Quebec & Canada		<ul style="list-style-type: none"> Third wave of the EKOS Research Associates <i>Information Highway and the Canadian Communications Household</i>, 1998. 	
DATE	CARRIED BY	SPONSORED BY	
June 1998	EKOS		
METHODOLOGY			
<ul style="list-style-type: none"> Sample: 2201 Maximum error margin: ± 2,1% 19 times out of 20 			
MAIN FINDINGS			
Questions		Answers	
		Quebec	Canada
Q. Do you agree with the following statement:			
<ul style="list-style-type: none"> I feel that I have less privacy in my every day life than I had 10 years ago. 		Agree: 60% Don't agree: 27% Neither: 12%	51% 32% 16%

¹¹ Data from: Sciencetech et Gouvernement du Québec, *Les Québécois face aux inforoutes. Tendances et perceptions dans un contexte de transactions électroniques et d'identification*. Juin 1999. 65p

3.2 SONDAGEM (1997)¹²: Level of faith in institutional custodians of personal information and citizen consent for data transmission

NATURE OF THE SAMPLE		LARGER CONTEXT			
Quebec only		<ul style="list-style-type: none"> ▪ A <i>Federal Human Resources Development</i> measure to verify forms that travelers have to hand over to customs to eventually trap jobless people that take vacations and collect unemployment insurance. ▪ Quebec Bill 132 granted the <i>Income Department</i> permission to obtain from any public agency, including municipalities, any desired information on individuals, at the exclusion of medical information. The CAI judged these powers outrageous. 			
DATE	CARRIED BY	SPONSORED BY			
September 5-10 1997	SONDAGEM	Le Devoir (daily)/Télé-Québec (TV)			
METHODOLOGY					
<ul style="list-style-type: none"> ▪ Sample: Not available ▪ Maximum error margin: Not unavailable 					
MAIN FINDINGS					
Questions		Answers			
Q1. Do you believe that your bank, your employer, your doctor or your insurance company has at one point transmitted personal information concerning you without a valid reason?		YES: 37,1% NO: 44% No opinion: 18,9%			
Q2. Banks, hospitals, governments and credit agencies have access to personal information on you. Do you accept that these informations be communicated to other agencies for several verifications without your consent?		YES: 4,6% NO: 94% No opinion: 1,3%			
CANADIAN DATA FROM AN ANGUS REID SURVEY					
<i>What Canadians Think of Privacy Protection</i>					
<ul style="list-style-type: none"> * Eighty percent of Canadians think personal data should be kept strictly confidential. * Sixty-five percent of Canadians think it is "not at all acceptable" for companies to sell, trade or share detailed lists of personal information with other organizations. * Nine in ten Canadians strongly disapprove of companies trafficking in information about their private lives without their consent. * Ninety-four percent of Canadians feel it is important to have safeguards to protect personal information on the Internet. 					
Source: <i>Angus Reid Survey</i> , July 1998 http://strategis.ic.gc.ca/epic/Internet/inoca-bc.nsf/en/ca01128e.html#section2					

¹² «Sondage Sondagem sur le respect de la vie privée : entre la méfiance et la confiance. Les Québécois s'opposent à la divulgation de renseignements personnels», *Le Devoir*, 19 septembre 1997.

3.3 SONDAGEM (2001)¹³: Concerns over Personal information accumulation by State and private sector

NATURE OF THE SAMPLE	CONTEXT	
Quebec only	<ul style="list-style-type: none"> ▪ The magazine <i>L'Actualité</i> published this survey in the context of a feature titled «Smile, you're in a database» on the expanding phenomenon of smart cards, Internet, video surveillance and databanks and its impact on privacy and flowing of personal information ▪ Publication of several books around the theme of the end of privacy. 	
DATE	CARRIED BY	SPONSORED BY
May 17-May 22, 2001	SONDAGEM	Magazine <i>L'Actualité</i>
METHODOLOGY		
<ul style="list-style-type: none"> ▪ Sample: 528 individuals have responded (response rate: 63,2%); ▪ Maximum error margin: ± 4% 19 times out of 20. 		
MAIN FINDINGS		
Questions	Answers	
Q1. Are you concerned by the fact that the Government accumulates informations on citizens?	Very: 29,7% Somewhat: 24,2% A little: 24,3% Not at all: 21,5%	
Q2. Are you concerned by the fact that private companies accumulate informations on citizens?	Very: 55,7% Somewhat: 21,7% A little: 13% Not at all: 9,6%	

4. National ID and Voter's cards projects (1995-2001)

4.1 Context

In Quebec, during the last 35 years, the idea of creating an identity card or a voter's card has resurfaced periodically, and with much increased intensity from 1995 to 2001. We have chosen to describe in graphic detail the process of the debates surrounding these projects because a) it is quite exemplary of the dynamics of collective deliberation in Quebec around privacy issues, and b) it is a period where the government announces simultaneous initiatives which are highly relevant to this report (national ID, health smart card and government online). And indeed, the same kind of process occurred later on with the government's electronic health card scheme (see section 5), with the same end result, namely the provincial government giving up his plans.

¹³ «Souriez, vous êtes fichés», *L'Actualité*, vol 26, No 15, 1^{er} octobre 2001.

Two periods may be distinguished 1995-8 and 1999-2001.

1995-8

This period was particularly intense. Requests for not only authentication but also for a redesigning of citizen-state relationships through electronic transactions, were rising from both the private and the public sectors. Political motives (impression of, and evidence of, ID frauds during elections) and the desire to exploit new technological possibilities («microprocessor» card) for different -and not always transparent- purposes gave a unique momentum to the idea of putting forward some sort of card.

Public actors, during 1995, were particularly vocal : the *Quebec Chief Electoral Officer* (DGEQ) was calling for a mechanism of identification for voters; the *Quebec Infoway Secretariat* (SAI) promoted a multi-service microprocessor card -a «citizen card»- giving access to governmental infoway and electronic transactions and capable of replacing different existing cards; the *Quebec Health Insurance Board* (RAMQ) was pushing for its own electronic health card and the *Registrar of Civil Status* (DEC) had also projects linked to identity.

In view of what seemed to be an irresistible push towards the creation of a new card, the *Quebec Information and Privacy Commission* (CAI), concerned by the numerous privacy issues these plans would raise, produced a background document on ID cards calling for a public debate. This important contribution rapidly put the table for the setting up of Quebec National Assembly Culture Commission hearings on «ID cards and protection of privacy».

Here are some important dates -from 1995 to 1998- concerning initiatives and debates on the Quebec scene relative to ID & voter's card:

- 1995 April The Public Sector Council of Computer Officials (CRISP) recommends that the government adopt a multiservice intelligent card. Such a card would allow any governmental department or agency to offer personalized services to each citizen wishing to make transactions with the government via access points and contribute to simplify the relations between the State and the citizen.
- 1995 Oct. Referendum with very tight results and accusations from both sides of, in particular, ID frauds.
- 1995 Dec. Quebec Chief Electoral Officer (DGEQ) submits to the National Assembly a background paper deplored the absence of a voter's or universal ID card and requesting permission to conduct a study on the feasibility and cost-benefit of implementing a system of compulsory voter identification (the study will be granted ... 5 years later).

- 1996 April. Background paper by the Quebec Infoway Secretariat: *For a Quebec infoway implementation strategy.*
- 1996 Oct.: Important background paper by the Quebec Information and Privacy Commission (CAI) on ID cards plans in Quebec.
- 1996 Oct.: Beginning of hearings at the Culture Commission of the Quebec National Assembly on issues around infoway development. **76 briefs are submitted.**
- 1996 Dec.: Start of the hearings at the National Assembly *Commission on ID cards and privacy protection.* The background paper by the CAI on ID cards serves as reference tool. **More than 50 citizens, organizations, associations, institutions and governmental agencies submit briefs.**
- 1997 May: Tabling of the final report of the Commission on infoway development: *Infoway, culture and democracy : issues for Quebec.*
- 1998 April: The Quebec Government adopts the *Quebec Infoway Policy.* Article 5.13 reads : «The Quebec Health Insurance Board (RAMQ) will gradually implement a microprocessor health card to replace the actual health insurance card.»
- 1998 April: Tabling of the final report of the National Assembly *Commission on ID cards and privacy protection.* Conclusion: **«Proof has not been convincingly made and guarantees are insufficient relative to protection of citizen's privacy, respect of the right to anonymity and to the right of citizens to control the information that public administrations and private sector hold on them. Too many people have concerns because of the multiplication of information exchanges and fear that the planned ID cards will facilitate their increase. State omnipresence in private lives of individuals and the spectre of a surveillance society is a concern for many. Numerous cases have been cited of citizens who consider having been victims of certain abusive practices from public agencies and from private firms which require and collect for identification purposes informations such as social insurance number, driver's license number, or the health card number.»**

Briefs submitted by the Quebec Ombudsman (Protecteur du citoyen) and by Quebec Human Rights Commission (CDPQ) and also the Quebec Information and Privacy Commission (CAI) background paper have been instrumental in such a diagnosis and analysis.

