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Justice Centre Reports and Analysis

Too much information

Knowledge is power and Digital identity gives too much of it to governments



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Abstract

During Covid lockdowns, Canadian governments assumed extraordinary powers that affected the daily lives of citizens. Vaccine passports, cellphone tracking, frozen bank accounts and the use of facial recognition technology revealed how readily new tools of surveillance and control could be deployed. At the same time, federal and provincial authorities have been quietly advancing a nationwide Digital Identity system. Marketed as a convenient way to access services and reduce fraud, Digital ID would consolidate personal information into a single electronic credential used across government and commercial transactions.

This report examines how Digital Identity is being developed in Canada and the role of public-private partnerships in advancing it. It argues that concentrating identity and personal data in one system risks giving governments unprecedented power over Canadians and their Charter freedoms.

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Updates to this report

This is Version 1.0 of this report, which may be updated at any time with notice to the public via the Justice Centre website and social media channels.

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Executive Summary

In the guise of responding to a public health emergency during Covid, the provincial and federal governments of Canada for two years assumed extraordinary powers to control the actions of Canadians. It was a massive overreach and the use of these powers led almost always to an undisputed violation of the *Charter* rights of Canadians. Always, it was justified in the minds of those responsible due to the perceived threat posed by Covid.

By the end of March 2022, the Covid threat was reckoned to be much reduced, (likewise public tolerance for continued restrictions.) Thus, although the Government of Canada continues to require vaccination for its employees and those of industries that it regulates, and for air, rail and sea travel, many of the most odious restrictions imposed upon Canadians had been lifted at the provincial level by the end of April 2022.¹

Nevertheless, Canadians should have been awakened to, and alarmed by, the ease – the eagerness even – with which their federal and provincial governments defaulted to extreme coercive measures. Among these measures, the single most divisive government action was the introduction of vaccine passports that separated Canadian society into two mutually hostile camps of vaccinated and unvaccinated individuals. It is of concern to all of us that the infrastructure to support vaccine mandates may have been stood down, but remains capable of reactivation at very short notice. Worse, by the second anniversary of Canada's first Covid death,² Canadians had become aware of Ottawa's other instruments of control: Federal invasion and freezing of private bank accounts, widespread cellphone monitoring, and unauthorised police use of facial recognition technology.

To these described above, must now be added Canada's considerable progress in establishing a Digital Identity for all Canadians. Intended to connect with the world systems encouraged by the UN and the World Economic Forum, the technology has been under joint public-private development for more than ten years. Both federal and provincial governments hope to base the entire future delivery of government services upon it. It is now being rolled out, although a little more slowly than its advocates would like. Still, it should now be clear to Canadians that their federal and provincial governments have, or will very soon have, enough of the technology used in the Chinese 'Social Credit' system to do what the Chinese government does – to use punishment and reward to encourage compliance among the country's population.³

1 Except Quebec, where mask mandates remained in place until 14th May 2022.

<https://www.quebec.ca/en/health/health-issues/a-z/2019-coronavirus/mask-or-face-covering/wearing-a-face-covering-in-public-settings-covid-19>

2 Ie by 9th March 2022.

3 <https://www.scmp.com/economy/china-economy/article/3096090/what-chinas-social-credit-system-and-why-it-controversial>.

This is not to assert that it will. Nevertheless the recent behaviour of Canada's federal and provincial governments should cause Canadians to consider whether it might.

To have the illusory safety of a vaccine passport, the convenience of a single ID card and their government's assurance that for a post-national state⁴ all these things will be an efficient step forward in the global economy, is possible. But, efficiency comes at a cost. Digital Identity is an enormous concentration of power at one choke point.

It threatens *Charter* freedoms, the free society and the personal agency of every Canadian. Canadians who witnessed the unprecedented and aggressive federal actions described above – the phone-tracking,⁵ the government freezing of bank accounts⁶ of those it views as political enemies and a few years ago, Ottawa's discrimination in access to service⁷ against those with whose political opinions it disagrees⁸ – all in its own mind, for the public good – should question the wisdom of having their identity and their banking information reduced to a single binary expression.

This paper is intended to inform Canadians of how far Digital Identity has come in Canada, what it means for Canadians and how it has the capacity to leverage other government tools for control of their lives. For those who understand the dangers, it is not too soon to be instructing their members of Parliament and working with others to make sure other Canadians are fairly warned.

Introduction

What Is Digital Identity? How is it being promoted?

Our identities consist of several things, our names, addresses, birthdates, nationalities and increasingly passwords. We also need to verify who we say we are, perhaps with documents such as a passport or an ID card, derived from these foundational records. Digital ID is therefore what it sounds like – a way to answer the questions 'Who is this?' and 'Is this really that person?' by presenting a unique electronic code, rather than by showing 'papers.'

