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To build trust in the Information Age, we need a new social contract

We are in a [trust crisis](#)¹. Across Canada and around the world, people's trust in the governments and organizations that are part of their everyday lives is under mounting pressure amid the spread of disruptive technology, political polarization, and economic anxiety. This trust crisis threatens our social fabric and our future as a country.

It's also personal. It shows up in the resignation people feel over the loss of control of their personal information – who they are, their lives, their stories.

But it doesn't have to be this way. We can shift course. We have an opportunity and an obligation to work toward the future we want. Innovation can enhance our quality of life, our dignity and autonomy, and support a renewal of trust in each other, in companies and public bodies and in our institutions.

Social contract in turmoil in Information Age

Today's trust crisis is, in part, a reckoning for the fact that we still lack a viable social contract for the Information Age. Social contracts form the basis of trust between people and governments and organizations. They're built on reciprocity, on mutual obligations, and they are contingent: trust is not faith – it must be continuously and deliberately earned.

History shows that social contracts collapse in times of profound upheaval and new ones are re-negotiated around mutual trust and credible checks on power. At key watershed moments in human history, marked by changes in geopolitics, climate, and technology, social contracts have been forged and re-forged, often with prolonged struggle, inequity and conflict until a new balance is found. These social contracts were not perfectly equitable. But their core terms were strong enough to sustain broad public trust – the feeling that we are in this together – and to confer legitimacy on those in power.

We are now at another such watershed moment. In the Information Age, we're again faced with an imbalance of power that defies the basic tenets of a social contract. We cannot realistically participate in modern life without our personal information – our identities, who we are – being extracted, carved up, and used in ways we can't predict or comprehend. We're told this is for convenience and for services upon which we've come to rely. We all sense that public and private organizations can piece together things about us that we never chose to reveal, and are using this information to manipulate our behaviour – and many of us think there is nothing we can do about

¹ <https://www.edelman.com/news-awards/2026-edelman-trust-barometer-society-slides-into-insularity>

this. This is at the heart of our trust crisis – an immense power gulf that robs us of agency and control over our own lives.

We must address that disparity, right the scales toward reciprocity, and form a new social contract grounded in Canadian values that can serve as the basis for legitimacy in the Information Age.

Good governance: clearer rules

A new social contract requires modernizing private sector privacy laws. Our current laws are built on the idea that organizations need our consent to handle our personal information. This is an important foundation informed by the principle that our personal information is core to our identity and that we have a right to privacy. That said, the fundamental principle of consent has been warped. As our lives have become more digitized, there is dramatically *more* information about us created and collected every day. At the same time, modern technologies allow for organizations to assess, control and use that information in new and powerful ways. Consent relies on control, but imagining we can have control in the way that we once did is not realistic.

Going backwards is not an option. Only a privileged few could realistically retreat into some analog idyll. Plus, most people wouldn't want that – many digital services make our lives better. Our consent rules need to reflect this modern reality. Consent must remain central to privacy law; it needs to be the starting point and must be rehabilitated so that it can be truly meaningful. But consent should only be relied upon where it is appropriate and feasible. It must be supplemented by alternative legal authorizations where it is not, and these must be buttressed by appropriate privacy safeguards: key rights, requirements for sound data governance, and strong oversight.

The recently introduced federal Bill C-36², which would reform the federal private sector privacy law in Canada, the *Personal Information Protection and Electronic Documents Act* (PIPEDA), includes changes that a succession of BC Privacy Commissioners have long supported for BC's *Personal Information Protection Act* (PIPA). It would strengthen protections for sensitive personal information, including biometrics and children's information, and would give individuals functional controls. The bill also speaks to the consent issue, proposing new exceptions to consent for modern data handling practices. It would introduce new safeguards, like telling people when AI is making decisions about them, and new rights, such as the right to demand deletion. Stronger enforcement tools, including penalties for non-compliance, would function as a practical check on power in the Information Age.

Privacy is personal, and it happens where people live

The introduction of Bill C-36 starts a long overdue conversation on how we can elevate the standard of privacy protection across Canada, including thoughtful discussion on the design and

² <https://www.parl.ca/DocumentViewer/en/45-1/bill/C-36/first-reading>

independence of a trusted and effective regulator. It reminds us that privacy regulation does not stand in the way of innovation.

This is a conversation we need to have not only in Ottawa, but across provincial legislatures and communities nationwide.

The national debate, understandably, is centred on big tech and digital safety. Trust in a modern social contract will require meaningful action on these issues. However, they are only part of the picture. For millions of Canadians, privacy concerns come up much closer to home.

The files that come before us at the BC Office of the Information and Privacy Commissioner reflect this. The story of privacy shows up in residents' unease about cameras going up in their buildings, parks, schools and sidewalks. It emerges in tenants' hesitation when landlords seek more personal information than appears necessary when housing is limited. They surface when non-profits maintain records about the people they support at a time when those organizations are a lifeline, or when politicians come knocking on doors at election time. They extend to the fields, camps, worksites, and home offices where employees are monitored on the job. If British Columbians' values will inform a new social contract, there will need to be means for them to be expressed at all levels – families, communities, provincially, and nationally.

That is why this country has a strong tradition of independent privacy regulators embedded within their local communities and delivering on the issues that matter most to people on the ground. Empowering local regulators strengthens Canada's ability to adapt to the Information Age by staying responsive to the specific needs of our diverse country.

Impartial and independent privacy regulators are a practical expression of the social contract between individuals and the state. They rebalance power, putting it back into the hands of individuals and affirming that no single entity holds unchecked authority. They give our economy, and the emerging technologies driving it, legitimacy and staying power. They reinforce trust.

A path forward

It's time for a new social contract for the Information Age – one centred on human dignity and where the owners of personal information are not divorced from its benefits.

Writing that contract requires governments to reform outdated privacy laws and empower impartial regulatory bodies to enforce them – bodies that can meet the big picture challenges of the Information Age, while recognizing, respecting, and responding to the needs of people where they live.

What we build now – and whether we do so with the accountability that comes from independence – will determine whether we can repair and strengthen the trust that holds our country together.

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