

**Consultations on the Release
of the 1906 and 1911
Census Data**

Report

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1.0 Introduction

The Environics Research Group is pleased to present Statistics Canada with the following qualitative research report concerning Canadian views on the release of individual census records from the 1906 and 1911 censuses. Environics was asked to investigate public perceptions of the release of these records on collection of further census data, privacy implications, views on census confidentiality and the compromise solution of regarding limited access to individual records proposed by Statistics Canada. Access to individual census returns for censuses taken after 1901 has been a topic of debate in the last few years. This debate exists because of a regulatory change between the 1901 national census and the 1906 special census on the Prairies.

Regulations and legislation in 1906 and 1911 has been interpreted to prohibit the release of individual-level census records for the 1906 and 1911 census. Genealogists, historians and others have urged the federal government to permit the release of these historical records, arguing that the records have significant value as a source of information about Canada's past. Supporting the call for release of the data is the view that individual-level data from earlier censuses have been released without public criticism and have contributed to a better understanding of Canada in the early years of our nationhood. As well, other countries, such as the United States and the United Kingdom, have made their individual census data available after a time delay from between 72 and 100 years.

On the other side, the relevant issues include a growing concern about the privacy and confidentiality of individual records held by governments. The recent controversy regarding the Human Resources Development Canada's master database is a good example of this growing anxiety among Canadians. Further, there is the perception that the Canadian government of the day would keep these records "inviolable". There may be an operational concern as well, since releasing these data may erode public confidence in the government and in Statistics Canada, which could impair the ability of Statistics Canada to collect future data, including census data.

In 1999, an Expert Panel on Access to Historical Census Records was established with the objective of examining the legal, privacy and archival implications of providing access to historical census records. In particular, the Panel was asked to study the elements of differing opinions among Canadians who want to keep the personal or identifiable individual information confidential and those who would like to examine these records. The Panel also asked what options exist to provide access to historical census records.

Dr. Ivan P. Fellegi, the Chief Statistician at Statistics Canada, is concerned that the Expert Panel may not have properly addressed the need for a "balance of

competing public goods and the impact on the integrity of the statistical system”¹ in their research. The Minister responsible for Statistics Canada at the time, Brian Tobin, stated that further wide-based consultations are needed so that Canadians in general would have an opportunity to express their views on the policy regarding the release of the individual 1906 and 1911 census records. The town hall meetings and focus groups proposed for this research project were designed to solicit this input from Canadians. Although the results from this public consultation are qualitative in nature and, therefore, not projectable to the Canadian population as a whole, we are confident that this consultation process provided accurate insight on the views of Canadians on this topic.

Perceptions of the integrity of Statistics Canada are of paramount importance to Statistics Canada’s ability to collect complete and reliable private information. Without public co-operation and confidence, the ability of Statistics Canada to fulfil its mandate is jeopardized. Therefore, it is critical that Statistics Canada fully understands Canadians’ views on these various issues in order that the integrity of the census process is balanced against the legitimate needs of researchers and geneologists.

To obtain the information for this report, Environics conducted a series of 22 town hall meetings and 22 focus group sessions across the country, with the focus groups conducted one day after the town halls in each instance. Two town hall meetings and two focus group meetings were held in each of Ottawa, Toronto, Montreal, Halifax, Fredericton, Charlottetown, St. John’s, Winnipeg, Regina, Edmonton and Vancouver. Each session was held in a facility convenient for the number of participants and the types of activities that took place. Thus, the focus group sessions all took place in standard focus group facilities, with the exception of those conducted in Fredericton. In this instance, these sessions took place in hotel facilities well-suited for these activities. The town hall meetings occurred in hotel conference rooms with the capacity to seat 100 people. Each town hall and focus group session was audiotaped and transcriptions were created for use in analysis.

Participants in each focus group session were recruited according to a variety of standard criteria. Thus, in keeping with projects of this type, the group of participants for each session represented a mixture of genders, ages and educational backgrounds. As well, all participants had taken part in the 2001 census. Further, those potential participants who worked for an advertising or market research firm, the media, Statistics Canada, or were elected officials, as well as those who had participated in a focus group within the past year were screened out. (A copy of the recruiting guide has been appended to this report).

Every possible effort was made to inform Canadians of the purpose, locations, dates, times and venues of the 22 town hall Consultations across the country.

¹ Ivan P. Fellegi, Chief Statistician of Canada, “Statement to the Senate Standing Committee on Social Affairs, Science and Technology”, September 19, 2001, page 8.

One method of solicitation was through both English and French newspaper advertisements, which were placed as much as possible in areas of the newspaper that could be easily located by readers. (A complete list of the newspapers in which the advertisements were placed as well as the insertion dates has been appended to this report). As well, the Environics project director did interviews publicizing these meetings in the print and electronic media.

In addition, Environics actively solicited academic and privacy experts for their participation in the town hall meetings. Selection of those participants was made on the basis of extensive web-searching and word of mouth information, and was conducted in such a way as to strive for a varied representation of views at the town hall meetings. Potential participants were emailed a letter outlining the format of town hall meetings and the desired content and format of submissions. They were also telephoned before the town hall sessions in order to confirm the time at which they were presenting. Participants were scheduled on a first-come, first-serve basis. In this way, all participants who wished to speak were accommodated.

All town hall sessions were conducted in English, with the exception of those in Montreal, which were conducted in French. As well, there was simultaneous translation available at each town hall session and at the Montreal focus group sessions. Each town hall session was approximately two hours in length and was conducted by a facilitator from Environics according to a “hearing” format, where presenters interacted directly with the facilitator. These participants did not receive any financial compensation for their participation.

Each focus group session was approximately two hours in length and was conducted according to a Moderator’s Guide designed to highlight the issues of interest (a copy of which has been appended to this report). Each participant received a \$50 honorarium for his or her participation. It should be noted that the confidentiality of the focus group process was stressed with each focus group participant at the start and at the end of each session.

All research work undertaken by the Environics Research Group was conducted in accordance with the professional standards established by the Professional Marketing Research Society (PMRS) and the Canadian Association of Market Research Organizations (CAMRO).

2.0 Executive Summary

This report is based on a total of 22 town hall meetings and 22 focus group sessions conducted between December 14th, 2001 and January 31st, 2002. This research qualitatively assessed Canadians' views on the implications of the release of 1906 and 1911 census records on collection of further census data, privacy implications and the compromise solution of record release presented by Statistics Canada.

Summary of Findings

It is clear that a majority of presenters in the town hall sessions support the unrestricted release of the census records, and point to a variety of sources, such as the conclusions of the Expert Panel, interpretations of legislation and regulations, and the views of distinguished academics, in support of their view.

At the conclusion of each focus group session, participants were asked to state whether they supported the release or the withholding of these records. Although qualitative results are not representative of the population as a whole, we did find that, by a two-to-one margin overall and in a majority of the sessions, the focus group participants would withhold the release of these records. This is in stark contrast with the town hall presentations, where the overwhelming majority supported the release of these records.

This will remain a difficult issue for Statistics Canada. Although the genealogists and academics at the town hall meetings were strong in their support for the release of these records, this view is not shared with those Canadians who participated in the focus groups.

Town Hall Sessions

As with all qualitative results, the views presented at the town hall meeting are not representative of the population as a whole. However, it is our belief that many of the views presented at these sessions are reflective of views that are held by some Canadians and need to be taken into consideration as Statistics Canada moves forward on this complicated file.

Arguments In Favour Of Releasing Individual Census Records

The majority of presenters at the town hall sessions supported the release of the 1906 and 1911 individual census records. Further, many presenters cited

multiple reasons why they felt these records should be released.

Whether they are academics pursuing long-term research objectives or family historians endeavouring to complete a family tree, many presenters commented on their need to have access to individual census records from the 1906 and 1911 censuses for research purposes. It should be noted that many presenters commented that, either as researchers working in an academic setting or as genealogists pursuing their own family histories, those who pursue these lines of research conduct themselves ethically and with sensitivity to living persons.

A number of presenters stated that, in their interpretation of the regulations and legislation as well as the conclusions reached by the Expert Panel, no promise of perpetual confidentiality was made to Canadians. These presenters commented that there is “no explicit promise of perpetual confidentiality” in any of the regulations, instructions, legislation, parliamentary debates or other documents that have been made available to them.

Many presenters supporting the release of individual census records commented that governments are cavalier about keeping a number of promises to the Canadian people, therefore, these presenters argued, why should they be concerned with a promise to hold individual census records in perpetual confidentiality?

Other participants stated that concerns about confidentiality were limited to the lifetimes of those participating in the census or were limited to contemporary, rather than future uses of census information. A few presenters commented that the right to privacy expires with the death of the individual.

A number of presenters pointed to the 1911 instruction to enumerators regarding the necessity of clear and legible writing on the enumeration schedules and the perception that these records were intended to be permanent records in the National Archives as an implication that these records would be made public at some point in the future. The conclusions of the Expert Panel were often cited in this regard.

The absence of complaint or harm was given as a reason for the release of these individual records. Further, according to a number of presenters, there has not been a single recorded complaint in any of the jurisdictions that release individual census records.

In the view of those supporting the release of these individual records, there is no proof that future data collection projects operated by Statistics Canada, including the census, would suffer as a result of releasing these records.

A number of presenters stated that access to individual census records should be made for medical or humanitarian reasons. They put forward the view that

individual census records would allow individuals or groups to identify members of specific family groups that may be genetically predisposed toward certain diseases or inherited maladies.

According to some academic presenters, the non-release of these records would endanger Canada's reputation in the international research community as a leader in social sciences research. Some presenters discussed the use of available census information in multinational studies and that non-release would inhibit similar research projects based on later census information.

A number of pro-release presenters commented that Statistics Canada should follow the precedent set by the release of national censuses from 1871 to 1901. Many presenters pointed to the example set by other countries, specifically the United States and the United Kingdom, as a reason why Canada should release individual census records from the 1906 and 1911 censuses. The recent release of individual records from the 1901 census in the United Kingdom, and the upcoming release of the 1930 census records in the United States, were cited in this regard.

Several presenters supporting the release of these records made the claim that those who participated in the 1906 and 1911 censuses would like to see this information made public.

Several presenters stated that, by withholding these records from the general public, Statistics Canada is in contravention of laws such as *The Privacy Act* and *The Interpretation Act*. The views of the Expert Panel, and a legal opinion provided to Statistics Canada by the Department of Justice (*Chaplin*), were cited by presenters in this regard.

The point was raised by a number of presenters that the individual census records are a "truly democratic" and inclusive record that gives all Canadians an opportunity to have their place in the documented history of our country.

A number of presenters took the view that the release of the individual census records provides an excellent opportunity for Statistics Canada to publicize its mandate, promote interest in census participation and support the overall Government of Canada policy to promote interest in our history and pride in our country.

With regard to the debate on this issue, many presenters stated, either implicitly or explicitly, that the burden of proof on this issue rests with Statistics Canada. Quite simply, the majority of pro-release presenters feel that it is up to Statistics Canada to prove the necessity of withholding these records.

A number of presenters stated that there are many other records that contain personal or sensitive information that are already in the public domain.

A number of presenters put forward the view that neither Statistics Canada, nor the Government of Canada in general, has the right to deny access to these individual census records. In their view, Canadians, as taxpayers, have already paid for the collection, processing and storage of these records. Further, these records form part of a common inheritance or legacy left to current generations by those ancestors who participated in the census.

Many presenters commented on the value that individual census records would have to a wide range of academic researchers. Instead of belonging to the sole purview of historians, many presenters commented that these records would be important to a number of academic disciplines, from geographers and demographers to social historians, environmentalists and social scientists.

A few presenters commented that the non-release of census records would create two classes of Canadian citizens, citizens whose ancestors are represented in the individual census records up to and including 1901, and those who are not represented in the census records. Throughout the various sessions, a number of presenters argued that supporting genealogical research has generated, and would generate, economic benefits, from increased tourism through to greater activity in the cultural industries.

Arguments In Favour Of Withholding Individual Census Records

Those taking the view that the individual census records should be withheld were in the minority in the town hall sessions. As with those supporting the release of these records, multiple arguments were advanced in support of this view.

In the view of those supporting the withholding of individual census records, Canadians complete the census with an expectation of confidentiality, whether or not an explicit promise was given to them or not. Some presenters stated that there is an obligation to maintain the confidentiality of these records since participation is not a discretionary act on the part of individuals.

As well, they felt that releasing the individual census records, and the resulting violation of individual confidentiality, would have a negative impact on the quality and comprehensiveness of future data collected by Statistics Canada.

One presenter supporting the withholding of these records stated that there had been a lack of widespread public debate on this issue. In the view of this presenter, the lack of public debate means that there is no awareness and, therefore, no informed consent on this issue among Canadians in general.

Several presenters supporting the withholding of the individual census records stated that it is impossible for Canadians in 2002 to know the minds of participants in the 1906 and 1911 census on this issue. Therefore, in the view of

these participants, it is better to err on the side of caution and withhold these records.

The Compromise Option

Presenters at the town hall sessions were asked to comment on the compromise option developed Statistics Canada that would allow limited access to the individual census records from the 1906 and 1911 census. In general, those who supported the release of the individual records expressed a strong set of reservations regarding this compromise option, with many of the presenters rejecting this option outright. In contrast, those who supported the withholding of these records supported the compromise option.

A number of presenters indicated that this option presented a dilemma for genealogists who would be caught in a situation where they would need to prove their ancestry to gain access to the very records that would give them this proof. Although this is a misunderstanding of the intention of this option, where those accessing these records would be restricted to publishing or communicating information on their direct ancestors, the overall feeling among these presenters is that the definition of allowable information on family membership that could be published or disseminated would be too restrictive or was generally ill-defined.

There was also a concern among presenters that the option was discriminatory in specifying that only historical research, as opposed to other types of research, could be conducted using this data. In their view, many other academic disciplines, and not just historians, would need access to this information for research purposes.

Focus Group Sessions

Participants in these sessions took an active part in the discussion and showed a willingness to consider the various points of view raised during the discussion. It should also be noted that only a handful of participants, often amateur genealogists themselves, among the total number who participated was aware that this issue even existed.

There was a general consensus that the data collected by Statistics Canada play a vital role in government planning and administration, such as policy development, budgeting, and for federal-provincial financing arrangements. As well, census data were seen as supplying useful information for business and research.

While participating in the census was thought to be important, some participants felt that the information collected through the census was excessive or even, for

some, intrusive. This view was held primarily with those participants familiar with the “long form” of the census questionnaire.

Many participants in each session were aware of the legal compulsion to participate in the census, but the overall sentiment was that participation in the census was a civic obligation rather than as a result of legal obligation.

Values Associated With Statistics Canada

When participants were asked to indicate the values associated with Statistics Canada, suggestions were overwhelmingly positive. Accuracy, integrity, honesty and confidentiality were the values mentioned most often by participants across all the sessions.

Often mentioned were the perceptions that Statistics Canada was seen as ethical, impartial or non-judgemental, open-minded or open to the public in terms of data access, accountable, reliable, relevant and timely. Providing a freeze frame of reality at a given moment and being culturally-sensitive, responsible, expedient and practical were also values associated with Statistics Canada.

The few negative values mentioned were that Statistics Canada was bureaucratic and rigid, irrelevant, mandatory (in terms of the information that had to be supplied on the Census), insistent and persistent, invasive and not artistic.

Views In Favour Of Releasing Individual Census Records

Throughout the discussion, participants offered views or opinions regarding the release or withholding the individual census records from the 1906 and 1911 censuses.

One of the issues that always emerged spontaneously during these discussions, concerned the promise of confidentiality that may or may not have been given to Canadians by the predecessor agency to Statistics Canada and its agents. Those participants who supported the release of these records argued that, although a promise of confidentiality may have been given to Canadians, the passage of time diminishes the need for confidentiality. Even if there was an explicit promise of confidentiality, these participants commented that this promise should not be, and would not have been thought to be forever. For some participants, primarily those in Montreal, the absence of a specified time limit in the enumerator instructions they reviewed did not imply that the promise was expected to be “eternal.”

Only very few of the participants supporting the release felt that this action would reduce the willingness of Canadians to participate in future censuses. According

to this view, participating in the census is an “obligation” and to not do so would be almost “un-Canadian”.

Although these participants are supportive of these records being made publicly available, many of these participants are insistent that the 92 year rule be maintained. Even the possibility of reducing this time period would cause many pro-release focus group participants to re-think their position.

Some participants who support the release of these records felt that only those who have a significant reason for pursuing the information would “take the trouble” to research this specific census information. For these participants, their belief that they didn’t expect that there would be many people who would, in the end, use the information was a reason for making these records available.

Views In Favour Of Withholding Individual Census Records

It was the view of many participants that, although general information from the census is made available, individual results are collected on a confidential basis, whether or not a formal promise of confidentiality was expressly made.

A review of the instruction to enumerators regarding confidentiality was spontaneously interpreted by many participants as outlining a promise of confidentiality and that these census data should be kept inviolate and secret. In this regard, participants did not focus on the first part of the instruction that mentions that these records will be kept “inviolate”, but on the latter part of the instruction regarding the uses of census data.

When reviewing the instructions from 1906 and 1911, a number of participants thought that the intent regarding confidentiality was not clear. However, most participants felt that, as it was a census and confidentiality was mentioned, most of those participating in that census would have likely believed that confidentiality would continue forever.

In addition to a promise of confidentiality, many participants thought that the second instruction regarding clear and legible writing and storage in the archives was determined by the operational needs of the census (that enumerators would do their work carefully to reduce data collection errors).

While many participants were sympathetic to the use of these records for historical research, or tracing family history, a majority of participants across all sessions expressed concerns that releasing these records would be breaking a promise of confidentiality. In addition to “breaking faith” with those who were promised confidentiality in 1906 and 1911, there were concerns that the release of these records could impose additional costs on the taxpayer.

As well, many of these participants across the country thought that confidence in Statistics Canada and participation in the Census would suffer if these records were released. The only concession that some participants would make was with regard to the use of these records to assist in tracing people who might have inherited genetic diseases or conditions. Even in this instance, participants wanted the overall information protected.

For many participants, the view that previous individual census records had been released “without complaint” was not seen as a persuasive argument for the release of the records. Many participants thought that a delay of 92 years is not sufficient to protect the secrets of a family.

They were also concerned about the potential commercialization of these individual records and felt that historians and genealogists could use other records in their various pursuits.

Some participants, especially those in Edmonton, raised a perceived relationship between the confidentiality promised to Canadians and the legal compulsion to participate in the census. In their view, if participation in the census is compulsory, then the government must promise that the confidentiality of these individual records will be respected. If participation in the census is discretionary, then there is a lesser requirement to maintain confidentiality.

The Compromise Option

Many participants expressed an interest in a compromise that would give needed access to these records while respecting the confidentiality of the census process. Despite this interest, few participants supported the compromise option developed by Statistics Canada, and even this support was tepid and unenthusiastic. Simply put, the compromise option was not seen as the ideal solution to this difficult problem.

Many participants felt that there should be ground rules that allow for data access for “compassionate reasons”. The key to this compromise is that it should be sensitive to the privacy rights of those participating in the census and, at the same time, it should not be so restrictive to disallow people who have a “real” need for this information to gain access.

Some Vancouver participants rejected the possibility of compromise, even to the point of denying access for those seeking information for medical or humanitarian reasons.

3.0 Town Hall Consultations

As discussed earlier, this public consultation was conducted in two waves, town hall meetings where the public was invited to attend and present their views, and focus groups involving randomly selected members of the population. As with all qualitative results, the views presented at the town hall meeting are not representative of the population as a whole. However, it is our belief that many of the views presented at these sessions are reflective of views that are held by some Canadians and need to be taken into consideration as Statistics Canada moves forward on this complicated file.

Although town hall consultations can take many formats, it was decided that these town hall consultations would employ a “hearing” format where presenters would interact directly with the facilitator. In accordance with the Terms of Reference, this format would provide interested individuals the opportunity to make a presentation of their points of view without rebuttal. Each presenter had up to 15 minutes to make their presentation, followed by a five minute interactive session with questions or comments from the facilitator.

Presenters were allocated time slots on a “first come, first served” basis, but every person who wanted to speak at any of these sessions were accommodated by the facilitators, even if the session ran over the advertised time allotment. Written submissions were accepted, but were not necessary for participation in this process. Presenters could make their presentation in the official language of their choice.

As with any public consultation process, it was presumed that all of the presenters, regardless of their background or point of view, were acting in good faith. It is not the purpose of this public consultation process to determine the factual accuracy of statements made by the various presenters or to determine which arguments have merit versus those that do not. Rather, it is the purpose of this public consultation process to bring the various arguments and points of view regarding the public release or withholding of individual census records from the 1906 and 1911 censuses in to the public domain. Further, Environics was also asked to solicit the views of those attending the public consultations regarding a compromise option regarding limited access to these records.

This public consultation would not have been possible without the voluntary cooperation of the presenters themselves, some of whom went to great personal expense or effort to attend these sessions. The sincerity and passion that the presenters brought to this consultation process impressed the facilitators.

It appears that many presenters co-ordinated their efforts to present their views at town hall meetings with other like-minded Canadians through the use of the Internet. In addition to the regular posting of town hall summaries on the

Environics Research Group web site, these summaries were also published, along with commentary from observers and presenters, on a volunteer web site advocating the release of the individual census records. Many presenters supporting the release of these individual census records consulted this web site, as well as other public electronic forums, for updates on the progress of the town hall sessions and the various points of view that had been raised.

Regardless of their position on the release of the census records, many presenters welcomed a public debate and greater public awareness concerning the various privacy and access to information issues related to this topic.

Summaries of the town hall sessions by location can be found in the Appendices.

Arguments In Favour Of Releasing Individual Census Records

The majority of presenters at the town hall sessions supported the release of the 1906 and 1911 individual census records. Further, many presenters cited multiple reasons why they felt these records should be released. A summary of these views can be found below.

The Use of Census Records

Whether they are academics pursuing long-term research objectives or family historians endeavouring to complete a family tree, many presenters commented on their need to have access to individual census records from the 1906 and 1911 censuses. Although many other records are used, such as city directories, probate records, vital statistics, cemetery records, family records, provincial or city archives and so on, these presenters made the point that none of these other records are as comprehensive or as consistent as the census records. By virtue of using a relatively consistent format and interval of time, these records show a time series of how communities, and the country, grew and evolved.

According to these presenters, the aggregate information that may already be available does not provide the level of detail required for the study of social history or for genealogical purposes. Time and again, presenters stated that identifying information at the individual level was necessary for their purposes.

Further, these presenters stated that limiting their access to one set of records would deny them the ability to “determine the context” in which their families or objects of study existed. In this regard, these presenters want their access and use of individual census records to be as unfettered as possible to allow them to explore collateral family lines or other avenues of research that might be presented by these individual records.

“When we use the term access, we mean access for all who wish to spend time searching our holdings. We do not mean access for a select few who are somehow deemed especially worthy of the task or the premises. If access stops then history soon follows dead in its tracks.” (Horne)

Many presenters discussed the role that individual census records played in identifying other sources of information that may be useful in their activities. A census record, for example, may identify an occupation or religion that would lead to other useful contemporary records or identify unknown or less familiar family ancestors. In this manner, individual census records act as a pathfinder or can, in the words of one presenter, “cut short a lot of spadework.”