With international encouragement, Canada's federal and provincial governments have for more than 10 years been working to set up an interlinked Digital Identity system that through a single data file lodged in a mobile phone, will enable a Canadian resident to establish his or her identity for legal purposes. The entire endeavour has been well-marketed as a convenience to

4 <https://www.nytimes.com/2015/12/13/magazine/trudeaus-canada-again.html>

5 <https://nationalpost.com/news/canada/canadas-public-health-agency-admits-it-tracked-33-million-mobile-devices-during-lockdown>

6 <https://www.cbc.ca/news/politics/emergency-bank-measures-finance-committee-1.6360769>

7 <https://nationalpost.com/news/politics/program-that-stripped-summer-job-funding-for-groups-opposed-to-abortion-upheld-by-federal-court>

8 <https://globalnews.ca/news/3973092/abortion-canada-summer-jobs-pro-choice-charter/>

the public and a means through which the financial sector can reduce fraud. Some provincial governments, reflecting the suspicions of their voters, have either slowed (Ontario)⁹ or altogether halted (Saskatchewan)¹⁰ their own programs. However, polls show many Canadians have a positive view of Digital Identity and in some provinces, notably B.C., residents have been using Digital ID to access government services for some time. Canadian private industry, especially the financial sector, has been government's active partner in developing Digital ID and its use of Digital ID for commercial purposes, a parallel objective from its inception, is not far off.

Notwithstanding the hesitation in Ontario and Saskatchewan, Digital Identity has been widely promoted and accepted in Canada as 'a good thing' at the personal, national and global level.¹¹

The apparent personal advantages of a Digital Identity to individual Canadians are not without their superficial appeal. The owner of the Digital ID need no longer carry a wallet full of identification for different purposes: The driving licence, the firearms licence, cards needed for access to health and dental-plans, along with all the other cards and personal information Canadians typically carry. Nor need that person complete multiple and inconvenient licence renewals as required. One would be enough. The familiar QR code issued by the provinces as proof of vaccination, is therefore a model.

Nationally, governments, insurance companies and banks expect Digital ID to make it easier for them to fight fraud and by eliminating the cost of processing paper records, reduce compliance costs. Again, the superficial appeal is readily understood. Governments handle tens of millions of transactions with citizens, every year. Eighty four percent of Canadians own cars and there are between 26 and 27 million valid driving licences in Canada.¹² Typically, each must be renewed every five years. Or take the needs of a large province: Ontario's provincial auditor general reported in 2015, that ServiceOntario '*handled more than 37.5 million transactions (up from 35 million in 2012/13), with 70% occurring in-person at service centres and 30% online.*'¹³ The recommendations in this report led Ontario' to seek cost savings with its introduction of Digital ID, in 2021.

⁹ <https://toronto.ctvnews.ca/ontario-government-won-t-comment-on-progress-of-digital-id-program-1.5852732>

¹⁰ <https://regina.ctvnews.ca/plan-to-introduce-digital-identification-system-in-sask-put-on-hold-1.5846948>

¹¹ This may not be an informed opinion. According to a poll carried out for IBM and cited in the Montreal Gazette, 73% of Canadians had no idea who held their data.

<https://montrealgazette.com/news/quebec/quebec-wants-to-give-citizens-a-digital-identity-to-block-identity-theft>

¹² <https://www.statista.com/statistics/448557/number-of-licensed-drivers-in-canada/>

¹³ Latest figures available.

https://www.ola.org/sites/default/files/node-files/committee/report/pdf/2016/2016-06/report-1-EN-41_1_PAC_ServiceOntario_07062016_en.pdf

The financial industry also deals in large numbers. The Canadian Bankers Association (CBA) notes for example that 1.5 million customers switch banks annually.¹⁴ Each person must verify their identity, a cost born by the banking system. As for fraud, a TELUS report cited by the CBA places it in the \$15-30 billion range, affecting 74 percent of Canadian businesses.¹⁵ And, financial institutions have this further incentive: So-called Open Banking,¹⁶ in which client banking information is shared with third-party financial institutions via an app, cannot be operated without Digital ID. Already in use in Great Britain, Europe and Japan, Open Banking is considered to bestow significant advantages on the consumer and is therefore considered today's driving force of innovation in the banking industry.¹⁷

Finally, many argue that as there is a global enthusiasm for Digital Identity, and that Canada's international goals require a robust Digital ID program at home. (In the name of social development, the UN¹⁸ adopted Digital ID as one of its Sustainable Development goals.) In a recent report, The McKinsey Group, frequent advisers to governments, their agencies and the UN itself, articulates that global view of Digital ID:¹⁹

'According to estimates from the World Bank's ID4D database, almost one billion people globally lack any form of legally recognized identification. An additional 3.4 billion who have some type of legally recognized identification have limited ability to use it in the digital world. The remaining 3.2 billion have a legally recognized identity and participate in the digital economy but may not be able to use that ID effectively and efficiently online. Digital ID holds the promise of enabling economic value creation for each of these three groups by fostering increased inclusion, which provides greater access to goods and services; by increasing formalization, which helps reduce fraud, protects rights, and increases transparency; and by promoting digitization, which drives efficiencies and ease of use.'

These aspirations are echoed by the influential World Economic Forum that includes 'Digital ID' in its Davos Agenda 2021.²⁰ In sum, powerful international forces are promoting Digital Identity as an instrument of social justice and by enabling more people to do business on the internet, as an economic driver. They can expect, and do receive, the support of national business organizations, in Canada and elsewhere.