Recommendations: «Members of the Commission unanimously recommend that the Council of Ministers study the pertinence of issuing a voluntary and neutral ID Card¹⁴ », as opposed to a mandatory card.

¹⁴ «Neutral» meaning not connected to any other identifier or to a databank.

- 1998 Sept: Provincial Government submits amendments to the Elections Act to require from each voter to have an ID card with photo in order to vote. The Government withdraws amendments and shortly after calls for elections.

Despite the conclusion and recommendations of the *Commission on ID cards and privacy protection*, the idea of an ID or Voter's card does not die out as we will see below. Some government sponsored surveys come to the rescue of the project.

1999-2001

- 1998 Nov: Quebec elections. Fraud charges. Debates on ID or voter's card resume.
- **1998 Nov: SONDAGEM poll on a Quebec ID card** (published February 1st 1999) (see 4.2).
- 1998 Dec: a popular TV show describes how one of her journalist was able to vote several times using false identities.
- **1999 Jan : QUEBEC STATISTICAL INSTITUTE (ISQ) poll with questions on ID card** (see 4.3).
- 1999 March: a task force led by the Quebec Registrar of Civil Status (DEC) meets over the idea of creating a central database which would serve the unified management of both address changes and ID card issuing.
- 1999 March-June: Quebec Gvt adopts Bill 1, *Act respecting obligation for the voter to establish his identity when voting*. The Bill does not call for the introduction of a special voter's card but require voters to present an ID card with photograph (driver's license, health card or passport); this reform of the electoral law also provides for other means of identification if necessary.
- **2000 March: LÉGER et LÉGER poll on a Quebec ID card** (see 4.4).
- 2000 May: the Quebec Minister of Citizen Relations and Immigration presents Bill 113 on «National ID card», proposing an ID card with name, date of birth, gender, height, color of eyes, photograph, signature, etc., and which may also contain electronic inscription of the data. This card would be optional (nobody can require it for establishing ID, but it would be a valid ID card) and neutral (no connection to a registry except the Quebec Registrar of Civil Status).
- 2000 Dec: Quebec National Assembly gives the Quebec Chief Electoral Officer (DGEQ) the mandate to produce a feasibility study on a digitized voter's card with a photograph, with the assistance of the Quebec Information

and Privacy Commission (CAI), the Quebec Human Rights Commission (CDPQ) and the Quebec Ombudsman (Protecteur du citoyen).

- 2001 June: the Quebec Chief Electoral Officer (DGEQ) circulates *A digitized voter's card. From feasibility to valiability. Background paper*, which is commented in detail by the Quebec Ombudsman (Protecteur du citoyen), the Quebec Human Rights Commission (CDPQ) and the Quebec Information and Privacy Commission (CAI).
- 2001 Nov: the Quebec Chief Electoral Officer (DGEQ) tables the document *A digitized voter's card. From feasibility to valiability.* This document concludes that: it is necessary to maintain an equilibrium between the integrity of the voting process and the largest possible access to the exercise of people's right to vote possible and that a digitized card with photo could impede access; legislative measures have been taken in 1999 (Bill 1) establishing a new mandatory identification mechanism of voters and that this mechanism should be given a chance; the cost of such an implementation and its technological complexity are elements not justifiable in view of the fact that it does not bring any significant advantage. The DGEQ recommended that such a project be suspended, at least for the time being. To be noted: once again, the comments of the CAI, the CDPQ and the Protecteur du citoyen on the DGEQ's background paper seem to have had a significant impact on the final report.
- 2001 Nov: Shortly after the DGEQ report, the Quebec government decides to drop its idea of implementing a voter's card, judging it too costly and of little use.

Parallel to these initiatives and debates on the Quebec scene, the **Federal government** was also active on the front of an eventual ID card. In 1999, a federal working committee formed of five government ministries was created to study the possibility of establishing an ID card, which would include a computer chip ("smart card"), throughout the country. The committee was short-lived. But in Nov 2002, the then Canadian Minister of Citizenship and Immigration, Denis Coderre, began entertaining the idea of a debate on the merits of a national ID card. In February 2003, he asked to *House of Commons standing committee on citizenship and immigration* to provide a report on biometrics and ID card, a preliminary version of which was tabled in October of the same year; a forum entitled *Biometrics: Implications and Applications for Citizenship and Immigration* followed, whose goal was to «raise awareness of the importance of enhancing the integrity of identity documents in today's global environment».

At least five coast-to-coast surveys, some of which had province-by-province, disaggregated, data, were made in less than one year :

- 2002 (Nov) COMPAS poll with one question on a Canadian ID card

- 2002 (Nov-Dec) POLLARA survey on Canadian ID card, with biometrics
- 2003 (March) EKOS survey on Canadian ID card, including biometrics
- 2003 (May-June) SES Canada RESEARCH INC on Canadian ID card
- 2003 (September) POLLARA on biometrics/Canadian ID card

Sub-sections 4.2, 4.3 and 4.4. display three ID card related surveys. Among other interesting results, these three Quebec polls show:

- An apparent strong support of the population in favour of an ID card: *Sondagem* with 71,5% in the case of a «citizen's card»; ISQ with 76,2% and *Léger et Léger* 71% in the case of an optional «national ID card».
- An even stronger support in favour of ID card for voting purposes: *Sondagem* 73%; *Léger et Léger* 81,5% (optional).
- There seems to be significant differences in the degree of support between the french-speaking and english-speaking Quebecers who find less appealing these projects
- Also, this very interesting and revealing finding by the *Institut de la statistique* survey: if 63% of Quebecers agree that an ID card would better protect personal information on individuals collected and used by the state, 65,1% agree that it would constitute a means of control of the state on the citizens. There is a clear paradox here on which policymakers stumble: poll support for ID cards does not mean that citizens are ready to compromise on their privacy, especially if these projects are proven, during extensive and public debates to have a negative impact on privacy or other important dimensions.
- Finally, an irony of this latter survey: 81% of surveyed Quebecers thought that the Quebec Health Insurance Board (RAMQ) was the best organization to manage the ID card: it is the same RAMQ that has been pushing since then so hard for a health smart card, and spearheaded in 2001 the design of the Draft Bill Quebec Health Cart Act, which was abandoned by the government at the end of an intense public debate (see section 5).

Are these figures consistent with Canadian polls and can a fruitful Quebec/Canada comparison be achieved?

- **Compas Nov 2002¹⁵:** To the question « How about a high tech identity card for all residents of Canada? Comparing the possible security benefit and the possible risk to freedom, is this a good idea or a bad idea? ». Of a quite small sample of 548 Canadians, 57% said it was a good idea; 30% a bad idea; 3% in between; 10% DNK/Refused. Younger and higher educated Canadians favoured less the concept of an ID card.

¹⁵ *Freedom, Cherished But Not Unfettered*, A COMPAS/National Post Poll. 18p.

- **Pollara Nov-Dec 2002¹⁶** (sample: 1,677): 70% of Canadians favour an ID card with fingerprinting or eye-scanning. Quebec backers: 67% when mandatory; 74% when voluntary.
- **SES Research May-June 2003¹⁷** (sample: 1000). To the first Question: «The federal government is contemplating a national identification card for all Canadians. Some people believe a national identification card would prevent racial profiling at the Canada-US border. Others believe that it would further erode personal privacy and create a "big brother" data base. Do you strongly support, somewhat support, somewhat oppose or strongly oppose a national identification card? », total Canadian support was at 51% (40% opposing), Quebecers at 52% (40% opposing). To Question 2 «If I told you that this new national identification card was mandatory, would you strongly support, somewhat support, somewhat oppose or strongly oppose this proposal? », 49% of Canadians would support (42% oppose) while 53% of Quebecers would support (39% oppose).
- **Pollara Sept 2003¹⁸** (sample: 1200): 49% of Quebecers (vs 41% nationally) have «very serious» concerns over fraudulent use of identity documents in Canada document integrity; and to the question «Do you personally support or oppose the use of biometrics by the federal government as a way of reducing the fraudulent use of identity documents? », 73% of Quebecers support vs 68% support at a Canadian national level.