Several presenters commented that, either as researchers working in an academic setting or as genealogists pursuing their own family histories, they conducted themselves ethically and with sensitivity to living persons. To this end, some genealogical associations such as the Société Généalogique Canadienne-Français have established a voluntary “Code of Ethics” that would guide the research activities of their members and ethical research practices are incorporated into some training programs for genealogists. Those presenters familiar with academic research practices also stated that the processes governing university-based research for both students and faculty are robust and effectively ensure that the broad public interest is well-served. One academic presenter gave an example where the destruction of primary research records was thought necessary to prevent the possibility of unauthorized access to sensitive information once this information passed from his direct control.

The “Promise” of Confidentiality

A number of presenters stated that, in their interpretation of the regulations and legislation as well as the conclusions reached by the Expert Panel, no promise of perpetual confidentiality was made to Canadians. These presenters commented that there is “no explicit promise of perpetual confidentiality” in any of the regulations, instructions, legislation, parliamentary debates or other documents that have been made available to them.

Other participants stated that concerns about confidentiality were limited to the lifetimes of those participating in the census or were limited to contemporary, rather than future, uses of census information. In this regard, those presenters who had first hand experience as enumerators in recent censuses stated that any reluctance that they encountered from Canadians was related to a general distrust of government or anxiety that other governments, government departments or regulatory agencies may have access to those data than any concern about the possible future release of those data. Another presenter indicated that, in his experience as a census enumerator, few Canadians (2 or 3

of 10,000 persons enumerated was the estimate provided) expressed concerns about the confidentiality of census records.

Other participants stated that the regulations governing the confidentiality of individual census records were limited to census enumerators only and did not apply to the information given by Canadians.

“I think that promise was really a directive given to enumerators, so that they would not be telling their neighbour down the street or the person next along the road what the other people had told him. I think it was to be taken very seriously, but I think it was a directive to the enumerators.”
(Beyaa)

Others stated that enumerators did not communicate a promise of confidentiality to Canadians or this promise was given only to the heads of the household and, therefore, would not be applicable to any minor children in the household who may be alive today. In the words of these participants, “you cannot break a promise that was never given.”

For those pro-release presenters who did believe that a promise of confidentiality was given, no time limit for this confidentiality was specified. Although confidentiality would be important to participants in the 1906 or 1911 census, the need for confidentiality dissipates with time and, according to these participants, these records should be released after a reasonable passage of time. A few presenters expressed a general distrust of the way government handles the confidentiality of personal information currently. The recent case regarding the sharing of information between HRDC and Citizenship and Immigration Canada was cited in this regard.

Many participants stated that a time lapse of 92 years would be sufficient to protect the confidentiality of census participants. As one presenter commented “surely those whose names are listed [in the census] are no longer in need of protection.” (Guy) One Regina presenter was of the opinion that, even if a person had requested that his or her personal information be kept confidential, 92 years would be a sufficiently long time to allow for the release of the information.

Several presenters commented that a time lapse of 100 years, similar to the time delay used in the United Kingdom, would be easier for Canadians to understand, and would better protect the confidentiality of census participants. A number of presenters stated that a shorter time period would be preferable, either moving to the 72 year period used in the United States or, in the view of one presenter, “30 or 40 years.” Many presenters expressed a desire for a shorter time period, but felt that 92 years would be acceptable.

Several presenters commented that, with the changing times, information that

was retained on the basis that it would remain confidential forever, such as adoption records, have become open to the public. Other records, such as military service records or enlistment records, are also available.

Storage in the National Archives Implies Future Release of Individual Records

A number of presenters highlighted two points: the 1911 instruction to enumerators regarding the necessity of clear and legible writing on the enumeration schedules and the perception that these schedules were intended to be permanent records in the National Archives. These points were used to imply that these records would be made public at some point in the future. According to these presenters, records stored at the National Archives become public after a period of time has elapsed, including cabinet documents and other confidential and sensitive documents. The conclusions of the Expert Panel were often cited in this regard.

Absence of Harm, Complaint or Public Outcry

The absence of complaint or harm was given by a number of presenters as a reason for the release of these individual records. Many presenters stated that the release of individual census records from earlier Canadian and Newfoundland censuses or records from censuses in the United States or the United Kingdom have not resulted in any harm, direct or indirect, to persons or families living at the time of the release or since. Further, according to a number of presenters, there has not been a single recorded complaint in any of these jurisdictions regarding the release of these records.

As well, some presenters commented that there is no public outcry or concern about this issue among the general public. The absence of presenters opposing the release of the individual records over the course of the town hall sessions, as well as a general lack of interest in this view in other public forums, were cited by participants as proof that Canadians are not concerned about the release of individual census records after the passage of time. As one presenter stated:

“The silence from any opponents to access proves that the people of Canada are NOT concerned information from Census should be accessible 92 years after collection. They do not view it as an issue they should be concerned with. The great opposition of the Canadian people, as espoused by Statistics Canada, is just not there.” (Watts)

No Proof of Operational Harm to Statistics Canada

A number of participants addressed the concern expressed by Statistics Canada that the release of individual census records would have a negative impact on the co-operation of Canadians in future censuses or with the other data collection projects undertaken by the Agency. In the view of those supporting the release of these individual records, there is no proof that future data collection projects operated by Statistics Canada, including the census, would suffer in this regard. In Charlottetown, one presenter indicated that Statistics Canada was right to be concerned about the integrity of its operation; however, he only saw a remote possibility that releasing the census information would be a cause for concern. Further, some presenters stated that the previous release of individual census records in Canada, Newfoundland, the United States or the United Kingdom would provide ample opportunity to use empirical research techniques to determine the impact of these releases on subsequent censuses.

Other presenters adopted a more positive approach to this issue, stating that the release of individual records after a sufficient time delay would increase participation in the census and the willingness of Canadians to give accurate and complete information. For these presenters, participation in the census relies more on the good will of citizens and an appeal to their civic virtue than any legal compulsion or obligation to participate. According to this view, withholding these records would run counter to the good will of Canadians and would undermine their confidence in Statistics Canada.

Medical or Humanitarian Need

A number of presenters stated that access to individual census records should be made for medical or humanitarian reasons. Although individual census records do not provide medical histories (outside of a rudimentary list of "infirmities") or the causes of death of those enumerated, individual census records would allow individuals or groups to identify members of specific family groups that may be genetically predisposed toward certain diseases or inherited maladies with a view to taking preventative action or alerting living people about this situation. A number of presenters identified a set of genetic conditions that could be traced in this manner, including Alpha-1 Antitrypsin Deficiency, Beta Thalassemia, Retinitis, heart diseases, and Diabetes. As well, this information could prove useful in finding donor matches for difficult medical conditions, such as bone marrow transplants. A lack of this information, in the view of one presenter, could result in the misdiagnosis and mistreatment of a serious condition (Beta Thalassemia) that presents itself as a mild form of another, more common malady (Asthma).

In addition to providing access to these records for medical reasons, some presenters stated that access to these records should be made on the basis of

humanitarian need where individuals are seeking to reconnect with lost or unknown family members. A number of presenters commented on their own personal searches in this regard, either to connect with the legacy of their immediate family or with more distant ancestors. For these presenters, this pursuit was more serious than trying to complete a family tree or to fill in details about elderly relatives, this was central to their own peace of mind or search for identity. These individuals are very specific about their research objectives and offer clear, often compelling testimony as to their needs.

A number of presenters gave examples from their personal experience on how the pursuit of genealogy and access to individual census records from previous censuses have enriched their lives, increased their family circle or provided a positive experience for elderly relatives recorded on these earlier censuses.

Non-Release of Records Will Endanger Canada's Standing in the International Community

According to some academic presenters, there is a consensus among the English-speaking nations to release the individual records from their respective censuses. In addition to providing genealogists with a diverse source of records for research on migrants within their family trees, this provides a base for international comparisons of social history and societal evolution. In the view of one presenter: "Since the 1960s, Canada has led the world in the creation of complete and highly-detailed historical databases which include total national populations." (Dillon).

This presenter also described the North Atlantic Population Project, which uses individual census records from the late 19th Century in Canada, the United States, the United Kingdom, Norway and Iceland in its research. The non-release of these records would inhibit similar research projects based on later census information and, in the view of these presenters, endanger Canada's reputation in the international research community as a leader in social sciences research.

Other Countries Release Individual Census Records

Many presenters pointed to the example set by other countries, specifically the United States and the United Kingdom, as a reason why Canada should release individual census records from the 1906 and 1911 censuses. The recent release of individual records from the 1901 census in the United Kingdom, and the widespread public interest in these records, were cited by many presenters in support of the release of Canadian records. As well, many presenters pointed to the upcoming release of the 1930 census records in the United States, and the relative fanfare with which these records are released, as an opportunity for Canada to undertake a similar step.

Further, a few presenters mentioned that the United States went through a similar debate regarding the release of individual census records, including similar concerns regarding the right to privacy and the potential impact on censuses subsequent to the release of the data. According to these presenters, decision-makers in the United States have already had the opportunity to see if the benefits of releasing these records outweigh the potential harm, either to individuals, families or the operations of the United States Census Bureau. Since the United States continues the practice of releasing this information, these presenters take the view that this example provides convincing proof that the concerns of Statistics Canada are overstated.

“In my own family again I have a great aunt who is living in the United States right now at the age of 102 . . . I can find her in the 1920 Census in the United States but . . . she has a sister that’s still living here in Charlottetown and I cannot find her, any information on her and I think that’s really odd, you know. How come I have all of this information from one source available on part of the family and yet I cannot get ready access to information on the family and their status in the 1911 Census.”
(Pierce)

Precedent Set by Release of Individual Records From 1871 to 1901

A number of pro-release presenters commented that Statistics Canada should follow the precedent set by the release of national censuses from 1871 to 1901. In their view, withholding these individual records, rather than their release, would be a change in established policy and should not be allowed.

Governments Break Promises When Necessary

Many presenters supporting the release of individual census records commented that governments are cavalier about keeping a number of promises to the Canadian people, ranging from the promises made during elections to the institution of Income Tax as a “temporary measure” during World War I and treaty promises made to First Nations. If the government is not concerned about keeping these promises, these presenters argued, why should they be concerned with a promise to hold individual census records in perpetual confidentiality?

A few presenters also commented that it is necessary for governments to change their minds on certain policies, laws and regulations. A law that was appropriate at one time may not be appropriate as the mores or needs of a society evolve. For these presenters, releasing the individual records may result from a change in policy that is well within the jurisdiction of the government and in the general public interest.

Privacy Rights Expire with Death

A few presenters commented that the right to privacy expires with the death of the individual. One presenter cited a decision of the United States Supreme Court (Perkins v. Freedom of Information Commission, 228 Conn. 158 (1993)) where any residual privacy interest disappears upon the death of a person and that this is a personal right that cannot be assigned or maintained by other persons. As one other presenter commented:

“I certainly can say for myself that, although I am very protective of my personal information now, I am utterly unconcerned at the prospect of historians and genealogists getting a look at my questionnaire 50 or 60 or even 20 years after I am dead – the information we provide on census forms is information that is much less sensitive than many other records, and ceases to be at all sensitive after our death.” (Brownlie)

Participants in the 1906 and 1911 Censuses would like this Information to be Made Public

Several presenters supporting the release of these records made the claim that those who participated in the 1906 and 1911 censuses would like to see this information made public. This statement is based on the positive response that some individuals have received when they showed elderly relatives their own names or the names of parents or other close relatives from the 1901 national census or from other primary source documents. Further, those holding this view are bolstered by a belief that those participating in these censuses would be persuaded by the view that the census memorializes their existence at a certain place and time and that their descendants would have access to information on their family history.

“Those who took part in the 1906 and 1911 census cannot speak for themselves on this issue. We must speak for them and consider the various concerns – chief of which are privacy interests and commitments that they suffer no harm through the breach of this confidentiality. I am satisfied that they will suffer no harm.” (Long)

“[translation] If Statistics Canada wants to maintain the confidentiality of the records from the censuses of 1906 and 1911, it must ask those people who were enumerated at the turn of the century if they object to the publication of these census records. The dead certainly cannot respond to this question!” (Fournier – SGCF)

One presenter commented that there was a “public assumption” in 1911 that these records would be released at some point in the future.

Another presenter took the position that we cannot claim to know, one way or another, the views of Canadians participating in the 1911 census on the disposition of individual census records. This presenter held the view that, in 1911 as in 2001, statements regarding census confidentiality are unclear and, with regard to future censuses, needs to be more exact to provide Canadians with an informed choice on this matter.

Statistics Canada is not Acting in Accordance with the Law

Several presenters stated that, by withholding these records from the general public, Statistics Canada is in contravention of the law. Presenters making this assertion point to the provisions in *The Privacy Act* regarding the transfer of census records from Statistics Canada to the National Archives, where these records would be available to the public, 92 years after this information is collected. Other acts of Parliament, such as *The Interpretation Act*, the views of the Expert Panel, and a legal opinion provided to Statistics Canada by the Department of Justice (*Chaplin*) were cited by presenters in this regard.

One presenter stated that, as a signatory to the United Nations Convention on the Rights of the Child, Canada is required to ensure that the rights of children to an identity are not infringed.² Therefore, according to this presenter, access to individual census records is part of the identity rights enjoyed by all Canadians.

History is not the Preserve of the Elites

The point was raised by a number of presenters that the individual census records are a “truly democratic” and inclusive record that gives all Canadians an opportunity to have their place in the documented history of our country. These presenters often made the statement that those who currently have a place in our documented history tend to be from the elites. This situation was perceived to exist either because elites are famous for some achievement or position, or because the leisure time necessary for the writing of diaries, letters, contemporary histories and other records, as well as the educational

² *The Convention on the Rights of the Child* was adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989. It entered into force 2 September 1990, in accordance with article 49.

Article 8

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.
2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.

opportunities that would grant literacy, was primarily available to the upper classes. According to these presenters, the majority of Canadians were either unable to record their own history due to a lack of literacy or were unable to find time in their struggle for basic survival. As two presenters stated:

“Canada’s history is about much more than politicians, athletes, entertainers and business magnates. It has taken Canadians from all walks of life to build the greatest country on earth. The first half of the 20th century is when Canada truly came of age, yet it is that exact period of time that Statistics Canada has chosen to hide from us.” (Paul)

“Prominent individuals within society are written about in many forms such as books, official papers, newspapers etc. in the past and in current times, radio television and other media. But the only place the ordinary citizen of our country is written about is in the census, we cannot deny access to information on these people. History should not just record information on the prominent people of a society but of all people in that society.” (Savidant)

Need to Promote Interest in History and Public Awareness of the Census

A number of presenters took the view that the release of the individual census records provides an excellent opportunity for Statistics Canada to publicize its mandate, promote interest in census participation and support the overall Government of Canada policy to promote interest in our history and pride in our country. In their view, the promotion of the benefits of releasing individual census records, either for the collective whole in terms of increased understanding of our country and society or for individuals wishing to know more about their families and heritage, would allay any concerns about breaching confidentiality or privacy concerns.

Several presenters commented that there was a need for a public debate on the issue of releasing individual census records. Although there is interest among the general public regarding history and personal heritage, these presenters lamented the low awareness that this issue was attracting given its importance to themselves and the country.

Burden of Proof Rests with Statistics Canada

With regard to the debate on this issue, many presenters stated, either implicitly or explicitly, that the burden of proof on this issue rests with Statistics Canada in its attempts to withhold 1906 and 1911 records rather than with those supporting the release of these records. Quite simply, the majority of pro-release presenters feel that it is up to Statistics Canada to prove the necessity of withholding these

records. Although these presenters believe in the merits of releasing individual census records, they do not feel the obligation to conclusively prove their point. Demands to see proof of an “explicit promise of perpetual confidentiality” or for Statistics Canada to provide empirical proof that the release of these records would have a negative impact on future censuses is consistent with this view.

Other Sensitive Records Already in the Public Domain or in Other Use

A number of presenters stated that there are many other records that contain personal or sensitive information that are already in the public domain. This would include records regarding births, marriages and deaths, military records, public school taxation rolls, mortgage information, probate court records, court records in criminal, family or civil cases and so on. Some of these records, such as court records, are available immediately while there is a time delay on other records, vital statistics for example. As one presenter in Fredericton commented:

“Court records, for instance, which contain much more sensitive material than [the census], generally are available. You go back a bit and you discover that someone had been charged with rape, for instance, with child abuse. These are of matter of public record, if you want to find out this kind of thing.”

According to these presenters, many of these records contain more extensive and sensitive personal information than the individual census records. As well, a number of presenters stated that private sector organizations, such as credit card companies or those that operate loyalty programs, already collect, sell or otherwise make use of current sensitive personal information. To these presenters, there appears to be an inconsistency with the level of concern expressed by Statistics Canada regarding historic individual records and that expressed by other government bodies about other historic records in the public domain or about the use (or misuse) of current personal information by the private sector.

Entitlement to Individual Census Records

A number of presenters put forward the view that neither Statistics Canada, nor the Government of Canada in general, has the right to deny access to these individual census records. This entitlement to individual census records is based on the belief that, as taxpayers, Canadians have already paid for the collection, processing and storage of these records. Further, these records form part of a common inheritance or legacy left to current generations by those ancestors who participated in the census.

Needed for Historical Research

Many presenters commented on the value that individual census records would have to a wide range of academic researchers. Instead of belonging to the sole purview of historians, many presenters commented that these records would be important to a number of academic disciplines, from geographers and demographers to social historians, environmentalists and social scientists. The primary value of these records is with regard to the consistency, depth and frequency of the data collection, allowing geographers to trace individual and chain migration patterns from Eastern to Western Canada, for example. Migration flows are not only important to academics, they are important to community organizations studying the migration of people from the Maritimes to other parts of Canada or Francophone migration from Quebec to New England.

Some presenters discussed the growth of social history in Canada and how these records could be used to obtain insights into family structure and composition. Further, due to the comprehensiveness of these records, the role of “marginalized” peoples or small populations in Canadian society could be investigated, such as the role of servants or boarders in Canada or the evolution of Black communities in the Canadian West.

Given that there was a special census of the Prairies in 1906 and that both Saskatchewan and Alberta are nearing their centennial years, a number of presenters in Western Canada spoke to the importance of these records to the documented history of their region of the country. In their view, these records would give vital information regarding the transition from the fur trade economy to an agricultural economy. Further, a comparison of the 1901, 1906 and 1911 census records would provide information on settlement and migration patterns at a time of rapid population growth, as well as specific information on the immigrant families settling in the provinces.

As one presenter stated, access to these records would assist in tracing family members and history that are inhibited by incorrect identification or misspellings of names as an artefact of the immigrant experience in Canada.

One First Nations presenter commented that the release of the 1911 individual records would have special significance for First Nations and their peoples. In addition to using these records to establish place of residence for the purposes of treaty negotiation or claim settlement, these records may assist in the recovery of cultural identity and names after the assimilation practices of former times. Despite the acceptance of oral traditions in the courts, this presenter commented that only documented proof was acceptable to the federal government when trying to establish status or First Nations membership. A presenter at another session also spoke about the use of census records in a legal setting to establish aboriginal ancestry and, therefore, a right to hunt and fish in accordance with established rights.

Other presenters commented that these records would also be valuable in the study of the growth, evolution and decline of specific economic sectors, such as merchant marine activities or fur ranching. As well, several presenters commented that the 1911 census would be especially useful in understanding the structure of Canadian society prior to World War I.

Given that we currently have an analytical capacity that far outstrips that available in the early part of the 20th century, one academic presenter commented that only a portion of the 1906 and 1911 records has been analyzed in any depth. In the view of this presenter, the application of modern analytical techniques, aided by computer databases, could provide new avenues for research and study. As another academic presenter stated, we, at this time, cannot predict the possible research benefits that may accrue to Canadian society as a result of making individual census records publicly available.

Non-Release Would Create Two Classes of Citizen

A few presenters commented that the non-release of census records would create two classes of Canadians citizens, those whose ancestors are represented in the individual census records up to and including the 1901 Census, and those who are not. Those who would not be represented in the records would be those arriving in Canada after 1901 and, in the view of these presenters, the vast majority of Canadians who are descended from immigrants would be excluded from finding their ancestors in the documented history of this country.

Economic Benefits

Throughout the various sessions, a number of presenters argued that supporting genealogical research has generated, and would generate, economic benefits, from increased tourism through to greater activity in the cultural industries. It is their belief that releasing the individual census records would stimulate additional economic benefits, since all of the economic activities associated with genealogy and research would be stimulated. In addition to tourism-related benefits associated with people travelling to get in touch with their roots, the other economic benefits would include support for local publishing, genealogical conventions, family reunions, conferences, the increasing professionalization of genealogy, and increased support for university-level research.

Arguments In Favour Of Withholding Individual Census Records

Those taking the view that individual census records should be withheld were in the minority in the town hall sessions. As with those supporting the release of these records, multiple arguments were advanced in support of this view. These arguments are summarized below.

Promise of Confidentiality

In the view of those supporting the withholding of individual census records, Canadians completed the census with an expectation of confidentiality, whether or not an explicit promise was given to them or not. As one presenter commented: “People complete the Census with an expectation of confidentiality and protection of privacy. And I believe that they give the answers with that in mind.”

Further, a few of these presenters pointed to the 1911 instructions to enumerators and stated that this instruction spoke to a promise of confidentiality. Although these presenters expressed a preference for a more specific promise of perpetual confidentiality, they took the view that this wording did constitute a promise without a definite time limit. Another presenter supporting the withholding of these records took the view that a promise of “perpetual” confidentiality had been given and, based on this promise, Statistics Canada is duty bound to withhold these records.

One presenter supporting the withholding of these records stated that the rights to individual confidentiality or privacy do not end with death or diminish with the passage of time. Further, although increased access to general government records is beneficial, individual records have always been exempt from general access to information provisions. Therefore, according to this presenter, individual records cannot be considered in the same class as government documents generated for administrative or decision-making purposes. As well, this presenter commented that, since Canadians have a *right* to privacy, a promise of confidentiality cannot be considered in the same class as election promises or changes to government policy.

Operational Harm to Statistics Canada

It was the view of those presenters supporting the withholding of these records that releasing the individual census records, and the violation of individual confidentiality, would have a negative impact on the quality and comprehensiveness of future data collected by Statistics Canada.

“If as the truly distinguished [Expert Panel] reported that it did not think it likely that the disclosure of historical Census records would affect Census participation, why was confidentiality promised in the first place? And will the same be true when citizens are made aware that even their answers to the most sensitive and intrusive questions will be made public, albeit some day. The questions asked before 1971 appear benign. The later ones asked for information that would be provided reluctantly.” (Fardy)

One presenter also took the view that releasing individual census records would also have a negative impact on the data collected by other levels of government.

Lack of Public Debate and Informed Consent

One presenter supporting the withholding of these records stated that there had been a lack of widespread public debate on this issue and, at this point, the public debate has largely been confined to those most seized with the issue. In the view of this presenter, the lack of public debate means that there is no awareness and, therefore, no informed consent on this issue among Canadians in general. He indicated that a large number of Canadians could be affected by the release of these records, and that this release could compromise the effectiveness of an important government activity. Therefore, a decision to release these records could not be taken until Canadians have had the opportunity to address this issue. As this presenter commented:

“Another issue I would like to raise is the need to ensure that citizens are better informed. How many would know the details that appear on your website, and on the website of Stats Canada? How many would know that the National Archives had earlier Census records. You may believe that people have a duty to inform themselves but that’s expecting too much. People have a lot of other things on their minds. They need a straightforward, transparent, very public explanation of what happens to their Census information. I hope the debate becomes a public one. And it is not to trivialize or devalue the work of historical and genealogical researchers to say that their rights, and the rights of the public to learn the results of their research, do not override people’s right to privacy.” (Fardy)

Delay Period Linked to Lifespan

One presenter supporting the withholding of individual records commented on the 92 year delay period set in *The Privacy Act* regarding the release of these records. According to this presenter, if it is decided that these records should be released, a formula that would account for the lengthening lifespans of Canadians should be developed. The delay period should be set at one and one-

half times the average lifespan at the time the census information was collected. In the view of this presenter, this would ensure that no persons recorded on the census would still be alive at the time of the release.

