

EXTERNAL AFFAIRS



DL(2)/E.R. Rettie/cmd

AFFAIRES EXTÉRIEURES

Original only made

TO  
A File: 6-16-1 (DL(2) Sp. Reg.)

FROM  
De Defence Liaison (2) Division

REFERENCE  
Référence

SUBJECT  
Sujet Royal Commission on Security

SECURITY S E C R E T  
Sécurité

DATE April 5, 1967.

NUMBER  
Numéro

FILE	DOSSIER
OTTAWA 6-16-1 (DL(2) Sp. Reg.).	
MISSION	

ENCLOSURES  
Annexes

DISTRIBUTION

Kevin O'Neill called me this morning to raise what he called the question of the "senior officers' file". He said that his Commissioners had had produced for them yesterday a file from this Department in which the names and dates of various persons and events had been obliterated. He said, amongst other things, that the Commissioners considered this file as "quite unusable" and that they thought it was understood that complete files would be made available to them without any deletions. O'Neill asked me for my understanding of whether this was what had been the agreed procedure. I said my understanding was based on Mr. R.G. Robertson's discussion with the Commissioners and that it amounted to this - that where a file had been selected for discussion with the Commissioners and if in our opinion the disclosure of the identity of the individual or individuals concerned might create serious anxiety or concern, the Under-Secretary would have an opportunity to present his views on this question to the Commission. I said that in the case of the file in question, I understood that it had been at the suggestion of the Assistant Secretary, Jack Trotman, that the identity of the individuals concerned was not essential for the Commission's understanding of the case; and that accordingly, at his suggestion, the file was submitted in facsimile, but with names masked.

2. O'Neill said that nevertheless this had created a sense of irritation on the part of the Commissioners. Because they could not, especially with dates obliterated, follow the course of the case, the doctored file did not satisfactorily illustrate what had happened.

3. In the course of a somewhat lengthy discussion with O'Neill, I made the following points:

- (a) that I hoped it would be clearly understood by the Commissioners that any irritation on their part should not arise from a belief that we had attempted to submit a particular file in a manner unacceptable to them: our action had been taken at the suggestion of the Assistant Secretary;

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*2' Neill subsequently told me that the owners had made quite a point of asking for ambulatory files (they wanted to know how such cases would come to light & how they were subsequently handled). I believe I thought that I would already have said of this suggest from J.T. who would have heard of it from Trotman who spoke to J.T. before O'Neill spoke to me.*

*E.R.*  
*Apr. 5/67*

- (b) that we would still wish, if it were possible, to provide information relating to the events described in the file which would permit the Commissioners to have a connected presentation of the facts so that they could understand the case, even though the names of individuals were still protected;
- (c) that we would, of course, seek to do this only if the Secretary and the Assistant Secretary believed that the course in (b) was advisable in the circumstances; but
- (d) that if this were not the intention of the Commission staff, then we would have to revert to the procedure reported in R.G. Robertson's discussions with the Commissioners.

4. Mr. O'Neill expressed his regret that he thought we would have to follow the procedure in (d) in this case. I asked him therefore to identify the file to Mr. Timmerman and that we would place the matter before the Under-Secretary. I impressed upon O'Neill the point in (a) above and he said he would make it clear to the Commissioners.

5. O'Neill was only partially convincing in his arguments that the Commissioners could not have a connected presentation of the case with the file presented in the way it was. In addition, he seemed to be conveying the view that it was only "senior officers", whom at one point he designated as "ambassadors", to which the Commissioners had been directing their attention. I made it clear to him that it was not my understanding that the procedure discussed between Mr. Robertson and the Commissioners had been restricted to this class. Perhaps it would be useful to have this point stressed in any further representation we may make to the Commissioners. Although some senior officers of ambassadorial rank might be involved, the question of untoward developments arising from the disclosure of a particular individual's identity before the Commissioners is not of course restricted to the upper-most ranks.

  
E.R. Rettie.