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SECURITY ADVISORY COMMITTEE

Ottawa, K1A OP8  
July 28, 1977

Mr. R.G. Robertson,  
Chairman,  
Interdepartmental Committee on Security  
and Intelligence,  
Federal-Provincial Relations Office,  
Room 309,  
Postal Station "B",  
59 Sparks Street,  
Ottawa, K1A OA3.

Dear Mr. Robertson:

RE: SECURITY ADVISORY COMMITTEE REPORT ON  
THE STATE OF GOVERNMENT SECURITY POLICIES

PRO : BRFP  
R. G. ROBERTSON

JUL 29 1977

The Security Advisory Committee (SAC) was formed in early 1972. Since its first meeting on March 14, 1972, it has met 41 times. Although much good and useful work has been done by the SAC and its various sub-committees, I find it necessary to report that much of the enthusiasm which was evident during the Committee's early meetings has been dampened by an apparent lack of interest and support at the most senior levels of Government.

A study of the records will show that the Interdepartmental Committee on Security and Intelligence (ICSI) met four times in 1972, twice in 1973 and only once in 1974. In 1975, the Committee met six times, in 1976, four times and it has only met once so far in 1977. In five years, the ICSI has met only eighteen times.

The record of meetings of the Cabinet Committee on Security and Intelligence (CCSI) is even more disheartening. In 1972, this Committee met four times. Two of the meetings were convened to listen to R.C.M.P. briefings. There were no meetings of the CCSI in 1973 and 1974. In 1975, there were four meetings. In 1976, there was one meeting, just before the Montreal Olympic Games began. There has been one meeting so far, in 1977, which was convened at the request of the Minister of Justice to discuss

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certain points of concern related to the Human Rights Bill (C-25). In five years, the Committee of Ministers concerned with Security and Intelligence matters met only ten times.

Although one can find many reasons why security matters do not appear to hold much priority for the Government of Canada within the total scheme of the nation's business, there are a number of policy matters which, in the opinion of the SAC, should be attended to on an urgent basis. These matters together with a brief description of the part played by SAC in each case are listed below under the following headings:

- a. A Legislative Base for Security Policies
- b. Official Secrets Act
- c. Emergency Powers Act
- d. Personnel Security Clearance
- e. Physical Protection of Personnel
- f. Physical Protection of Government Buildings and Installations
- g. Electronic Data Processing Security
- h. A New Classification System - Legislation on Access to Government Information
- i. Security Policy Under Review (SPUR)
- j. Departmental Security Officers (DSOS)
- k. A Security Assessments Staff

a. A Legislative Base for Security Policies

It was recognized early in 1972 by the SAC that, except for an antiquated and ineffective Official Secrets Act, there was no legislative authority for Government security policies. Personnel Security Clearance policy was governed by a Confidential Cabinet Directive dated 1963. Security of Government Information and the classification system was governed by a Privy Council Office instruction dated 1956. Responsibility for physical security in Government was governed by an obscure 1946 Order-in-Council. The R.C.M.P. Security Service, itself, existed on the authority of a regulation promulgated under the R.C.M.P. Act which consisted of two lines. The Department of the Solicitor General Act did not cover the responsibility of the Solicitor General of Canada for security matters and did not make clear the relationship in this regard between the Solicitor General and the R.C.M.P.

Furthermore, there had been no debate in the House of Commons of the report of the Royal Commission on Security (1969). In fact, there had been no substantive discussion of security policies in the House of Commons since the "Pearson Guidelines" were discussed in 1963.

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It was the prevailing opinion of the SAC, in 1972, that if the Government continued to withhold from public view its security policies and how they were implemented, it would become increasingly difficult to maintain a security system in Government which was accepted and understood by the public at large. It was agreed, however, that all policies required updating and that this should be done before any public debate was recommended.

b. Official Secrets Act

The revision of the Official Secrets Act was listed as a SAC priority in 1972. The matter was dropped by the SAC, however, when a working group was established by the CCSI in 1972 to consider the "possible revision, replacement or abandonment of the Official Secrets Act", this working group met twice, to our knowledge, under the direction of Mr. Charles Ritchie, but the Project seems to have been abandoned. A new and effective Official Secrets Act remains a high priority requirement of the SAC.

c. Emergency Powers Act

Although a policy memorandum has been considered by Ministers in Cabinet Committee, it seems apparent that the Government does not intend to proceed with this legislative proposal at this time. The SAC considers this to be a high priority requirement for an effective Government security system, including internal security crisis management.

d. Personnel Security Clearance

Since 1963, Personnel Security in the Public Service has been governed by Cabinet Directive No. 35 (CD 35) which requires that those public servants who are to be given access to classified information must meet certain criteria of reliability and loyalty. Though the policy on which CD 35 is based was debated in the House of Commons in 1963, CD 35, itself, remains a Confidential document.