Confidentiality Linked to Legal Compulsion

Currently, all Canadians are required by law to participate in the national census. According to a few presenters arguing for the withholding of these records, the legal compulsion to participate in the census is linked to the obligation to maintain the confidentiality of these records since participation is not a discretionary act on the part of individuals. As these presenters stated,

“People have to legally fill these in, they have filled these in with expectation of confidentiality and protection, that should be honoured... Most people fill it out under duress, with the understanding it will in fact be kept confidential, not with the idea of having a place in history.” (Pilkey)

“And that fundamental issue is that the people who provided this information, provided [it] under statutory duress. And not only provides this under statutory duress, but they also provided a promise of confidentiality and in secrecy.” (McGrath)

Cannot Know Minds of 1906 and 1911 Participants

Several presenters supporting the withholding of the individual census records stated that it is impossible for Canadians in 2002 to know the minds of participants in the 1906 and 1911 census on this issue. Therefore, in the view of these participants, in the absence of any means to determine their support or opposition to the release of these records, it is better to err on the side of caution and withhold these records.

The Compromise Option

Presenters at the town hall sessions were asked to comment on the compromise option developed by Statistics Canada that would allow limited access to the individual census records from the 1906 and 1911 census. In general, those who supported the release of the individual records expressed a strong set of reservations regarding this compromise option, with the majority of the presenters rejecting this option outright. In contrast, those who supported the withholding of these records supported the compromise option. A copy of this compromise option can be found in the Appendices.

In general, those who support the release of the individual records found this

option to be too restrictive and cumbersome to administer, with presenters calling it “bureaucratic stupidity”, “a bureaucratic nightmare”, “overly restrictive”, “rigid”, “labour intensive and costly”, “too cumbersome”, “unworkable” and other critical comments. A number of presenters commented that administering this option would impose an unreasonable burden on National Archives and that the implications of this option had not been thought through. As well, there was a general sentiment among these presenters that the operational requirements of this option would deter public access to these records.

Many presenters rejected this option because of the presumed costs involved and the time it would consume, both on the part of individuals seeking access and the officials administering the process, to provide access.

A number of presenters indicated that this option presented a dilemma for genealogists who would be caught in a situation where they would need to prove their ancestry to gain access to the very records that would give them this proof. Although this is a misunderstanding of the intention of this option, where those accessing these records would be restricted to publishing or communicating information on their direct ancestors, the overall feeling among these presenters is that the definition of allowable information on family membership that could be published or disseminated would be too restrictive or was generally ill-defined. As one participant commented:

“It would provide Census data only to bona fide family members, or to researchers dually sanctioned by the Social Sciences and Humanities Research Council. I find the restriction to bona fide family members to be overly restrictive because it would prevent the sort of exploratory research that genealogists invariably indulge in, in order to find family members. It becomes something of a “Catch 22”; in order to prove access to the information you have to demonstrate that you’re related, but in order to prove you’re related, you have to have the information that you are given access to.” (Goldsborough)

Other presenters voiced concerns regarding how to identify their direct descendants in the context of name changes, adoption and migration or how these provisions would be enforced.

With regard to academic research, a number of presenters commented that these researchers would be in a bind similar to those investigating their family history in that they would need to justify their research approach before getting access to the records that would validate their research plan. Further, those presenters familiar with the peer-review process thought that this option would impose a formidable cost and burden on the Social Sciences and Humanities Research Council (SSHRC). Those less familiar with the peer-review process thought that this provision would skew access in favour of researchers affiliated

with institutions and would inhibit amateur or community historians.

There was also a concern among presenters that the option was discriminatory in specifying that only historical research, as opposed to other types of research, could be conducted using these data. In their view, many other academic disciplines, and not just historians, would need access to this information for research purposes.

Many presenters underlined their belief that no compromise regarding access to individual census records was possible or desirable. Although some presenters indicated that a compromise may be possible, they could not understand why a compromise was necessary since, in their view, none of the information in either the 1906 census or the 1911 census was too sensitive for general release given the amount of time that has elapsed. Some presenters who supported the release of these individual records recognized that individuals recorded on the census should have the right to stop the release of their own records, but not to prevent access to the records of others, including other family members, living or deceased.

One Edmonton presenter felt that a lack of detail in the option, especially with regard to how this option would actually work in practice, was its main failing.

Interestingly, those presenters who opposed the unfettered release of individual records tended to support the compromise option, indicating that this proposal was a “common sense option” that supported the need for academic or personal research while protecting the privacy of individuals. One presenter who took this view added that, although genealogists should focus on their own ancestors, they tend to invade the privacy of everyone else’s ancestors during their research. In his view, access to census data should be based on the same standards that apply to social and historical research in a university or academic setting.

4.0 Focus Group Sessions

In order to gain a complete understanding of the attitudes of Canadians toward the debate surrounding access to the individual records of the 1906 and 1911 Census records, 22 focus groups with general population participants³ were conducted, two in each of Ottawa, Halifax, Toronto, Montreal, Fredericton, Charlottetown, St. John's, Winnipeg, Regina, Edmonton and Vancouver. During these sessions, participants were asked a series of questions on whether they had completed the recent Statistics Canada Census, their understanding of Statistics Canada's mandate and values, their knowledge of the debate surrounding the release of the 1906 and 1911 census records, the confidentiality of census records in general and for the 1906 and 1911 records in particular, and the benefits versus the harm that might arise through the release of these records. Furthermore, participants were asked to review two sections of the instructions given to enumerators in the 1911 Census regarding confidentiality and legibility of handwriting. (Copies of these instructions, along with the moderator's and recruiting guides used in these sessions and a summary of the findings from each location, can be found in the Appendices).

As with any cross-country evaluation, the weather can play a factor on the level of attendance in the focus group sessions. Despite inclement weather in Atlantic Canada, including a major storm front occurring at the same time period in Fredericton, Charlottetown and St. John's, there was good attendance at all of the sessions in this study.

It should be noted that, although there was little prior familiarity with the issue of historical census records, participants in these sessions took an active part in the discussion and showed a willingness to consider the various points of view raised during the discussion. It should also be noted that only a handful of participants among the total number who participated was aware that this issue even existed. Participants in both Vancouver groups were somewhat startled by this issue and were at a loss to understand why there was not a higher level of public

³ As part of the recruiting process for these focus group sessions, those who work in the media, for an advertising agency, or a market research firm, those who are elected officials or those who are employed by Statistics Canada, were excluded from participating in these sessions. Further, as a standard practice, those who have taken part in a focus group with the six months previous to any focus group were excluded. Additionally, Environics wanted people to come to these focus group sessions as participants rather than as advocates for a particular point of view.

Two participants were excluded from a focus group held in Toronto as they did not satisfy these criteria. One participant was excluded as he has participated in a focus group within the six month exclusionary period. The other participant was excluded as she was an active member of the Ontario Genealogical Society who was prepared to advocate for one position, rather than simply participate. The reasons for excluding the latter participant, as outlined above, were highlighted in an email correspondence between the Project Director and Gordon Watts of the Canada Census Committee. It should be noted that many of the focus group sessions included those who pursue genealogy or family history as a leisure activity.

awareness and debate on this topic. Many Regina participants were surprised that information at a personal level is released in some countries. In addition, some Toronto participants were distressed to hear that the release of individual census records collected prior to 1906 had taken place.

There was a general consensus among participants in all sessions that the data collected by Statistics Canada plays a vital role in government planning and administration, such as policy development and budgeting, as well as for federal-provincial financing arrangements. Census data were also seen as supplying useful information for business and research, as well as to ensure employment equity is taken into account by major employers. As one Edmonton participant said:

“You have to have a certain representation of minorities and women in your industry. So if the government does a Census and finds that 72 percent of the population is black women under the age of 30 with two kids, then your industry, your company, has to have 72 percent of your employees be black women under 30 with two kids.”

In those sessions where a discussion on data collection priorities took place, participants agreed that information for government planning was the top priority, followed by information for business purposes and, finally, information for social research. For some participants, the importance of historic and personal research was considered a secondary benefit of the census - “added value” rather than a key value for many participants.

A small minority of participants questioned the need for a census at all, given that all of the information found on the census can be obtained from “other government computers.”

While participating in the census was thought to be important, some participants felt that the information collected through the census was excessive or even, for some, intrusive. This view was held primarily with those participants familiar with the “long form” of the census questionnaire. Many participants thought that the collection of these data are likely to continue into the future, with ever more “personal” information being asked.

Many participants in each session were aware of the legal compulsion to participate in the census, but the overall sentiment was that participation in the census was a civic obligation rather than as a result of legal obligation. Even though they agreed that most Canadians complete the census out of civic duty, Toronto participants thought that a legal compulsion was necessary to ensure that participation in the census is as complete as possible.

Values Associated With Statistics Canada

When participants were asked to indicate the values associated with Statistics Canada, suggestions were overwhelmingly positive. Accuracy, integrity, honesty and confidentiality were the values mentioned most often by participants across all the sessions. As participants in Fredericton, Edmonton and Toronto commented:

“I think the number one [value] is still confidentiality, and most people want to make sure that the information doesn’t go too far, but how do you decide what far is?”

“ . . . [the most important value is] the confidentiality. Like, I don’t even like them sharing it with other government sectors, it’s just not right.”

“I think one must be able to rely on it, the integrity of the data must be, I guess, without question, or facts must be right.”

Often also mentioned were the perceptions that Statistics Canada was seen as ethical, impartial or non-judgemental, open-minded or open to the public in terms of data access, accountable, reliable, relevant and timely. An Edmonton participant made the following comment:

“I’d have to stick with objectivity, I think. The reason I put it there to begin with, is because again, so much of the decisions that are made on government programs and that sort of thing are based on what those statistics say. And I think you know if there’s a bias in there then [that] biases obviously what it is that’s going to be done, you’re not going to get a very accurate or objective outcome.”

Some participants spontaneously also mentioned that Statistics Canada was seen as a world leader in its field.

Some mentions were made of associating with Statistics Canada the values of being careful and smart, maintaining the security of data and both gathering data and functioning as a repository of general information for future decisions, for demographic information and for government usage. For example, on this latter point, Statistics Canada was thought by many to provide information that form part of the decision-making process related to transfer payments. This recognition created a certain sense about the importance of the data. As well, government budget planning, determining electoral boundaries, analyzing trends, and using information for business and social research were also seen as uses of the data provided by Statistics Canada.

As Vancouver and Toronto participants said:

“They say, alright, we’ve got all these people that are going to be retiring. Is our government funding for your retirement cheques going to be there when you get to that certain age, you know? When I get to 65, is there going to be any money for me, this type of thing . . . they’re getting forecasts . . .”

“Obviously the government needs it for budget purposes, for infrastructure purposes, I would think probably to help run the country as a whole. It needs to know honestly the number of people who live here, who’s working, who’s not, medical costs [for the population], I would think.”

Providing a freeze frame of reality at a given moment and being culturally-sensitive, responsible, expedient and practical were also values associated with Statistics Canada.

The negative values associated with Statistics Canada were not often the “flip-side” of the positive values mentioned. The few negative values mentioned were that Statistics Canada was bureaucratic and rigid, irrelevant, mandatory (in terms of the information that had to be supplied on the Census), insistent and persistent, invasive and not artistic. One comment on the invasive nature of Statistics Canada came from a Winnipeg participant:

“I agree with [participant] . . . I don’t want Big Brother . . . well, this is going to sound very paranoid, but I don’t want Big Brother looking over my shoulder.”

Views In Favour Of Releasing Individual Census Records

Throughout the discussion, participants offered views or opinions regarding the release or withholding of individual census records from the 1906 and 1911 censuses. In this section of the report, we outline the opinions offered in support of releasing these records.

One of the key points that spontaneously arose in these discussions concerned the promise of confidentiality that may or may not have been given to Canadians by Statistics Canada and its agents. Those participants who supported the release of these records argued that, although a promise of confidentiality may have been given to Canadians, the passage of time diminishes the need for confidentiality. Even if there was an explicit promise of confidentiality, these participants commented that this promise should not be, and would not have been thought to be forever. For some participants, primarily those in Montreal, Winnipeg, and Fredericton the absence of a specified time limit in the enumerator

instructions did not imply that the promise was expected to be “eternal.” As some Winnipeg and Fredericton participants indicated:

" Thinking about it just from ordinary person thoughts, you might assume that it was forever. But, if you think about it from a legal perspective, this [text] says absolutely nothing. This is just a waste of paper because there's so many holes in it, it's not even funny. It's like when they say, we'll keep it secret, but they don't say for how long. I could be telling you the truth in saying I'll keep the information secret, but in my head thinking, you know, for a day and let it go."

"It says nothing about the release of it. Anything that you want to interpret from it is just that it's an opinion that you pulled out of it. I don't think it says anything, this last paragraph, about whether the documents will be released or not. The first document says they won't, and the second part just says it will be stored."

The use of a 92 year delay was seen by these focus group participants as a prudent measure that would, in effect, protect the confidentiality and privacy concerns of those participating in the census. Given this time delay, some of these participants commented that any potential privacy concerns were overstated and that no foreseeable harm could result from the release of these records. As one Halifax participant commented:

"It's nothing that I would feel uncomfortable with 100 years from now, you know what I mean? I would feel terribly uncomfortable if it was released tomorrow, because there are some real personal questions . . . 100 years from now I could care less, that's my opinion."

Only very few of the participants supporting release felt that this would reduce the willingness of Canadians to participate in future censuses. According to this view, participating in the census is an “obligation” and to not do so would be almost “un-Canadian”. These participants were more likely than their counterparts to feel that “ordinary people” might find the information interesting for tracing family history either as a hobby or important for medical or humanitarian purposes.

Although these participants are supportive of these records being made publicly available, many of these participants are insistent that the 92 year rule be maintained. Even the possibility of reducing this time period would cause many pro-release focus group participants to re-think their position.

A number of participants felt that the records should be released just as had been done with previous census information.

As one Ottawa participant summed up the issue:

“Well, I mean, they’ve been doing [this] since 1901. I mean, we haven’t gone to hell in a hand basket have we?”

Some participants who support the release of these records felt that only those who have a significant reason for pursuing the information would “take the trouble” to research this specific census information. For these participants, their belief that they didn’t expect that there would be many people who would, in the end, use the information was a reason for making these records available.

There was general agreement among participants in both Vancouver groups and in Charlottetown that a legislative change would be necessary to permit the release of these records. As a Charlottetown participant rationalized:

"Don't we change laws all the time because of the common good? You know, you go to war to protect your country? You know, they bring in laws and then they eliminate the laws. In this situation, if the information is desperately needed, then at least give limited access. Even if it is a law, it can be changed for the [good of the] country."

Views In Favour Of Withholding Individual Census Records

This section of the report deals with the views of focus group participants in favour of withholding the individual census records from the 1906 and 1911 censuses.

It was the view of many participants in favour of withholding these census records that, although general information from the census is made available, individual results are collected on a confidential basis, whether or not a formal promise of confidentiality was expressly made. Toronto participants, especially those in the second session, felt that there is a presumption that individual census records are to be kept confidential regardless of when they were collected. As one Montreal participant commented:

“[translation] What I would like to say basically is that, as an ordinary citizen, not as an historian or a professional genealogist, I believe first of all that if a promise was made, it should be kept. It may sound simplistic. Whether any complaint was ever made in history of census [or not], the integrity [of the census] is important to government. We know many cases where we questioned the integrity of the government. I think that, at least, in this dossier we really have to try to maintain the integrity.”

A review of the instruction to enumerators regarding confidentiality was spontaneously interpreted by many participants as outlining a promise of confidentiality and indicating that census data should be kept inviolate and secret. In this regard, participants did not focus on the first part of the instruction that mentions that these records will be kept “inviolate”, but on the latter part of the instruction that states:

“The facts and statistics of the Census may not be used except for statistical compilations, and positive assurance should be given on this point if a fear is entertained by any person that they may be used for taxation or any other object.” (Instructions to Officers, Commissioners and Enumerators, Clause 23, 1911.)

Many participants felt that the text selections clearly indicated that a promise of keeping the data forever confidential had been given to those people enumerated in these censuses. In a number of sessions, this view was unanimous. According to an Edmonton participant:

“[The evidence is in] the last part, where it says the facts and stats of the Census may not be used except for compilations, and positive assurance should be given on this point if a fear is entertained by any person that they may be used for taxation or any other object. So, when this was collected, it was with tacit consent and knowledge that this [data] would only be used for the compilation of stats. This could never be opened up as an archive after the person has been deceased.”

Some participants were concerned that, by releasing the individual records, even after a significant time delay, the government would be breaking its promise of confidentiality to Canadians. In the second Vancouver session, one participant took this view even further stating that, regardless of how the promise was phrased, Statistics Canada had a “moral obligation” to withhold these records. As one Toronto participant commented:

“I think it just boils down to a moral issue. I really do. I mean, surely you can look at [it] and say, okay, it doesn't say there that we can't do this down the road [releasing the records], but it's just a question of the moral issue. Is this really information for the public domain?”

When reviewing the instructions from 1906 and 1911, a number of participants thought that the intent regarding confidentiality was not clear. However, most participants felt that, as it was a census and confidentiality was mentioned, most of those participating in that census would have likely believed that confidentiality would continue forever. As well, most participants felt that the decision to release

or not release the 1906 and 1911 individual census records should be based solely on the issue of “the promise of confidentiality”. One Toronto participant explained:

“Where is the integrity in doing something like that? If you say it’s going to be in confidence and with the extent of passing the law, you retract what you said, what happens the next time you want to offer assurance?”

Some participants felt that the person giving the information would likely not have given as complete information if they had known that their “secrets” would be revealed. Therefore, they said, “if a promise was made, then the promise should be kept.” If there is even a hint of confusion related to the “promise”, these participants argued that the ethical position is to not release the information. In addition to a promise of confidentiality, many participants thought that the second instruction regarding clear and legible writing and storage in the archives was determined by the operational needs of the census (that enumerators would do their work carefully to reduce data collection errors). For these participants, the reference to the National Archives was concerned with the storage of the records and maintaining a back-up system of records, rather than in anticipation of their release at some future date.

Many participants were sympathetic to the use of these records for historical research and for tracing family history. However, a majority of participants across all sessions expressed concerns that releasing these records would be breaking what they interpreted as a promise of confidentiality. In addition to “breaking faith” with those who were promised confidentiality in 1906 and 1911, there were concerns that the release of these records could impose additional costs on the taxpayer.

As well, many of these participants across the country thought that confidence in Statistics Canada and participation in the Census would suffer if these records were released. Many Regina and Vancouver participants felt that, if releasing these records were to become the rule, they would expect a corresponding decrease in the level of detail or intrusiveness of census questions. Some participants indicated that the release of individual records would have a definite impact on how they answer questions. In the words of one Vancouver participant:

“I’m surprised, honestly, that they would think about doing something like this when they’re having so much trouble with the Census now with people refusing to do them, not wanting to do them, and being assured that this information is not going anywhere. I don’t think it’s going to help them when the next Census comes up.”

The only concession that some participants would make was with regard to the use of these records to assist in tracing people who might have inherited genetic diseases or conditions. Even in this instance, participants wanted the overall information protected.

For many participants, the view that previous individual census records had been released “without complaint” was not seen as a persuasive argument for the release of the records. A number of participants thought that the release of these records might aggravate privacy concerns or invite malicious or fraudulent activity (although these were unspecified).

Many participants thought that a delay of 92 years is not sufficient to protect the secrets of a family. While only a few participants could consider how exactly the information might be misused (fraud, malicious litigation to embarrass leading families or well-known individuals), they felt that the person giving the information would likely not have given as complete information if they had known that their “secrets” would be revealed. As Edmonton and Regina participants suggested:

“I could see one negative application, and I doubt it will ever happen again, but the citizenship, nationality or religion [issue]. If there was ever another Hitler, for instance, and he wanted to eradicate you because you were Jewish he’d go back and take a look and say, well, your great-grandmother was Jewish. So I could see how that information 93 years later would still be pertinent.”

“ I don’t know historically, how much Canadians used hired help, as they did in the States, and the sort of slavery issues and some morality issues that may have been asked in some of those Censuses. We as a generation now would look at them very differently then [at] the time and [in] the culture in the early 1900’s. So those types of things may be very sensitive.”

A majority of participants expressed concerns regarding the privacy of these individuals, especially those who may yet be living or near descendants of those recorded in these documents. A number of participants were concerned that giving the government freedom to release these records after 92 years might create a “slippery slope” that would see the incremental and ongoing reduction in the delay period. As one St. John’s participant stated:

“My concern is that the government cannot, in one hand have a statutory obligation to require us to give over information, then offer us a promise of confidentiality, and then say that that promise is only good for as long as we’re alive, because eventually those words can be contorted like all other government action into shorter and shorter time periods.”

They were also concerned about the potential commercialization of these individual records and felt that historians and genealogists could use other records in their various pursuits. As one Toronto participant stated:

"They're commercializing just about everybody's information to put into their books so they can sell more. I have access to all that information to make money on. So it's becoming a commercial entity, and that's not part of what this is all about."

With regard to the availability of other primary records, some participants thought that there are many sources other than individual census records that would be easier to use and more likely to yield the required information, such as local birth/death records, church records and municipal property ownership records.

Some participants, especially those in Edmonton, Regina and Winnipeg raised a perceived relationship between the confidentiality promised to Canadians and the legal compulsion to participate in the census. In their view, if participation in the census is compulsory, then the government must promise that the confidentiality of these individual records will be respected. If participation in the census is discretionary, then there is a lesser requirement to maintain confidentiality. With this in mind, some participants stated that, as long as there is a legal requirement to participate in the census, the individual records should remain confidential.

Some participants, especially those in Regina and Winnipeg, thought that that individual census records might contain information that might be considered sensitive even after the passage of time. This would include income, literacy, mental illness, property ownership, and ethnic origin. As well, some people might be discomfited or embarrassed by information contained in their ancestors' records. As one Regina participant emphasized:

"Yeah, it's just on about ten levels it's wrong. I think saying that just because the person's dead now, it doesn't matter what we do with their information, I think that's absolutely absurd".

The Compromise Option

Given that many participants found this issue to be difficult and complex, with merits on both sides, many participants expressed an interest in a compromise that would give needed access to these records while respecting the confidentiality of the census process. Despite this interest, few participants supported the compromise option developed by Statistics Canada and, even among those who supported this option, this support was tepid and unenthusiastic. Simply put, the compromise option was not seen as the ideal

solution to this difficult problem.

Given their strong interest in maintaining the promise of confidentiality, most participants supporting the withholding of individual census records were reluctant to support the compromise option granting limited access to the individual census records. Overall, there was a concern that even limited access might result in the irretrievable release of this information despite the safeguards that might be put in place.

Participants who want the information to be released were opposed because they thought that the compromise option would impose undue restrictions and create a bureaucratic bottleneck that would frustrate access to this information. The definition of family is considered by some to be too narrow, and the requirement for “review of research applications by committee” is viewed as too cumbersome to be workable.

