

Mr. R. G. Robertson
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Minutes of the 74th Meeting of the Security Panel, held in the Privy Council Committee Room, East Block, on Thursday, October 31st, 1963, at 3.30 p.m.

PRESENT:

Mr. R. G. Robertson
Secretary to the Cabinet (Chairman)

Mr. E. B. Armstrong
Deputy Minister of National Defence

Mr. L. C. Cragg
Department of Defence Production

Assistant Commissioner J.R. Bordeleau
Royal Canadian Mounted Police

Mr. Jean Boucher
Acting Deputy Minister of
Citizenship and Immigration

Mr. R. G. MacNeill
Chairman, Civil Service Commission

Mr. N. A. Robertson
Under-Secretary of State
for External Affairs

Mr. D. F. Wall
Privy Council Office (Secretary)

ALSO PRESENT:

Mr. J. S. Cross,
Department of Citizenship and Immigration

Mr. J. J. McCardle
Department of External Affairs

Inspector D. E. McLaren
Royal Canadian Mounted Police

Mr. D. Beavis
Privy Council Office (Assistant Secretary)

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I. Revised Cabinet Directive on Security

1. The Chairman reported that the Cabinet Committee on Security and Intelligence, and subsequently the Cabinet, had approved the revised Cabinet Directive on Security and had agreed that the Prime Minister and the Minister of Justice would make explanatory statements in the House of Commons. These had been made on October 25th, 1963, at the introduction of the estimates of the Department of Justice. The Prime Minister had made one change of substance in the Directive, proposing that cases in which dismissal on security grounds was being considered would be reviewed by a Board of Review drawn from the Security Panel, rather than by the Panel as a whole. Apart from the presentational value of this change, it was considered an improvement in procedure that no member of the Security Panel who had a direct connection with any case being reviewed would sit as a Member of the Board. The Prime Minister had also indicated in the House that the new procedures would not be put in written form until the debate had been concluded.

2. Mr. Robertson added that the Prime Minister had asked for his views on two other questions, first the advisability of having the Board of Review chaired by a Judge of the Exchequer Court, and second, whether the Directive might be made public. He had advised the Prime Minister against proposing participation in the work of the Board by any judicial or quasi-judicial functionary on the grounds that this would tend to lead to further demands for full judicial procedures. Also, it would raise the possibility of the Board assuming the function of deciding the merits of cases rather than providing advice to the Minister, whose final responsibility it was to make the decision. He had earlier advised the Prime Minister against making the Directive public, if that could be avoided, in that publication would lead to endless debate of the Directive's provisions.

3. The Security Panel

- (a) expressed its support of the advice which the Chairman had given the Prime Minister; and
- (b) agreed that until the Directive was distributed to departments and agencies, its provisions would be made to apply to cases which arose in the meantime.

II. Security Investigations at the Universities

4. The Security Panel had for consideration a paper setting out the response of the R.C.M. Police to views expressed by the Canadian Association of University Teachers concerning security investigations on university campuses. A paper setting out these views had been considered at the 72nd meeting.

(Security Panel Documents SP-208 and SP-214 refer)

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5. The Chairman noted that the Prime Minister had recently received a further letter from the Executive Secretary of the CAUT expressing the hope that the Government was continuing its consideration of the matters which were of concern to that organization, and added that the Prime Minister intended to meet with representatives of the CAUT during the week of November 4. Mr. Robertson suggested that the Panel consider the current handling by the R.C.M. Police of its various security investigations at the universities and attempt to suggest means by which the worries expressed by the CAUT might be met.

✓ 6. Assistant Commissioner Bordeleau stated that Police investigations in this area were of three kinds -- those related to security screening, to Soviet Intelligence Service recruiting for long-term espionage, and those concerning subversive activity by Communist organizations. He indicated that investigations in the latter connection had been reduced to an absolute minimum since 1961, but that investigations of the first two types had necessarily been continued. He pointed out that while it was not standard practice for the R.C.M. Police to consult with an official of the University prior to making an investigation, there was in fact such consultation in a great many cases. However, because of the delicacy of certain of these investigations, the Police had to exercise extreme care in selecting the officials or faculty members whom they approached for information. Many of these contacts were of long-standing and quite informal in nature.)

7. The Chairman of the Civil Service Commission, in commenting upon difficulties arising from security screening investigations which the R.C.M. Police made on behalf of Government departments, explained that as a part of university recruitment for departments such as External Affairs and Trade and Commerce, investigations had to be concluded before applicants could be qualified. Normally the ratings resulting from oral boards were not given until after the results of security investigation had been examined, and those being rejected by the departments concerned or the Civil Service Commission on security grounds were simply disqualified by the Commission on grounds of personal unsuitability. They were not told of the reasons for disqualification.

8. The Under-Secretary of State for External Affairs said that, while it was obvious that the worries expressed by the university people were in part uninformed, their real concern was to preserve the university as a place where all issues were open to discussion without interference from established authority. The real difficulty lay in the fact that, particularly during the 1930's, attitudes of enquiry and protest about some of the more unpleasant facts of history over the past forty or fifty years had become a breeding ground for later conspiracy of a very serious order. He gave as examples some of the cases which had arisen in recent years in the United Kingdom, particularly those of Burgess, McLean and Philby.