In response to our initial question, one cannot conclude that Quebecers, compared to their Canadian countrymen, would be significantly more (or less) inclined to support an ID card.

But, in addition, the *Compas* and *SES Research* surveys show that the drafting of the question (and preamble) is important. When the potential «control» component of such a project is flagged, support may take a step back. Better, when pollsters, through their question, manage to convey part of the complexity of the issues at stake and succeed in inducing reflection among interviewees, the answers are more reflective, and perhaps closer to their «truth».

¹⁶ «Support grows for national ID card. Making it mandatory, including physical markers, actually increases popularity», Ottawa Citizen, July 16, 2003.

¹⁷ SES, Media Release. *Canadians OK with National ID Card. Western Canadians Potential Pocket of Resistance*. 3p.

¹⁸ *Tracking public perceptions of biometrics*. Summary of Survey findings. Citizenship and Immigration Canada. 5p. Undated.

4.2 SONDAGEM (1998)¹⁹

NATURE OF THE SAMPLE	CONTEXT											
Quebec only	<p>When carried out:</p> <ul style="list-style-type: none"> ▪ 7 months after <i>Commission on ID cards and privacy protection</i> rejects the idea of issuing a mandatory ID Card ▪ 2 months after the Provincial government commits to requiring from voters a proof of identity (and pulls back on this) ▪ the week preceding provincial election (Nov 30) <p>When released:</p> <ul style="list-style-type: none"> ▪ 2 months after provincial election and yet other fraud charges 											
DATE	CARRIED BY	SPONSORED BY										
23-30 novembre 1998 Released: February 1st 1999	SONDAGEM	Magazine <i>L'Actualité</i>										
METHODOLOGY	<ul style="list-style-type: none"> ▪ Sample: 507 individuals have responded (response rate: 63,4%); ▪ Maximum error margin: ±4,2% 19 times out of 20. 											
MAIN FINDINGS	<p>[We do not know if these questions were preceded by a preambule]</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 5px;">Questions</th><th style="text-align: right; padding: 5px;">Answers</th></tr> </thead> <tbody> <tr> <td style="padding: 5px;">Q1. Should Quebecers own a «citizen's card»?</td><td style="text-align: right; padding: 5px;">YES: 71,5% NO: 28,5%</td></tr> <tr> <td colspan="2" style="padding: 5px;">Results break-down: -Majority YES regardless of age, education and income -English-speaking Quebecers: NO: 74%</td></tr> <tr> <td style="padding: 5px;">Q2. Should Quebecers own an ID card with photo for the elections?</td><td style="text-align: right; padding: 5px;">YES: 73%</td></tr> <tr> <td colspan="2" style="padding: 5px;">Results break-down: -English-speaking Quebecers: NO: 53%</td></tr> </tbody> </table>		Questions	Answers	Q1. Should Quebecers own a «citizen's card»?	YES: 71,5% NO: 28,5%	Results break-down: -Majority YES regardless of age, education and income -English-speaking Quebecers: NO: 74%		Q2. Should Quebecers own an ID card with photo for the elections?	YES: 73%	Results break-down: -English-speaking Quebecers: NO: 53%	
Questions	Answers											
Q1. Should Quebecers own a «citizen's card»?	YES: 71,5% NO: 28,5%											
Results break-down: -Majority YES regardless of age, education and income -English-speaking Quebecers: NO: 74%												
Q2. Should Quebecers own an ID card with photo for the elections?	YES: 73%											
Results break-down: -English-speaking Quebecers: NO: 53%												

¹⁹ «Sondage éclair. Une carte pour voter» (Express Survey. A Card to Vote), *L'Actualité*, February 1, 1999, p.11. It was not possible to retrieve the original report of the survey. SONDAGEM does not exist anymore; we phoned *l'Actualité*, which has not kept a copy of the Survey which it commissioned and sponsored.

4.3 Institut de la statistique du Québec (ISQ) (1999)²⁰

NATURE OF THE SAMPLE	CONTEXT	
Quebec only	The Quebec government approved in 1999 the Quebec Infoway Policy, which states that the Ministry of Culture and Communications must develop a policy on matters of cryptography and electronic identification encouraging both economic development, respect of privacy, maintaining public security and protection of copyrights. To achieve this, the Ministry responsible for Infoway and Governmental Services had asked the help of the ISQ to make a survey to know better Quebecers habits in matters of transactions and personal identification.	
DATE	CARRIED BY	SPONSORED BY
January 6-30, 1999 (released May 1999)	Institut de la statistique du Québec	Quebec Government
METHODOLOGY		
<ul style="list-style-type: none">▪ Sample: 2004 . Response rate: 61,7%▪ Maximum error margin: (see for each question)		
CONTINUED NEXT PAGE....		

²⁰ Gouvernement du Québec, Institut de la statistique du Québec. Politique québécoise de cryptographie et d'identification électronique. Étude préparatoire. Rapport d'analyse descriptive. Mai 1999. 111p. http://www.autoroute.gouv.qc.ca/publica/pub_crypto.htm

MAIN FINDINGS

Questions	Answers
Q. Do you agree or disagree with the idea that there would be only one ID card giving access to all the services of the Quebec Government (e.g. health care, driving education, Quebec pension plan)	Agree: 76,2% (error margin: 2,7%)
Q. In the case where there would be only one card, would you agree or disagree that it be used for private sector services? (e.g. debit card, credit card, video club, car rental)	Agree: 49,8% (error margin: 3,1%)
Q. I will read a series of statements relative to the issuing of a single ID card. For each one, tell me if you agree:	
<ul style="list-style-type: none"> • This ID card could replace several cards such as driver's license, health care card, etc. • This ID card would better protect personal information on individuals collected and used by the State. • This ID card would better protect personal information on individuals collected and used by private companies. • This ID card would constitute a means of control of the State on the citizens. • This ID card would constitute a potential for abuse by the companies regarding the information obtained on the individuals 	Strongly+ Somewhat agree: 75,3% (error margin: 2,8%) Strongly+Somewhat agree: 63% (error margin: 3,1%) Strongly+ Somewhat agree: 57,4% (error margin: 3,1%) Strongly+ Somewhat agree: 65,1% (error margin: 3%) Strongly+ Somewhat agree: 64,7% (error margin: 3%)
Q. I will read you a series of informations likely to appear on a ID card. Tell me if you agree with each one of them.	<u>Strongly+ Somewhat agree</u> Name: 97,1% Picture of holder: 96,2% Date of birth: 83% Height, Colour of eyes: 81,2% ID number: 77,4% Address: 73,3% Birthplace: 58,6% Civil status: 52,8% Biometric data: 51,5% (fingerprints, eyes, voice) (error margins vary between 1.1 and 3.1)
Q. In which organization would you put your confidence to manage this ID card?	<u>Very trusting + Somewhat trusting</u> Health insurance board: 80,8% Registrar of Civil Status: 73,3% Auto insurance Commission: 67% Federal government: 56,8% Police: 46,9% Professional Corporations: 43% Your municipality: 41,6% Chief Electoral Officer: 35,7% A private company: 21,9%

4.4 LÉGER et LÉGER (2000)²¹

NATURE OF THE SAMPLE		CONTEXT
Quebec only		Quebec government tabling Bill 113 on an optional national ID card (May 2000)
DATE March 24-26, 2000 Released: May 3, 2000	CARRIED BY Léger et Léger (now Léger Marketing)	SPONSORED BY Quebec Minister of citizen relations and immigration
METHODOLOGY		
<ul style="list-style-type: none"> ▪ Sample: 1003 individuals, 18 years and + (response rate: 57,4%); ▪ Maximum error margin: ±3,1% 19 times out of 20. 		
MAIN FINDINGS		
Questions		Results
Q1. When you have to identify yourself in different every day life situations, which card or document do you use more often?		Drivers license:57% Health insurance:29%
Q2. Tell me in what every day life situation you are asked a document to identify yourself.		Banking transactions: 21% Demand for government services: 16% Purchases: 14% Video club: 10% No answer: 17%
Q3. The Registrar of Civil Status (DEC) thinks of issuing to those who want it a national ID card with the name, first name and photo of the owner. This card would not include a permanent number, as opposed to the health insurance, social insurance and driver's cards. Would you say that you are FOR or AGAINST the issuing of this card to the citizens who want it? Results break-down: -French-speaking Quebecers: YES: 73,5% -English-speaking Quebecers: YES: 55,3% -35-44 years old: YES: 66%		For: 71% Against: 24,3%
Q4. An ID card would allow citizens who wish to have in their hands a neutral identification means which would not give access to specifics files like health insurance, driver's card and social insurance. Would you say that you entirely agree, somewhat agree, somewhat disagree, entirely agree?		Entirely agree: 58% Somewhat agree: 26,2% Somewhat disagree: 5,7% Entirely disagree: 8%
Results break-down: -45-54 years old: Entirely agree: 66,3% -French-speaking Quebecers: Entirely agree: 60%		
Q5. The ID card would allow those who wish to use it to identify themselves at the Quebec elections. Would you say that you entirely agree, somewhat agree, somewhat disagree, entirely agree?		Entirely agree: 62% Somewhat agree: 19,5% Somewhat disagree: 6,1% Entirely disagree: 10,7%
Results break-down: -45-54 years old: Entirely agree: 71,5% -French-speaking Quebecers: Entirely agree: 65,4%		