Many participants felt that there should be ground rules that allow for data access for “compassionate reasons”. The key to this compromise is that it should be sensitive to the privacy rights of those participating in the census and, at the same time, it should not be so restrictive to disallow people who have a “real” need for this information to gain access. However, when asked for suggestions on how this might be accomplished, these participants could offer no suggestions or ideas other than excluding identifying information or allowing the use of civil servants to conduct search and collate information – a costly endeavour. Some participants indicated that these records might be released if those seeking this information could obtain the consent of those yet living for the release of records where they are listed. As one Vancouver participant mused:

“One way I can see them getting around this [is] if they do want to see this personal information, it’s up to them to go to the living relative and ask that living relative if it’s okay that we release this information. And if that relative says no, [then] they can’t. If that relative says ‘yes’ or ‘Sure, go for it, man’, but if there are no relatives that are alive or they can’t get a hold of a relative, they’re not allowed to”

There was some interest in both Toronto and Halifax groups regarding this compromise option, but many of these participants were concerned about the potential cost and bureaucracy associated with this option.

Some Vancouver participants rejected the possibility of compromise, even to the point of denying access for those seeking information for medical or humanitarian reasons.

After discussion, many participants thought that some form of compromise regarding access to individual records might be possible, but were emphatic that

no identifying information (names, in particular) be released.

5.0 Key Issues in the Decision-Making Process

In both the town hall presentations and focus group sessions, it is clear that Canadians approach this issue on the basis of trying to make the right decision for them and for society at large.

It is clear that a majority of presenters in the town hall sessions support the unrestricted release of the census records, and point to a variety of sources, such as the conclusions of the Expert Panel, interpretations of legislation and regulations, and the views of distinguished academics, in support of their view. As well, many presenters drew on their own personal experiences, either as those pursuing this research themselves or working collectively with others, in making their case that these records should be released. Although there are a number of policy arguments advanced in support of releasing these records, none of these arguments are as compelling, or have the power to sway an audience, as the personal testimony of those who are seeking access to these records out of medical or personal need.

Unlike in the focus groups, where participants faced a “learning curve” on this topic in two short hours, many of those appearing at the town hall meetings, regardless of their orientation on this subject, were very familiar with the issue terrain and the various arguments, pro and con. While this expertise was very helpful to the town hall process, it appears that there is a great deal of inflexibility among presenters on either side of this issue.

This inflexibility makes the achievement of a mutually agreeable compromise very difficult.

The focus group participants took a much different approach, possibly enabled by the low level of prior knowledge on this topic. In addition to contributing their own views, the focus group participants took the views of other participants into consideration as they worked through this issue. The decision-making process in the focus group sessions seemed to hinge on two critical factors – their views on census confidentiality and the benefit/harm analysis of the release of individual census records.

With regard to the benefit/harm analysis, those participants who thought that the potential for harm was non-existent or that benefits that might accrue from increased understanding of family and Canadian history or from access to medically relevant information tended to support the release of these records. In contrast, those who saw the potential for harm or embarrassment to descendants or those who were not convinced of the unique benefits that would be derived from these records were inclined to withhold the release of these records. It is important to note views on the possible impact that this release might have on

the ability of Statistics Canada to do its job. In addition to having a negative impact on the ability of Statistics Canada to secure the co-operation of Canadians in future censuses, those who supported withholding these records saw a possible release as undermining the key values associated with Statistics Canada.

Unlike the benefit/harm analysis, where distinctions tend to be more subtle, views on census confidentiality tend to be more clear cut, either participants believe that there is a confidentiality issue or there is not. Those who favoured the release of the data based their view on the basis that the 92 year rule would be sufficient in terms of maintaining census confidentiality. Often, these participants would toss off a remark, such as “who cares about this information after 92 years”, in this regard. On the other hand, those who opposed the release of this information were stronger and more insistent in their view, using phrases such as “a promise is a promise” or “privacy is privacy.”

At the conclusion of each focus group session, participants were asked to state whether they supported the release or the withholding of 1906 and 1911 census records. Although qualitative results are not representative of the population as a whole, we did find that, by a two-to-one margin overall and in a majority of the sessions, the focus group participants would withhold these records from public release. This is in stark contrast with the town hall presentations, where the overwhelming majority supported the release of these census records.

This will remain a difficult issue for Statistics Canada. Although the genealogists and academics at the town hall meetings were strong in their support for the release of these records, this view is not shared by a majority of those Canadians who participated in the focus groups. It is also clear that the presenters supporting the release of these records believe that they are on the right side of this issue and that they will eventually prevail.

Appendix A – Advertisements

Appendix B – Newspapers and Insertion Dates

National Advertisements

Globe and Mail	December 22
La Presse	December 22

Regional Advertisements

Ottawa Citizen	December 6
Le Droit	December 6
Halifax Herald	January 3
Toronto Star	January 4
L'Express	January 8
Montreal Gazette	January 4
La Presse	January 4
Fredericton Daily Gleaner	January 10
Dieppe L'Acadie Nouvelle	January 10
Charlottetown Guardian	January 9
St. John's Telegram	January 11
La Gaboteur	January 10
Winnipeg Free Press	January 17
La Liberte	January 18
Regina Leader Post	January 18
L'Eau Vive	January 18
Edmonton Journal	January 21
Le Franco	January 18
Vancouver Sun	January 23
L'Express du Pacifique	January 19

Appendix C - Letter to Town Hall Invitees



Date/Month/Year

Dear Sir/Madam,

Access to individual census returns for the 1906 and 1911 censuses has been the topic of public debate in the last few years.

In order to gain the input from Canadians on access to individual census questionnaires, Environics Research Group has been asked to hold a series of town hall Meetings with all interested Canadians across the country between December 14th and January 30th. We would like to invite you to attend one of the two (city name) town hall meetings on (date) at the (location of groups and address), one from 2:00 p.m. to 4:00 p.m. and another from 6:00 p.m. to 8:00 p.m.

Presentations can be made in either English or French and participants will be scheduled on a first come, first serve basis. After each submission, there will be five minutes allotted for questions. There will be simultaneous translation during each submission and submissions can be made in either of Canada's two official languages. Written submissions are not required. The sessions will be audiotaped. For more information on the objectives of this public consultation and background information, please visit the Statistics Canada web-site at <http://www.statcan.ca/english/census96/histrord.htm> or the Environics Research Group web-site at <http://erg.environics.net/>.

Please confirm your attendance at either of these two town hall meetings by emailing censusconsultations@environics.ca or calling (613) 230-5089. Please indicate whether you will be attending with a submission, whether you will attend the afternoon or evening town hall Meeting and the number in your group expected to attend.

Thank you.

Chris Baker
Vice-President
Environics Research Group



Nom

Titre ou Nom D'Organization

Adresse

Ville, Province

Code Postale

Date, 2001.

Cher Madame/Monsieur,

L'accès aux questionnaires individuels des Recensements de 1906 et de 1911 fait l'objet d'un débat public depuis quelques années.

Afin de recueillir le point de vue des Canadiens et des Canadiennes sur l'accès aux dossiers individuels du recensement, on a demandé au Groupe de recherches Environics d'organiser une série d'assemblées publiques à travers le pays pour les Canadiens et Canadiennes que la question intéresse, et ce, entre le 14 décembre et le 4 février. We would like to invite you to attend one of the two Ottawa-Gatineau town hall meetings on Friday, December 14th at the Sir Guy Carleton Room, Marriott Residence Inn, 161 Laurier Ave. West, Ottawa, one from 2:00 p.m. to 4:00 p.m. and another from 6:00 p.m. to 8:00 p.m.

Presentations can be made in either English or French and participants will be scheduled on a first come, first serve basis. Chaque présentation sera suivie d'une période de questions de cinq minutes by the chair. On offrira des services de traduction simultanée pendant les présentations, et chaque présentation peut être effectués dans l'une ou l'autre des deux langues officielles du Canada. Il n'est pas nécessaire de remettre un document écrit. Les séances seront enregistrées sur ruban audio. Pour plus de renseignements: www.statcan.ca/english/census96/histrord.htm OU le site du web pour la Groupe de recherches Environics erg.environics.net/.

Veuillez confirmer votre présence à l'une ou l'autre des deux assemblées publiques par courriel censusconsultations@environics.ca ou en appelant (613) 230-5089.

Merci.

Chris Baker
Vice-President
Environics Research Group

Appendix D – Compromise Option

An Option Regarding the Release of Census Records

1. Objective:

- Maintain the confidentiality protection originally promised to respondents (legal protection of confidentiality under protection of the Statistics Act), while providing reasonable access to historical records for two purposes: for genealogical research *about one's own family*; and for historical research.

2. Legal prerequisite:

- The mandate of Statistics Canada, as defined by the Statistics Act, will be extended to include support for genealogical and historical research using Census files 92 years after the reference year. Such an amendment would: enable Statistics Canada to support genealogical and historical research; would restrict public disclosure to *basic* information about identifiable individuals (i.e. names, ages, address, marital status and birthplace); would further restrict such release to members of one's own family (in case of genealogical research) and to subjects of (peer reviewed) historical research; and would provide the full legal sanctions of the Statistics Act should these confidentiality arrangements be violated.

3. Operating principles:

- *Genealogical research:* under the Statistics Act (amended), access to historical census records will be provided to individuals wishing to conduct genealogical research on their own families (defined as direct descendants of a direct ancestor). They will be subject to the penalties of the Statistics Act should they disclose information about people other than members of their respective families. As a condition of access they will sign a legally valid undertaking to this effect.
- *Historical research:* access under the Statistics Act will be provided to researchers whose proposed research subject and methodology passes a peer review, administered by the Social Sciences and Humanities Research Council. In order to gain access, they will be required to sign an undertaking that any identifiable information to be released by them as a result of their research will relate only to the subject(s) of their approved research.
- *Enforcement:* access to historical census records, for either of the two purposes described above, will be extended to individuals as if they were deemed employees of Statistics Canada. They will therefore be subject to penalties should they violate their undertaking with respect to the confidentiality protections under the (amended) Statistics Act.

Enforcement will be complaint based.

4. Operational arrangements:

- Access to the historical Census records will be managed by the National Archives as *agent for Statistics Canada, and hence operating under the legal mandate of the (amended) Statistics Act.*
- Individuals conducting research on their direct ancestors will sign a Consent Agreement of Access and Use form. This form will set out both the conditions of access and definitions of what an individual may make public about members of his or her own family. The agreement will also set out the penalties for disclosure of unauthorized information.
- Access to the historical Census files provided to authorized persons will be unrestricted but only basic information -- names, ages, address, marital status and birthplace -- may be removed from the Census records and made public.
 - An individual or organization wishing to conduct genealogical research on behalf of a person or a family will have to obtain authorization from the person/family concerned. Such an individual or organization will be subject to all the conditions, restrictions, and penalties that would have applied to the person about whose family the genealogical research would be conducted.
 - Historians will be given access to historical Census information on the basis of a peer review. The peer review process will be managed and governed by the Social Sciences and Humanities Research Council. The panel will identify the person or persons about whom identifiable historical Census information may be released as part of the results to be published by the researcher. As in the case of individuals and genealogists, historians will only be allowed to release basic census information.

Une Autre Option Pour Les Recensements de 1906 et 1911

1. Objectif :

- Maintenir la promesse de confidentialité des renseignements personnels faite originalement aux répondants (protection légale de la confidentialité en vertu de la *Loi sur la statistique*), tout en permettant un accès raisonnable aux dossiers historiques pour deux seules raisons : la recherche généalogique *au sujet de sa propre famille* et la recherche historique.

2. Condition légale préalable :

- Le mandat de Statistique Canada, tel que défini dans la *Loi sur la statistique*, sera étendu afin d'inclure le soutien à la recherche généalogique et historique au moyen des dossiers du recensement, et ce, 92 ans après l'année de référence. Une telle modification aurait pour effet de : permettre à Statistique Canada de soutenir la recherche généalogique et historique; restreindre la divulgation publique à des renseignements *de base* au sujet de personnes identifiables (c'est-à-dire le nom, l'âge, l'adresse, l'état matrimonial et le lieu de naissance); restreindre encore davantage la divulgation de tels renseignements aux membres de la propre famille d'un particulier (dans le cas de recherches généalogiques) et faire l'objet d'une révision par des pairs (dans le cas de recherches historiques); permettre de sanctionner légalement, en vertu de la *Loi sur la statistique*, toute violation de ces dispositions relatives à la confidentialité.

3. Principes directeurs :

- *Recherche généalogique* : en vertu de la *Loi sur la statistique* (modifiée), l'accès aux dossiers historiques du recensement sera accordé aux particuliers désirant faire une recherche généalogique sur leur propre famille (définis comme descendants directs d'un ancêtre direct). Ils seront passibles des peines prévues par la *Loi sur la statistique* s'ils devaient divulguer des renseignements sur des personnes autres que des membres de leur famille respective. Comme condition d'accès, ils devront signer un engagement légal à cet effet.
- *Recherche historique* : l'accès en vertu de la *Loi sur la statistique* sera accordé aux chercheurs dont le sujet de recherche et la méthodologie proposés reçoivent l'aval de leurs pairs dans le cadre d'une révision gérée par le Conseil de recherche en sciences humaines. Comme condition d'accès, ils devront signer un engagement spécifiant que les seuls renseignements identifiables qu'ils pourront diffuser dans le cadre de leur recherche devront aborder uniquement le ou les sujets de leur recherche approuvée.

- *Application* : l'accès aux dossiers historiques du recensement, pour l'une ou l'autre des deux raisons mentionnées précédemment, sera accordé aux particuliers au même titre que s'ils étaient des employés de Statistique Canada. Ils seront donc passibles de sanctions s'ils ne respectent pas leur engagement en matière de protection de la confidentialité en vertu de la *Loi sur la statistique* (modifiée). La loi sera appliquée à la suite de plaintes.

4. Arrangements opérationnels :

- L'accès aux dossiers historiques du recensement sera géré par les Archives nationales *en tant que mandataire de Statistique Canada, agissant donc ainsi en conformité avec le mandat légal conféré par la Loi sur la statistique (modifiée)*.
- Les particuliers faisant une recherche sur leurs ancêtres directs signeront un formulaire de consentement d'accès et d'utilisation. Ce formulaire fera état des conditions d'accès et définira ce qu'un particulier peut rendre public au sujet des membres de sa propre famille. Le formulaire décrira également les peines prévues dans le cas de divulgation non autorisée de renseignements.
- L'accès aux dossiers historiques du recensement sera accordé sans restriction aux personnes autorisées, mais seuls les renseignements de base – nom, âge, adresse, état matrimonial et lieu de naissance – pourront être retirés des dossiers du recensement et rendus publics.
- Un individu ou une organisation désirant mener une recherche généalogique au nom d'une personne ou d'une famille devra obtenir l'autorisation de la personne ou de la famille en question. Un tel individu, ou une telle organisation, sera assujéti à toutes les conditions, les restrictions et les sanctions qui auraient été applicables à la personne dont la famille fait l'objet d'une recherche généalogique.
- Les historiens auront accès aux dossiers historiques du recensement après une révision par les pairs. Ce processus de révision par les pairs sera géré par le Conseil de recherche en sciences humaines. Le comité d'experts identifiera la ou les personnes au sujet de qui des renseignements identifiables tirés des dossiers historiques du recensement peuvent être diffusés à même les résultats publiés par le chercheur. Comme dans le cas des particuliers et des généalogistes, les historiens ne pourront diffuser que des renseignements de base.

Appendix E – List of Town Hall Meeting Presenters

Charlottetown

Richard Savidant
PEI Genealogical Society

Garth Staples
Private Citizen

Fred Horne
MacNaught History Centre and Archives Summerside

John Palmer
PEI Statistics Office

Bill Glen
Private Citizen

Robert Pierce
Private Citizen

Sasha Mullally
Private Citizen

George Wright
Private Citizen

Jim Koughan
Private citizen

Earl Pauley
Private Citizen

Dany Koughan
Private Citizen

Doug MacDonald
Private Citizen

Catherine Hennesey
Private Citizen

Leo Chevrier
Private Citizen

Catherine Tuck
Private Citizen

Rita Offer
Private Citizen

Edmonton

Joan Margel
Private Citizen

Doug Stobbs
Alberta Family History Society

Marion McQuay
Family History Community
Bonnie Doon

Frank Easton
Past President, Alberta Genealogical Society

Michael Gourlie
Executive Director
Archives Society of Alberta

Donald Duncan
Private Citizen

Audrey Zawalski
Private Citizen

Susan Barnsley
Private Citizen

Fred Alexandruk
Private Citizen

Peter Skitsko
Ukrainian Branch, Alberta Genealogical Society

Ron Bissett
Private Citizen

Ian Holmes
President, Alberta Genealogical Society

Keith Sanders
Private Citizen

Peter Gulka
Private Citizen

Allan Wilson
Private Citizen

Gordon Birdhall
Private Citizen

Kim Christie-Milley
Acting Archivist
City of Edmonton Archives

Fredericton

Dawn Bremner
Queens County Historical Society and Museum

David Curtis
Private Citizen
Haymarket, Virginia, USA

George Kingston,
Private Citizen
Mirimichi, NB

Marion Beyaa
Provincial Archives
Fredericton, NB

Darrel Butler
Kings Landing Historic Settlement

Victor Luce
Genealogie Tracadie Inc.
Tracadie, NB

Andy Scott
Member of Parliament

Vic Badeau
President, NB Genealogical Society

Greg Kealey,
VP Research, University of New Brunswick

Fernand Levesque,
Association of Provincial Archives
Fredericton, NB

Gail Campbell
History Department
University of New Brunswick

Fred Farrell
Chair, Canadian Council of Archives

Bill Parenteau
History Department
University of New Brunswick

Charles Ferris
Archivist, Anglican Church of Canada
Fredericton, NB

Halifax

Darce Fardy
Information and Privacy Review Officer
Government of Nova Scotia

Dennis Pilkey
Director, Statistics
Department of Finance
Government of Nova Scotia

Michael Colborne
Provincial Library
Government of Nova Scotia

Sandra Wooden
Private Citizen
Halifax

Rowyn MacLean
Private Citizen
Halifax

Dr. Iain Taylor
Adjunct Professor
Dalhousie University

James P. Barnaby
Private Citizen
Halifax

Leland Harvie
Editor, Journal of the Genealogical Association of Nova Scotia

Mary-Anne Bohaker
Halifax Regional Library

Dan Conlin
Maritime Museum of the Atlantic

Dr. Mary Lu MacDonald
Private Citizen
Halifax

Fred Curtis
Private Citizen
Halifax

Karen McKay
President, Genealogical Association of Nova Scotia

Joanne McCarthy
Reference Librarian

Dr. George Young
Professor of History, St. Mary's University

Montreal

Denise Angers
Université de Montreal

Christian Dessurault
L'institut d'histoire Canadienne

Stanley Diamond
Jewish Genealogical Society (Montreal)
Beta-Thalassemia Genetic Trait Research Project
Jewish Indexing Project-Poland

Raymond Giroux, President
Roger Lécuyer, Vice President
Société d'histoire et de généalogie de Salaberry

Gary Schroder
President, Quebec Family History Society

Mariette Parent
Société de généalogie de Québec

Stanley Grunfeld
Private Citizen
Montreal

Marcel Fournier
President
La Société généalogique canadienne-française

Jean-Pierre Pepin
Researcher, Editor and Publisher
Fond Derouin

James Neelin
Ottawa

Jacques Gagnon
President, Fédération Québécoise des sociétés de généalogie

Dr. Lisa Dillon
Professor of Historical Demography
Université de Montréal

Diane Baillargeon
L'Association des archivistes du Québec

Nicole Poulin
President
Société d'histoire du Haut-Richelieu

Ottawa

Gordon Taylor
British Isles Family History Society

Jeff Paul
Legislative Assistant, Senate of Canada

Lyn Winters
Private Citizen

Carol Martin
Historical Society of the Gatineau

Bill Arthurs
Private Citizen

Carol Ingram
Private Citizen

Gerry Conway
Private Citizen

Ruth Kirk
Private Citizen

Marie Marthe Dubois
La Societe Franco Ontarien d'Histoire et de Généologie

Patricia Roberts-Pichette
Private Citizen

Alison Hare
Ontario Genealogical Society - Ottawa

Chad Gaffield
Professor, University of Ottawa
Past-President, Canadian Historical Association

Patricia MacGregor
Kawartha and Kingston Ontario Genealogical Society

Murray Long
Private Citizen

Dave Mackenzie
Private Citizen

Robert Bennett
Private Citizen

John Reid
Private Citizen

Regina

Bill Waiser
Private Citizen

Ken Svenson
Private Citizen

Celeste Rider
Private Citizen

Michelle Rusk
Private Citizen

Michael Bartolf
Private Citizen

Jim Hunter
Private Citizen

Bev Weston
Private Citizen

Lynda Andrew
Private Citizen

Clifford Rusk
Private Citizen

Al Markel
Private Citizen

St. John's

Desmond McGrath
Private Citizen

Patrick Walsh
The Newfoundland and Labrador Genealogical Society

Robert Sweeny
History Department, Memorial University of Newfoundland

Donna Burden
Private Citizen

Mary-Ellen Wright
Private Citizen

Jesse Chisholm
Private Citizen

Shelly Smith
Archivist
Government of Newfoundland and Labrador

Wayne Davis
Private Citizen

Elliott Burden
Private Citizen

Toronto

Doris Bourrie
Societe Franco-Ontarien d'histoire et de genealogie

William Terry
Dominion President, United Empire Loyalist Association of Canada

Nancy Trimble
Private Citizen
Toronto

Wanda Sinclair
Genealogist, Clan Sinclair

Hon. Lorna Milne
Senate of Canada

Dave Fenwick
Private Citizen
Toronto

Len Wilkinson
Private Citizen
Toronto

Kent Haworth
Archivist

Sharon Murphy
President, Ontario Chapter, Association of Professional Genealogists

Brian Gilchrist
Private Citizen
Toronto

Kenneth Bird
President, Ontario Genealogical Society

Kathie Orr
Ontario Chapter, Association of Professional Genealogists

Janet Langdon
Private Citizen
Toronto

Louise St. Denis
Societe Franco-Ontarien d'histoire et de genealogie

Dr. Allan Currie
Private Citizen
Halton-Peel

Vancouver

Candy-Lea Chickite
Member, Cape Mudge Indian Band

Carol Graham
Retired Librarian

Eric Sager
Chair, History Department
University of Victoria

Roz Griston
Private Citizen

Neil Sutherland
Retired Professor
University of British Columbia

Stephanie Kurmey
Public Services Librarian
Cloverdale Branch
Surrey Public Library

Lynn Duncan
Private Citizen

Janet Tomkins
History and Government Division
Vancouver Public Library

Gordon Watts
Co-Chair, Canada Census Committee

Sherry Edmunds-Flett
Doctoral Candidate, Simon Fraser University
Abbotsford Genealogical Society

Dana Taylor
Private Citizen

Fay Hicks
Abbotsford Genealogical Society

Vivian Kranenburg
Private Citizen

Elizabeth Walker
Private Citizen

Angus Gunn
Private Citizen

Gordon Elliot
Private Citizen

Winnipeg

Robert Stoker,
Manitoba Genealogical Society

Bev Rayburn
Private Citizen

Gerald Friesen
Private Citizen

Shelley Sweeney
Private Citizen

Robin Brownlie
Private Citizen

Barry Ferguson
Private Citizen

Doreen McDonald
Private Citizen

Gayle Vidal
Private Citizen

Peter James
Private Citizen

Brian Hubner
Private Citizen

Bonnie Bileski
Private Citizen

Gordon Goldsborough
Private Citizen

Peter Bower
Private Citizen

Wayne Neily
Private Citizen

Nancy Stunden
Private Citizen

Appendix F – Summaries of Town Hall Meetings

**January 16 Charlottetown Town Hall Presentations
2:00-4:00pm and 6:00-8:00pm**

Approximately 20 people attended the afternoon and evening sessions at the Delta Prince Edward Hotel in Charlottetown. The presenters included a mix of representatives from local genealogical societies, archivists and private citizens.

