

September 16, 2002

Public Consultation on Voyeurism
Criminal Law Policy Section
284 Wellington Street, 5th Floor
Ottawa, Ontario, K1A 0H8

Attention: Justice Minister Martin Cauchon

Dear Mr. Minister:

Earlier this year your Department circulated a consultation paper that discussed whether to create new criminal offences to deal with voyeurism and the distribution of recordings and materials derived from such activity.

I support in principle the initiative to amend the *Criminal Code* and create offences to deal with sexually-motivated privacy invasion (voyeurism) that may be committed using new surveillance and recording technologies.

Covert surveillance devices are readily available to Canadian consumers. A quick net surf lasting about 90 seconds by one of my staff turned up web sites advertising video cameras hidden in smoke detectors, alarm clocks, teddy bears, sunglasses, motion detectors, books and tissue boxes. Within the last year in Alberta there have been widely-publicized allegations of privacy invasion by landlords and employers using small hidden cameras in toilets and bedrooms to spy on people in intimate moments. These types of privacy breaches are bad enough, but the capacity to e-mail and stream images over the Internet affords a technologically-literate voyeur the tools to magnify the scope of a privacy invasion exponentially.

The proposed amendments would lend substance to the right to privacy developing in Canada, offer meaningful remedies for serious, sexually-motivated privacy invasions, as well as deter potential offenders.

Yours truly,

Frank Work, Q.C.
Commissioner