²¹ *Citizen relations and immigration* has graciously sent us the executive report copy of this survey titled: *Evaluation of Quebec population perceptions regarding an optional national ID card*

5. Quebec health smart card project (2001-2002)

5.1 Context: A Draft Bill titled Québec Health Card Act

The idea of a health smart card in Quebec originated in the nineties. In April 1998, the Quebec Government adopted its *Quebec Infoway Policy*, announcing that «The Quebec Health Insurance Board (RAMQ) will gradually implement a microprocessor health card to replace the actual health insurance card.»

Three years later, on December 19th 2001, the Minister of Health and Social Services submitted the Draft bill *Québec Health Card Act*. The Quebec government had decided to move ahead with the universal implementation of a health access "smart card" supporting, among other applications, confirmation of admissibility to services and coverage, production of a statement of services received by patients, production of data on the use of insured services, access to a provincial patient index and access to a patient file kept, in trust, at Quebec's Health Insurance Board (RAMQ). There was also the possibility that such a card serve as an authentication tool for electronic commerce purposes. All in all, the device under consideration was complicated, and the stakes involved complex.

From August 2001 to May 2003, IRCM's Centre for Bioethics organized a Quebec Health Smart Card *Watch*, publishing 82 supplements whose aim was to provide information on the project's development and ongoing public debate, and to flag documents that were of interest in assessing the project from a social, ethical or legal perspective.

During the months of February to April 2002, the Quebec National Assembly Committee on Social Affairs held hearings on the Draft Bill. The day before the start of the hearings, in a battle for public opinion, the Quebec government released data based on a *Léger et Léger* poll (unavailable) indicating that 3 out of 4 Quebecers said they were favorable to a health smart card giving access to an electronic summary of their personal health information if their consent was asked and their confidentiality guaranteed²².

More than 40 organizations and individuals submitted briefs and reflected upon the project at the hearings. Ninety percent of these presentations were highly critical of the Draft bill: «anti-democratic», «prohibitively expensive», more «industrial and commercial than clinical», etc. Criticism was not centered on the principle of a smart card *per se*, but rather on the fact that the Draft Bill seemed to be based and designed on «government control» priorities and on the bureaucratic agenda of the RAMQ, rather than on the perspective of improving clinical and health care. This growing perception of the Draft Bill was the stumbling block of the whole project. In that context, privacy and confidentiality

²² Source: <http://www.autoroute.gouv.qc.ca/nouvelles/0291.htm>

issues were also raised but never got the chance to find their way to the forefront of the debate because of the more global and political issues. The project was dropped under its proposed form shortly after the hearings.

We have two surveys on the health smart card topic:

- The first one, by SONDEGEM, is much more interesting and revealing because the questioning is more extensive.
- Both surveys seem to show a certain enthusiasm towards the health smart card: in the SONDEGEM, almost 80% think that such a card would allow physicians to improve their treatments and 77% that it would have more advantages than drawbacks. In the more limited IMPACT RECHERCHE survey conducted in the city of Quebec, 67% answer they are favourable to the «concept of a smart card aiming to store personal health information».
- But, once again, the SONDEGEM shows that when you make an effort to simulate, through the poll questions, the terms of the deliberation and public debate on an issue, you realize how much an apparently enthusiastic YES is all but unconditional. Indeed, as is the case here, when the survey sponsor cares to introduce the major poles of the debate on a issue, this brings up a much more nuanced picture of perceptions: in that spirit in the SONDEGEM, 42% of the surveyees agree that «the smart card is a threat to privacy», and 87% agree that «its implementation should be delayed as long as personal information confidentiality will not be guaranteed».

5.2 SONDAGEM (2001)²³

NATURE OF THE SAMPLE		CONTEXT	
Quebec only		<ul style="list-style-type: none"> ▪ Governmental discreetly announces (May 2001) willingness to go ahead with the implementation of a health smart card by Fall 2003. 	
DATE	CARRIED BY	SPONSORED BY	
<u>Conducted:</u> May 17-22, 2001 <u>Released:</u> October 1, 2001	SONDAGEM	Magazine <i>L'Actualité</i>	
METHODOLOGY			
<ul style="list-style-type: none"> ▪ Sample: 528 individuals have responded (response rate: 63,2%) ▪ Maximum error margin: ± 4% 19 times out of 20. 			
MAIN FINDINGS			
Questions		Answers	
<i>Do you agree or disagree?</i>			
1. The smart card will allow physicians to improve their treatments because they will be more informed on the health condition of a patient. Results breakdown: -More younger people agree (18-24: 84,4 % ; 25-34: 88,6 %).		Agree: 78,7% Disagree: 21,3%	
2. The smart card is a threat to privacy. Results breakdown: -Those who are less willing to perceive the card as a privacy threat are younger (18-24 ans : 25,6 %) and are part of a household earning a total income of 60 000 \$ + (23,7 %).		Agree: 41,9% Disagree: 58,1%	
3. The smart card has more advantages than drawbacks.		Agree: 77,4% Disagree: 22,6%	
4. The smart card will allow health costs reduction. Results breakdown: - 60 000 \$+ households agree at: 68,6 %.		Agree: 53,5% Disagree: 46,5%	
5. Its implementation should be delayed as long as personal information confidentiality will not be guaranteed. Results breakdown: - 60 000 \$+ households agree at: 68,6 %.		Agree: 87% Disagree: 13%	

²³ «Souriez, vous êtes fichés», *L'Actualité*, vol 26, No 15, 1^{er} octobre 2001. Pierrot Péladeau, of the Centre for bioethics has commented on this survey here:
http://www ircm qc ca/bioethique/english/telehealth/suppl_card/suppl_card14 html

5.3 IMPACT RECHERCHE (2001)²⁴

NATURE OF THE SAMPLE Quebec CITY only		CONTEXT ▪ An 8 questions survey on the state of the health care system ▪ Societal debate on health card	
DATE March 25-27, 2002 (18-64) April 10-11, 2002 (65+)		CARRIED BY IMPACT RECHERCHE	SPONSORED BY Daily <i>Le Soleil</i>
METHODOLOGY			
▪ Sample: 451 ▪ Maximum error margin: 4,6%			
MAIN FINDINGS			
Questions		Answers	
7. Have you ever heard about the concept of a smart card aiming to store personal health informations? Results breakdown: -Respondents aged 35-54 (89%) and those aged 55-64 (90%) have better knowledge of it than 18-34 (75%) and 65+ (70%)		Yes: 83% No: 17%	
8. Are you very favorable, somewhat favorable, a little favorable or very unfavorable to this concept? Results breakdown: -56% of 65+ disapprove this concept.		Very favorable: 25% Somewhat favorable: 42% Somewhat unfavorable: 20% Very unfavorable: 14%	

²⁴ «Souriez, vous êtes fichés», *L'Actualité*, vol 26, No 15, 1^{er} octobre 2001. Pierrot Péladeau, of the Centre for bioethics has commented on this survey here:
http://www ircm qc ca/bioethique/english/telehealth/suppl_card/suppl_card14 html

6. Health care context

6.1. Personal health information privacy

Health information is certainly a most sensitive and personal information, and the respect of its privacy highly valued by individuals : 65% of Canadians rank health information as the second most confidential piece of information, financial information coming first (see footnote 25).

We found one survey on the subject, *Canadians Perceptions of Health Information Confidentiality*, sponsored by the Canadian Medical Association in 1999 and with Quebec data. Unfortunately, we could not get hold of the survey report, so we had rely on two separate sources for the data, one for the Canadian data²⁵ and another one for the Quebec disaggregated data²⁶.