14 CBA estimate based on number of Canadians that switched bank accounts from one financial institution to another in the last 3 years according to a CBA survey and the population in Canada 15 years and older as reported by Statistics Canada. Cited, <https://cba.ca/embracing-digital-id-in-canada>

15 <https://cba.ca/embracing-digital-id-in-canada>

16 <https://www.investopedia.com/terms/o/open-banking.asp>

17 *Ibid.*

18

19 <https://www.mckinsey.com/business-functions/mckinsey-digital/our-insights/digital-identification-a-key-to-inclusive-growth#:~:text=According%20to%20estimates%20from%20the,it%20in%20the%20digital%20world.>

20 <https://www.weforum.org/agenda/archive/digital-identity>; <https://www.weforum.org/impact/tackling-digital-deserts-the-first-cross-sector-alliance-to-close-the-digital-gap-launches-at-the-davos-agenda>. *Inter alia.*

The explicit UN goal is that every person in the world will have a unique electronic – digital – identity, by 2030.²¹ The question remains however, whether ordinary Canadians will find the gains worth the risk.

Canada’s unexpected covert surveillance

If a person’s Digital Identity is available and works, all is well. However, their governments’ behaviour in the Covid years should make Canadians consider the possibilities if it were not. Governments that can make employment dependent upon a valid QR code proving vaccination have already demonstrated what those possibilities are. Their federal government’s use of the Emergencies Act to freeze bank accounts and expose Canadians who made even small donations to assist peaceful protesters that the federal government didn’t like should be a further clue. Nor did Canadians suspect that Ottawa had been quietly monitoring 33 million of their cellphones for nearly a year. Remarkably, the program was not exposed by its closing as the Covid threat was acknowledged to be diminished. Canadians only learned of this massive and undisclosed surveillance through a Request for Proposals to extend it in the post-Covid era!²² Ostensibly, this tracking was to ‘assess population mobility patterns,’²³ during Covid lockdowns. However, the RFP was issued in December with the expectation of continuing service to at least 31st May 2022, long after testing was discontinued²⁴ as it was unlikely to yield useful results.

Finally, Canadians were shocked to learn that there had been a facial recognition service operating in Canada and even more of a shock to learn that the RCMP had been using it until they were ordered to cease doing so.

The company involved – Clearview AI – has withdrawn its facial recognition service in Canada, after an investigation by Canadian federal and provincial privacy regulators.²⁵ It was also ordered to destroy its facial images of Canadians.

Nevertheless, phone and bank monitoring and facial recognition as described above, evoke the kind of world imagined in George Orwell’s ‘1984.’ Add to that a government-controlled network of databases supporting Digital Identity and through the mists of official obfuscation and denial can be discerned something capable of replicating the Chinese ‘Social Credit’ system and no unwillingness to use it in a good cause. As utilised in the People’s Republic of China, Social Credit adds to the surveillance state of ‘1984,’ an efficient means of coercion through

21 <https://sdgs.un.org/2030agenda> (16.9)

22 <https://nationalpost.com/news/politics/opposition-mps-call-for-committee-to-launch-emergency-probe-of-use-of-mobile-data>

23 *Ibid.*

24 For example, Quebec ended testing for the general public 5th January 2022.

<https://www.cbc.ca/news/canada/montreal/pcr-tests-stopped-omicron-quebec-1.6304313>

25 <https://mcmillan.ca/insights/clearview-ai-ordered-to-comply-with-provincial-regulators-privacy-recommendations/>; <https://nationalpost.com/news/politics/privacy-watchdogs-call-for-laws-limiting-police-use-of-facial-recognition>

punishment and reward. And, to repeat for emphasis, hundreds of thousands of Canadians have already found that for want of a digital piece of information – a QR code – they couldn't work.

It is not always possible to secure an accurate glimpse of the future by merely projecting forward present trends. So the Justice Centre remains hopeful. Whether these coercive tools would ever be deployed against Canadians in an organised and malevolent way should remain a matter of speculation. After all...

- The vaccine mandate may not have predictive value.
- Government behaviour during the last two years may be a panicked aberration.
- The incumbent prime minister's stated affection²⁶ for the arbitrary methods of the Chinese Communist Party rightly concern Canadians but were made before he became prime minister. He wouldn't say that now.

As the Justice Centre described in *'Two Years to Flatten the Curve, Two Years to Flatten our Freedoms,'*²⁷ different leaders have markedly different priorities. Nothing is inevitable and in the face of public scepticism, it is encouraging that Ontario and Saskatchewan have actually put their Digital I.D. plans on hold, as described above. It is also encouraging that there are offices – those of the federal and provincial privacy commissioners – that have both the power and the inclination to resist invasions of private space by public bodies.²⁸

It need not be a future of limited freedom. Nevertheless, Canadians who consider the possibility now are less likely to wake up in a Canadian dystopia one day in the future.

After all, few people brew beer who do not mean to drink it. Canadians should be asking: If governments do not use Digital I.D. to watch over, record and adjudicate our lives, for what do their brewers labour?

The question is not merely whether the present Government of Canada can be trusted with this suite of technologies. It is whether any government, now or in the future, should have access to it.

