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2005-11-15: Legislation to modernize investigative techniques introduced today

## Legislation to modernize investigative techniques introduced today

**Ottawa, November 15, 2005** -- Today in the House of Commons, the Honourable Anne McLellan, Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness, introduced legislation on the lawful interception of communications. The *Modernization of Investigative Techniques Act (MITA)* will ensure that the law enforcement community and the Canadian Security Intelligence Service (CSIS) maintain their ability to investigate crime and terrorism in the face of rapidly evolving communications technology.

“Currently, under the law, police and CSIS can only intercept communications with authorization. This Act will not change that,” said the Deputy Prime Minister. “However, that authorization may be of no effect if companies do not have the technical ability to intercept new communications technology. This legislation will ensure that criminals can no longer take advantage of new technologies to hide their illegal activities from the law.”

The proposed legislation will reduce the ability of criminals, organized crime members and child pornographers to use sophisticated technologies to carry out their activities undetected. Under *MITA*, telephone and Internet service providers will be required to include an interception capability in new technology. Court authorizations will continue to be

obtained for interception, as they are today. This legislation will not change this requirement in any way.

*MITA* will also make subscriber contact information from telecommunications service providers available on request to designated law enforcement and CSIS officials. Under the legislation, these officials will be able to request individuals' basic contact information such as their name, address, telephone or cell phone number or IP address. The release of this information will be subject to rigorous privacy safeguards which will include requiring that all requests for this information are recorded for audit and review purposes.

"We consulted extensively to ensure this legislation strikes the right balance between the needs of police to maintain their investigative capabilities and the business considerations of the industry, while respecting Canadians' privacy, rights and freedoms," said the Deputy Prime Minister.

This legislation is the result of a comprehensive legal review. In 2002, the Government consulted publicly and heard from more than 300 individuals and organizations. In 2005, a second round of consultations was held with stakeholders from the telecommunications industry, police community, privacy advocates and commissioners, and civil liberty groups.

An on-line version of the proposed legislation is available at [www.parl.gc.ca](http://www.parl.gc.ca).

See also:

- [\*MITA\* - Overview](#)
  - [\*MITA\* - Chronology](#)
  - [\*MITA\* - Consultations](#)
  - [\*MITA\* - Privacy considerations](#)
  - [\*MITA\* - Myths and realities](#)
  - [\*MITA\* - The need for change](#)
  - [International approaches to interception of communications capabilities](#)
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