Among the main findings:

- Quebecers display a high level of confidence (84%) towards their physician when it comes to the protection of confidentiality of their health information; but still, 10% of patients have withheld information, at one point or another, fearing it would circulate out of the physician's office.
- Quebecers are quite willing (70%), as are other Canadians (75%), to share their health info with governments or for research purposes, provided they have the opportunity to give their consent. One possible striking difference between Quebecers and Canadians is that many more Quebecers (68% vs 50%) do not agree that their health information be used without their consent, even if it is de-identified. We can see how important is consent, or patient authorization, in the notion of confidentiality.

²⁵ Web site of the BC Medical Association
http://www.bcma.org/public/news_publications/publications/policy_backgrounder/healthinformationprivacy.asp

²⁶ The Quebec results of the poll were highlighted by the Quebec Medical Association (Quebec section of the CMA), in the context of a brief in preparation of a workshop organized by the Ministry of health on strategic and technologic orientations in matters of informational resources in the health and social services sector. See Association médicale du Québec, *Mémoire de l'Association médicale du Québec à la consultation en préparation du Colloque sur les orientations stratégiques et technologiques en matière de ressources informationnelles du réseau de la santé et des services sociaux*, 20 avril 2000, pp.12-15. <http://www.amq.ca/ang/action.htm>

ANGUS REID (1999)

NATURE OF THE SAMPLE		CONTEXT	
Canada and Quebec			
DATE		CARRIED BY	SPONSORED BY
1999			
METHODOLOGY			
<ul style="list-style-type: none"> ▪ Sample: 1500 ▪ Maximum error margin: N/A 			
MAIN FINDINGS			
Questions		Answers	
Q. Do you believe that information you give to your doctor stays confidential?		YES: 84% (Canada: N/A)	
Q. Have you ever decided to not mention to a health care professional certain information out of fear of not knowing to whom they would be transmitted and for what purpose they would be used?		YES: 10% (Canada: 11%)	
Q. I would agree that information relative to my health be transmitted to the governments and researchers, provided that I have given my consent		Agree: 70% (Canada: 75%) Disagree: 29%	
Q. I accept that information relative to my health be transmitted to the governments or to researchers without my consent, provided that all identifying information has been removed.		Agree: 32% Disagree: 68% (Canada: 50%)	

6.2 Health care setting and the experience of «intimacy»

Since 1994, the Montreal Health and Social Services Regional Board (l'Agence de développement de réseaux locaux de services de santé et de services sociaux de Montréal) has conducted 5 polls to verify the quality of health services with the measurement of patients satisfaction.

One of the four measured dimensions is «Relational dimension», under which we find three categories: dignity, empathy and intimacy. **Intimacy** is defined as «assuring the individual a personalized, confidential and secure relationship. Intimacy requires a comfortable physical environment and caring and discrete behaviours». The area of intimacy is covered by five questions (see in the table next page).

It is the only survey which provides some data a) on the «body» aspect of privacy: potential unwarranted medical acts and if respect of physical intimacy, and also b) on «discretion» elements (if unrelated questions asked and if discretion exercised). All in all, few patients disagreed that they were not well treated in all those aspects of intimacy.

ZINS BEAUCHESNE et ASSOCIÉS (2004)

NATURE OF THE SAMPLE	CONTEXT	
Quebec only	Annual measurement of the degree of satisfaction in the delivery of health services to clients (hospital and public/private clinic setting)	
DATE	CARRIED BY	SPONSORED BY
May 22-June 24, 2004	Zins Beauchesne et associés	Régie régionale de la santé et des services sociaux de Montréal-Centre, (division of the Quebec Ministry of Health and Social Services)
METHODOLOGY		
<ul style="list-style-type: none"> ▪ Sample: 2006; age 15 and +, having used health services (hospital, clinic) at least once in the past 12 months (response rate: 57,3%) ▪ Maximum error margin: ±2,2%, 19 times out of 20. 		
MAIN FINDINGS		
Questions	Answers	
Q1. You have not been asked questions unrelated to your health problem.	Agree: 42,8%	27,8%
	Disagree: 5,7%	13,6%
Q2. There were no medical act not required by your health status or problem.	Agree: 47,1%	N/A
	Disagree: 3,2%	N/A
Q3. Discretion was exercised towards you.	Agree: 45,3%	37,4%
	Disagree: 3,9%	5,0%
Q4. Your record has been treated in confidence.	Agree: 45,9%	38,4%
	Disagree: 1,2%	3,1%
Q5. Your physical intimacy has been respected.	Agree: 47,3%	47,3%
	Disagree: 2,4%	2,4%
Breakdown (2002): For all 5 statements, francophones agreed significantly more than Anglophones and allophones; and women significantly more than men, except on Q3 (no percentages available).		
Source: Régie Régionale de la santé et des services sociaux de Montréal-Centre et ZINS BEAUCHESNE et ASSOCIÉS, <i>Résultats de l'enquête sur la satisfaction des Montréalais à l'égard des services de santé et des services sociaux</i> , Août 2002, 100p. http://www.santemontreal.qc.ca/index.asp?url=fr/documentation/pub_theme.asp%3Ftheme%3D14		

7. Internet and information technologies

The rise of information technologies, and especially of the Internet, during the last decade has brought about many concerns over privacy and confidentiality. Citizens are exposed to constant surveys on IT and Internet. We have selected both those we thought were the most revealing and the most recent ones.

7.1 Information technologies in general

- A short majority of Quebecers (58%, in the EKOS) feel that they know enough to judge how the new technologies -we assume here that the question was understood as mainly referring to *information* technologies- can affect their privacy.
- When asked by SONDEGEM if the creation of computer files may eventually threaten their privacy, 66% of Quebecers think so and, again, distrust of private interests (corporations, financial institutions) runs high at 69%, closely followed by governments (65%), in response to «who could misuse information about you».

7.1.1 SONDAGEM 1996²⁷: Citizens' degree of confidence in the eventual uses of computerized personal information

NATURE OF THE SAMPLE		CONTEXT	
Quebec only		The questions were asked after what seems to have been a preamble on the potential advent of health records computerization and of a government controlled super computer which would hold files on each citizen.	
DATE	CARRIED BY	SPONSORED BY	
August 23-September 1, 1996	SONDAGEM	Magazine <i>L'Actualité</i>	
METHODOLOGY			
<ul style="list-style-type: none"> ▪ Sample: 1003 ▪ Maximum error margin: not available 			
MAIN FINDINGS			
Questions		Answers	
1. Personally, do you fear that the creation of computer files may eventually threaten a lot, somewhat, a little or not at all your privacy and your freedom?		A lot: 42,5% Somewhat: 23,5% A little: 14,9% Not at all: 19%	
2. In your opinion, who could misuse information about you?		Corporations: 69,1% Financial institutions: 69% Governments: 64,7% Your employer: 49,4% The police: 42,8%	

²⁷ «Sondage éclair», *L'Actualité*, vol 21, no 16, 15 octobre 1996.

7.1.2 EKOS (1997): Citizens' knowledge of technologies' effects on privacy

NATURE OF THE SAMPLE	CONTEXT	
Quebec & Canada	<ul style="list-style-type: none"> First wave of the EKOS Research Associates <i>Information Highway and the Canadian Communications Household</i>, 1998. 	
DATE	CARRIED BY	SPONSORED BY
September 1997	EKOS	
METHODOLOGY		
<ul style="list-style-type: none"> Sample: 3522 Maximum error margin: ± 1,7% 19 times out of 20 		
MAIN FINDINGS		
Questions	Answers	
	Quebec	Canada
Q. Do you agree with the following statement: <ul style="list-style-type: none"> I feel that I have enough information to know how the new technologies can affect my privacy. 	Agree: 58% Don't agree: 28% Neither: 12%	50% 36% 12%

7.2 Internet in general

Starting to focus here more on the Internet component of information technologies, here are findings from three surveys:

- Most citizens seem to be aware of Internet's potential privacy dangers and require personal information protection guarantees (over 90%, EKOS).
- The evaluation of the privacy threat is however unclear. In one survey (EKOS), only 41% of Quebecers (52% total in Canada) agree that «the Information Highway reduces the level of privacy in Canada», while in another survey conducted two years later (Stats-Can/ISQ), 83% say they are very concerned, or are concerned, about privacy on the Internet. In this last survey, it is important to note, the question was accompanied by very concrete examples of potential threats: people finding out what websites you have visited, others reading your e-mail). And we should also note that the reference, in the EKOS survey, to «Information Highway» was a choice of concept somewhat abstract and whose reality may have been interpreted as possibly inoffensive by many citizens.