Canada's quiet development of Digital Identity

The lead agency developing Digital Identity in Canada is the public-private Digital ID and Authentication Council of Canada (DIACC.) Established in 2012, it is to 'develop a Canadian

²⁶ <https://www.cbc.ca/news/canada/toronto/justin-trudeau-s-foolish-china-remarks-spark-anger-1.2421351>

²⁷ <https://www.iccf.ca/wp-content/uploads/2022/03/2022-03-14-Two-years-to-flatten-our-freedoms.pdf>

²⁸ For example, Privacy Commissioner Daniel Therrien is calling for limits to how both private and public entities use data, and on the police use of facial recognition technology. <https://nationalpost.com/pmnl/news-pmn/canada-news-pmn/ethics-committee-says-government-must-tell-canadians-its-tracking-their-movements>; <https://nationalpost.com/news/politics/privacy-watchdogs-call-for-laws-limiting-police-use-of-facial-recognition>

framework for digital identification and authentication.²⁹ Its stated goal is to provide for Canadians a ‘robust, secure, scalable, inclusive and privacy-enhancing digital ecosystem,’ that will allow them to ‘securely participate in the global digital economy.’ DIACC’s work is focussed on defining common standards, through its Pan-Canadian Trust Framework.³⁰ The PCTF says of itself that its objective is to establish a ‘robust, secure, scalable, inclusive and privacy enhancing digital ecosystem.’³¹

The federal government is a member, as are several provincial governments including Ontario, Quebec, New Brunswick and British Columbia. Canada Health Infoway, a federally created arms-length not-for-profit that works on digitizing health services belongs: Otherwise, DIACC’s 100+ membership list is mostly private sector players led by Visa, Mastercard, Interac the major banks and Canada’s credit unions. Most are Canadian but membership does include non-Canadian entities, such as the Chinese-owned technology group Lenovo.

The heavy involvement of financial agencies at these planning stages is an obvious pointer to the ultimate goal of making a government Digital ID acceptable for commercial purposes. Indeed, in a curious piece of promotion, Interac – a commercial enterprise whose primary purpose is efficient payments between buyer and seller – enthusiastically touts the government uses of Digital ID along with its commercial uses:³²

‘Digital identity and digital government services represent part of the future of life in Canada. Uniting both government identification and online credentials, it will allow Canadians to take full advantage of the 21st century digital economy by using documents such as driver’s licences and passports online and on their mobile devices.’³³

The concept of Digital Identity is fully supported by the political arms of government.

At the federal level, the mandate letter issued by the Prime Minister’s Office to the President of the Treasury Board after the November 2019 Cabinet shuffle, instructed the minister to ‘advance digital government, which will include ensuring that consideration is given to leveraging digital delivery approaches to improve services to citizens.’

The letter contains a dozen other supporting instructions, including that the Minister should support the Canadian Digital Service³⁴ by

29 <https://diacc.ca/the-diacc/>

30 <https://diacc.ca/trust-framework/>

31 Ibid.

32 <https://www.interac.ca/en/content/ideas/how-will-digital-identity-will-shape-the-future-of-canada/>

33 Ibid.

34 <https://www.canada.ca/en/treasury-board-secretariat/corporate/reports/evaluation-canadian-digital-service.html>

'increasing the number of digitally-accessible government services; and working towards a common and secure approach for a trusted digital identity platform to support seamless service delivery to Canadians across the country.'

A 2020 Treasury Board internal discussion document³⁵ is similarly explicit:

'The goal is to allow Canadians and Canadian businesses to log in with their provincial (sic) trusted digital identity to access federal government services in a timely and secure way. Employment and Social Development Canada and the Canada Revenue Agency are enabling the acceptance of provincial digital identities through pilots and projects. TBS, in its role as a central agency, supports GC digital identity activities with other departments.'

It takes note of the pioneering role played by the governments of B.C. and Alberta in making provincial Digital ID interoperable with that of the federal government:

'The first digital ID pilot project launched in summer 2019 in Alberta (MyAlberta Digital ID). A second project launched in February 2020, which saw the BC government and CRA enable access to CRA's My Account with the BC My Services card. In August 2020, ESDC is expected to enable full access to My Service Canada for holders of the BC My Services card. Other projects are also being explored as part of a federated model.'

Digital Identity development across Canada.

British Columbia – British Columbia, a pioneer in integrated identity and information management, introduced its prototype Digital Identity program in 2002 under the name of the BC Electronic Identity and Authentication Service. (BCeID.) The stated goal was,

"For citizens to safely and securely access multiple government services, both in-person and online, through the creation of a security-enhanced photo ID."³⁶

It initially combined the functions of the BC Medical Services CareCard, Citizens Services, and drivers' licences and government-issued ID.

The card was also designed from the start with the expectation that it would be interoperable with the federal system as outlined above, and to facilitate commercial transactions. Although provincial in scope to begin with, it was thus conceived as Canada's first true national ID card.

³⁵ [https://canada-ca.github.io/PCTF-CCP/docs/2020-08-08%20Digital-ID-General-with-CIOSC-Standard-Draft%20\(EN\).pdf](https://canada-ca.github.io/PCTF-CCP/docs/2020-08-08%20Digital-ID-General-with-CIOSC-Standard-Draft%20(EN).pdf)

³⁶ <https://canada-ca.github.io/PCTF-CCP/docs/2020-06-01%20Quebec-Workshop/Digital-Identity-in-British-Columbia.pptx>

British Columbia

Among the Canadian provinces, B.C. is reckoned to be most advanced on digital identity, followed by Alberta, Quebec and Ontario. Its card has been enormously popular, with more than 90 percent of B.C. residents having one. A 2020 survey³⁷ jointly released by Hill Knowlton and DIACC partner Interac reported that although more than half of those surveyed were concerned about data security, more than three quarters wanted more financial services online.