The SAC started to prepare a revised directive for Personnel Security Clearance in 1972. The revised directive has been discussed and approved by the ICSI and was discussed at a recent meeting of the CCSI. Some changes were suggested by Ministers with respect to rights of those, who are not members of the Public Service, who require a security clearance to do government work. The revised document should be ready for re-submission to Cabinet Committee soon. This new policy document is required on an urgent basis.

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There are a number of attendant difficulties, however, related to Personnel Security Clearance which will not be solved by the issuance of the revised Cabinet Directive. Not the least of these is the apparent increase in public resistance to fingerprinting as part of the security clearance process. Other difficulties concern a requirement for a security clearance process from public servants not because they will have access to classified information of a national security nature (this is covered by CD 35) but because of the need to have access to sensitive information not related to national security or the need to have access to valuable assets. This clearance can perhaps best be described as a "reliability" check. The need for a "reliability" check has long been recognized but should more appropriately be part of the public service staffing function and not a security function. At the moment, it falls between the two.

Probably the most pressing problem, however, is the increasing demand for some type of formal security review process such as the Security Review Board which was recommended by the Royal Commission on Security in 1969. This subject was raised in Parliamentary Committee on two separate occasions, while the new Citizenship Act and the new Immigration Bill were being discussed in detail. The Prime Minister has committed the Government in public to the establishment of a Security Review Board but in spite of a number of discussions in Cabinet Committee nothing has come of it. The SAC is in favour of the establishment of a formal review process such as that suggested by the Royal Commission on Security in 1969.

e. Physical Protection of Personnel

During the 1970 Cross-Laporte affair, the R.C.M.P., by Cabinet decision, was made responsible for the protection of Cabinet Ministers. The protection of foreign representatives in Canada is arranged by the Department of External Affairs, using private security guards, on advice from the R.C.M.P.

Early in 1971, an interdepartmental working group was established to make recommendations about how Cabinet Ministers, Foreign representatives, Judges of the Supreme Court and other designated persons should be protected. The report of the working group was ready in 1973 but was not considered by Cabinet Committee until 1975. The working group recommended that within the National Capital Region, a protection plan combining a status alarm system with intensified police patrolling would be the most effective and economical. Though the proposal was approved by Cabinet Committee in 1975, it was abandoned when Treasury Board refused to allot the necessary personnel and financial resources to it.

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The working group was subsequently disbanded since there seemed to be little point in discussing protection plans for the other parts of Canada, if there was not to be an effective one in Ottawa.

f. Physical Protection of Government Buildings and Installations

Bomb threats, illegal occupations (sit-ins), violent demonstrations and other criminal acts made it clear to the SAC in 1972 that better physical protective measures for Government buildings and installations were required. There were two problems at the time. The first was the fact that there was no clear delineation of responsibility for physical protection. The second was that the Canadian Corps of Commissionaires, which had faithfully been providing guards and watchmen, was running out of members.

As a result, the SAC initiated two studies. The first study, into responsibilities for physical security in Government, culminated in a proposed Cabinet Directive on Physical Security, which for the first time makes clear which department or agency is responsible for what aspects of physical security. The Directive was approved once by ICSI, but its submission to Cabinet was delayed because discussions between the Department of Public Works and the R.C.M.P. about allocation of resources have not yet been completed.

This Cabinet Directive on Physical Security if approved, will form the basis for a number of security instructions to be issued by the SAC concerning illegal occupations, demonstration handling, bomb threats and other physical threats.

The second study, sponsored by the SAC and financed by the Research Branch of the Department of the Solicitor General, deals with the use of security guards by the Government. Information was required, in view of the dwindling numbers of Commissionaires, particularly in the Ottawa area, and the poor quality of guard services provided by commercial guard companies, as to whether the establishment of an internal Government Guard Service could be justified. The final report of this study is expected in August 1977.

g. Electronic Data Processing Security (EDP)

The SAC assisted the Treasury Board (Administrative Policy Branch) in the preparation of Chapter 10 of the EDP guidelines - "Security in an EDP Environment". The SAC also established a sub-committee to advise on EDP Security and to assist the R.C.M.P. Security Evaluation and Inspection Teams (SEIT) when required.

Since 1974, when the EDP Security Guidelines were issued, the R.C.M.P. SEITs have inspected twenty-two EDP installations. Of these twenty-two, none met the minimum standards for security. There are a number of reasons for this. The most significant reason is that the

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classification system currently in use applies only to national security information and is not suitable for other sensitive information. Consistent with the recent Green Paper on Legislation on Access to Government Information, a new classification system is being designed.