While all of the presenters developed arguments for the full release of the 1906 and 1911 census records, some indicated that, since the records were on microfilm, partial release would not be possible. Some of the arguments presented in favor of the full and unrestricted release of census information included the view that non-release would be discriminatory for those whose ancestors arrived after 1901 and for whom no census information would be available and for the place of ordinary Canadians within the documented history of Canada. As well, presenters said that census records would provide insight into families and family history. This is becoming more important as families become increasingly fragmented or geographically dispersed, and could provide the opportunity to document historical medical information of a genetic nature. Further, some presenters commented that census records are the only source of information on topics such as rural health care, migration and settlement patterns.

A number of presenters stated that this information is important to Canadians as well as internationally, and that Canada should align itself with what other countries are doing (with the United States and the United Kingdom cited as examples).

With regard to the debate on the "promise of confidentiality", all presenters felt that, if an actual promise was indeed given, it should be taken in context. Many presenters stated that a promise of perpetual confidentiality was neither given nor intended, with one presenter indicating that any other interpretation would be completely wrong. Further, presenters commented that no challenges or complaints have been documented regarding the release of individual census information to date.

There was a perception among presenters that, since political promises have a short shelf life, there was no reason that an assurance of confidentiality given in 1906 and 1911 should be viewed as a longer-term promise. Presenters felt that the context in which promises are given or decisions taken change with time. Participants also mentioned that even Cabinet documents are available after a reasonable period of time.

Although some presenters indicated that a shorter time for release would be desirable, 92 years was seen a reasonable time to protect the confidentiality of individual information and to ensure a proper balance between privacy and freedom of information.

The compromise or third option presented for comment was found to be unacceptable to all presenters, both in terms of those who could access the information as well as the information that is made accessible. Although some presenters indicated that a compromise may be possible, they could not understand why a compromise was necessary since, in their view, none of the information in either the 1906 census or the 1911 census was too sensitive for general release given the amount of time that has elapsed.

Presenters gave examples of information of a much more sensitive nature that is readily available from court, hospital, military and Land Registry sources: for example information on mortgages, the value of a person's estate at death, illness, and illegal activities.

Aside from the release of the records, there was little agreement as to the manner in which the information would be released. One presenter indicated that, although unrestricted access was essential, access should be provided in an archival setting with adequate controls and in a dignified manner. Still another presenter indicated that the information should not be made available on the Internet, while yet another person indicated that the information should be accessible on CD.

A number of presenters indicated that they were hard pressed to understand Statistics Canada's concern regarding the release of the census records. They indicated that more harm would come to the Agency from not releasing this information than from its release.

Most of the presenters indicated their support for the recommendations of the Expert Panel and one presenter specifically indicated support for Bill S-12. Presenters also cited the many petitions that have been collected on this topic.

One presenter indicated that Statistics Canada was right to be concerned about the integrity of its operation; however, he only saw a remote possibility that releasing the census information would be a cause for concern. Another presenter indicated that trust in Statistics Canada would be eroded by not releasing the information.

Finally, a number of presenters indicated that the destruction of census records should not be allowed regardless of the outcome of these consultations.

**January 28 Edmonton Town Hall Presentations
2:00 - 4:00pm and 6:00 - 8:00pm**

Approximately 105 people attended the afternoon session and 110 people attended the evening session at the Westin Hotel in Edmonton. The presenters represented a mix of representatives from local genealogical societies, archivists and private citizens

All of the presenters in both sessions supported the full and unrestricted release of the individual census records from the 1906 and 1911 censuses. Many presenters cited the recommendations of the Expert Panel, release practices in the United States and the United Kingdom, and the absence of complaint regarding the release of individual records from earlier censuses in support of this position. As well, a number of these presenters cited the "mushrooming interest" in national, provincial, local and family history as a reason for the release of these records.

Further, one presenter stated that individual records from both the 1911 and 1921 census should be immediately released. In the view of this presenter, 80 years of elapsed time between the collection and release of these records would be sufficient to protect the confidentiality of participants in these censuses. Other presenters mentioned the 72 year delay period used in the United States. Overall, however, the 92 year delay period used for the release of previous census records was seen as an appropriate time frame.

There was a general view among presenters that no harm would come to anyone, past or present, from the release of the individual census records. While presenters agreed that the assurance of confidentiality is an important part of the census process, they also thought that confidentiality was not intended to be permanent and that the need for confidentiality diminishes with time.

Many presenters spoke of their personal experiences researching family history and gave testimony regarding the importance that they attach to this endeavour. As well, a number of presenters spoke to the importance of these records to the documented history of the province, which is nearing its centennial anniversary in 2005. In their view, these records would give vital information regarding the transition from the fur trade economy to an agricultural economy. Further, a comparison of the 1901, 1906 and 1911 census records would provide information on settlement and migration patterns, as well as specific information on the immigrant families settling in the province. As one presenter stated, access to these records would assist in tracing family members and history that are inhibited by incorrect identification or misspellings of names. Other presenters want to have access to these records to confirm facts or increase their understanding about deceased family members.

A number of presenters spoke of the importance of the Internet as a research

tool as well as a means to share information and to network with other genealogists. A few presenters described the various resources available through the Internet; some were created and maintained by volunteers, some by government organizations (the UK Public Records Office), and some as commercial web sites (Ancestry.com).

Other genealogical resources, such as city directories, biographical newspaper clippings, or family histories maintained by archives, were also described. As well, a few of the presenters were engaged in collecting oral histories of their communities.

Those presenters who commented on the "compromise option" dismissed this option as too restrictive, a "power grab", too bureaucratic and costly. In addition, many presenters thought that the restrictions on access, including the peer-review process for academics, was either too cumbersome or elitist. One presenter felt that a lack of detail in the option, especially with regard to how this option would actually work in practice, was the main failing of this option.

January 14 Fredericton Town Hall Presentations

2:00-4:00pm and 6:00-8:00pm

Approximately 20 people attended the afternoon session and 18 attended the evening session at the Lord Beaverbrook Hotel in Fredericton. The presenters represented a mix of archivists, academics, private citizens, representatives from local genealogical societies and a Member of Parliament.

In their opening remarks many presenters welcomed the opportunity to express their views on the access and privacy issues regarding the release of census information.

All of the presenters argued in favor of the full and generally unrestricted release of all records from the 1906 and 1911 census after a reasonable period of time. Some of the arguments made in favour of this full release included the increasing popularity of genealogy, genealogical tourism and related economic spin-offs, and the increased understanding of the history of families, communities and the country as a whole. Further, a number of presenters asserted that the release of these records would augment the ability of medical researchers to address inherited genetic conditions. Many presenters pointed to the recommendations of the Expert Panel, the interest shown in the release of individual records from the 1901 England and Wales Census, and the absence of complaints regarding the release of earlier Canadian census records (even in Newfoundland where census information up to and including 1945 has been released) in support of their view.

Further, one presenter indicated that Canadians may be more inclined to provide accurate personal information if they knew it would eventually be accessible to individuals and research institutions in the future. Another presenter reinforced this message indicating that proper marketing or celebration of the release of census records (as in the United States and United Kingdom) or, alternatively, taking the time to educate the Canadian public on the many benefits of this information would increase participation in the census.

Although some presenters underlined the desirability of earlier access to individual census records, there was general agreement that 92 years was both acceptable to researchers and sufficient to fulfil confidentiality requirements. A number of presenters indicated that the advantages of releasing census data after a reasonable period of time outweigh any concerns for not releasing it.

Even though some presenters agreed that a "promise of confidentiality" had been given to Canadians, none of these presenters thought that this promise was intended to be everlasting. All presenters believed that there was no information in either of the 1906 and 1911 census records too sensitive for release. Moreso, the comment was made a number of times that much more sensitive information is accessible to the general public much sooner in other fields.

Although privacy issues may be of concern to Canadians at the present time, it was argued by a number of presenters that a general distrust of Government and a fear that information from personal records could be used to the detriment of citizens was the main concern, not the release of individual records after 92 years had elapsed. Further, one presenter stated that there were other issues regarding privacy that were more of a priority than this issue. One presenter summed up this view indicating that privacy needs to be balanced with the need to document and promote our national history and identity.

The compromise proposal was generally seen by presenters to be too difficult, bureaucratic and costly to enforce, as well as discriminatory in allowing only historians access to the complete records or restrictive in allowing only direct descendants the right to disseminate information regarding their direct ancestors. Some presenters, however, recognized the right of individuals to stop the release of their own individual records, but not to prevent access to the records of others, including other family members, living or deceased.

Two presenters specifically indicated support for Bill S-12. Finally, most presenters specifically expressed that purposely destroying census information would be unacceptable or, as one presenter put it, criminal.

January 7 Halifax Town Hall Presentations

2:00 pm - 4:00 pm and 6:00 pm - 8:00 pm

Approximately 30 people attended both the afternoon and evening sessions at the Westin Nova Scotian in Halifax. The presenters were a mix of public officials, academics, librarians, private citizens and representatives from local genealogical societies.

Regardless of their position on the release of the census records, many presenters welcomed a public debate and greater public awareness concerning the various privacy and access to information issues related to this topic.

Two of the presenters argued against the release of individual records from the 1906 and 1911 census. In their view, Canadians complete the census with an expectation of confidentiality and their rights to confidentiality or privacy do not end with their death or diminish with the passage of time. Despite a regime of increased access to government records in general, individual records have always been exempt from general access to information provisions.

Further, one presenter put forth the view that the violation of this confidentiality would have a negative impact on the quality and comprehensiveness of future data collected by Statistics Canada.

These two presenters supported the option for limited access to individual census records, which, in their view, balanced the protection of confidentiality with access to these records by family members and historians.

Those presenters arguing for the release of census records found this option to be too restrictive and cumbersome. In particular, they expressed a concern that "direct descendants" may find themselves in a situation where they need to prove their ancestry to gain access to the records that would give them this proof. As well, there was a general sentiment that the operational requirements of this option would deter access to these records.

Given that the pursuit of genealogy is "a serendipitous exercise", those arguing for the release of records wanted unfettered access to individual census records from the 1906 and 1911 censuses. In addition to the personal satisfaction obtained from an increased understanding of family history, a number of presenters argued that supporting genealogical research has generated, and would generate, economic benefits, from increased tourism through to greater activity in the cultural industries. Access to individual census records was also seen as a vital source of information for understanding changes in settlement patterns, internal migration and economic sectors.

In addition, some pro-release presenters gave examples of how access to individual records would give living Canadians a better understanding of their

family medical history, especially with regard to diabetes and heart disease, or how this information could prove valuable in legal situations.

Many of the pro-release presenters held the view that Statistics Canada is withholding the release of census records out of a sense of "bureaucratic possessiveness" and that there is no reason for the non-release of these records. They also asserted a view that the release of earlier Canadian census records or those related to censuses in Newfoundland, the United States, or the United Kingdom had been done without "a single complaint." The recent release of the records from the 1901 England and Wales census was given as an example of public interest, and a lack of public concern, in this regard.

A number of pro-release presenters pointed to the findings of the Expert Panel to support their arguments for the release of the individual census records, especially with regard to the confidentiality of individual census records.

Although one pro-release presenter felt that wages, insurance coverage and some information on infirmities could be excluded, there was an overall consensus among pro-release presenters that the 1911 census does not contain information that would be considered sensitive today. There was a general view among these presenters that the 92 year delay was sufficient to protect the privacy rights of those participating in the census. As well, they felt that the release of this census data would have no impact, or even a positive impact, on the participation, accuracy or completeness of future data collected by Statistics Canada.

January 11 Montreal Town Hall Presentations

2:00 pm - 4:00 pm and 6:00 pm - 8:00 pm

Approximately 25 people attended the afternoon and 18 people attended evening sessions at the Montreal Conference Centre at the Renaissance Hotel in Montreal. The presenters represented a mix of academics, private citizens and representatives from Quebec genealogical societies and associations.

Many presenters described the work that they are doing, individually and collectively, in the area of genealogy, social history, demography and related research fields. Although many sources are used in these pursuits, access to individual census records was seen as a vital source of information for understanding changes in our society, especially with regard to the role of women, and changing settlement, internal migration and family composition patterns. A number of presenters, historians and genealogists alike, argued that access to all individual census records is necessary to establish a context for their findings.

Although a number of presenters pointed to the assistance that would be given to medical researchers through access to these records, one presenter described the efforts that he undertook to promote the understanding of a rare genetic condition throughout his extended family. In this regard, he asserted that there might be a humanitarian necessity to have these records available before 92 years had elapsed.

As in other town hall sessions, a number of participants asserted that "not one single complaint" has been made regarding the release of earlier individual census records in Canada, Newfoundland, the United States or the United Kingdom. A number of presenters pointed to the findings of the Expert Panel to support their arguments for the release of the individual census records, especially with regard to the issue of confidentiality. Further, some of the presenters demanded proof from Statistics Canada that a promise of confidentiality was actually made to Canadians.

Representatives of genealogical associations near the Quebec-United States border commented on the disparity of access on either side of the border, even though the families they are researching are often inter-related. The United States releases individual records 70 years after they are collected.

A number of genealogists stated that they abide by a self-imposed code of ethics and, like university-based researchers, they conduct their research with respect and with positive goals in mind.

One presenter supported the option for limited access to individual census records, which, in his view, was a "common sense option" that balanced the protection of confidentiality with access to these records by family members and

historians. However, the remaining presenters found this option to be too restrictive and cumbersome, with one presenter calling it "bureaucratic stupidity." As well, there was a general sentiment among these other presenters that the operational requirements of this option would deter access to these records.

With the one exception, there was an overall consensus among presenters that the 1911 census does not contain information that would be considered sensitive today. Although many presenters thought that the 92 year delay was sufficient to protect the privacy rights of those participating in the census, other presenters thought that these records should become available within a shorter time frame, such as 75 or even 50 years. Given the prevalent collection and use of personal information by credit card companies and loyalty programs as justification, one presenter thought that these records should be released within a dramatically shorter time frame.

**December 14, 2001 Ottawa Town Hall Presentations
2:00 pm - 4:00 pm and 6:00 pm - 8:00 pm**

Approximately 35 people attended the afternoon session and 40 people the evening session at the Ottawa Downtown Marriott Hotel. The group was comprised largely of representatives from genealogical and historical societies, professional and amateur historians, and private citizens. There was one privacy consultant and one Senate legislative assistant among the presenters.

The presenters and audience were very well-informed about the Expert Panel on Access to Historical Census Records, two specific items from the instructions to the enumerators for the 1901 census, the Department of Justice legal opinion in August 2000, and Bill S-12 sponsored by Senator Lorna Milne. Numerous references were made to these items in support of the release of the 1906 and 1911 individual census records.

The speakers agreed on several points:

- They shared the position that "no promise of confidentiality exists" with regard to the individual census records.
- They were unanimous in their support for the recommendations made by the Expert Panel on Access to Historical Census Records.
- They were deeply offended by the "Option" handout provided. It was described as "bureaucratic", "unworkable" and "elitist". They believe that the option prevents researchers from accessing any records but their own immediate family, that it may prevent adoptees from researching the records of their birth family or frustrate persons needing to establish aboriginal heritage in pursuit of their ancestral or treaty rights.
- They believed that Statistics Canada is being overly concerned with this issue and has no legal or moral reasons to withhold the release of these records.
- They were unaware of there ever being a complaint or concerns regarding the release of earlier Canadian census records or those related to censuses in Newfoundland, the United States, or the United Kingdom.

The presenters suggested a number of census release models that Canada could follow, such as Great Britain, the United States, and Australia, which allow for the release of individual records after a time period has elapsed. There was general support for the 92 year rule, although one presenter suggested that a 100 year time period could be employed.

According to one of the presenters, the Justice Canada opinion referred to above had more merit than other legal opinions rendered by Justice Canada because it included a review of sections of the instructions to enumerators beyond the instruction regarding "positive assurance".

Arguments centred on the importance of public census records, from the valuable medical information sometimes revealed to the self-understanding that results from learning one's personal place in history. The value of census records in linking with other primary historic sources, such as civil records, church records, and probate records, was stressed by many presenters.

January 25 Regina Town Hall Presentations

2:00 - 4:00pm and 6:00 - 8:00pm

In total, 40 persons attended the afternoon and evening sessions at the Ramada Hotel and Convention Center in Regina. The presenters included private citizens with genealogical, academic and historical affiliations. Most presenters underlined their appreciation for having this opportunity to voice their concerns.

All presenters supported unrestricted access to individual records from the 1906 and 1911 censuses indicating that, in their view, no promise of perpetual confidentiality had been given. A number of presenters indicated that "the Laurier promise" never existed given that no evidence of such a promise was ever provided by Statistics Canada, and, according to the Experts Panel's review of the legislation, no promise of perpetual confidentiality was ever intended. One presenter specifically referred to an August 1, 2000 legal opinion that arrived at the same conclusion. A few presenters specifically indicated their support for Bill S-12, a bill before the Senate of Canada that recommends unrestricted access.

All presenters supported the view that census information should be kept confidential for a reasonable amount of time and that 92 years was an acceptable compromise. According to the presenters, this period is sufficiently long to ensure that the privacy concerns of individuals participating in the census have been met and to fulfill any promise of confidentiality, if, in fact, a promise had been given. Most presenters indicated that, after 92 years or after the death of a respondent, they did not believe that Canadians would consider any information previously collected by census takers to be sensitive. One presenter was of the opinion that, even if a person had requested that his or her personal information be kept confidential, 92 years would be a sufficiently long time to allow for the release of the information. Many presenters underlined that much more sensitive information was easily accessible from other sources, including information on mortgages and foreclosures, as well as wartime secrets and Cabinet documents.

Most of the presenters also stated that no controversy, protest or complaint have ever been recorded regarding the previous release of individual census records. A few presenters stated that, even in Newfoundland where census information up to and including those taken in 1945 has been released, no complaints have been recorded.

The presenters related a wide variety of uses for census data. Some indicated that raw census data represented the only accurate source of information on ordinary Canadians, on their everyday lives and on how their lives have changed over time. Other presenters referred to the importance of this information to help Canadians understand and celebrate their place in history, in particular when it is cross-referenced with other information sources. One presenter referred to "ordinary Canadians" as our "real heroes."

A number of presenters referred to the use of census data for identifying genetic factors, and for identifying preventative actions to stop the spread of diseases. One presenter referred to this as the "diabetes connection". Diabetes is a present family trait and this presenter requires historic information to better understand and predict the extent of the disease.

Certain presenters indicated that this information was essential in particular for communities in western Canada because 1906 and 1911 represented formative years. Information on those who settled there, where they migrated from and to, and what they did with their lives would all be encompassed in this census information. Refusing the release would increase the sense of alienation and distrust of the census process in western Canada.

Although some presenters indicated that the disclosure of census information should be governed by a set of rules or a code of ethics, they also indicated that existing controls managed by the National Archives were sufficient. A few presenters indicated that existing concerns regarding census taking related more to what government did with personal information today.

The compromise option was not viewed as an acceptable option to any of the presenters. It was seen as unworkable, costly and labor intensive, overly restrictive, bureaucratic and difficult to enforce. One presenter indicated that genealogy was a little like trying to find a needle in a *hay stack*: "*If you don't know who your direct descendents are, how will you know where to look?*"

Others voiced concern regarding how to identify their direct descendents in the context of name changes, adoption and migration. One presenter indicated that the option was discriminatory in specifying that only historical research, as opposed to other types of research, could be conducted using this data.

Finally, many of the presenters indicated that they would find abhorrent the destruction of any census records. One presenter indicated that it would be a criminal act because we do not currently know the potential uses of this data in the future.

January 18 St. John's Town Hall Presentations

2:00 - 4:00pm and 6:00 - 8:00pm

Approximately 18 people in total attended the afternoon and evening sessions at the Fairmont Newfoundland Hotel in St. John's. The presenters included a mix of representatives from local genealogical societies, archivists, academics and private citizens.

Although most of the presenters supported unrestricted access to individual records from the 1906 and 1911 censuses, two presenters took the opposite view. Both these presenters indicated that a promise of perpetual confidentiality was provided to Canadians, with one presenter stating that respondents had to provide their personal information to the census under "statutory duress" and that this information should remain secret unless each individual participating in the 1906 and 1911 censuses specifically indicated that the information could be made public. Even if the information collected in 1906 and 1911 may have been less invasive than the information collected today, the release of this information would create an "unacceptable precedent", particularly with regard to the type of information being presently being collected by Statistics Canada. Questions on sexual relationships, income and the value of property were given as examples in this regard.

However, another presenter took the opposite view and expressed the fear that if, Statistics Canada restricted access to the 1906 and 1911 census records, would that precedent lead to withholding access to cabinet documents and other such documents that are now made public after a reasonable length of time.

Most presenters indicated that they did not believe that a promise of perpetual confidentiality had been provided to Canadians. One presenter specifically indicated that the interpretation was held only by Statistics Canada and would not be supported by Canadians generally. Another presenter indicated that it referred to a commitment made by enumerators that the information would not be used for purposes other than those intended (that it should not be accessible to one's neighbours and employers, for example). It was also stated that Statistics Canada has been unable to provide proof that a promise of perpetual confidentiality had been given, even in response to an Access to Information request. Further, several presenters commented that there has been no outcry or protest from Canadians regarding the release of individual data from earlier censuses.

Some of the positive arguments presented in favour of public access to the 1906 and 1911 census records included the use of these records for family history research and educational purposes, as well as information on social history. In the latter case, some presenters stated that individual census records were the only good source of information about women and paid labour, aboriginal claims and internal migration, and details about the fishing industry. Some presenters

stated that the release of these records would permit research on the reasons that some diseases and syndromes are concentrated in certain areas (possible links to environmental causes, for example) and that census records could provide a competitive advantage gained from the development of new medical products and services, in particular, new drugs to deal with disabilities related to the genetic history of individuals or families. One presenter commented that we cannot predict the needs we might have for this type of information in the future.

All of the presenters in favour of releasing individual records were of the opinion that 92 years was a sufficient amount of time to ensure the fulfilment of any promise of confidentiality and that no information found in the 1906 or 1911 censuses was considered to be too sensitive for release. In their view, this time frame represented an acceptable balance between privacy and access concerns. One presenter indicated his belief that there was no need for a change to existing legislation to allow for the release of these records and that the recommendations of the Expert Panel should be accepted.

In regards to the "third option", most presenters indicated that it was too restrictive, overly bureaucratic, provided unnecessary road blocks, would be labour intensive, and too cumbersome to be acceptable. One presenter indicated that it would be a nightmare for the National Archives to manage this process that the implications of this option had not been thought through. Concern was expressed as to how who should and who should not have access to the records would be determined or who was or was not trustworthy enough to have access. Another presenter indicated that this option presented a dilemma for genealogists who would be caught in a situation where they would need to prove their ancestry to gain access to the records that would give them the proof. Likewise, in the view of this presenter, historians would need to justify their research approach before getting access to the records that would validate their research plan.