In April 2022, the government of B.C. announced the 'B.C. Services Card app,' that residents could use to establish their identity when accessing B.C. government services. As with Alberta, the BC provincial Digital ID can be used to access federal My Service Canada accounts.³⁸ (BC and Alberta are the only two provinces offering that capability at the moment.

Alberta

Alberta – Alberta offers the MyAlberta Digital ID,³⁹ offering “seamless access to a growing range of government sites and services, while protecting your information and privacy.”⁴⁰ The service is operational and offers similarly comprehensive links to those of Ontario, including some to federal programs:

My Service Canada Account (MSCA) - view and update your Employment Insurance (EI), Canada Pension Plan (CPP), and Old Age Security (OAS) information online

- MyHealth Records - view health records online
- MyAlberta eServices - pay for government services online
- Alberta Student Aid - apply for student loans, grants, and scholarships online
- ApplyAlberta - apply to programs at Alberta's post-secondary institutions online
- MyTradesecrets - apply, access, and view program information for Apprenticeship and Industry Training online
- MyAlbertaSupports - find supports and apply online for benefits and services
- MyAlberta Fines Search - pay fines online
- Employment Standards complaint system - file an online complaint if an employer isn't meeting the minimum employment standards

³⁷ <https://www.bcbusiness.ca/BCers-like-the-idea-of-digital-ID-for-government-services-but-only-with-increased-security-report>

³⁸ <https://www.canada.ca/en/employment-social-development/services/my-account/province.html>

³⁹ <https://ab.211.ca/record/1130744/>

⁴⁰ Ibid.

- Employment Standards appeals system - appeal Employment Standards decisions online
- Occupational Health and Safety complaint system - report unhealthy or unsafe conditions at a workplace online
- Service Dog Information System - apply for an identification card online
- MyAlberta Emergency Benefits - receive emergency benefits by Interac e-Transfer
- MyAlberta Seniors Account - access financial and health support programs for seniors
- Disaster Financial Assistance Online - apply for financial assistance for residential property damages resulting from an eligible disaster event

There has been surprisingly little comment about Digital Identity in the Alberta provincial press, although it has been mentioned in the Toronto Sun.⁴¹

Saskatchewan

Saskatchewan – The Government of Saskatchewan scrapped its Digital Identity program in April 2022.⁴² Making the announcement, Minister Jim Reiter stated, “There's enough people concerned about it that, you know, protection of privacy is very important.” According to Regina CTV, the Saskatchewan government will monitor the public's acceptance of a digital ID program through further consultations before deciding if will invest millions of dollars into creating it.⁴³

Manitoba

Manitoba – Unlike B.C. and Alberta, Manitoba has been slow to adopt Digital ID. At the time of writing (May 2022) the enabling legislation⁴⁴ has been delayed to September by the Manitoba legislature. When passed however, it will permit the issuance of drivers’ licences in physical or electronic format. When tabling the bill, the responsible minister noted that a goal was to ‘align Manitoba with other jurisdictions.’⁴⁵

41 <https://torontosun.com/opinion/columnists/furey-digital-ids-just-the-beginning-canadians-need-to-think-hard-about-these-issues>

42 <https://regina.ctvnews.ca/plan-to-introduce-digital-identification-system-in-sask-put-on-hold-1.5846948>

43 *Ibid.*

44 An amendment to three pieces of legislation affecting motor vehicles.

<https://globalnews.ca/news/8689260/manitobans-could-have-option-of-electronic-drivers-licence-if-new-bill-passes/>

45 *Ibid.*

Ontario

*Ontario*⁴⁶ – Ontario’s Digital Identity program was due to launch in fall of 2021⁴⁷ but according to CTV,⁴⁸ was placed on hold due to the development of the province’s proof of vaccination app. A later promise⁴⁹ to roll out the program in 2022 has since disappeared from the government’s digital ID website.⁵⁰ Ontario’s Digital Identity would combine driving and health information. As examples of other uses, the Government of Ontario proposes a comprehensive list and evidently does indeed contemplate the Digital ID as an all-purpose tool:⁵¹

- Making an age-sensitive purchase (like a lottery ticket)
- Picking up a package at the post office
- Application for government assistance (such as disability support) or benefits (such as CERB or EI)
- Access and use vaccination records
- Open a bank account
- Make a medical appointment
- Visit a doctor
- Access medical records online
- Get, renew or replace a driver’s licence
- Apply for, renew or replace a health card
- Renew or replace a licence plate sticker
- As a business, the digital ID can be used for:
 - Hiring new employees
 - Proving business identity or verify those of other businesses
 - Open business accounts
 - Apply for loans, grants, tax credits
 - Verify customers’ identity

46 <https://www.ontario.ca/page/digital-id-ontario>

47 <https://toronto.ctvnews.ca/ontario-prepares-to-launch-digital-id-program-and-here-s-how-it-works-1.5577757>