7.2.1 EKOS (1998)²⁸: The need for personal information protection

NATURE OF THE SAMPLE	CONTEXT	
Quebec & Canada	<ul style="list-style-type: none"> • Second wave of the EKOS Research Associates <i>Information Highway and the Canadian Communications Household</i>, 1998. 	
DATE	CARRIED BY	SPONSORED BY
February-April 1998	EKOS	
METHODOLOGY		
<ul style="list-style-type: none"> • Sample: 2642 • Maximum error margin: ± 2,7% 19 times out of 20 		
FINDINGS		
Question	Answers	
Q. Do you agree with the following statement: • It is more and more important to have guarantees to protect personal information on Internet.	Quebec	Canada
	Agree: 92%	94%
	Don't agree: 2%	3%
	Neither: 6%	3%

²⁸ Data from: Sciencetech et Gouvernement du Québec, *Les Québécois face aux inforoutes. Tendances et perceptions dans un contexte de transactions électroniques et d'identification*. Juin 1999. 65p

7.2.2 EKOS (1998)²⁹: Effect of Information Highway on Privacy

NATURE OF THE SAMPLE		CONTEXT			
Quebec & Canada		<ul style="list-style-type: none"> Third wave of the EKOS Research Associates <i>Information Highway and the Canadian Communications Household</i>, 1998. 			
DATE	CARRIED BY	SPONSORED BY			
June 1998					
METHODOLOGY					
<ul style="list-style-type: none"> Sample: 2201 Maximum error margin: ± 2,1% 19 times out of 20 					
FINDINGS					
Questions		Answers			
Q. Do you agree with the following statement: <ul style="list-style-type: none"> The Information Highway reduces the level of privacy in Canada 		Quebec	Canada		
		Agree: 41%	52%		
		Don't agree: 41%	29%		
		Neither: 17%	16%		

²⁹ Data from: Sciencetech et Gouvernement du Québec, *Les Québécois face aux inforoutes. Tendances et perceptions dans un contexte de transactions électroniques et d'identification*. Juin 1999. 65p.

7.2.3 Statistics Canada/ Institut de la statistique du Québec (2000)³⁰: Privacy concerns over Internet

NATURE OF THE SAMPLE		CONTEXT	
Quebec and Canada		These data come from statistical compilations made by the Quebec Statistics Institute (ISQ) on the basis of microdata files (2000 and 1999 editions) of the Statistics Canada survey on the use of Internet at home.	
DATE	CARRIED BY	SPONSORED BY	
1999-2000	Statistics Canada		
METHODOLOGY			
<ul style="list-style-type: none"> ▪ Sample: 8,289 households (Quebec) for a total of 6,309 interviews completed (response rate: 79%) ▪ Maximum error margin: N/A. 			
FINDINGS			
Question		Answers	
Q. In general, how concerned are you about privacy on the Internet? (e.g. people finding out what websites you have visited, others reading your e-mail))		Very concerned:	42,5% 39,6%
		Concerned:	40,5% 38,7%
		Not at all concerned:	15,9% 20,5%
		Don't know:	1,1% 1,1%

³⁰ Institut de la statistique du Québec. *L'utilisation d'Internet par les ménages québécois en 2000*. Décembre 2001. 54p. <http://www.stat.gouv.qc.ca/bul/>

7.3 Disclosure of personal information in the context of Internet transactions

Basically, surveys listed here try to measure two things: a) the level of willingness to disclose personal information in respect to Internet transactions with either public or private institutions and b) the degree of citizen confidence or concern relative to the privacy of these transactions.

- Quebecers' willingness to disclose and provide personal information on Internet in general was very low in 1998 (17%), lower still when it involved credit card number (12%), and a bit higher if the transaction would occur with «a well known company» (23%) (EKOS, 2nd & 3rd wave).
- Another way of measuring citizens' perceptions of personal privacy on Internet is to ask them to evaluate the quality of privacy protection in the context of transactions: in 1999 (ISQ), Quebecers were 40% to say that they were satisfied with the actual level of protection, and 95% believed that the protections guarantees in Quebec laws should apply to Internet transactions
- Level of confidence in Internet transactions varies, according to the surveys. In the ISQ 1999 poll, more than 75% said they were afraid to be victim of a fraud when purchasing on Internet and feared their credit card number could be intercepted. Quebecers level of distrust was at 71% in the 2000 Stats-Can/ISQ survey, and quite higher for Canadians in general (78%). Are citizens more confident in transactions with *governments*? Seems not. Léger Marketing (2003) obtains a 71% «unsafe» score (vs 60% all Canadians) to the question «Is it safe or not to provide Government online with personal information such as credit card or bank account numbers and annual income?»; the same poll shows that the level of mistrust dropped slightly from 2002 to 2004, from 76% to 71% for Quebecers, and from 67% to 60% for Canadians in general. The latest polls, CEFRIO/Léger Marketing in 2004, shows an apparently continuous decline in the fear of Internet transactions with credit cards, with still 58% thinking that purchasing via Internet with a credit card was not secure (vs 31%, the opposite).
- Finally, in the CEFRIO/SOM 2004 survey, 66,5% say they would not be afraid to transmit personal information to the government through a secured link on Internet. Interesting also to note: many Quebecers find internet more *efficient* for communications with the government, while finding this same tool not very secure or confidential: we may assist to the selling of Internet transactions on the basis of their *efficiency*, while downplaying *privacy* risks.
- All in all, Quebecers seem to be willing to use Internet for transactions, but, at least for the majority of them, not in contexts where security of personal information is not guaranteed or enhanced. And, again, they distrust more

private interests than government in matters relating to privacy protection on Internet.

7.3.1 EKOS (1998)³¹: Level of willingness to disclose personal information on Internet

NATURE OF THE SAMPLE	CONTEXT	
Quebec & Canada	<ul style="list-style-type: none"> Second wave of the EKOS Research Associates <i>Information Highway and the Canadian Communications Household</i>, 1998. 	
DATE	CARRIED BY	SPONSORED BY
February-April 1998	EKOS	
METHODOLOGY		
<ul style="list-style-type: none"> Sample: 2642 Maximum error margin: ± 2,7% 19 times out of 20 		
MAIN FINDINGS		
Questions	Answers	
	Quebec	Canada
Q. Do you agree with the following statement: <ul style="list-style-type: none"> I would not hesitate to provide personal information on Internet Web sites I visit. 	Agree: 17% Don't agree: 71% Neither: 12%	23% 65% 12%

³¹ Data from: Scienctech et Gouvernement du Québec, *Les Québécois face aux inforoutes. Tendances et perceptions dans un contexte de transactions électroniques et d'identification*. Juin 1999. 65p.

7.3.2 EKOS (1998)³²: Level of willingness to disclose credit card number on Internet

NATURE OF THE SAMPLE		CONTEXT			
Quebec & Canada		<ul style="list-style-type: none"> Third wave of the EKOS Research Associates <i>Information Highway and the Canadian Communications Household</i>, 1998. 			
DATE	CARRIED BY	SPONSORED BY			
June 1998	EKOS				
METHODOLOGY					
<ul style="list-style-type: none"> Sample: 2201 Maximum error margin: $\pm 2,1\%$ 19 times out of 20 					
MAIN FINDINGS					
Questions		Answers			
		Quebec	Canada		
Q. Do you agree with the following statement:					
<ul style="list-style-type: none"> I am prepared to give my credit card number on Internet to buy some goods and services. 		Agree: 12% Don't agree: 83% Neither: 3%	12% 82% 5%		
Q. Do you agree with the following statement:					
<ul style="list-style-type: none"> I am prepared to give my credit card number on Internet to buy some goods and services from a well known company. 		Agree: 23% Don't agree: 75% Neither: 2%	19% 74% 6%		

³² Data from: Scienctech et Gouvernement du Québec, *Les Québécois face aux inforoutes. Tendances et perceptions dans un contexte de transactions électroniques et d'identification*. Juin 1999. 65p.