Some presenters commented that contemporary views on privacy should not be imposed on those who had lived in 1906 and 1911.

A few presenters expressed a general distrust of the way government handles the confidentiality of personal information currently. The recent case regarding the sharing of information between HRDC and Citizenship and Immigration Canada was cited in this regard.

January 9 Toronto Town Hall Presentations

2:00 pm - 4:00 pm and 6:00 pm - 8:00 pm

Approximately 30 people attended each of the afternoon and evening sessions at the Crowne Plaza Hotel in Toronto. The presenters represented a mix of academics, archivists, private citizens, professional genealogists, representatives from local, provincial and international genealogical societies, and a Canadian Senator.

Many of the presenters held the view that there is no reason, legal or otherwise, for the non-release of these records. A number of presenters pointed to the findings of the Expert Panel to support their arguments for the release of the individual census records, especially with regard to the issue of confidentiality. As well, many presenters urged the adoption of Bill S-12, a private bill before the Senate of Canada that would direct the release of individual census records 92 years after they were collected, as part of the government's legislative agenda.

Those arguing for the release of records wanted unfettered access to individual census records from the 1906 and 1911 censuses. In addition to the view that there are economic and social benefits to be gained from the release of these records, a number of presenters gave examples from their personal experience on how the pursuit of genealogy and access to individual census records from previous censuses have enriched their lives, increased their family circle or provided a positive experience for elderly relatives recorded on these earlier censuses. The growth of genealogy as a leisure activity, as well as a professional occupation, was discussed by a number of participants.

With regard to the release of these records, one presenter made the comment that the general public has the assumption, and the expectation, that the individual records would become available after the passage of time and, furthermore, many other records that were kept confidential, such as adoption records, were made public as societal norms changed.

Another presenter took the position that we cannot claim to know, one way or another, the views of Canadians participating in the 1911 census on the disposition of individual census records. This presenter held the view that, in 1911 as in 2001, statements regarding census confidentiality are unclear and, with regard to future censuses, needs to be more exact to provide Canadians with an informed choice on this matter. Further, this presenter stated that Canadians should be told about the release of records after 92 years and should be given the option of granting or withholding permission for the release of their records.

Overall, the presenters found the option regarding limited access to individual census records too restrictive and complex. Further, a number of presenters expressed concern that administering this option would create a new, costly

bureaucracy at a time of fiscal restraint and would unnecessarily deter access to these records.

There was a general view among presenters that the 92 year delay was sufficient to protect the privacy rights of those participating in the census. As well, many presenters felt that the release of this census data would have no impact on the participation, accuracy or completeness of future data collected by Statistics Canada or current privacy concerns. To explore the potential impact of the release of individual census records on the administration of subsequent censuses, one presenter suggested that an investigation of the situation in post-Confederation Newfoundland be undertaken, given that individual records from the Newfoundland census conducted prior to Confederation were released ten years after collection.

January 30 Vancouver Town Hall Presentations

2:00 - 4:00pm and 6:00 - 8:00pm

Approximately 18 people attended the afternoon session and 15 people attended the evening session at the Delta Suites Hotel in Vancouver. The presenters represented a mix of representatives from local genealogical societies, academics, librarians and private citizens.

All of the presenters in both sessions supported the full and unrestricted release of the individual census records from the 1906 and 1911 censuses. A number of presenters cited the recommendations of the Expert Panel, release practices in the United States and the United Kingdom, and the absence of complaint regarding the release of individual records from earlier censuses in support of this position. One presenter took this latter point further and stated that, since there is no public outcry against releasing the records and that there is public support for the release of these records in the form of petitions, letters to elected officials and the media, presentations to parliamentary committees and elsewhere, there is overall public support among Canadians for the release of these records.

Further, a number of presenters expressed a view that these individual census records were the property of the people of Canada and that no agency or government had the right to withhold these records from the public. One presenter made the comment that withholding these records was inconsistent with the overall policy of the government to promote the awareness of Canadian history and pride in Canada.

A number of presenters addressed the issue of confidentiality with respect to these individual records. There was general agreement among the presenters that a delay of 92 years would be sufficient to satisfy the privacy and confidentiality concerns of those participating in the census. Some presenters took the view that a promise of confidentiality never existed or, if it did exist, was not communicated to Canadians participating in the 1911 census. One presenter commented that, even if a promise of confidentiality was made in the current census, Canadians would not put much stock in it.

Many universities have set procedures to ensure that research conducted in a university setting obeys ethical and research standards. One presenter gave an example where the destruction of primary research records was thought necessary to prevent the possibility of unauthorized access to sensitive information once this information passed from his direct control. Although many genealogists do not follow a formal code of ethics in their pursuits, one presenter commented that genealogists do conduct themselves responsibly and ethically.

With regard to the use of individual census records, a number of presenters stated that, as an inclusive, comprehensive and "truly democratic" document,

these records provided vital "pathfinding" services to historians and genealogists. Information revealed in the individual census records might lead to other sources of information or provide insight for further research. Those presenters familiar with local libraries commented on the high level of use of, and demand for, available individual census information dating back to 1666 New France.

One presenter commented that the release of the 1911 individual records would have special significance for First Nations and their peoples. In addition to using these records to establish place of residence for the purposes of treaty negotiation or claim settlement, these records may assist in the recovery of cultural identity and names after the assimilation practices of former times. Despite the acceptance of oral traditions in the courts, this presenter commented that only documented proof was acceptable to the federal government when trying to establish status or First Nations membership. Another presenter also cited the utility of individual census records for historical research regarding marginalized peoples in Canadian society commenting that "History is not the preserve of upper-class white males."

Several presenters commented on the usefulness of using individual census records to trace and identify those at risk of genetically inherited diseases. These presenters offered personal examples in this regard.

None of the presenters gave positive comments on the compromise option proposed by Statistics Canada. In addition to being seen as bureaucratic, elitist and cumbersome, a number of presenters commented that, as it currently stands, family membership would be too restrictive or was generally ill-defined. Further, those presenters familiar with the peer-review process thought that this option would impose a formidable cost and burden on the Social Sciences and Humanities Research Council (SSHRC). Those less familiar with the peer-review process thought that this provision would skew access in favour of researchers affiliated with institutions and would inhibit amateur or community historians.

January 24 Winnipeg Town Hall Presentations

2:00 - 4:00pm and 6:00 - 8:00pm

In total, 23 persons attended the afternoon and evening sessions at the Fairmont Hotel in Winnipeg. The presenters included a mix of representatives from local genealogical societies and private citizens.

Most of the presenters at these sessions supported unrestricted access to individual records from the 1906 and 1911 censuses, indicating that no promise of confidentiality had been given other than to ensure that enumerators did not "blab" or otherwise communicate personal information about the people that they enumerated. One presenter indicated that, since the enumerators of that period were political appointees, the promise was requested by Canadians to ensure that enumerators did not use the information for political purposes. The absence of documented evidence of the "Laurier promise" was provided by Statistics Canada following a specific request was underlined by a few of the presenters. A number of presenters cited the Expert Panel's recommendation that the 1906 census records should be made accessible immediately and that the 1911 census should be available in 2003 as proof that no promise of perpetual confidentiality was ever given.

Although many presenters recognized a need to balance an individual's right to privacy with the rights of the community to have access to census information, they argued that the right to privacy diminishes over time or as situations change. One presenter indicated that the right to privacy is traditionally not maintained after the death of the person and another presenter indicated that deceased persons do not need privacy protection.

However, one presenter took the view that a promise of "perpetual" confidentiality had been given and, based on this promise, Statistics Canada is duty bound to withhold these records. This presenter also supported the compromise option, indicating that this option supported the need for research while protecting the privacy of individuals. He added that, although genealogists should focus on their own ancestors, they tend to invade the privacy of everyone else's ancestors during their research. In his view, access to census data should be based on the same standards that apply to social and historical research.

In the view of most presenters, the 1906 and 1911 individual census records do not contain any information that would be deemed to be sensitive or intrusive. However, some presenters did indicate that the most recent censuses did have information that they would deem to be intrusive and that this information should not be collected in the census. One presenter commented that privacy concerns relate primarily to recent censuses that are overly intrusive rather than to censuses from 1906 and 1911. In this person's view, this attitude was like looking at this information with present day glasses.

A number of presenters pointed to the example of other countries, primarily the United States and the United Kingdom, and the absence of public complaint regarding the release of earlier census records, as reasons why the individual records should be released. One participant commented that, if politicians are supportive of releasing the information, then bureaucrats should not worry.

Ninety-two years was seen by most presenters as being a sufficiently long passage of time to ensure that confidentiality requirements are met. One presenter indicated that, the further back in time that the census was taken, the less privacy and confidentiality is important. Another presenter indicated that, in his experience as a census enumerator, few Canadians (2 or 3 of 10,000 persons enumerated was the estimate provided) expressed concerns about the confidentiality of census records.

A wide variety of reasons were advanced in favor of full access to the 1906 and 1911 census records, including an increased interest in Canadian history and the ability to collect information regarding genetic predisposition to certain diseases. As well, some presenters indicated that the census was the only consistent and inclusive national "snapshot" of Canadians taken at regular intervals and would provide information on human activity and the interaction between increasing human settlement and the environment. One presenter stated that, if all Canadians were aware of the benefits to future generations of this census data, there would be no concern regarding confidentiality, especially after 92 years.

Most presenters found the compromise option to be bureaucratic ("a bureaucratic nightmare" was one comment), too rigid, and generally unworkable because of the presumed costs involved and the time it would consume to provide access. Also, some participants felt that this compromise would be wrong and offensive. They questioned how one could limit their research to their ancestors without previously knowing who these ancestors were. Many presenters underlined their belief that no compromise regarding access to individual census records was possible or desirable.

A number of presenters referred to the unacceptability of destroying census records.

Appendix G – Focus Group Research Instruments

Recruitment Guide - 5072 Census Consultations – December 14, 2001 to February 4th, 2002

Note: Please recruit 12 people (10 to show) for each session according to the recruiting criteria attached to this guide. WATCH QUOTAS.

Good afternoon/evening. My name is (_____) of the _____, a professional public opinion research firm. From time to time, we get opinions by sitting down and talking with a group of people. We are having a discussion session and are calling to find out if someone in your household can participate. These sessions take about two hours and those who qualify and attend will receive \$50.00 as a token of our appreciation. I would like to ask you a few questions to see if you qualify to attend.

1. Could I speak to the person in your household over the age of 18 that has had the most recent birthday? Would you be that person?

Yes (CONTINUE)

No (ARRANGE TO SPEAK TO THAT PERSON OR ARRANGE A TIME WHEN THAT PERSON WOULD BE AT HOME.)

2. Do you or does anyone in your household work for any of the following organizations: an advertising or market research firm, the media, Statistics Canada, or an elected official?

IF YES, THANK AND TERMINATE

IF NO, CONTINUE

3. Have you participated in a focus group or discussion group within the past year?

IF YES, THANK AND TERMINATE

IF NO, CONTINUE

4. Did you, or did someone in your household participate in the 2001 national census?

IF YES, CONTINUE

IF NO, THANK AND TERMINATE

Demographic Quotas

5. NOTE SEX...DO NOT ASK (Need 50/50 gender balance)

Male

Female

6. What is the highest level of education that you have reached? (DO NOT READ - Need a distribution of education ranges for ADULT sessions – equal numbers on either side of a university education)

- Some elementary (Grades 1-6)
- Completed elementary (Grade 7 or 8)
- Some high school (Grades 9-11)
- Completed high school (Grades 12 or 13)
- Community College, vocational, trade school
- Some university
- Complete university (Bachelor's Degree)
- Post graduate/professional school (Master's Degree, Ph.D., etc.)
- No schooling
- DK/Refuse

7. In what year were you born? (Need a range of ages for each group, at least one person between 18 to 30 years of age for each adult session)

SPECIFY _____

8. Would you be available to attend a session at (TIME) on (DATE)?

IF YES, ASSIGN TO GROUP AND CONFIRM CONTACT INFORMATION
 IF NO, THANK AND TERMINATE

Group Schedule		
<i>Date</i>	<i>Location</i>	<i>Time</i>
	Tel:	
	Tel:	

Participant's Name: _____

Phone Number: _____

We ask that you arrive fifteen minutes early to register.

As we are only inviting a small number of people to attend, your involvement is very important to us. If for some reason you are unable to attend, please call so that we may get someone to replace you. You can reach us at xxx-xxx at our office, please ask for (name of supervisor). Someone will give you a call the day before to remind you about the discussion. We look forward to seeing you!

THANK AND DISCONTINUE

Recruiter's Name: _____

QUESTIONNAIRE DE DEPISTAGE

SAMEDI, LE 12 JANVIER A 10 H 00
12 H 00

Nom: _____

Telephone _____

Groupe: _____

Recruteur: _____

Bonjour/Bonsoir, mon nom est (_____) de Quebec Recherches, une compagnie d'études de marche. De temps en temps, nous obtenons des opinions du public en les invitant a un groupe de discussion. Nous menons l'une de ces sessions et nous vous appelons pour vous inviter a participer. Ces sessions durent environ 2 heures et en guise de remerciement, nous remettons la somme de 50.00 \$ aux participants. J'aimerais vous poser quelques questions afin de determiner si vous qualifiez a notre etude.

1. Puis-je parler a une personne de votre menage age de 18 ans ou plus et qui a celebre son anniversaire le plus recemment ? Seriez-vous cette personne ?

Oui (CONTINUEZ)

Non (FIXEZ UN RENDEZ-VOUS POUR PARLER A LA PERSONNE APPROPRIEE.)

2. Est-ce que vous-meme ou quelqu'un d'autre dans votre menage travaillez dans l'un des organismes suivants : une agence de publicite ou une firme d'etudes de marche, les medias, Statistiques Canada ou un officier elu ?

SI OUI, REMERCIEZ ET TERMINEZ

SI NON, CONTINUEZ

3. Avez-vous participer a un groupe de discussion au cours de la derniere annee ?

SI OUI, REMERCIEZ ET TERMINEZ

SI NON, CONTINUEZ

4. Avez-vous participe ou y a-t-il quelqu'un dans votre ménage qui a participe au recensement national 2001

SI OUI, CONTINUEZ
SI NON, REMERCIEZ ET TERMINEZ

Quotas demographiques

5. INSCRIVEZ LE GENRE...NE DEMANDEZ PAS (½-½ de chaque)

Homme

Femme

6. Quel est le plus haut niveau de scolarite que vous avez atteint ? (NE LISEZ PAS – Obtenez une bonne repartition de niveaux)

Elementaire en partie

Elementaire complete

Secondaire en partie

Secondaire complete

College ou ecole de metiers

Universite en partie

Universite complete

Etudes superieures ou professionnelles

Pas de scolarite

NSP/Refus

7. En quelle annee etes-vous ne ? (Obtenez une bonne repartition d'ages dans chaque session)

SPECIFIEZ _____

8. Seriez-vous en mesure de participer a la session qui aura lieu samedi, le 12 janvier a (HEURE) ?

SI OUI, ASSIGNEZ A UN GROUPE ET CONFIRMEZ L'INFORMATION

SI NON, REMERCIEZ ET TERMINEZ

Nom du participant: _____

de telepone: _____

Nous vous demandons d'arriver 15 minutes en avance afin de vous enregistrer avec la reception.

Puisque nous invitons un petit nombre de personnes, votre participation est importante pour nous. Si pour une raison quelconque vous ne pouvez pas assister, veuillez nous en aviser pour que nous puissions vous remplacer au

(514) 725-0306. Nous vous appellerons la veille afin de confirmer votre presence au groupe.

REMERCIEZ ET TERMINEZ

Nom du recruteur: _____

**Discussion Agenda
Historical Census Records
PN 5072**

Introduction 15 Minutes 0:00

Hello, my name is _____. I work for the Environics Research Group Ltd, a national public opinion research firm. I would like to welcome all of you to our session today.

- These sessions allow us to get more detail on topics and issues than we can from telephone surveys (thoughts, feelings and opinions)
- We are not here to reach a consensus. There are no right or wrong answers - you help me by giving me your opinions, thoughts and ideas. It is important to respect the views of others in the room. We can disagree without being disagreeable.
- This meeting will be tape-recorded in order to help me write my report later. Indicate that there are observers (if any) behind the one-way mirror. Everything discussed here will be kept in complete confidentiality - no names will be attached to the results in any way. Feel free to use your first name only. Please do not feel that you have to volunteer information that would make you feel uncomfortable in any way.
- We are going to be talking about historical census records. Your input is being solicited along with others in this community and across Canada. Although I am conducting this work on behalf of Statistics Canada, my role is to provide the agency with an honest assessment of how Canadians view this issue. I am an independent, third party evaluator and your views are important to this process.
- *Round-table introductions.* Start with Moderator giving brief sketch of what they do, family composition, and favourite non-work activity.

Statistics Canada 10 Minutes 0:15

- Are you familiar with Statistics Canada? What do they do?
 - PROBE: Census
- What values, if any, do you associate with Statistics Canada? Are there any others? [USE FLIPCHART TO LIST VALUES]
 - Which of these values do you feel are the MOST important?

Census 20 Minutes 0:25

- We are going to discuss some topics about the Canadian census. First, what is the census all about?
- When was the last time a census took place?
- Did you fill out the census form for your household? Long form or short form?
- Do you remember any of the questions asked on the census? Which ones?
- Did you think that the census collected too much information, not enough information or about the right level of information?
- How is the information from the census used?
 - Are there any controversies or concerns related to the census?
- What about your *individual answers* on the census...your name, address, age, education, and others - who sees these answers? Are they kept confidential or not? Are they *supposed* to be kept confidential? Is there a law or procedures in place to protect confidentiality?
- What happens to these individual answers once the census is completed?
 - Is the information kept somewhere or released or destroyed?

Release of Census Data 20 Minutes 0:45

- Recently, there has been some discussion about releasing census data on individuals after a time delay. Has anyone heard or read anything about this before this session?
- Canadians have been participating in the census for 3 centuries. The overall data on population figures and other measures have always been released, but some people think that the data collected for individuals from censuses should be made available after a time delay of about 90 years so that historians and other people with an interest in family history, such as your descendants, can use this information to understand more about the past.
- There has been some debate about releasing the individual records from the 1911 National Census and 1906 Special Census on the Prairies.
- What do you think would be the main arguments in favour of releasing this data? Are there any others?

- What do you think would be the main arguments opposing the release of this data? Are there any others?
- How do you feel about allowing **your** personal census information to be available after this time delay? Why do you say that?
 - Does the number of years make a difference? [UK – 100 years, US 70 years]

Regulations

30 Minutes 1:05

- I am going to show you some instructions that were given to the enumerators conducting the 1911 Census. I would like you to take a few minutes to read over the first instruction. If there are any words you are unfamiliar with or not sure of, we have a few dictionaries available. Please hold any comments that you might have until we are ready to discuss this instruction. [DISTRIBUTE INSTRUCTION 1 – ALLOW 5 MINUTES TO READ]
- Well, what does this instruction tell enumerators? Is there anything else?
 - PROBE: Does this instruction mention anything with regard to how the information is to be treated? If so, what does it say?
- Does this instruction have anything to do with the issue of the release of historical census records? If so, what?
- I am now going to show you the second instruction. Once again, I would like you to read this carefully and to hold any comments to yourself until we are ready to have a discussion. [DISTRIBUTE INSTRUCTION 2 – ALLOW 5 MINUTES TO READ]
- Well, what does this instruction tell enumerators? Is there anything else?
 - PROBE: Does this instruction mention anything with regard to how the information is to be treated? If so, what does it say?
- Does this instruction have anything to do with the issue of the release of historical census records? If so, what?
- Is there a conflict between these two instructions? If so, what conflict is there?
- Is there a way to reconcile this conflict? How so?

Release of Historical Census Records

15 Minutes 1:25

- Thinking about these instructions, as well as the discussion that we've just had, how do you think that Statistics Canada should handle this situation? Any other suggestions?
- One suggestion has been to restrict access to the 1911 and 1906 individual census records. Access would be granted in one of two ways – direct descendants could access individual census records for direct ancestors – I could see records for my great-grandfather but not for my great-uncle or historians could make a research proposal that would be cleared by a peer review committee similar to those that give out government research funding. In both cases, individuals making the application would have to give an undertaking not to reveal data outside of their intended field of research.
- What do you think of this idea?
 - What would be the main advantages to this process? Are there any others?
 - What would be the main disadvantages? Are there any others?
- In all, do you think this is an option that Statistics Canada should pursue? Why/why not?

Impact on Statistics Canada

10 Minutes 1:40

- If Statistics Canada were to release this historical individual data and future individual data after a 92 year period, would this change your likelihood of participating in the next census?
 - Would it affect the accuracy of the information you provide on the census?
- Would it conflict with any of the values that you associate with Statistics Canada? In what way?
- Would it have an impact on the opinion that you have of Statistics Canada? Would that be a positive or negative impact? Why?

Wrap-up

10 Minutes 1:50

- If you were to advise the Chief Statistician on this matter, what would you advise him to do – release the data or withhold the data? And what would be your main reason behind this advice? [CANVASS TABLE]

Thank you for your participation.

**Programme de discussion
Dossiers historiques du recensement
PN 5072**

Introduction 15 minutes 0:00

Bonjour, je suis _____. Je travaille pour le Groupe de recherches Environics limité, un bureau national de recherche sur l'opinion publique. Permettez-moi de vous accueillir à la séance d'aujourd'hui.

- Ces séances nous permettent d'obtenir plus de précisions sur les sujets et les questions traitées que ne le font les enquêtes téléphoniques (pensées, sentiments et opinions).
- Nous ne sommes pas réunis pour dégager un consensus. Il n'y a ni bonnes ni mauvaises réponses – vous m'aidez en partageant vos opinions, vos réflexions et vos idées avec moi. Il est important de respecter le point de vue des autres dans la salle. Nous pouvons être en désaccord sans pour autant devenir désagréables.
- Cette réunion sera enregistrée pour m'aider lorsque je rédigerai mon rapport plus tard. Indiquez la présence d'observateurs (s'il y a lieu) derrière le miroir sans tain. Tout ce dont nous discuterons ici demeurera strictement confidentiel – les noms ne seront d'aucune façon que ce soit liés aux résultats. Sentez-vous bien à l'aise de n'utiliser que votre prénom. S'il vous plaît, ne vous sentez pas obligés de donner des renseignements qui pourraient vous rendre inconfortable de quelque manière que ce soit.
- Nous allons parler des dossiers historiques du recensement. Votre participation a été sollicitée au même titre que celle d'autres personnes de cette collectivité et d'un peu partout au Canada. Bien que j'effectue ce travail au nom de Statistique Canada, mon rôle consiste à relayer à l'agence une évaluation honnête du point de vue des Canadiens et des Canadiennes sur cette question. Je suis un tiers, un évaluateur indépendant et vos points de vue sont des éléments importants de ce processus
- *Présentations en table ronde.* Pour débiter, le/la modérateur(trice) trace un bref aperçu de son travail, de la composition de sa famille et de son passe-temps préféré.

Statistique Canada 10 minutes 0:15

- Êtes-vous familiers avec Statistique Canada ? Le travail qu'on y effectue ?
 - SONDEZ : Recensement

- S'il y a lieu, quelles sont les valeurs que vous associez à Statistique Canada ? Est-ce qu'il y en a d'autres ? [UTILISEZ LE TABLEAU POUR ÉNUMÉRER LES VALEURS.]
- Laquelle de ces valeurs est, selon vous, la PLUS importante ?