48 <https://toronto.ctvnews.ca/ontario-government-won-t-comment-on-progress-of-digital-id-program-1.5852732>

49 <https://toronto.ctvnews.ca/ontario-delays-launch-of-digital-id-program-until-next-year-1.5669511>

50 <https://www.ontario.ca/page/digital-id-ontario>

51 <https://www.ontario.ca/page/digital-id-ontario>

A petition to halt Ontario's Digital Identity program launched by the fledgeling Ontario Party attracted more than 20,000 signatures.⁵²

Quebec

Quebec – The Province of Quebec's first attempt to establish a Digital ID, Accès UniQC, was abandoned in 2017 due to cost overruns, and as reported by the Montreal Gazette, because of 'internal problems with the developers.'⁵³ It was replaced by ClicSÉCUR,⁵⁴ that allowed access to Revenu Quebec. Clients found it complex and usage shrank, however. In 2019, the Government of Quebec announced it was moving to a simpler Digital ID and authentication, first for government services and in due course to commercial use. Making the announcement, Éric Caire, the minister for government digital transformation, cited recent security breaches at financial institutions, as a trigger for greater haste.⁵⁵ (Although, his enthusiasm to get rid of the federal Social Insurance Number, alone among the provinces, suggests a further, nationalistic motive...)

However, the Government of Quebec's goal had always been to replace plastic drivers' licences and medicare cards,⁵⁶ and to allow display of information on a smart phone.^{57, 58}

This was pre-Covid and when the relevant technical skills were applied to developing Quebec's digital vaccination passport, the roll out date for Quebec's Digital ID system was pushed forward. However, by 2025, the government intends that Quebecers will be able to use a digital "wallet"⁵⁹ which contains all or most of their private information.⁶⁰

52 Ironically, the Legislature of Ontario would not accept online signatures for the petition against the launch of a Digital Identity program. Even more ironic, the anti-Digital Identity organizers complained.

<https://www.youtube.com/watch?v=OszjJPAiNY>

53 <https://montrealgazette.com/news/quebec/quebec-wants-to-give-citizens-a-digital-identity-to-block-identity-theft>

54 <https://nationalpost.com/news/politics/dont-waste-a-good-crisis-experts-push-governments-to-create-digital-id-programs-as-covid-19-pushes-digital-transformation>

55 E.g. Mouvement Desjardins, Capital One.

56 *Ibid.*

57 E.g. Mouvement Desjardins, Capital One.

58 However, his enthusiasm to get rid of the federal Social Insurance Number, alone among the provinces, suggests nationalistic motives.

59 <https://canada-ca.github.io/PCTF-CCP/docs/2020-06-01%20Quebec-Workshop/Digital-Identity-Event-SQIN.pdf>

60 <https://nationalpost.com/news/politics/dont-waste-a-good-crisis-experts-push-governments-to-create-digital-id-programs-as-covid-19-pushes-digital-transformation>

Quebec appears to be a leader in plans to integrate commercial data with government data in a Digital ID package.⁶¹ According to *le Soleil*,⁶² the Quebec government is ‘in discussions with financial institutions to assess the possibility of including non-government documents.

“We want to be able to integrate documents in our Quebec identity system that are not necessarily government documents,” Eric Caire, minister of Cybersecurity and Digital Technology told leSoleil.” ’ (Translated by Google.)

Non-governmental documents proposed for access include proof of insurance and the use of ‘device-based biometrics, such as facial or fingerprint recognition’ to unlock the Digital ID.’⁶³

New Brunswick

New Brunswick – In 2016, the Government of New Brunswick announced the Smart Province Initiative which included a Digital Identification component in an effort to modernize its services. Ultimately, a five-year implementation plan was released in 2018 entitled “Digital New Brunswick” (DNB). Developed in consultation with more than 7,000 New Brunswickers, DNB envisions a digital society that is connected to information, programs and services, regardless of geography and time. Citizens will be able to access various government services and information, pay their bills and taxes, register companies, access medical and social records, e-vote and more, all through the internet. Key to this goal is “a single, secure digital ID for residents”.⁶⁴

Atlantic provinces

*Nova Scotia, Prince Edward Island*⁶⁵ and *Newfoundland and Labrador*^{66 67} have ongoing Digital ID pilot projects⁶⁸ and are currently transitioning to digital services.⁶⁹ All the Atlantic provinces are discussing digital collaboration to some extent, including Digital ID.⁷⁰

61 <https://www.biometricupdate.com/202201/quebec-considers-including-financial-documents-in-digital-id-wallet>

62 *Ibid.*

63 *Ibid.*

64 https://www2.gnb.ca/content/dam/gnb/Departments/eco-bce/Promo/digitalnb/digital_new_brunswick.pdf;
<https://www2.gnb.ca/content/gnb/en/corporate/promo/dnb.html>.

65 <https://diacc.ca/2021/08/03/2022-pre-budget-submission/>.

66 *Ibid.*

67 <https://www.gov.nl.ca/pay-online/>.

68 <https://diacc.ca/2021/08/03/2022-pre-budget-submission/>.

69 <https://financialpost.com/technology/tech-news/nova-scotias-cdo-urges-other-governments-to-create-digital-services-teams>.

70 <https://www.identitynorth.ca/2019/04/16/four-provinces-one-vision-for-digital-services/>.