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9. Mr. Boucher considered that the central concern of the Universities was probably to protect students against misinterpretation by the authorities of their unorthodox words or actions at a time when they were freely pursuing ideas and issues of all kinds, and that faculty members and students alike were bound to be disturbed at the thought of being informed upon by their fellows. Security checks at the universities might be resented in that they were conducted prior to actual employment, but he felt that the universities would accept the necessity of the authorities pursuing matters such as potential terrorism and overt acts of subversion, if they could be defined.

10. Inspector McLaren cited cases in which students had been approached by known Soviet intelligence officers, and considered that the R.C.M. Police had a duty to warn students of the dangers of such associations in the long term, and to ask them to report further associations to the R.C.M. Police. Concerning the investigation of subversive activity, as opposed to potential espionage, he pointed out that the R.C.M. Police merely observe and record the activities of communist-controlled organizations which attempt gradually to channel students, through their youthful enthusiasm for a variety of laudable causes, into acceptance of Communist disciplines.

11. The Deputy Minister of National Defence felt that both students and faculty members would resent R.C.M. Police surveillance of left-wing or Communist clubs on the campus, fearing the effect of such surveillance on open discussion generally. Concerning security screening investigations, he considered that the universities would question whether it was appropriate for this work to be done by any police force.

12. The Under-Secretary of State for External Affairs agreed that the investigative work of the R.C.M. Police in the fields of espionage and subversion was probably complicated by their having to conduct security screening investigations on behalf of departments and agencies, and suggested that departments themselves might assume greater responsibility for these personnel investigations. He recognized that this proposal would involve a substantial addition of staff, both to the Civil Service Commission and to departments themselves, and would be an important departure from present methods. Fuller use of character references and of departmental contacts at the universities could relieve the R.C.M. Police of a considerable load in this respect, although there would still have to be close consultation with the R.C.M. Police and continued reference to their subversive and criminal records.

13. During further discussion, the following points were made:

- (a) that many of the objections raised by the CAUT related to incidents which occurred prior to the reduction of R.C.M. Police surveillance at universities in 1961;

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- ✓ (b) that the R.C.M. Police were not interested in the purposes or activities of protest groups as such, but were interested in their infiltration by Communists who could eventually assume positions of authority and control within such organizations; ✓
- (c) that, if departments and agencies were to assume greater responsibility for background investigations for screening purposes, continued reference to R.C.M. Police subversive records would be essential; and
- (d) that many of the points raised by the CAUT indicated a lack of accurate information, and in some cases a serious misinterpretation of the purposes of security investigations.

14. After further discussion the Security Panel recommended that the Prime Minister, the Minister of Justice and the Commissioner of the R.C.M. Police meet with representatives of the CAUT for a general discussion of security matters as they related to the Universities, and agreed that it would be useful for the Chairman and the Commissioner to meet with the Prime Minister and the Minister of Justice beforehand in order to ensure that they were fully informed in these matters.

III. R.C.M. Police Investigations Within the Public Service

15. The Security Panel had for consideration a memorandum from an official of the Department of Finance to a superior officer describing conversations with a Member of the R.C.M. Police who was investigating the official's associations with members of the staff of the Soviet Embassy in Ottawa.

(Security Panel Document SP-209 refers)

16. The Secretary explained that, in accordance with advisory memoranda from the Security Panel, departmental security officers had been asked to ensure that members of the staffs of their departments who had official or social contacts with Soviet bloc diplomatic staff made suitable reports on these contacts, in order that the R.C.M. Police might be suitably informed. A case had arisen in the Department of Finance in which there appeared to have been a misunderstanding by the official concerned of the purpose of such reporting, and also a lack of essential knowledge on the part of the R.C.M. Police investigator of the nature of the contacts which the departmental representative had had with Soviet officials.

17. Assistant Commissioner Bordeleau pointed out that, in this case, the R.C.M. Police investigator had followed agreed procedure by first contacting the security officer of the Department of Finance, who had put him in touch with the official in question. It was A/C Bordeleau's view that the investigator had approached the problem in proper fashion, and that any misunderstanding that had arisen may have resulted from the official having been inadequately briefed by the security officer as to the purpose and value of such investigations in providing useful intelligence about Soviet representatives.

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18. The Under-Secretary of State for External Affairs affirmed the value of such interviews, and expressed the view that, although the process was disagreeable in some of its aspects, the experience of western governments had been that it was useful and often necessary to alert officials to the dangers and complications of both social and official contacts with Soviet diplomats, in view of the ways in which such contacts tended to be exploited for intelligence purposes. Mr. Robertson pointed out, however, the importance of achieving a full understanding of these dangers by Canadian officials in order to gain their informed co-operation.

19. After further discussion the Security Panel agreed that the Secretary be asked to discuss this matter with the security officers of departments most directly concerned, with a view to having them explain fully and in detail to their senior departmental officers the value of co-operating with the R.C.M. Police in recording views and information relating to their contacts with Soviet officials.

D. F. Wall,
Secretary of the Security Panel.

Privy Council Office,
December 20, 1963.

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