Recensement 20 minutes 0:25

- Nous allons discuter de sujets relatifs au recensement canadien. En premier lieu, en quoi consiste un recensement ?
- Quand a-t-on effectué un recensement pour la dernière fois ?
 - Avez-vous complété le formulaire du recensement pour votre foyer ? Le formulaire long ou le court ?
- Vous rappelez-vous l'une ou l'autre des questions posées dans le recensement ? Lesquelles ?
- Avez-vous pensé que le recensement recueillait trop de renseignements, pas assez de renseignements ou un niveau approprié de renseignements ?
- Comment utilise-t-on les renseignements recueillis lors du recensement ?
 - Des controverses ou des inquiétudes ont-elles été soulevées au sujet du recensement ?
- Qu'en est-il des *réponses individuelles* données au recensement... vos nom, adresse, âge, niveau de scolarité et autres – qui voit ces réponses ? Demeurent-elles confidentielles ou non ? Sont-elles *sensées* demeurer confidentielles ? Existe-t-il une loi ou des procédures en place destinées à protéger la confidentialité ?
- Qu'advient-il de ces réponses individuelles une fois que le recensement est terminé ?
 - Les renseignements sont-ils conservés quelque part, mis en circulation ou détruits ?

Mise en circulation des données du recensement 20 minutes 0:45

- Récemment, il y a eu des discussions relatives à la mise en circulation de données individuelles des recensements après une certaine période de temps. Quelqu'un avait-il entendu ou lu quelque chose à ce sujet avant la séance d'aujourd'hui ?

- Les Canadiens et Canadiennes participent à des recensements depuis 3 siècles. L'ensemble des données quantitatives sur la population et autres mesures ont toujours été mises en circulation, mais certaines personnes sont d'avis que les données individuelles recueillies dans les recensements devraient devenir accessibles après une période d'environ 90 ans, afin que des historiens et d'autres personnes s'intéressant à l'histoire des familles, notamment vos descendants, puissent utiliser ces renseignements pour mieux comprendre le passé.
- Un débat a été soulevé sur l'accessibilité des questionnaires individuels du Recensement national de 1911 et du Recensement spécial de 1906 pour les Prairies.
- Quels seraient, selon vous, les principaux arguments en faveur de la mise en circulation de ces données ? Est-ce qu'il y en a d'autres ?
- Quels seraient, selon vous, les principaux arguments contre la mise en circulation de ces données ? Est-ce qu'il y en a d'autres ?
- Que ressentez-vous à l'idée de permettre que **vos** renseignements personnels du recensement soient accessibles après cette période ? Pour quelle raison dites-vous cela ?
 - Le nombre d'années fait-il quelque différence que ce soit ? [Royaume-Uni – 100 ans, É-U – 70 ans.]

Réglementation

30 minutes 1:05

- Je vais à présent vous montrer des directives qui avaient été remises aux énumérateurs qui ont effectué le Recensement de 1911. J'aimerais que vous preniez quelques minutes pour lire la première directive. S'il y a des mots avec lesquels vous n'êtes pas familiers ou dont vous êtes incertains, nous avons quelques dictionnaires sous la main. S'il vous plaît, veuillez ne pas faire de commentaires avant que nous ne soyons prêts à discuter de cette directive. [DISTRIBUEZ LA DIRECTIVE 1 – DONNEZ 5 MINUTES POUR LA LIRE.]
- Alors, qu'est-ce que cette directive dit aux énumérateurs ? Est-ce qu'il y a autre chose ?
 - **SONDEZ** : Cette directive mentionne-t-elle quoique ce soit en ce qui concerne le traitement des renseignements ? Si oui, que dit-elle ?
- Cette directive se rapporte-t-elle de quelque façon que ce soit à la question de la mise en circulation des dossiers historiques du recensement ? Si oui, de quelle façon ?

- Je vais à présent vous montrer la deuxième directive. Une fois de plus, je vous demanderais de prendre quelques minutes pour la lire attentivement et de ne pas faire de commentaires avant que nous ne soyons prêts à discuter. [DISTRIBUEZ LA DIRECTIVE 2 – DONNEZ 5 MINUTES POUR LA LIRE.]
- Alors, qu'est-ce que cette directive dit aux énumérateurs ? Est-ce qu'il y a autre chose ?
 - SONDEZ : Cette directive mentionne-t-elle quoique ce soit en ce qui concerne le traitement des renseignements ? Si oui, que dit-elle ?
- Cette directive se rapporte-t-elle de quelque façon que ce soit à la question de la mise en circulation des dossiers historiques du recensement ? Si oui, de quelle façon ?
- Les deux directives sont-elles contradictoires ? Si oui, où se situe la contradiction ?
- Y a-t-il un moyen de concilier cette contradiction ? Lequel ?

Mise en circulation des dossiers historiques du recensement

15 minutes 1:25

- Si vous réfléchissez à ces directives, ainsi qu'à la discussion qui vient d'avoir lieu, comment pensez-vous que Statistique Canada devrait aborder la situation ? Avez-vous d'autres suggestions ?
- Une des suggestions faites consiste à limiter l'accès aux questionnaires individuels des recensements de 1911 et de 1906. Une autorisation serait accordée selon une des deux façons suivantes : les descendants en ligne direct auraient accès aux questionnaires individuels de recensement de leurs ancêtres directs – j'aurais ainsi le droit de voir les questionnaires de mon arrière grand-père, mais pas ceux de mon grand oncle – ou encore des historiens pourraient soumettre une proposition de recherches qui serait approuvée par un comité d'examen composé de pairs, à la façon des comités qui accordent les octrois gouvernementaux de recherche. Dans les deux cas, les personnes soumettant une demande devraient s'engager à ne divulguer aucun renseignement à l'extérieur de leur domaine de recherche précis.
- Qu'est-ce que vous pensez de cette idée ?
 - Quels seraient les avantages principaux d'un tel processus ? Est-ce qu'il en existe d'autres ?
 - Quels seraient les principaux désavantages d'un tel processus ? Est-ce

qu'il en existe d'autres ?

- Dans l'ensemble, pensez-vous qu'il s'agisse d'une option que Statistique Canada devrait tenter de mettre de l'avant ? Pourquoi/Pourquoi pas ?

Répercussions sur Statistique Canada 10 minutes 1:40

- Si Statistique Canada donnait accès à ces données historiques individuelles, ainsi qu'aux données individuelles futures, après une période de 92 ans, est-ce que cela modifierait la probabilité que vous participiez au prochain recensement ?
 - Est-ce que cela influencerait l'exactitude des renseignements que vous donneriez au recensement ?
- Cela serait-il contradictoire avec l'une ou l'autre des valeurs que vous associez à Statistique Canada ?
- Cela influencerait-il l'opinion que vous avez de Statistique Canada ? Serait-elle modifiée de façon positive ou négative ?

Conclusion 10 minutes 1:50

- Si vous aviez à conseiller le Statisticien en chef sur cette question, que lui conseilleriez-vous de faire – autoriser l'accès aux données ou non ? Et quelle serait la raison principale motivant votre conseil ? [FAITES UN TOUR DE TABLE.]

Merci de votre participation.

Appendix H - Summaries of Focus Group Sessions

Charlottetown, P.E.I. Focus Group Summary – January 17, 2002

This is a summary of two focus groups sessions conducted with general population participants in Charlottetown, PEI on January 17, 2002. Seven respondents participated in the first session and eleven in the second. Respondents participating in the second session were somewhat older than were those in the first session. Although some of the participants had little prior exposure to this issue, all participants in both sessions took an active part in the discussion.

The values associated with Statistics Canada include:

- Historic
- Through
- Provides Context/ Database for planning
- Projections
- Insistent
- Detailed
- Useful
- Statistical/Demographic
- Accuracy/facts
- Personal/privacy

The data collected by Statistics Canada, and the census in particular, are considered to be very important, even “vital” information which is useful to government, to business and to individuals. This Information is thought to be accurate and factual; important attributes in the views of the participants because the information is used in all manner of planning decisions that shape the future of Canada. In both sessions, the importance of historic and personal research was considered a secondary benefit of the census - “added value” rather than a key value for many participants.

Many participants in both sessions felt that, although general information from the census is made available, individual results are collected on a confidential basis, whether or not a formal promise of confidentiality was expressly made.

When considering the release of individual records from the 1906 and 1911 census, respondents were about equally divided in their views. One view was that, even if there was a promise of confidentiality, it should not be, and would not have been thought to be, forever. These participants could not see any harm done by releasing these records 92 years after they were collected. These participants were more likely than their counterparts to feel that “ordinary people” might find the information interesting for tracing family history either as a hobby or to track down old medical history (family genetics).

The other view was that, a promise made is a promise that must be kept. If there is even a hint of confusion related to the “promise”, these participants argued that

the ethical position is to not release the information. No matter how interesting, amusing or valuable the information might prove to be, this segment was generally strongly against compromising the “promise.”

Some participants were concerned that releasing this information might cause some people to be concerned about the confidentiality of their own records in 92 years time. Most participants, however, said that they were not worried about what people might say if their records were released in 92 years.

The compromise option was not acceptable to either participant segment. Participants who want the information to be released were opposed because they thought that the compromise option would impose undue restrictions and create a bureaucratic bottleneck that would frustrate access to this information. Among those participants who felt that a “promise” had been made and should be honoured, most were uncomfortable with the idea of breaking that promise for any reason.

Participants in the first session were divided in their views about the release of the 1906, and 1911 personal census information. Four of the seven participants opposed the release of the records. Of the three participants who supported the release of this information, one qualified their support, not with the compromise suggested, but rather with some regime that would ensure that the information was released with “care”.

In the second session, five participants said that this information should be released without restriction after 92 years. The remaining participants agreed that this information should be released after 92 years, but to do it with care and sensitivity. No suggestions were forthcoming from these participants on what might constitute a careful and sensitive release process.

<p>This summary is based on the notes of the moderator. Although this summary accurately portrays the overall findings in this session, this report is not based on a review of the session transcripts and must be taken into consideration with the findings in upcoming focus group sessions. As well, qualitative results are not representative of the general population.</p>

Edmonton, Alberta Focus Group Summary – January 29, 2002

This is a summary of two focus group sessions conducted with general population participants in Edmonton, Alberta on Tuesday, January 29, 2002. There were ten participants in each of the two sessions and the participants engaged in a lively and involved discussion in both sessions.

Although there was fairly low awareness of Statistics Canada and the Census process, there was a general belief that the information collected by the Agency was important to understanding the evolution of Canadian society and was most useful in the decision-making processes of the federal government.

The values associated with Statistics Canada include:

- Objectivity
- No hidden agenda
- Relevant/Purposeful
- Confidentiality
- Trust
- Honesty
- Accuracy
- Confidentiality
- Accuracy
- Objectivity
- Accountability
- Culturally-sensitive
- Resourceful
- Smart
- Careful
- Integrity
- Access to data
- Good utilization of data

Accuracy, objectivity and confidentiality were seen to be the key values associated with Statistics Canada by participants in both groups.

When reviewing the instructions from 1906 and 1911, many participants thought that the first instruction did pertain to a promise of confidentiality, but some participants were unsure of whether this promise had a time limit or not. Participants thought that the second instruction related more to the work of enumerators or to data transfer problems found in previous censuses than the release of individual census records at some future date.

A number of participants in both sessions expressed concerns that, while a 92 year delay would be sufficient to address many concerns about confidentiality, this time delay might be put on a “slippery slope” where it would be incrementally shortened and, as a result, the confidentiality of census information would be severely compromised.

In both these sessions, participants raised a perceived relationship between the confidentiality promised to Canadians and the legal compulsion to participate in the census. In their view, if participation in the census is compulsory, then the government must promise that the confidentiality of these individual records will

be respected. If participation in the census is discretionary, then there is a lesser requirement to maintain confidentiality. With this in mind, many participants stated that, as long as there is a legal requirement to participate in the census, the individual records should remain confidential.

Participants in both sessions took the potential for benefit or harm from the release of these records into consideration when making their decisions on this issue. Those participants who thought that the potential for harm was non-existent or that benefits that might accrue from increased understanding of family and Canadian history or from access to medically relevant information tended to support the release of these records. Those who were concerned about the breaking of a promise of confidentiality, who saw the potential for harm or embarrassment to descendants or who were not convinced of the unique benefits that would be derived from these records were inclined to withhold the release of these records.

It should be noted that the majority of participants overall would prefer to see a compromise on this issue that would balance the right to privacy with the need to obtain information for humanitarian or historical reasons. However, the compromise option was not seen as the ideal solution to this difficult problem.

In the first session, six participants supported the release of the records and four participants were opposed. In the second session, eight participants were opposed to the release of the records while two supported the release.

This summary is based on the notes of the moderator. Although this summary accurately portrays the overall findings in this session, this report is not based on a review of the session transcripts and must be taken into consideration with the findings in upcoming focus group sessions. As well, qualitative results are not representative of the general population.

Fredericton, New Brunswick Focus Group Summary – January 15, 2002

This is a summary of two focus groups sessions conducted with general population participants in Fredericton, New Brunswick on January 15, 2002. Despite a recent snowstorm and predictions of further inclement weather, there were a total of seven participants in each of the two sessions. Although there was little prior familiarity with this issue, participants in both sessions took an active part in the session.

The values associated with Statistics Canada include:

- Accuracy
- Unbiased
- In-depth
- Relevant/Timely
- National
- Expedient
- Confidentiality
- Accuracy
- Security
- Relevant

Confidentiality and accuracy, along with providing unbiased data, were seen to be the prime values associated with Statistics Canada.

There was a general consensus among participants in both sessions that the data collected by Statistics Canada plays a vital role in government planning and administration as well as supplying useful information for business and research. In the second session, where a discussion on data collection priorities took place, participants agreed that information for government planning was the top priority, followed by information for business purposes and, lastly, information for social research.

Participants in both sessions felt that, although general information from the census is made available, individual results are collected on a confidential basis, whether or not a formal promise of confidentiality was expressly made. This view was reinforced after the review of both enumerator instructions. Although they did admit that there was room for differing interpretations of these instructions and that they could have been more precise, participants generally thought these instructions indicated that these records would only be used for “statistical compilations” and not for any other purpose.

While many participants thought that the 92 year delay in releasing the records would be effective in minimizing any potential for harm, most participants took the view that “a promise is a promise” and that “privacy is privacy.” While they were sympathetic to the usefulness of these records for historical research or for tracing family history, participants thought that other sources might be available for these purposes. The only concession that participants would make was with regard to the use of these records to assist in tracing people whom might have inherited genetic diseases or conditions. Even in this instance, participants

wanted the overall information protected.

Many participants were concerned that releasing these records after 92 years might create a “slippery slope” that would see this delay period reduced after it had been initially accepted. In addition, many participants commented that they would be less forthcoming about their personal information on future censuses if this information was released.

Given their strong interest in maintaining the promise of confidentiality, most participants were reluctant to support the compromise option granting limited access to the individual census records. Overall, there was a concern that even limited access might result in the irretrievable release of this information despite the safeguards that might be put in place.

Participants in the first session were unanimous in their view that these records should not be released. Four out of the seven participants in the second session also took this view. Arguments against the release of the data centred on the issue of maintaining the promise of confidentiality. Although there was some ambivalence about their position, those favouring the release of the records thought that there would be an absence of harm as a result, although they were insistent that the 92 year rule be maintained.

This summary is based on the notes of the moderator. Although this summary accurately portrays the overall findings in this session, this report is not based on a review of the session transcripts and must be taken into consideration with the findings in upcoming focus group sessions. As well, qualitative results are not representative of the general population.

Halifax, Nova Scotia Focus Group Summary – January 8, 2002

This is a summary of two focus groups sessions conducted with general population participants in Halifax on January 8, 2002. There were a total of six participants in the first session and nine participants in the second session. Inclement weather was responsible for the lower turnout in the first session. Regardless, the discussion in both sessions was animated and participants acknowledged the difficulty that this issue presents Statistics Canada.

The participants had a general understanding of the mandate of Statistics Canada, especially with regard to the collection of census data. The values associated with Statistics Canada include:

- Thoroughness
- Accuracy
- Factual
- Persistence
- Security of data
- Knowledge of historical information and trends
- Being a repository of general information
- Impartiality
- Organized
- Subjective (in that people fill out forms voluntarily and without oversight and that there is a “subjective” choice in determining questions)
- Open, accessible to the public
- Ability to analyze data

Thoroughness and accuracy, along with the security of data, were seen to be the prime values associated with Statistics Canada.

In general, participants felt that, whether it was specifically mentioned or not, there is a presumption that individual census records are to be kept confidential. Only a few of the participants were aware that individual records from post-Confederation censuses have been made available to the public. There was also some awareness of the recent release of the records from the 1901 England and Wales census.

After reviewing the question topics used in the 1911 Census, participants in both sessions thought that the individual census records would provide valuable information for historians and genealogists. However, a majority of participants expressed concerns regarding the privacy of these individuals, especially those who may yet be living or near descendants of those in the documents. While a number of participants thought that the 92 year delay in releasing the records would provide sufficient protection of privacy rights, this was often countered by some participants who stated that they would be uncomfortable with their descendents (and moreso with the general public) having access to their

individual census records. Extending the time delay to 150 years, a suggestion offered by a participant in one group, seemed to allay this concern.

In both sessions, participants viewed the instruction regarding “positive assurance” as a promise of confidentiality and, with only a few exceptions, thought that this promise was open-ended, that is, without a time limit. Further, they thought that the second instruction regarding clear and legible writing and storage in the archives was determined by the operational needs of the census (that enumerators would do their work carefully to reduce data collection errors). The consensus was that the reference to the National Archives was concerned with the storage of the records, rather than in anticipation of their release at some future date.

Although none of the participants could point to any incident or objection with regard to the previous release of census records, many of the participants spontaneously offered situations or examples where the release of individual census records could be abused or misused. These examples ranged from the exposure of potentially embarrassing information on prominent local families or individuals to the use of this information for fraudulent purposes.

There was support in both groups for the option regarding limited access to census records; however, this support was unenthusiastic and a number of participants were concerned that this option would be both costly and too complex to administer fairly. Participants discussed a number of other options related to the release of partial data, including limited access to the data or the need to obtain the consent of those yet living for the release of records where they are listed. After discussion, participants arrived at a conclusion that either all of the data, or none of the data, should be released.

In the final tally, four out of six participants in the first group and four out of nine participants in the second group recommended that the individual census records not be released. The rationale for withholding records was based on concerns about breaking the confidentiality of the census records and the possible negative impact that releasing these records might have on future data collection activities, including the census. Those who favoured the release of the data based their view on the basis that the 92 year rule would be sufficient in terms of the confidentiality of the records, that no harm would come from the release of this data and that this was not a real problem (“who cares”). On the other hand, those who opposed the release of this information were stronger and more vocal in their view.

<p>This summary is based on the notes of the moderator and other Environics staff. Although this summary accurately portrays the overall findings in this session, this report is not based on a review of the session transcripts and must be taken into consideration with the findings in upcoming focus group sessions. As well, qualitative results are not representative of the general population.</p>
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Montreal, Quebec Focus Group Summary – January 12, 2002

This is a summary of two focus groups held with general population participants in Montreal on Saturday, January 12, 2002. Ten people participated in the first group, while eight participated in the second group.

Almost all participants (9 out of 10 participants in the first group and 7 out of 8 participants in the second group) had previously completed a Statistics Canada Census questionnaire. The majority of participants had a good understanding of Statistics Canada's mandate, particularly with regards to collecting and managing data.

To the question "What values do you associate with Statistics Canada?" the answers we recorded are as follows:

Group 1

Witness of evolution / changes

Facilitating planning for the future

Information provider and generator

Facilitating forecasts for the future

Generating and processing statistics

Facilitating demography

Group 2

Precision

Use of the data collected

Providing an answer to professional or personal points of interest

Providing a freeze frame of a reality at a given moment

Sharing information

No participant had heard of the debate surrounding access to the individual records of the 1911 and 1906 censuses prior to the session. In fact, no participant recalled having read, seen or heard anything in the media regarding Statistics Canada in the past few years.

Regarding individual data collected through the census, all participants believed this data are processed in a truly confidential manner. As far as the definition of "confidentiality" goes, the majority believed that individual data may only be seen by authorized Statistics Canada's employees, while a minority thought that this data might be shared with various federal or provincial departments. Nevertheless, all participants thought that the public does not have access to individual responses.

Most participants were ambivalent about the issue of releasing individual records from the 1911 and the 1906 Censuses. On one hand, participants recognized the importance for historians, faculties of medicine, demographers, and professional or amateur genealogists to have access to some or all data after a reasonable period of time had elapsed (for example, after a delay of 100 years to ensure that

census respondents are no longer alive). On the other hand, participants feared that releasing the data may adversely affect the descendants of those participating in these censuses or that data might be used for fraudulent purposes. Participants were divided between the perceived historical importance of the data and the right to confidentiality and privacy.

After reviewing the instructions given to the 1911 Census enumerators, the participants agreed that the first instruction ensures confidentiality for individual responses and that no other department, such as Revenue Canada, can access individual responses. Further, a majority of participants in both sessions thought that the historical, medical or genealogical uses of these records would be excluded by this instruction. However, a majority of participants consider that the omission of a time limit in the first instruction is not an implicit stipulation of an eternal aspect to this promise.

All participants agreed that the second instruction made enumerators aware of the importance of having legible handwriting and of using the proper ink. In the discussion, it was found that a majority of participants believed that conservation of these records does not necessarily imply future access.

The vast majority of participants (9 out of 10 in the first group, and 6 out of 8 in the second group) are for the release of information from the individual records in some manner. A majority of participants in both groups thought that a delay of 92 years constitutes an excellent compromise between the implicit promise of confidentiality and the importance of accessing individual data for historical, medical, scientific or even personal purposes. While many participants approved of an unrestricted release of this information, a significant number of participants thought that access should be restricted to direct descendants and to researchers who have submitted a research proposal. In this regard, there was a general consensus that this option for the release of the records should be adopted.

All participants agreed that allowing access to individual records from these censuses would in no way affect the confidence they have in Statistics Canada, their sense of security regarding the confidentiality of information, or their desire to respond to a census questionnaire in the future.

<p>This summary is based on the notes of the moderator and Environics staff. Although this summary accurately portrays the overall findings in this session, this report is not based on a review of the session transcripts and must be taken into consideration with the findings in upcoming focus group sessions. As well, qualitative results are not representative of the general population.</p>
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Ottawa, Ontario Focus Group Summary - December 15th

Two focus groups were held in Ottawa, on December 15th with participants from the general population representing a range of genders and ages in each group.

Participants were initially asked to indicate the values that they associated with Statistics Canada in each group. These values were highlighted as:

- Ethical
- Honest
- Politically correct
- Precise
- Data-gatherers
- Rigid
- Not artistic
- Open-minded
- Professional

Participants were given two text selections from the instructions given to enumerators during the 1911 census, first the one regarding confidentiality and, afterward, the section regarding the legible recording of information. After reading the text passage describing the parameters under which census data would be gathered, participants in both groups spontaneously interpreted the instructions as outlining a promise of confidentiality. Respondents also saw these instructions as indicating that census data should be kept inviolate and secret.

Participants in both groups felt that the text selections clearly indicated that a promise of keeping the data forever confidential had been given to those people enumerated in the 1911 censuses, although participants in the second group debated the time period of the confidentiality promised Canadians.

After reading the instructions to the enumerators to “write legibly” among other directives, there was a perception among participants of these instructions as being created with the express purpose of protecting these records for future generations.