7.3.3 Institut de la statistique du Québec (ISQ) (1999)³³: Evaluation of privacy protection means on Internet in the context of transactions and obstacles to transactions

NATURE OF THE SAMPLE	CONTEXT	
Quebec only	<p>The Quebec government adopted in 1999 the Quebec Infoway Policy, which states that the Ministry of Culture and Communications must adopt a policy on matters of cryptography and electronic identification encouraging both economic development, respect of privacy, maintaining public security and protection of copyrights. To achieve this, the Ministry responsible for Infoway and Governmental Services has asked the help of the ISQ to make a survey to know better Quebecers habits in matters of transactions and personal identification and to measure certain perceptions relatives to transactions on the infoways.</p>	
DATE	CARRIED BY	SPONSORED BY
January 6-30, 1999	Institut de la statistique du Québec	Quebec government
METHODOLOGY		
<ul style="list-style-type: none"> ▪ Sample: 2004 . Response rate: 61,7% ▪ Maximum error margin: see for each question 		
MAIN FINDINGS		
Questions	Answers	
Q. To what extent are you satisfied with the existing means aiming to protect personal information and privacy when you make transactions on Internet?	Very + Somewhat satisfied: 39,5% (error margin: 6%)	
Q. Do you believe that protections guaranteed in the laws of Quebec should apply to your transactions on Internet?	Yes: 95% (error margin: 2,6%)	
Q. I will enumerate a series of obstacles to transactions on Internet. Tell me if you agree with the following statements: <ul style="list-style-type: none"> • I prefer personal contacts • I fear that my credit card number be intercepted on Internet • I'm afraid to be victim of a fraud if I do some purchases on Internet. 	Strongly+ Somewhat agree: 80,7% Strongly+ Somewhat agree: 79,8% Strongly+ Somewhat agree: 75,1%	

³³ Gouvernement du Québec, Institut de la statistique du Québec. Politique québécoise de cryptographie et d'identification électronique. Étude préparatoire. Rapport d'analyse descriptive. Mai 1999. 111p.
http://www.autoroute.gouv.qc.ca/publica/pub_crypto.htm

7.3.4 Statistics Canada/ Institut de la statistique du Québec (2000)³⁴:

Level of protection and of concern in the context of financial transactions

NATURE OF THE SAMPLE		CONTEXT			
Quebec and Canada		These data come from statistical compilations made by the Quebec Statistics Institute (ISQ) on the basis of microdata files (2000 and 1999 editions) of the Statistics Canada survey on the use of Internet at home.			
DATE	CARRIED BY	SPONSORED BY			
1999-2000	Statistics Canada				
METHODOLOGY					
<ul style="list-style-type: none"> ▪ Sample: 8,289 households (Quebec) for a total of 6,309 interviews completed (response rate: 79%) ▪ Maximum error margin: N/A. 					
MAIN FINDINGS					
Questions		Answers			
Q. How concerned are you about security in relation to your household financial transactions conducted over the Internet? (By transactions we mean purchasing products over the Internet using a credit card or banking over the Internet).		Quebec	Rest of Canada		
		Very concerned:	42% 49,7%		
		Concerned:	29,4% 28,5%		
		Not at all concerned:	26,4% 20,4%		
		Don't know:	2,2% 1,4%		

³⁴ Institut de la statistique du Québec. *L'utilisation d'Internet par les ménages québécois en 2000*. Décembre 2001. 54p. <http://www.stat.gouv.qc.ca/bul/>

7.3.5 Léger Marketing (2003)³⁵: Level of confidence in transmitting personal information (credit and bank cards #, income) through government online services

NATURE OF THE SAMPLE	CONTEXT														
Quebec and Canada	<ul style="list-style-type: none"> Conducted within the context of the third Government Online research conducted by TNS with 31 823 people in 32 different countries. 51% of all Canadian Internet users make Government Online usage, 14% transmitting personal information, 13% making transactions (not defined), which is the case for 9% of the Quebecers. 														
DATE	CARRIED BY	SPONSORED BY													
August 2003	Léger Marketing	Canadian Press													
METHODOLOGY															
<ul style="list-style-type: none"> Sample: 1500 Maximum error margin: ±2.5, 19 times out of 20. 															
MAIN FINDINGS															
Questions Q. Is it safe or not to provide Government online with personal information such as credit card or bank account numbers and annual income?		Answers <table> <thead> <tr> <th>Quebec</th> <th>Canada</th> </tr> <tr> <th>2002</th> <th>2004</th> </tr> </thead> <tbody> <tr> <td>Safe : 20%</td> <td>23%</td> </tr> <tr> <td>Unsafe: 76%</td> <td>71%</td> </tr> <tr> <td>27%</td> <td>32%</td> </tr> <tr> <td>67%</td> <td>60%</td> </tr> </tbody> </table>	Quebec	Canada	2002	2004	Safe : 20%	23%	Unsafe: 76%	71%	27%	32%	67%	60%	
Quebec	Canada														
2002	2004														
Safe : 20%	23%														
Unsafe: 76%	71%														
27%	32%														
67%	60%														
Léger analysts add these comments: <ul style="list-style-type: none"> Perceptions of safety are highest among Providers (55%) [i.e. providing personal information], and Transactors (54%) [not defined]. Nonetheless a strong proportion of Transactors (44%) and Providers (43%) believe that this practice is unsafe or very unsafe. 															

³⁵ Léger Marketing, *Government Online: A National Perspective. Report*. December 2003, 10p.
<http://legermarketing.com/eng/tencan.asp>

7.3.6 CEFRIO/Léger Marketing (2004): Level of confidence in secure credit card use for Internet transactions³⁶

CEFARIO (Action research and Transfer Centre) regroups more than 150 members (scholars, industrials and government employees). Its mission: help Quebec organizations to use information technologies to enhance their performance, productivity and innovation skills.

Since 1999, CEFARIO, along with Léger Marketing, tracks the evolution of Quebecers' Internet habits and perceptions. It is the most important progressive survey in Quebec.

NATURE OF THE SAMPLE Quebec only	CONTEXT <ul style="list-style-type: none"> • In 2004, 58,6% of Quebecers use Internet on a regular basis (vs 39,7% in 2001); 55,6% of them have a domestic Internet connection. • 34% have made bank transactions over Internet in 2004 (vs 13% in January 2004) • In Oct 2004, 13% had purchased online the preceding month (vs 5% in January 2001); 28% had at least made one purchase on Internet in their lifetime. 									
DATE 2004	CARRIED BY Léger Marketing		SPONSORED BY -Bell Canada -Fédération des Caisses Desjardins -Ministère de la culture et des communications du Québec -Secrétariat du Conseil du trésor							
METHODOLOGY										
<ul style="list-style-type: none"> ▪ Sample: 12,000 (1,000 each month for 12 months). Response rate: 60% ▪ Maximum error margin: 5,5% 										
MAIN FINDINGS										
Questions			Answers							
Q. Overall, do you consider that purchasing (via Internet) with a credit card is secure?			Secure	2001	2002	2003	2004			
			Not secure	66%	63%	64%	58%			
			Dont know	8%	8%	4%	11%			

³⁶ CEFARIO et Léger Marketing, *NETendances 2004. Utilisation d'Internet au Québec*. Février 2005, 78p.
<http://www.infometre.cefrio.qc.ca/loupe/enquetes/netendances.asp>

7.3.7 CEFARIO et SOM (2004)³⁷: Level of confidence in privacy protection in the context of Internet transactions with the government and other institutions

NATURE OF THE SAMPLE		CONTEXT	
Quebec only		The Quebec government has expressed its willingness to provide online services to citizens, companies and self-employed workers. It is in this context that CEFARIO started a research project in 2002, which aims to better understand things such as expectations and needs in terms of public electronic services offered by Quebec ministries and organizations.	
DATE April 16-May 24 2004	CARRIED BY SOM	SPONSORED BY -Secrétariat du Conseil du trésor -Banque nationale du Canada -Bell Canada	
METHODOLOGY			
<ul style="list-style-type: none"> ▪ Sample: 3001 (response rate: 50,5%) ▪ Maximum error margin: ±2,5% 19 times on 20. 			
FINDINGS			
Questions		Answers	
Q. On a scale of 1 to 10, where 1 means not at all secure and 10 very secure, how do you evaluate the security of transactions on Internet with the following organizations?		Financial institutions: 7,14 Government of Canada: 6,93 Government of Quebec: 6,91 Municipalities: 6,22 Major retailers: 6,02 Small retailers: 4,41	
Q. Do you strongly or somewhat agree with the following statements?			
1. You trust that the government has the capacity to offer transactional services in all confidentiality. 2. You would not be afraid to transmit personal information to the government through a secured link on Internet.		Yes: 74,4% No: N/A Yes: 66,5% No: N/A	

Continued next page....

³⁷ CEFARIO et Léger Marketing, NETGouv 2004. *Services gouvernementaux en ligne au Québec. Sondage réalisé auprès des citoyens et des entreprises du Québec. Volet «Citoyens»*. Automne 2004. 64p.

