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SECURITY SUB-PANEL

The 24th meeting of the Security Sub-Panel was held in Room 135, East Block, on Friday, January 18th, 1957, at 3:00 p.m.

PRESENT

Mr. P.M. Dwyer	(Chairman)
Privy Council Office	
Mr. G.G. Crean	
Department of External Affairs	
Group Captain A. Walmsley	
Department of National Defence	
Superintendent K.W.N. Hall	
Royal Canadian Mounted Police	
Mr. C.E.S. Smith	
Department of Citizenship and Immigration	
Mr. L.C. Cragg	
Department of Defence Production	
Mr. D.F. Wall	(Secretary)
Privy Council Office	

ALSO PRESENT

Mr. J.K. Abbott  
Department of Citizenship and Immigration

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Security Policy - Review and Appeal System

The Sub-Panel had for consideration a draft memorandum to the Security Panel, prepared by the Secretaries of the Security Panel and the Security Sub-Panel, setting out a review and appeal system for dealing with the possible dismissal of government employees on security grounds. The paper had been requested by the Security Panel at its 61st meeting.

(Security Sub-Panel Document SSP-80 and item V of the minutes of the 61st meeting of the Security Panel refer).

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2. The Chairman reviewed the background of the draft paper under consideration and suggested that, owing to the complexity of the problem and the absence of any conclusive agreement as to the establishment of a review and appeal system, the present cover note be revised and expanded. He suggested that, rather than putting forward a firm recommendation, the Sub-Panel might revise the present paper and submit for the Panel's consideration a more general view of the sort of organization which would be required to deal with security cases under the proposed extension of security policy. Bearing this in mind, members were invited to make appropriate amendments.

3. Superintendent Hall stated that the Commissioner of the R.C.M. Police had raised a number of questions concerning the form and substance of the draft paper, and tabled a memorandum in which these were set out. The memorandum was considered at some length, and during the discussion the following points emerged:

- (a) that the description of persons to be dismissed from the public service on security grounds related to ideology should for the present be limited to communists;
- (b) that, as a security review procedure was now in effect in the armed services and as a number of departments consistently brought their serious security cases to the Security Panel or Sub-Panel for review, consideration might be given to removing the review procedure from the draft paper under consideration, since the proposed appeal system could function effectively without a formal review;
- (c) that there might be objections on the part of some departments and agencies to having the Security Panel act as a formal review board for the mandatory consideration of all security dismissal cases;
- (d) that, in view of the need for informed judgement to be brought to bear on security cases before departmental action is taken, consideration should be given to methods by which the selection and training of departmental security officers might be improved; and
- (e) that the proposed Appeal Board should be supplied with all information relevant to any case which it might consider.

A number of other emendations to the draft paper were suggested by the Sub-Panel and were noted secretarially.

4. Group Captain Walmsley suggested that the most careful consideration be given the danger that the proposed appeal system would be misinterpreted by the public as a denial of individual rights, in that the usual legal safeguards, such as legal counsel, would be expected but would in fact be impossible.

There was also the possibility that certain other legal problems might result from its establishment. He also requested that his department be given an opportunity to consider its advantages and disadvantages before the revised paper was submitted to the Security Panel.

5. Mr. Crean suggested that the advantages and disadvantages of the proposed system be set out in a cover note to the memorandum to the Security Panel, and that they be clearly related to the proposed extension of security policy.

6. The Sub-Panel noted the points in paragraph 3 above and agreed:

- (a) that the proposal for a review board be removed from the memorandum to the Security Panel for the reasons discussed above;
- (b) that a recommendation be made to the Security Panel that serious consideration be given to methods of improving the selection and training of departmental security officers;
- (c) that alternative V (ii) of the draft paper be put forward as the suggested method of informing an employee that he is to be dismissed, with method V (i) suggested as an alternative;
- (d) that the proposed composition of the Appeal Board be left to the Security Panel, with the informal suggestion that consideration be given to choosing three persons of recognized reputation and merit;
- (e) that the information given the Appeal Board on all cases be unlimited;
- (f) that in each case the head of department or agency be requested to inform the Board of the action taken;
- (g) that the cover note to the memorandum be expanded to set out the advantages and disadvantages of the proposed system, relating them to the wider security policy of denying government employment to Communists whether or not access to classified information is involved; and
- (h) that a further meeting be held on January 28th to consider the revised draft memorandum before its submission to the Security Panel.

D.F. Wall,  
Secretary of the Security Sub-Panel.

Privy Council Office,  
Ottawa, January 22nd, 1957.

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