

CONFIDENTIAL

July 3, 1963

MEMORANDUM FOR THE PRIME MINISTER:

Appeal System for Security Cases

I understand that, owing to recent pressures in the House and elsewhere, and latterly to a question asked by Mr. T. C. Douglas in the House yesterday, the Minister of Justice may wish to raise the matter of a security appeal board at the meeting of the Cabinet on July 4. Should he do so, I thought you would wish to know that the Security Panel has once again considered this matter at meetings in the past two weeks, and its members continue to have serious doubts as to the advisability of introducing any formal system of appeal for these cases. We are, however, studying means by which departments might improve the administrative means of dealing with what is essentially an administrative matter, and will be making a number of recommendations to the Cabinet Committee on Security and Intelligence in the coming weeks.

I am attaching for your information a copy of a draft Memorandum to the Cabinet Committee concerning this question of appeal, which sets out the Security Panel's main arguments against a formal system. Whatever steps the government considers it must take in the matter, I strongly feel that they should be taken with care and deliberation, as this is an area in which mistakes resulting from precipitate action could be very serious indeed.

It may be that some of Mr. Chevrier's concern in this matter arises from advice given him by Tom MacDonald, one of his Assistant Deputy Ministers,

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who has participated in recent discussions of the matter by the Security Panel, and who does not fully share the Panel's views on the question of appeal in security cases. I should point out, however, that Mr. MacDonald's experience in matters of security is very limited indeed, and that it would therefore be inappropriate to permit Mr. Chevrier to be unduly swayed by his advice in a matter as complex and controversial as this. I believe the line taken by the Minister in his reply to Mr. Douglas yesterday was appropriate and sensible, and that he should be encouraged to maintain it until the whole question has been given the consideration it deserves.

R.G.R.

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