<http://www.infometre.cefrio.qc.ca/fiches/fiche757.asp>

(continued from preceding page)

FINDINGS

Q. Would you consider as a strong priority or somewhat a priority that the Quebec government gives you the possibility of:

- Signaling address changes at one location only
- Filling out and send out online forms
- Making payments online

	<u>2002</u>	<u>2004</u>
YES:	82,6%	85,1%
YES:	69,5%	77,4%
YES:	61,7%	64,9%

Q. Among the following, in your opinion, what is the most...

...confidential means of communication with the government?

In person: 48,3%
Postal: 20,1%
Telephone: 16,2%
Internet: 10,2%
Others/DK: 5,2%

...secure means of communication with the government?

In person: 50,5%
Postal: 17,1%
Telephone: 17,4%
Internet: 11,2%
Others/DK: 3,8%

...efficient means of communication with the government?

In person: 31%
Postal: 8,3%
Telephone: 19,6%
Internet: 38,3%
Others/DK: 2,8%

Conclusion

Having reached the end of this overview of public opinion data in Quebec on privacy issues and protection of personal information, how can we sum up what we've found out and, also, what lessons can be learned for future surveys? A quite fascinating and extensive discussion could follow, but we will limit ourselves to these comments:

- Quebec has strong privacy legislation and there is continuous ongoing pressure to improve it. Quebec has also strong institutions defending and promoting privacy, such as the Information and Privacy Commission, the Quebec Human Rights Commission and the Quebec Ombudsman and active NGOs. Even though the media often display an uncritical attitude towards technological developments, privacy issues do manage to get their way through, even catching the headlines.
- In the context where privacy is recognized as a potent societal value, its principle enshrined in laws, the Civil code and the Rights and Freedoms Charter, and defended by high profile institutions, the government cannot go it alone on initiatives that put privacy into question. Quebec governments have had difficult experiences in the past years with their ID cards and health smart card projects despite apparent «support» from the population. The governments themselves are under the citizens' surveillance when it comes to privacy issues. Back in April 1999, for example, the Quebec minister and deputy minister of the Revenue Department had to resign in a blatant case of citizens' personal information being leaked to private interests: the Revenue Department had transmitted personal information to pollsters, an incident which was extensively covered by the media.
- Do these surveys tell us that Quebec citizens sense their privacy is protected? In general, it does seem so, even though Quebecers don't know that much about the specifics of the regulations and bodies responsible for privacy regulation and protection. Inasmuch as relevant provincial and federal laws apply, Quebecers seem basically confident. But this is not the case with Internet because the phenomenon goes beyond frontiers and seems like a lawless land to many. A more secondary question remains: will the appeal of Internet's remarkable time saving efficiency open the door to more and more online transactions while privacy guarantees lagging behind?
- These surveys show that, in general, citizens have a greater trust in public bodies than in private corporations for the respect of their personal information.
- Survey results also demonstrate, and this is fundamental, that citizens require control over their personal information. If they are asked to share it, they want to know who is going to use it and for what purpose, and they do require

the power to consent to disclose their information: this is especially true in the case of health information.

- We have found no «smoking gun» in terms of significant differences between Quebecers and other Canadians relative to privacy issues perceptions. Quebecers, as other Canadians do, feel strongly about privacy, and more so when potential threats are reminded and evoked.
- We have not covered all aspects of privacy because we limited ourselves to surveys with available Quebec data. Most of the polls we were able to dig up were related to personal information circulation, use and misuse or indirectly related to privacy (e.g., ID card, health smart card), at the exception of privacy as «intimacy» (e.g., in health care setting) and privacy as surveillance (web surfing). Other areas of privacy are growing in importance but remain still «unsurveyed» or less surveyed: for example, a) videosurveillance in public locations, a topic on which the CAI has made several public interventions and b) genetics, where no separate Quebec data are yet available.
- Finally, it appears to us that the value of a privacy survey -«value» defined here as a survey capable of giving an honest and perhaps truthful picture of public opinion- depends on several factors. We cannot comment on these in the framework of this conclusion, but suffice to say this: a) when, in surveys entailing privacy issues, privacy components are not factored in the questionnaire, the results are to be taken lightly; b) a more realistic picture of public opinion on privacy issues may very well be attained when surveys occur within the context of very concrete issues (for example, a project which has been for a while the object of public attention and debate); c) also, if the survey questionnaire is designed in such a way that it allows a reflexive and deliberative moment for the interviewee the answers offered may be more meaningful. Indeed, we have seen that the answers were more nuanced when the interviewee was reminded of the privacy stakes involved on such or such issue.

We certainly hope that this overview will be helpful to the *Queens Surveillance Project* team.

REFERENCES

- Association médicale du Québec, *Mémoire de l'Association médicale du Québec à la consultation en préparation du Colloque sur les orientations stratégiques et technologiques en matière de ressources informationnelles du réseau de la santé et des services sociaux*. 20 avril 2000, pp.12-15.
<http://www.amq.ca/ang/action.htm>
- CEFARIO et Léger Marketing, *NETendances 2004. Utilisation d'Internet au Québec*. Février 2005. 78p.
<http://www.infometre.cefrio.qc.ca/loupe/enquetes/netendances.asp>
- CEFARIO et Léger Marketing, *NETGouv 2004. Services gouvernementaux en ligne au Québec. Sondage réalisé auprès des citoyens et des entreprises du Québec. Volet «Citoyens»*. Automne 2004. 64p.
<http://www.infometre.cefrio.qc.ca/fiches/fiche757.asp>
- Compas. *Freedom, Cherished But Not Unfettered, A COMPAS/National Post Poll*. 18p.
- Ekos Research. «Les Québécois ignorent l'existence de lois protégeant la vie privée.» *Le Devoir*, 25 septembre 1997.
- Gouvernement du Québec, Institut de la statistique du Québec. *Politique québécoise de cryptographie et d'identification électronique. Étude préparatoire. Rapport d'analyse descriptive*. Mai 1999. 111p.
http://www.autoroute.gouv.qc.ca/publica/pub_crypto.htm
- Institut de la statistique du Québec. *L'utilisation d'Internet par les ménages québécois en 2000*. Décembre 2001. 54p.
<http://www.stat.gouv.qc.ca/bul/>
- Léger et Léger, *Évaluation de la notoriété de certaines dispositions inscrites à la Charte québécoise des droits et libertés de la personne*, avril 2000.
- Léger et Léger, *Évaluation des tendances de l'opinion des Québécois concernant certaines dispositions et situations liées aux droits de la personne et aux droits de la jeunesse*, mai 2000.
- Léger Marketing, *Government Online: A National Perspective. Report*. December 2003, 10p.
<http://legermarketing.com/eng/tencan.asp>
- Pollara. «Support grows for national ID card. Making it mandatory, including physical markers, actually increases popularity», Ottawa Citizen, July 16, 2003.

- Pollara. *Tracking public perceptions of biometrics.* Summary of Survey findings. Citizenship and Immigration Canada. 5p. Undated.
- Régie Régionale de la santé et des services sociaux de Montréal-Centre et Zins Beauchesne et Associés, *Résultats de l'enquête sur la satisfaction des Montréalais à l'égard des services de santé et des services sociaux*, Août 2002, 100p.
http://www.santemontreal.qc.ca/index.asp?url=fr/documentation/pub_theme.asp%3Ftheme%3D14
- Sciencetech et Gouvernement du Québec, *Les Québécois face aux inforoutes. Tendances et perceptions dans un contexte de transactions électroniques et d'identification.* Juin 1999. 65p
www.autoroute.gouv.qc.ca/publica/pdf/sciencetech.pdf
- SES, Media Release. *Canadians OK with National ID Card. Western Canadians Potential Pocket of Resistance.* 3p.
- Sondagem. «Sondage éclair», *L'Actualité*, vol 21, no 16, 15 octobre 1996.
- Sondagem. «Sondage Sondagem sur le respect de la vie privée : entre la méfiance et la confiance. Les Québécois s'opposent à la divulgation de renseignements personnels», *Le Devoir*, 19 septembre 1997.
- Sondagem. «Sondage éclair. Une carte pour voter» (Express Survey. A Card to Vote), *L'Actualité*, February 1, 1999, p.11. It was not possible to retrieve the original report of the survey. SONDAGEM does not exist anymore; we phoned *l'Actualité*, which has not kept a copy of the Survey which it commissioned and sponsored.
- Sondagem. «Souriez, vous êtes fichés», *L'Actualité*, vol 26, No 15, 1^{er} octobre 2001.