When participants were asked whether Statistics Canada had a responsibility to keep the records confidential forever, or whether Statistics Canada could in fact release this census data, eight of ten participants in the first group and four of nine in the second group felt that the records had to remain confidential. Five participants in the second group felt that the records should be released.

In addition to keeping the promise of confidentiality, some participants who supported the non-release of the data were concerned about privacy issues, especially a concern that the release of individual records might create a

“slippery slope” regarding the release of other confidential records. As well, these participants were concerned about the potential negative impact on the administration of current and future Statistics Canada surveys. Supporters of the release argued that, although a promise of confidentiality may have been given, the 92 year rule was a prudent measure, that privacy concerns were overstated and that no foreseeable harm could result from the release.

This summary is based on the notes of the moderator and other Environics staff. Although this summary accurately portrays the overall findings in this session, this report is not based on a review of the session transcripts and must be taken into consideration with the findings in upcoming focus group sessions. As well, qualitative results are not representative of the general population.

Regina, Saskatchewan Group Summary – January 17, 2002

This is a summary of two focus groups sessions conducted with general population participants in Regina, Saskatchewan on January 26, 2002. Eleven respondents participated in the first session and twelve in the second. Although only a few indicated that they are aware of Statistics Canada work, or the uses made of either Statistics Canada information or information from the census, and none indicated an awareness of the 1906/1911 issue, all participants in both sessions took an active part in the discussion. Seven participants completed the long census form in the most recent census.

The values associated with Statistics Canada include:

- Employment
- Education
- Information
- Policy
- Programmes
- Budgets
- Elections(riding size)
- Nationality
- Snap-shot/picture of the country
- Budgets
- News
- Population
- Health and Welfare
- Personal
- Planning
- Count/Measure
- The Census
- Demographics
- Database
- Funding
- Canada Pensions

Government budget planning, determining electoral boundaries and analysing trends were thought to be the most important uses of Statistics Canada and census information. While participating in the census was thought to be important, some participants felt that the information asked was excessive or intrusive. About half knew about the legal compulsion to complete the census, but the overall sentiment was that participation in the census was a civic obligation.

About half of the participants in both sessions felt that, although general and compiled information from the census is made available, individual results are collected on the basis of perpetual confidentiality. The other half believed that individual records would likely be made available at some time “in the far future.”

From the beginning of the discussion regarding the release of individual records from the 1906 and 1911 censuses, respondents were very clear about how they felt about this release and few moved from their initial response. Many participants felt, quite strongly, that personal census information should never be released. Further, there was surprise that information at a personal level is released in some countries.

There was generally agreement that individual census records contained

information that might be considered sensitive (literacy, mental illness, property ownership, as well as marriage and birth records, and ethnic origin) and that some people might be discomfited or embarrassed by information contained in their ancestors' records.

While several respondents said that they felt that while a "promise" of confidentiality was not clear in the instruction to the enumerators, most participants felt that, as it was a census and confidentiality was mentioned, most of those participating in that census would have likely believed that confidentiality would continue forever.

Even though some participants were curious about the information that their relatives might have given in these censuses, they did not feel that their curiosity is sufficient reason to release the individual records. Most participants felt that there are many other and better sources for personal historic records than the census.

Although a few participants said that they understand some people are genuinely interested in gaining access to census information for the development of a family history or to research medical conditions, none could conceive of a compelling reason for which that information should be released to the general public.

Many participants felt that, if releasing these records were to become the rule, they would expect a corresponding decrease in the level of detail or intrusiveness of census questions. Some participants indicated that the release of individual records would have a definite impact on how they answer questions on future censuses.

Seventeen participants said that the records should not be released, with about half of these willing to consider exceptional circumstances, such as humanitarian need, to grant access to these records.

Six participants were in favour of a compromise on this issue, but few felt that the compromise suggested in these sessions was restrictive enough. Most of those favouring a compromise felt that only family members (and there was some discussion on the definition of a "family member") should be allowed access. Only one of the participants in either session felt that the individual census records from the 1906/1911 censuses should be released, and then only with some reservations.

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St. John's, Newfoundland Focus Group Summary – January 19, 2002

This is a summary of two focus groups sessions conducted with general population participants in St. John's, Newfoundland on Saturday, January 19, 2002. In all there were a total of sixteen participants, nine in the first session, and seven in the second. The weather was a factor in the lower than anticipated participation. There had been heavy snow in St. John's in the days proceeding the sessions, and the roads were slick on Saturday morning.

Participants in the second session were more aware of Statistics Canada and the census than were those who participated in session one. Even among those with little prior information, participants in both sessions took an active part in their session.

The values associated with Statistics Canada include:

- Touches everything
- Personal information/knowledge
- Facts/figures/funding
- Trends
- Opinions
- Employment Stats
- Monitoring
- Counting
- Useful
- Informative
- Demographics (age ranges)
- Government Interference
- Average people
- Jobs for people
- Interesting

Statistics Canada was thought by many respondents to provides information that forms part of the decision related to transfer payments. There was an assumption that accuracy would be necessary if Statistics Canada were to be a credible part of government policy and decision making. Confidentiality was not mentioned without prompting by any respondent in either of the two groups.

There was general recognition that Statistics Canada data plays a big role in transfer payments and other funding to Newfoundland. This recognition also creates a certain sense about the importance of the data. Some feel that, as Newfoundland is dependent on this data for financial survival that the data must be accurate and useful. Others wonder if perhaps Newfoundlanders are allowing the "government" to have more and more personal information and to be more and more intrusive. In either case, all respondents agreed that the collection of this data is likely to continue into the future, with ever more "personal" information being asked.

Along with this "thought", some respondents felt that they were asked all together too much information. When asked about the questions in the census, most admitted that they had filled out the short form and that they didn't remember any particular question or area of questioning that they wouldn't answer. Only a few

said that they wondered how the data might be used.

There was a general agreement among participants in both sessions that information for government planning was the top priority, followed by information for business purposes and information for social research and lastly for personal use.

There was very low awareness related to any aspect of the Census.

Some felt that individual information is collected on a short-to-mid term confidential basis. These respondents believe that the information that they give to the census taker will be kept “secret” for a long time, some thought around one hundred years. And then it will be opened to the public.

Some felt that individual information was collected, then compiled, then the individual information destroyed. Many thought that this personal information was burned. Some believe that, when individual information is collected, the person who answers the census questions and the other members of the answering person’s family are “promised” that the information gathered will be kept secret, forever.

When reading the instructions to the enumerators for the 1906 and 1911 census each of the various opinions were thought to be reinforced by the instruction, and that these instructions were not in conflict. Most felt that there was considerable room for differing interpretations of the 1906 and 1911 instructions. Most felt that they should have been more precise.

Participant response was divided about equally in each session, by those who thought that:

The enumerator instructions for 1906 and 1911 indicated that: these records would only be used for “statistical compilations” and not for any other purpose.

OR

That the enumerators instructions were related to neatness primarily, “to be very clean and clear” in recording the information, as it would be stored in an archive.

Some respondents felt that if they were never to be opened again, then, why would they be stored?

About half of the participants in each session indicated that a time lapse of 92-100 years between the collection and release of information would be sufficient to minimize any potential for harm. However, about half of the participants in

each session said that they believe that “a promise is a promise” and that “privacy is privacy.”

While some respondents were sympathetic to the usefulness of census records for historical research or for tracing family history or medical research, most participants thought that other sources would likely be the first step in a search for information of a similar nature.

Both segments use this availability of information from other sources to support their own position.

The segment in favour of release of the 1906 and 1911 information argue that only those who have a significant reason for pursuing the information would “take the trouble” to research this specific census information. Most indicated that they didn’t expect that there would be many people who would, in the end, use the information. (So, in the view of these participants, it is even less important to keep the “promise”, if there was one, as few people would actually go looking for this personal information.)

The other segment argues that 92 years isn’t long enough to protect the secrets of a family. While none could consider how exactly the information might be misused, they felt that the person giving the information would likely not have given as complete information if they had known that their “secrets” would be revealed.

Only a very few, no matter what their position in other discussions related to this issue, believe that any of the information collected in 1906 and 1911 might actually be used in a manner that could be hurtful in any way.

Some felt that there should be ground rules that allow for data access for “compassionate reasons”. These guidelines would allow a person to have or gain limited and special access to the information. The key to this special access is that it would be sensitive to the “promise” believed by some to have been made and, at the same time, it would not be so restrictive to disallow people who have a “real” need for this information to gain access.

The compromise solution offered in the course of the discussion was not seen as an appropriate solution. The definition of family is considered by some to be too narrow, and the requirement for “review of research applications by committee” is viewed as too cumbersome to be workable.

Most felt that if the information were to be released after 92 years, there would be no negative consequences. Most indicated that they didn’t believe that the information could/would be used in a damaging way, or did they feel that releasing the information would have an impact on people’s willingness to participate fully in the census in the future.

Participants in the first session were divided about equally in their view that these records should/should not be released. Four out of the nine participants in the first session indicated that they feel that the information should not be released. Four of nine felt that no harm could come as a result of the release of this information and indeed they argued that there might be some very real individual benefits. One lone respondent indicated that he felt there were good arguments on both sides and that he was not yet ready to make a decision on this matter.

In the second session three of seven felt that the information should not be released, three were in favour of unrestricted release, and one respondent indicated that the data should be released “sensitively.”

Following this comment, all but one respondent indicated that the key issue was how the information might be released with sensitivity to the interests of those who completed the forms in 1906 and 1911.

Releasing the data without restrictions was not thought to be “the answer” for most. However, to not release the information to those who need it seems, at best, wrong to some respondents.

The “compromise” solution was appealing to only a very few respondents. Most found it too complex and too restrictive.

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Toronto Focus Group Summary – January 10, 2002

This is a summary of two focus groups sessions conducted with general population participants in Toronto on January 10, 2002. There were a total of eight participants in the first session and six participants in the second session. Of the original eight participants for the second session, one participant was excluded due to recent participation in a focus group session and the second was excluded due to her active involvement in a genealogical organization engaged in the town hall process. Further, the Moderator established that this person would have acted as an advocate, rather than as a participant, in this session. While participants in the first session were less knowledgeable about Statistics Canada and census issues and rather detached from the topic under investigation, participants in the second session were more familiar with the activities of the agency and were fully engaged in the discussion.

The values associated with Statistics Canada include:

- Honesty
- Accuracy
- Precision
- Factual
- Confidentiality (move up in list)
- Unbiased
- Professional
- Responsible
- Fair
- Educational
- Needed (clarify)
- Integrity of data
- Reliable
- Relevant
- Timely
- Bureaucratic
- Accessibility
- User-friendly
- Accountability

Honesty and accuracy, along with confidentiality, were seen to be the prime values associated with Statistics Canada.

Although their levels of familiarity with the census were uneven, there was a general consensus that the data collected through the census played a vital role in understanding the evolution of Canadian society as well as for government planning and administration. A legal compulsion was seen as necessary to ensure that participation in the census is as complete as possible, but the general consensus was that Canadians complete the census out of a sense of civic duty.

Participants, especially those in the second session, felt that there is a presumption that individual census records are to be kept confidential regardless of when they were collected. None of the participants were aware that individual records from post-Confederation censuses have been made available to the public. Further, some participants in the second session were distressed to hear that this release had taken place.

Although participants could understand the value that individual census records would provide historians and genealogists, a majority of participants in both sessions expressed concerns that releasing these records would be breaking a promise of confidentiality. In this regard, participants, especially those in the second session, felt that whether a formal promise of confidentiality was expressly made or not, maintaining the confidentiality of individual records is something implied or assumed as part of the census process. Reviewing the instructions to enumerators reinforced their view that an open-ended promise of confidentiality was made to participants in the 1911 census, that the records are to be stored in the National Archives for reference by Statistics Canada and that the records were not intended for release.

While a number of participants thought that the 92 year delay in releasing the records would be effective in minimizing any potential for harm and were told of the view that previous records had been released “without complaint”, the absence of harm was not seen as a persuasive argument for the release of the records. A number of participants thought that the release of these records might aggravate privacy concerns or invite malicious or fraudulent activity (although these were unspecified). A number of participants were concerned that giving the government freedom to release these records after 92 years might create a “slippery slope” that would see the incremental and ongoing reduction in the delay period. They were also concerned about the potential commercialization of these individual records.

There was some interest in both groups regarding the option of limited access to census records; however, many participants were concerned about the potential cost and bureaucracy associated with this option. After discussion, many participants thought that some form of compromise regarding access to individual records might be possible, but were emphatic that no identifying information (names, in particular) be released.

Participants in both sessions were unanimous in their view that these records not be released. The rationale for withholding these records was based on a concern that the release of these records would break faith with 1911 census participants. In addition to a general concern about the possible negative impact on future data collection activities, many participants commented that they would be less forthcoming about their personal information on future censuses if this information was released. Participants in the second group wanted reassurance that Statistics Canada was not planning on a release of any of these records.

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Vancouver, British Columbia Focus Group Summary – January 31, 2002

This is a summary of two focus group sessions conducted with general population participants in Vancouver, British Columbia on Thursday, January 31, 2002. There were ten participants in each of the two sessions. While participants in both sessions engaged in a lively discussion on the issues under investigation, participants in the second group were much more cynical about the role of government in society than those in the first group. Overall, participants in both groups were somewhat startled by this issue and were at a loss to understand why there was not a higher level of public awareness and debate on this topic.

The values associated with Statistics Canada include:

- Confidentiality
- Integrity
- Professionalism
- Honesty
- Humility/Accountability
- Non-judgemental
- Feedback
- Managing traffic/Planning
- Government use/Broad use
- Privacy
- Honesty
- Accuracy
- Integrity
- Responsibility
- Accessibility/Public use of data
- Relevant
- Irrelevant
- Informative

Confidentiality, accuracy and honesty were seen to be the key values associated with Statistics Canada by participants in both groups. Statistics Canada information, thought by participants to be derived primarily from the census, was used by governments for budgetary and planning purposes. Some participants questioned the need for a census given that all of the information found on the census can be obtained from “other government computers.”

Participants in both groups were concerned that, by releasing the individual records, the government would be breaking its promise of confidentiality to Canadians. Participants in the first session were eager to see a compromise, but not necessarily the option proposed by Statistics Canada, that would permit efficient, limited access to records for family members and researchers. However, if such a compromise was not possible, these participants took the view that the benefits of release outweighed the potential for harm after 92 years had elapsed and that, therefore, the records should be released. Participants in this session did not feel that the operational requirements of the census, or Statistics Canada in general, would be harmed by the release of these records.

Participants in the second group took a much different view on these issues. These participants focussed almost exclusively on the promise of confidentiality, with one participant stating that, regardless of how the promise was phrased, Statistics Canada had a “moral obligation” to withhold these records. In addition

to strongly resisting the release of these records, these participants also rejected the possibility of compromise, even denying access for those seeking information for medical or humanitarian reasons. There was a general belief among these participants that the information contained in these records would be obtainable elsewhere and that, in addition to “breaking faith” with those who were promised confidentiality in 1906 and 1911, the release of these records would impose additional costs on the taxpayer. As well, these participants were not convinced of the historical or personal value of these records and thought that confidence in Statistics Canada, as well as participation in the Census, would suffer if these records were released.

Although the discussion in both sessions focussed on the same topics with many similarities in the points of view raised, participants in the first session were unanimous in their view that the records be released and participants in the second group were unanimous that these records be withheld. Clearly, participants in the first group were convinced that the benefits of the release outweighed any potential harm, while those in the second group were dismissive of any potential benefits and were alarmed at the prospect that these records might be released.

There was general agreement among participants in both groups that a legislative change would be necessary to permit the release of these records.

This summary is based on the notes of the moderator. Although this summary accurately portrays the overall findings in this session, this report is not based on a review of the session transcripts and must be taken into consideration with the findings in upcoming focus group sessions. As well, qualitative results are not representative of the general population.

Winnipeg, Manitoba Focus Group Summary – January 24, 2002

This is a summary of two focus groups sessions conducted with general population participants in Winnipeg, Manitoba on Thursday, January 24, 2002. In all there were a total of twenty-one participants, eleven in the first session and ten in the second. There was active and involved discussion among all respondents in both sessions.

There was fairly low awareness of Statistics Canada and the census. Although top-of-mind awareness of the specific ways in which the information might be used was low, there was general consensus among those participating that the information collected by Statistics Canada, in general, and the census in particular, is very important for Canada. Most felt that the information collected by Statistics Canada is used by governments to develop policy, create budgets, for planning purposes and for federal-provincial financing arrangements.

The values associated with Statistics Canada include:

- Good Information
- Important/Useful
- Complete
- Enlightened
- Policy Making
- Goods and Services
- Invasive (Big Brother)
- Mandatory
- Budget planning
- Trends
- Reporting
- Current/Up-to-date
- Demographics /Groupings
- For future decisions/planning
- Necessary
- Interesting
- Practical
- Big Picture/General view
- Grander Scheme
- Historic

There was an assumption among participants that the information collected by the census would be factual. This was felt to be very important, as the accuracy of the information is necessary for budget and other government planning activities. Confidentiality was not mentioned without prompting by any respondent in either of the two groups.

A few participants felt that current census information is collected on a short-to-mid term confidential basis and would be released to the public after a period of time; possibly one hundred years. Some felt that information given in response to the census is kept secret forever. A very few confessed that they had never really thought about it, and that it didn't matter to them one way or the other, as "they have no secrets". Even among those who felt that their individual information would be kept confidential forever, many participants believed that information gathered in the census is likely shared between government departments.

When reviewing the instructions from 1906 and 1911, many participants thought that the intent regarding confidentiality was not clear. However, most participants

felt that the decision to release or not release the 1906 and 1911 individual census records should be based solely on the issue of “the promise of confidentiality”. Some participants felt that the person giving the information would likely not have given as complete information if they had known that their “secrets” would be revealed. Therefore, they said, “if a promise was made, then the promise should be kept.”

The possibility that these issues might be sensitive either now or in some future circumstance was the driving issue for many participants when deciding whether census information should or should not be released. While most participants felt that information in the census is not particularly sensitive, a few felt that responses related to ethnic origin, literacy and mental health might cause concern or distress to some descendants, if released.

While some respondents were sympathetic to the usefulness of census records for historical research, tracing family history or medical research, most participants thought that there are many sources other than individual census records that would be easier to use and more likely to yield the required information, such as local birth/death records, church records and municipal property ownership records.

Only very few of the participants felt that the release of these records would reduce the willingness of Canadians to participate in future censuses. Participating in the census is an “obligation” and to not do so would be almost “un-Canadian”.

Five of the twenty-one participants felt that no promise had been made to hold the records indefinitely or forever. These respondents were in favour of releasing the information without restriction.

Six participants indicated that the information should not be released for any reason or to anyone. Some of these participants felt that there was a clear promise to not reveal the information while others in the “no release” segment felt that, even if there was only an implied promise, the information should remain closed.

The remaining participants favoured the use of a compromise offering limited access to these records. Three participants favoured the compromise solution proposed by Statistics Canada while five participants wanted a more limited access regime and two participants thought the compromise was too restrictive.

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Appendix I - Index of Written Submissions

Alberta

Campbell, Sheila, Private Citizen
Edmonton, AB
Emailed submission January 28, 2002

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Edmonton, AB
Emailed submission January 28, 2002

Christensen, James, Private Citizen
Edmonton, AB
Emailed submission January 28, 2002

Dupuis, Serge, Private Citizen
Edmonton, AB
Emailed submission January 27, 2002

Hillas, Christine, Private Citizen
Edmonton, AB
Emailed submission January 28, 2002

Lundie, Patricia, Private Citizen
Edmonton, AB
Emailed submission February 3, 2002

Machtemes, Terry, Private Citizen
Edmonton, AB
Emailed submission January 28, 2002

O'Reilly, Helen, Private Citizen
Edmonton, AB
Emailed submission January 27, 2002

Scott, Wayne, Private Citizen
Calgary, AB
Emailed submission December 10, 2001

Skitsko, Peter, Ukrainian Special Interest Group of the Alberta Genealogical Association
Presented at Edmonton session

British Columbia

Chickite, Candy-Lea, Member- Cape Mudge Indian Band
Presented at Vancouver session

Davidson, Muriel M. and Gerald A. Pierce, Private Citizens
Attended Vancouver session

Edmunds-Flett, Sherry, Abbotsford Genealogical Society
Presented at Vancouver session

Griston, Roz, Private Citizen
Presented at Vancouver session

Taylor, Dana, Private Citizen
Emailed submission January 30, 2002

Watts, Gordon A., Co-Chair Canada Census Committee
Presented at Vancouver session

Nova Scotia

Fisher, Ernest H., Private Citizen
Emailed submission January 9, 2002

Frame, Robert W., Private Citizen
Dartmouth, NS
Emailed submission January 3, 2002

Taylor, Iain C., Private Citizen
Emailed submission January 15, 2002

Ontario

Clipperton, Austin and Margaret Clipperton, Private Citizens
Walford, ON
Emailed submission January 18, 2002

Gilchrist, J. Brian, Private Citizen
Presented at Toronto session

Horgan, Frank, Private Citizen
Toronto, ON
Emailed submission January 18, 2002

Long, Murray, Private Citizen
Presented at Ottawa session

Martin, Carol, Historical Society of the Gatineau
Presented at Ottawa session

Olafson, Erik, Private Citizen
Lively, ON
Emailed submission January 19, 2002

Palmer, Margaret, Private Citizen
Etobicoke, ON
Emailed submission January 18, 2002

Patterson, Jackie, Private Citizen
Pembroke, ON
Emailed submission January 18, 2002

Shearon, Jim, British Isles Family History Society of Greater Ottawa
Ottawa, ON
Emailed submission December 17, 2001

Treble, Donald W., Private Citizen
Ottawa, ON
Emailed submission December 10, 2001

Ward, Kenneth, Private Citizen
Brampton, ON
Emailed submission January 9, 2002

Quebec

Fournier, Marcel, President La Société généalogique canadienne-française
Presented at Montreal session

Giroux, Raymond et Roger L'Écuyer, Société d'histoire et de généalogie de
Salaberry
Presented at Montreal session

Parent, Mariette, Société de généalogie de Québec
Presented at Montreal session

Saskatchewan

Bartolf, Michael, Private Citizen
Regina, SK
Presented at Regina session

Hamm, Elaine, Private Citizen
Saskatoon, SK
Emailed submission January 21, 2002

Rusk, Michelle, Private Citizen
Presented at Regina session

Spott, Dan, Private Citizen
Regina, SK
Emailed submission December 7, 2001

Svenson, Kenneth A., Private Citizen
Regina, SK
Presented at Regina session

Outside of Canada

Curtis, David E., Private Citizen
Haymarket, Virginia
Presented at Fredericton session

Joiner, Ghislaine, Private Citizen
San Clemente, California
Emailed submission January 17, 2002

Stewart, Lynton C., Private citizen
San Marcos, California
Emailed submission January 17, 2002

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Graham, Beryl, Private Citizen
Emailed submission December 7, 2001

McLean, J. Stuart, Private Citizen
Emailed submission January 20, 2002

Purves, Anne, Private Citizen
Emailed submission January 27, 2002

Rains, Scott, Private Citizen
Emailed submission December 10, 2001

Robinson, Jo-Anne, Private Citizen
Emailed submission January 27, 2002

Salmons, Debbie, Private Citizen
Emailed submission December 7, 2001

Van Camp, Nancy J., Private Citizen
Emailed submission December 12, 2001