

February 21, 2005

The Honourable Paul Devillers, P.C., Chair
Standing Committee on Justice, Human Rights,
Public Safety and Emergency Preparedness
House of Commons
Ottawa, Ontario
K1A 0A6

Dear Mr. Devillers:

Re: Bill C-13 (An Act to amend the *Criminal Code*, the *DNA Identification Act*, and the *National Defence Act*)

I am writing to express my deep concern regarding Bill C-13, legislation designed to increase the reach of the DNA databank regime. DNA is amongst the most sensitive of personal information and, if passed, the Bill could have profound effects on the privacy rights of Canadians across the country. Accordingly, I wish to add my voice to that of the Privacy Commissioner of Canada, Jennifer Stoddart, and urge the Committee to question the creeping expansion of the DNA Data Bank program.

While not opposed to legitimate and justified measures that are necessary to protect public safety, I share the views of my federal colleague: the government has yet to make a compelling argument either for the inclusion of several of the new offences or for the transfer of some offences from "secondary" to "primary" status in section 487.04 of the *Criminal Code*.

I am informed that a Parliamentary review of the DNA databank laws is to be scheduled later this year. Accordingly, it is my respectful submission that any expansion of the DNA Data-Bank regime is premature until those further public deliberations are completed.

Sincerely yours,

Ann Cavoukian, Ph.D.
Commissioner

cc: Jennifer Stoddart, Privacy Commissioner of Canada