

CONFIDENTIAL

Security Panel Document
SP - 163B

MEMORANDUM TO THE SECURITY PANEL

Security Screening of Government Employees

The Security Sub-Panel has made a detailed preliminary examination of Security Panel Document No. SP-163 and wishes to place before the Security Panel an amended version designated as SP-163B.

2. In recommending this draft directive to be considered for forwarding to the Cabinet, the Security Sub-Panel wishes to draw particular attention to two sections of the draft which may prove controversial and which contain the most important changes in security policy. The first is set out in paragraph 7. The recommendation that dismissals on security grounds may be made only after the advice of a quorum of the Security Panel has been obtained, in effect extends the terms of reference of the Panel. Previously the Panel has only given advice on individual cases when asked to do so, and it is the opinion of the R.C.M. Police that the new proposal may weaken departmental and agency responsibility on which the government's security programme rests. Nevertheless, the Panel may wish to consider whether this proposal would to some extent provide certain safeguards which have been publicly urged in the House of Commons during the past year, and whether or not the government might wish to have such a procedure adopted. Similar considerations apply to a lesser degree to the proposal in paragraph 5.

3. In this connection members will note that in paragraph 6 an attempt has been made to relate the judgement to be exercised in a security case to the standards recognized in common law as those of "a reasonable man". It is the view of a number of members of the Security Sub-Panel that the review procedures at present recommended in paragraphs 5 and 7 are consistent with such standards, though it is recognized that they represent a considerable departure from present practise.

4. The second point which the Sub-Panel wishes to emphasize is its concern at the limited facilities available for investigation. The Sub-Panel inclines to the view that a field investigation into a person's character is very often desirable before a person is given access to Secret and Top Secret information. The Panel is therefore asked to consider whether or not any recommendation should be made to increase those facilities. In sub-paragraphs 12(i)(b) and 12(ii)(b) the Sub-Panel has recommended the use of references because it sees at present no other alternative for obtaining character information. The Sub-Panel recognizes the burden of correspondence which this procedure will lay on departments and agencies, but considers on balance that it is justified.

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5. The following additional notes will serve to indicate where other more or less substantial changes have been made in the policy and procedures set out in Cabinet Directive No. 24 of October, 1952:

Para: 1 - This has been emphasized in a speech made in the House of Commons by the Prime Minister in answers to questions. It has therefore been inserted in the directive.

Para: 2 - There are a number of changes in terminology describing a communist party and communism made for greater clarity.

Para: 3 - The final sentence has been added to emphasize that in many cases security and administrative considerations overlap.

Para: 5 - This insertion was previously approved by the Security Panel in principle.

Para: 6 - An attempt has been made here to elaborate on the type of information required and the standards by which it should be judged. The concept of the "reasonable man" has been referred to above.

Para: 7 - Discussed in detail above.

Para: 9 - In future departments are asked to carry out security procedures for their own employees rather than call upon the facilities of the Civil Service Commission, since present procedures increase correspondence and serve little purpose.

Para: 10 - An insertion designed to ensure that departments, with whom responsibility chiefly lies, can express their views on security cases arising among applicants to the Civil Service.

Para: 11 - A recommendation previously made by the Security Sub-Panel.

Para: 12 - The preamble to this paragraph draws attention to the fact that the procedures which follow are based upon existing facilities for investigation.

Sub-Para: 12(i)(a) - This procedure was approved by the Cabinet earlier this year and is already in effect.

Sub-Para: 12(i)(b) - This has been discussed in detail above.

Sub-Para: 12(ii) - A security clearance of any kind for access to Restricted information has been removed. It is not considered necessary.

Sub-Para: 12(ii)(a) - This procedure was approved by the Cabinet earlier this year and is already in effect.

Sub-Para: 12(ii)(b) - A similar but slightly modified procedure to that set out in sub-para: 12(i)(b) and discussed above.

Sub-Para: 12(ii)(c) - An additional procedure inserted to enable departments and agencies to make use of the file check as far as existing facilities permit.

Para: 13 - An insertion to emphasize that security procedures must extend to defence industry.

Para: 14 - The second sentence of this paragraph is designed to avoid overloading investigative facilities with cases of permanent employees unlikely ever to have access to classified information.

Para: 15 - A procedure previously approved by the Security Panel in principle.

Para: 17 - There appears to be no longer any reason why departments and agencies should not deal directly with the R.C.M. Police on routine procedures. The majority already do so in practise, and this paragraph will serve to relieve the Civil Service Commission of unnecessary work.

6. It is assumed that the Security Panel will wish to continue in a covering note to the draft directive the instruction that departments and agencies may not inform persons of any action that may have been taken concerning them on security grounds.

P.M. Dwyer,
Secretary of the Security Panel.

Privy Council Office,
Ottawa, December 13th, 1954.