Other reasons given for lack of EDP Security in Government Departments are the high costs involved; a lack of interest in security; a lack of knowledge about EDP security problems and vulnerability of EDP systems; and the absence of any follow-up mechanism to ensure R.C.M.P. SEIT recommendations are adopted.

There is reason to believe that the Auditor General in his 1977 report will be commenting on the lack of departmental compliance with the Treasury Board EDP Security Guidelines. For reasons of the need to ensure personal privacy alone, any public criticism of the vulnerability to access of Government EDP systems must be taken very seriously. This subject remains a high priority for SAC.

h. A New Classification System - Legislation on Access to Government Information

A new classification system is being designed which is consistent with that information to be protected by future legislation. It also takes into account the need to classify civil security information as well as national security information. It is likely that for national security information the current TOP SECRET, SECRET, CONFIDENTIAL and RESTRICTED classifications will continue to be used. For civil security information, it will be proposed that a new classification known as PROTECTED should be adopted. Standards of protection for the PROTECTED category will be determined by the principles of risk management.

The SAC will recommend rapid approval in principle of this concept in order that detailed instructions can be written.

i. Security Policy Under Review (SPUR)

A series of working sub-committees, sponsored by SAC and under the direction of R.C.M.P. "P" Directorate, are working to bring together all Government Security Policy directives into one comprehensive and consistent series of instructions.

As policies such as the Personnel Security Clearance, Physical Security and the new classification system are approved by Cabinet, they will become part of this project. The ultimate aim is to have only one reference work which covers all the Government security policies.

It is hoped that the first draft of the SPUR project will be ready by December 1977 depending on what policies are approved by Cabinet between now and then.

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j. Departmental Security Officers (DSO's)

Whether or not a Government Department follows good security procedures depends to a large extent on the experience and competence of the Departmental Security Officer (DSO). In turn, the DSO can only be effective if he is supported by, and has access to, the Deputy Minister or Agency Head.

The SAC has done some research into the extent to which DSO's are supported by and have access to the senior levels of Departments. Classification levels and groups have also been looked into. The results are not encouraging.

The SAC supports fully the principle that Deputy Ministers and Agency Heads are responsible for security matters within their respective departments or agencies but recognizes that, increasingly, the need for some kind of accountability to a central agency for security policy implementation is required.

It has been proposed, for example, that DSO's should be responsible to both their Deputy Ministers and to a central supervisory group which would exercise functional control. This central supervisory body could be the R.C.M.P. "P" Directorate, or the R.C.M.P. Security Service or the Security Advisory Committee Secretariat. An analogy has been drawn between the kind of professional control exercised by the Department of Justice over Government lawyers and the type of supervision which should be exercised over DSO's.

This proposal requires further study but is looked upon with favour by the SAC.

k. A Security Assessments Staff

The SAC is well served by a Secretary, appointed from the Security, Intelligence and Emergency Planning Secretariat of the Privy Council Office. As a member of this Secretariat, however, he has a number of other responsibilities to fulfil.

The Chairman, SAC, is also the Assistant Deputy Minister (Police and Security Planning and Analysis) in the Department of the Solicitor General. His responsibilities extend to the whole range of policing policies of which security is only one dimension.

The SAC, itself, is supported in its work to a large extent by the Policy and Planning Unit of the R.C.M.P. Security Service and to a lesser extent by the Security Policy Division of the Police and Security Planning and Analysis Branch of the Department of the Solicitor General. These are ad hoc arrangements. There is, we believe, a requirement for a permanent Security Assessment staff,

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similar in nature to the Intelligence Assessments staff of the Intelligence Advisory Committee (IAC). The proposed Security Assessments staff could be responsible to the SAC for analyzing security intelligence, identifying social indicators signifying unrest of security interest, but, most importantly, could build internal security crisis scenarios to support the contingency planners of the Department of the Solicitor General and Emergency Planning Canada.

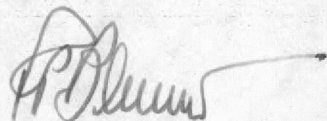
The Security Advisory Committee has established a sub-committee on contingency planning for internal security emergencies, but this again is an ad hoc arrangement which, in the long term, may not prove adequate without the assistance of a permanent assessments staff dedicated to the task.

A SAC proposal along these lines will be forthcoming.

This letter covers the major SAC Security Policy concerns. It is submitted with respect, not in a critical sense but as an appeal for greater encouragement and direction.

I have given a copy of this letter to the Solicitor General.

Yours sincerely,

  
Robin Bourne,  
Chairman,  
Security Advisory Committee

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