

Law assignment - national security versus personal privacy

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Law Assignment - National Security versus Personal Privacy What is your opinion on this issue? Justify your view in a short written report In response to the September 11 attacks, section 107 of the Customs Act was put in place. In essence, Section 107 states that customs officers can now access airline passenger lists consisting of personal information, this information will also be placed in a database for the next 6 years. As stated in Customs Act, Section 107 Amended section 107 of the Customs Act became effective on November 29, 2001. It replaced former sections 107 and 108. Section 107 provides strict prohibitions on the provision to others, allowing access to others, and the use of customs information. My opinion on this issue is very definite as I am in unison with Elinor Caplan as he describes in the article " it fixed the gap. " Simply by stating this he meant that there was an obvious problem that the government had no knowledge of who was flying into Canada by commercial jetliner. I personally agree with The Minister of National Revenue and believe that Section 107 further protects Canadian citizens and is in the best interest for society. The change to the Customs Act helps the government foresee potential threats and problems that would be at hazard to Canada while also balancing privacy rights to Canadian citizens. It is a major investigative tool which has helped rescue children and thwarted armed criminals from entering. The fact that Canadian government obtains such information for 6 years is reasonable to the very least. As in the interest for the citizens, the government is only concerned with the information that shows any plausible threat. As stated, advance passenger information significantly increases our ability to track pedophiles, find criminals trying to enter our country, identify potential drug smugglers, and

protect the health of Canadians. By obtaining passenger information in advance, it will provide customs officers with time to assess set individual and process large volumes of people more efficiently. Just having access to data helps Canadian government focus their attention and efforts to passengers who pose at high risk. The Canadian Charter of Rights and Freedoms is intended to foster values and recognized as an important part of Canadian society, which may also used to the contrary on this issue. Although these rights are set out to protect the dignity and liberty of a Canadian citizen in free society they must also be balanced in proportion to limit violation of basic rights in the slightest way possible. As George Radwanski states in the article " All this information will be stored not to provide you with any service but to have it handy if it ever becomes expedient to do so. " I do oppose to this statement. I oppose it mainly because it is a service for Canadians to provide higher security to them. Canadian government holds this information to protect the better of Canadian citizens but uses this information to also be used against you if found reason to. In the article Mr. Radwanski referred Section 107 to " Big Brother" which in my opinion is a complete exaggeration as this section only has to do with Canadian customs and not entirely with society. If he has any knowledge of Section 107 he would know it is disciplined with Canadian Customs and who is entering Canada. The aspect of " Big Brother" may be viewed adversely due to the fact that it describes an all powerful government body that keeps the population under strict control. The view of this term should be used positively as it monitors national security and the well being of Canadian citizens. There is only a certain degree in which

information would be used against citizens if found threatening in anyway. I do not believe that the Canadian government has time to distress over the slightest amount of information that would not affect Canadian society as a whole. e. g : If Canadian Customs has reason to believe you are smuggling drugs into Canada because you were charged with drug possession 4 years ago. This is complete reason for Canadian Customs not to allow you into the country because of the simple fact that it is violation of law, it threatens society and is wrong, there is potential that such event may happen again. e. g : You are a homosexual and going on vacation with your boyfriend, though you work in a catholic school. This should be ignored as it does not threaten Canadian Society as a whole, but the views of the catholic faith. As the government does not need to consider such small complications. The main objective of this act is to protect Canadians and to prevent potential September 11 events from ever occurring again, it reminded us that we are not immune to terrorism. Section 107 was immediately put in place so that these events do not happen. Countering terrorism and protecting Canada is a shared responsibility that should involve everybody. With this section put in place, Canadians can feel more secure, as we are working collaboratively for the greater good.