

PLEASE ADDRESS  
CORRESPONDENCE TO:  
THE COMMISSIONER  
ROYAL CANADIAN MOUNTED POLICE  
OTTAWA, CANADA  
K1A 0R2



HEADQUARTERS  
DIRECTION GÉNÉRALE

PRIÈRE D'ADRESSER LES  
LETTRES COMME SUIVIT:  
LE COMMISSAIRE  
GENDARMERIE ROYALE DU CANADA  
OTTAWA, CANADA  
K1A 0R2

YOUR NO.  
VOTRE N°

OUR NO.  
NOTRE N°

IP 160-9

2 March 1978

CONFIDENTIAL

ALL DEPARTMENTAL SECURITY OFFICERS

Re: Canadian Human Rights Act,  
Security Screening Procedures

The following is the text of the address  
given at our meeting on Friday, February 24th:

"Effective March 1st, 1978, the RCMP Security Service will be unable to process any security screening requests which do not involve national security and which are not clearly covered by the provisions of Cabinet Directive No. 35.

Section 54 of the Canadian Human Rights Act provides Ministers the authority to exempt from disclosure information relative to national security, in addition to certain other types of information. When viewed in the context of security screening, this means that classified information provided to government departments for purposes other than national security cannot be made exempt from disclosure. Consequently, without the protection this exemption affords, we can no longer provide classified information for non-national security purposes, and are unable to process security screening requests which do not relate to national security nor meet the requirements of Cabinet Directive No. 35.

.../2

005965

AGC-1541\_0001

CONFIDENTIAL

IP 160-9

- 2 -

All departments and agencies must govern themselves accordingly, for to disclose classified information which emanates from an exempted data bank could seriously jeopardize the confidentiality of sensitive sources and expose operational security investigations."

2. We realize the consequences this will have on your personnel security program; however, the provisions of the Canadian Human Rights Act leave us no choice.

3. At our meeting, the question of defining "national security" was raised, and it was generally agreed that this is a term which is subject to rather wide interpretation. In the absence of a legal definition, and in attempting to apply national security standards to personnel security programs within the departments and agencies of government, one question must be asked, ie:

Has the position for which personnel security clearance is required been classified in accordance with Cabinet Directive No. 35?

4. If this question can be answered affirmatively, we will of course provide the necessary security screening service. In these cases, it is assumed that Ministerial exemption will be sought under Section 54 of the Human Rights Act to exempt from disclosure any information we have identified as requiring such exemption. If, on the other hand, a position cannot be classified in accordance with C.D. 35, then we will be unable to process a request for security clearance for the reasons outlined above.

5. You will recall that at our meeting, a question was asked concerning the procedure to follow when an employee asks to see his/her security file which contains a security screening report provided by us. In such cases, a letter should be directed to the undersigned, referring to the report in question, seeking direction as to what if any of the information contained in the report may be disclosed. After reviewing the contents of the report, we will return to you an edited copy in which all information which should

.../3

005966

AGC-1541\_0002

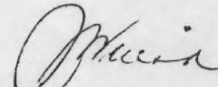
CONFIDENTIAL

IP 160-9

- 3 -

not be disclosed has been blocked out. Ministers should exempt that information from disclosure, and the remainder of the information may be revealed to the employee. We are prepared to authorize the disclosure of as much information as possible and will rely on your support in seeking Ministerial exemption when necessary.

6. It is hoped this letter will help to clarify our position and resolve some of the concerns expressed at our February 24th meeting. As Major Lemieux indicated, we should probably arrange another meeting in a few months time to discuss any problems or developments in relation to the Human Rights Act which are not now apparent. In the meantime, if we can be of any assistance to you, please do not hesitate to communicate with us.



J.F. Friend, Supt.,  
Officer i/c Security Screening.

005967

AGC-1541\_0003