China's social credit system – A cautionary tale

Using financial, criminal and government databases, China's social credit system is an observation system that assigns 'social credit scores' to individual actions. It builds profiles of Chinese citizens, linked to the system through a National Identity card. They are then rewarded or punished, according to their rating.

Those favoured by the system may expect lower taxes and higher travel benefits for example. Those considered 'anti-social' face financial penalties, limited opportunities for education and difficulty booking travel. In some cities, video surveillance combined with facial recognition technology supplements the basic databases.

On the other hand, 'in a bid to encourage good behaviour, some local governments have offered incentives such as prioritising health care provision and waiving deposits to rent public housing.'⁷¹ Business entities, including foreign businesses in China, are also subject to a corporate credit system, tracking information such as tax payments, bank loan repayments and employment disputes.⁷²

First announced in 2014, the system of databases is now managed by China's economic planner, the National Development and Reform Commission (NDRC), the People's Bank of China (PBOC) and the country's court system.⁷³ Ostensibly the goal was to improve ethical business standards: "Those who lose credibility will find it hard to make a tiny step in society," Premier Li Keqiang said in a speech in 2018. However, it also serves as a tool for the government to monitor (and when it wishes, to control) almost all aspects of life, from serious criminality through speeding, or even to jaywalking.⁷⁴

'According to data from the People's Bank of China (PBOC), the nation's central bank, the social credit system already covered 1.02 billion individuals and 28.34 million companies and organisations by the end of 2019. Many of these had already been rated, and some had even been blacklisted. The NDRC said in July 2019 that 2.56 million people had been restricted from taking flights, 90,000 people had been prevented from using high-speed rail services and 300,000 people had been deemed untrustworthy by Chinese courts.'⁷⁵

The *South China Morning Post*, the primary source for the information above, reports⁷⁶ that the Chinese government is poised to introduce Digital Identity based on its National ID card, during

⁷¹ | <https://www.scmp.com/economy/china-economy/article/3096090/what-chinas-social-credit-system-and-why-it-controversial>

⁷² *Ibid.*

⁷³ *Ibid.*

⁷⁴ <https://www.dailymail.co.uk/news/article-7228205/Chinese-city-punishes-JAYWALKERS-listing-untrustworthy-people-social-credit-system.html>

⁷⁵ *Ibid.*

⁷⁶ <https://www.biometricupdate.com/202203/china-to-introduce-digital-id-cards-nationwide>

2022. The benign reason offered is that proposed in Canada, 'to enable citizens to easily access important services.'

The threat to *Charter* rights

Given the magnitude of the Digital ID endeavour, it is surprising how little public discussion there has been about it. For, what is happening is a technology change in data-handling comparable in scope and scale to switching the country from gasoline powered cars to electric vehicles. Yet, it is being accomplished in both official languages without interrupting government services. Some may find that impressive.

However, it promises Canada's federal and provincial governments a potential power to monitor and affect the lives of Canadians, comparable to that which the People's Republic of China has over its own population.

This is not to say that a truly punitive Canadian social credit system is just around the corner. However, in the last two years something has changed in this country that leaves a door open to it.

First, Canadian governments have surprised us all by their apparent insouciance as they abuse *Charter* freedoms.

Second, we have surprised ourselves, in our easy acceptance of it.

Third, Canada's governments have shown themselves capable of doing things we never thought they would do.

We should not have been so surprised. Rather as nature is said to abhor a vacuum, so governments unopposed will gather to themselves authority unclaimed. The last two years in Canada are a textbook case of how they do it: First, frighten people, then offer them a solution at the cost of limiting their freedoms. Second, proceed incrementally: People who would take a bullet in the head rather than submit to some gross government overreach can be led to that precise same acceptance, as long as every surrender they make is a small one.

That is, people who would have taken to the streets if they had known in March 2020 what they had learned by March 2022, first complied with the stay-at-home order out of trusting good nature. People who accepted that later complied with the comparatively less onerous demand to wear a mask, even though the first wave was receding and the supposed need for masks and social distancing was much diminished. And later yet, with vaccination... first voluntary vaccination and later under coercion. Government instruction may be resented, but with the exception of the truckers of the Freedom Convoy, it has not been much challenged.

So much for expansionist governments. They are hardly news. But, what of Canadians themselves?

In 2019, a year before Covid became the default water-cooler conversation, most Canadians would have declared themselves to be lovers of freedom and assumed no government would dare interfere with their rights to travel, get together with friends and family, speak their minds or worship as they pleased. That's if they thought of it at all. But really, it was beyond discussion: It was just assumed. To suppose before Covid that we could ever so relinquish our freedom that we would abandon our aged and vulnerable family members to the loneliness of sequestered institutional care, forbidden to visit and reassure them or in some places at some times even to attend their funerals once they had despairingly slipped away for ever, would have been an invitation to ridicule.

None of us (then) thought we would ever accept such intrusions upon our lives. Nor would we have believed that that with hardly a ripple of public protest, our places of worship would be closed and that brave clerics who declared themselves loyal to God before government, would be jailed.

And while Canadians might have conceded that they would give government two weeks grace – to 'flatten the curve' – they would not in 2019 have contemplated two years during which the interests of a healthy younger generation were sacrificed to protect a supposedly vulnerable older generation. They would have said 'no,' and that governments should think again.

