

S-1-6 Dec. 18, 1972

D R A F T

PAK
to see & return
to 225.

Dear Mr. Edwards:

I am replying to your letter of November 28th, 1972, in which you raise important points relating to the requirement for the security clearance of public servants.

As I am sure you are aware, Prime Minister Pearson and Justice Minister Chevrier set out policy and procedures concerning security clearance in the public service when the 1963-64 estimates of the Department of Justice were before Parliament. I attach a copy of the relevant extract from Hansard. You will notice that, in the development of this policy, great effort was made to ensure "that the rights of individual employees in the Public Service are not in any way abridged". Current policy and procedures are based on these statements. I should mention that security checks apply of course exclusively to employees who have access, require access, or who may be in a position to gain access, to confidential, secret, or top secret government information and/or material.

Security in the public service is considered to be essentially an aspect of good personnel administration, and, as such, a departmental responsibility. Every deputy head is responsible for identifying positions involving access, as well as obtaining the consent of an incumbent or job applicant before initiating security clearance procedures (Public Service Employment Regulations, para. 26). I realize that, given a policy requiring security screening in certain

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cases, there is the possibility of error and unfairness to individuals. I would however emphasize that there are safeguards. You refer in your letter to "false accusations". I would assure you that existing procedures for gathering and evaluating information in the course of security investigations are designed with this problem very much in mind, and I am confident that no judgment regarding the suitability for clearance of an employee would be made on the basis of adverse reports, the reliability of which could not be readily assessed. Further, it is general policy, whenever a doubt has been raised in the course of an inquiry regarding an employee's loyalty or reliability, to make known to the employee, to the greatest extent possible, the nature of the information on which the doubt is based, with a view to resolving the problem. Where dismissals are involved, as you know, the review procedure described by Prime Minister Pearson in 1963, applies.

You will recall that the Royal Commission on Security studied the question of review procedures in security cases in considerable depth. Its recommendation for a Security Review Board has been accepted in principle, but not yet implemented. In the meantime, of course, the review procedure announced in 1963 remains in effect.

In the matter of possible misuse of any information obtained in the course of a security inquiry, I am assured that

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the dissemination of such information is restricted to the smallest possible number of persons, all of whom require access to carry out their responsibilities. I might mention that the confidentiality of such information is essential not only to protect the individual, as you rightly emphasize, but also to ensure the effectiveness of the whole policy of security investigations and clearances.

I would stress that those in the public service with personnel and security responsibilities are very much aware of the kind of problems which you set out in your letter. I think you can be assured that every effort is made to ensure that the rights of individual employees in the public service are respected in a manner consistent with the security of the State and the oath or affirmation of loyalty taken by them on appointment.

Yours sincerely,

D. Morley,
Deputy Secretary.

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