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CONFIDENTIAL

May 18th, 1978.

MEMORANDUM TO: Mr. ~~D.M. Pitfield~~ →

PRIVY COUNCIL

OFFICE

MAY 18 12 05 PM '78

25.5.78.

copy letter on  
J-1-3(d) →

The attached memo to deputy ministers and heads of agencies has been made necessary as a result of the notice served by the Commissioner R.C.M.P., on 28 March 1978 (copy attached) to the effect that henceforth security clearance investigative services will be provided only within the framework of "national security" interests.

BUREAU DU  
CONSEIL PRIVE

Seen by  
Vu par  
P. M. Pitfield

The delay in preparing acceptable guidelines was due to the difficult and lengthy process of consultation which involved not only the R.C.M.P. Security Service but also Treasury Board, Public Service Commission, Solicitor General (Bourne's office) and our own legal counsel, John Lawrence. I also had a lengthy discussion with the Privacy Commissioner, Inger Hansen, on the subject and she gave me every indication of agreement with our approach.

There is no doubt that the immediate result of the proposed guidelines will be a substantial reduction (perhaps 50% or more) in the number of security clearance processes now being conducted by the force. This, however, should not lead to the conclusion that it will raise the security risk factor proportionately. In fact, I firmly believe that a serious review of our practices, as suggested, will improve the quality of security generally.

Increasingly, particularly over the past ten years, a large number of senior officials throughout the government seem to have drifted into what I consider to be a syllogism: a public servant is or may be assumed to be a loyal, honest and trustworthy person because he/she has been granted a security clearance. This kind of thinking leads into all sorts of questionable practices, the most common being the delegation of major security responsibilities to levels of staff who are neither trained, capable of understanding the implications of the responsibilities assigned or paid for them. Few of those who delegate such responsibilities stop to think of the very obvious limitations of the security clearance investigation process, particularly at the levels of SECRET or CONFIDENTIAL where the investigation consists of nothing more than a check of fingerprints and subversive indices.

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Although the Commissioner's edict came as a rude shock to many departments and agencies who were simply using the security clearance investigation to reinforce a weak staffing process, I and others see it as a basically good thing for the following reasons:

- a) it will force the P.S.C. and hopefully all departments/agencies delegated staffing authority to reinforce employment procedures by actively seeking or confirming background information on applicants, a practice which has long been discontinued;
- b) it will force senior management to focus attention on the fundamentals of security, what it is and where it fits in their operations and how it must be pursued to achieve the maximum desired effect; and, finally
- c) by reducing the bulk of demands on the Security Service, departments/agencies should expect and receive more timely and efficient services from the force.

In recommending that you approve this memorandum, as is or with your changes and modifications, I should like to summarize my points of contact and their reaction:

- R.C.M.P. Security Service - full agreement
- Treasury Board Secretariat - full agreement
- Public Service Commission (Staffing Operations) - full agreement
- D'Arcy Finn - full agreement
- Robin Bourne, Solicitor General - full agreement with the substance of the memo but looks to a possibility of discussing other related issues with you before release (his letter attached). I agree that there are related policy issues but they do not have a direct bearing on these guidelines.

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- John Lawrence - Raises no legal questions but he finds the approach very restrictive. The Security Service, on the other hand, find it almost too permissive.
- Privacy Commissioner - Finds the approach sound and acceptable in relation to Part IV of the Canadian Human Rights Act.

Departments have now been clamoring for almost seven weeks for interpretation of the Commissioner's memorandum and for guidelines and I fear that any major delay beyond this point will seriously affect security programmes generally and undermine the level of cooperation that is needed to maintain a reasonable state of security throughout the government organization.

I am holding the French language version of the memorandum.

  
P.A. Lemieux

Attach.

Privy Council Office,  
O t t a w a, Ontario.

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