But as we now know, one surrender at a time, they mostly said 'ok.'

The governments' syrupy propaganda certainly played a large part in this.

- 'We are all in this together.'
- 'Stand together by standing apart.'
- 'My vaccine isn't to protect me, it's to protect you.'

By thus marketing attacks on *Charter* freedoms as essential for the public good, it set up governments to later demonise those who thought the cost of subtracted freedom substantially outweighed the public safety benefits. (Benefits that became increasingly illusory, as vaccines became increasingly ineffective.) It also gave governments cover when the many contradictions and arbitrary judgments in their responses to Covid, became obvious.

Once they became sufficiently fearful, Canadians were ready to give their governments the benefit of their doubts.

Even when manifestly different approaches to the same problem in different provinces diminished the likelihood that any of it was based on the science to which governments had pledged their loyalty, Canadians still chose to believe that if they couldn't take a walk in the park,⁷⁷ or sit in their car in a parking lot,⁷⁸ or attend to the needs of their partner in a nursing

⁷⁷ <https://www.cbc.ca/news/canada/ottawa/compliants-fines-parks-covid-19-1.5537814>

⁷⁸ <https://www.cbc.ca/news/canada/windsor/couple-pokemon-fined-covid-order-1.5901388>

home, it was all for the common good. Those who pointed out that wearing a mask outdoors did no good, that skyrocketing deaths from unintentional drug overdoses and that destroying education was crippling a generation, were tartly told that they held unacceptable opinions.

As for those who quite reasonably declined to receive a substance into their veins that had not been fully tested, was not a true 'vaccine' although nevertheless promoted as one and whose adverse effects reported later have validated the caution of many people who objected to it, they were labelled anti-social elements. It was a tribute to the vestigial power of a compliant and uncurious media to successfully drive a message, that people concerned about a medical procedure were successfully compared to racists and misogynists. It was a clever strategy.

It worked so well that Canada's governments began to do things Canadians thought they would never do. Perhaps Canadians were naïve, but it never occurred to them before the fall of 2021 that their federal government would secretly track their mobile phones. Strictly speaking, there was no law against this. However, Canadians are unaccustomed to their governments making undeclared use of their data. And yet, the Government of Canada had just signalled that it would ignore customary constraints. It then retendered the contract. Canadians who still objected were advised that this was actually 'a good thing,' as it allowed public health authorities to observe what people actually did and where they went.⁷⁹ And the data had been stripped of personal identities anyway, so not to worry. Nothing happened.

Something did happen when the Freedom Convoy brought its peaceful protest against vaccine mandates to Ottawa. A full account of this notable event is beyond the scope of this paper but suffice it to say that the convoy was generally welcomed as it travelled across the country to Ottawa. Yet once parked there, its leaders were systematically slandered by government mouthpieces, including by the prime minister himself. Their objectives were misrepresented. The criminal actions of other people having no connection to the convoy were attributed to the truckers themselves. Although these latter accusations were effectively debunked,⁸⁰ there never was an apology for the slander or the wilful misrepresentation. Instead, their presence was used to justify invoking the Emergencies Act, under whose provisions the federal government rifled through bank accounts at will, intimidating people who had made small donations to the convoy and froze the bank accounts of others.⁸¹

Again, the Government of Canada has always had the power – with appropriate warrants – to look into a Canadian's bank records. But in this case, another customary constraint had been breached. Canadians had not expected their federal government to use act designed to empower the government of a country at war, to use it instead to serve a political end – the discovery and shaming of that government's political opponents.

⁷⁹ <https://globalnews.ca/news/8503895/watchdog-probing-officials-cell-location-data/>

⁸⁰ <https://nationalpost.com/opinion/rex-murphy-will-anyone-apologize-for-falsely-accusing-truckers-of-attempted-arson-in-ottawa>

⁸¹ <https://nationalpost.com/news/politics/even-small-donation-to-freedom-convoy-after-feb-15-enough-to-have-donors-bank-accounts-frozen-finance-committee-told>

Conclusion

Government assurances that Digital ID will not be used for social control are no doubt sincerely offered.

Yet, in the convergence overseas of Digital Identity with the ambitions of truly repressive regimes such as China's, we see pictures of what we do not wish Canada to become. The accelerating adoption of Digital Identity in Canada confers upon the country's federal and provincial governments similar powers to those of the world's least desirable countries to easily reward – or more likely penalise – those whose behaviour it wishes to control.

This power arrives just as an old consensus is breaking down. For in the past, Canadians believed those they elected to represent them shared their desire to live in freedom. On the basis of past experience, they believed there were some things officials could do that on principle, they just wouldn't do even if they had the chance – that there were means that would not be justified by community ends. And in that belief, Canadians felt safe – comfortable even – with the convenience of Digital ID. Unfortunately, the recent actions of Canada's governments suggest that these comfortable assumptions are unwarranted and are in fact a house built on sand.

The point is not so much that this particular Government of Canada cannot be trusted with the powers that control of data bestow. It is whether any government can be trusted with this suite of technologies. Canadians should be aware of what's been done, watchful over what is to come and ready to advise their elected representatives whether that's really what they want.



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