

- (iv) greater assistance from friendly and foreign intelligence and security agencies;
 - (v) expansion of Canada's capacity to gather intelligence abroad relative to Separatist activity.
- ?
- (c) To create a central body to co-ordinate and analyze information from all sources of intelligence.
 - (d) That the RCMP should provide detailed information on Separatist movements in Quebec in terms of their organization, members, inter-relationships, apparent strategies and tactics and possible foreign involvement.
 - (e) The formal establishment of a joint security planning staff to include representatives of the Quebec Attorney General's Department, Montreal Urban Police and DND to advise the Government on criminal and subversive aspects of Separatism.

The greatest gaps in our knowledge related to the FLQ which by that time had become very violence-prone and militant.

They did, however, depend upon a much larger number of persons who, while not prepared to commit terrorist acts, were nevertheless ultra-nationalist and quite willing to provide support in different forms and in varying degrees. A considerable effort was made to improve the capability of the Security Service to be more knowledgeable about the FLQ and its supporters and ipso facto pro-separatist activities generally. I should like to table a memorandum dated September 28th, 1970, and an attachment which illustrate clearly the steps taken then to cope with the terrorist/separatist threat in Quebec (Appendix D), which flowed directly from the government's instructions on this score.

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It will be evident from a study of the relevant files that in the discharge of the difficult tasks assigned to it, the Security Service has always adopted a completely non-partisan stance. Its activities over the years have never been in support of any political party in Canada and it has been at pains always to preserve this posture. To have done otherwise would have been quite unacceptable in our society although there are some democratic countries where the opposite has been the practice for many years.

Because of the origins of the Parti Quebecois, the background of some of its members, and the very raison d'etre of the movement, it has unique characteristics. By its very nature it includes individuals whose activities in the early 1970's at least were more likely to attract the attention of the Security Service than were members of other political movements with perhaps the exception of movements such as the Communist Party of Quebec or the Communist Party of Canada (Marxist/Leninist).

The clearest and most authoritative public statement of the very difficult problem posed by separatism in relation to national security, and which has guided the Security Service throughout, is to be found in the following paragraphs in the abridged version of the Royal Commission on Security first tabled in the House of Commons in June 1969:

"Quebec Separatism and Security

In addition to the requirement for security procedures imposed by the communist threat, Canada is at present faced with a second and perhaps even more difficult internal security problem arising from the activities of some elements of the Quebec separatist movement. Separatism in Quebec, if it commits no illegalities and appears to seek its ends by legal and democratic means, must be regarded as a political movement, to be dealt with in a political rather than a security context. However,

if there is any evidence of an intention to engage in subversive or seditious activities, or if there is any suggestion of foreign influence, it seems to us inescapable that the federal government has a clear duty to take such security measures as are necessary to protect the integrity of the federation. At the very least it must take adequate steps to inform itself of any such threats, and to collect full information about the intentions and capabilities of individuals or movements whose object is to destroy the federation by subversive or seditious methods.

Although the more moderate elements of the Quebec separatist movement have up till now been conducting a largely political campaign, it appears to us that there is in certain quarters a tendency to resort to activities that could well be regarded as seditious. What is more, there is no doubt about communist and Trotskyist interest and involvement in the movement. Both groups have established "autonomous" Quebec organizations as somewhat transparent attempts to exploit separatist sentiment; members of both have achieved positions of influence in at least some of the separatist groups and agencies, helped by the often bitter factionalism within the movement itself. For these reasons alone it seems to us essential that the Canadian security authorities should pay close attention to the development of these particular elements of the separatist movement."

There are, of course, other references to separatism which are relevant. In particular paragraph 101 which reads as follows;

"The problem of separatists is equally contentious, and we suggest that security policy concerning separatism should be made clear. We can see no objection to the federal government taking (and being seen to take) steps to prevent its infiltration by persons who are clearly committed to the dissolution of Canada, and who are involved with elements of the separatist movement in which seditious activity or foreign involvement are factors. We feel that information concerning membership in or association

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with extreme separatist groups should be reported on the same basis as information concerning other allegedly subversive movements, and that the departmental decision process should be similar. We are of course aware that there is a wide spectrum of activity relating to separatism, ranging from overt political activity to clandestine terrorist planning and action, and we do not for a moment suggest that all persons who have been associated with overt and non-violent groups should be excluded from federal employment. We see no reason however why the federal government should employ (especially in sensitive areas) persons who appear to be actively committed to an extreme separatist position. At the very least we feel that a decision to employ such persons should be taken only on the basis of a knowledge of their records."

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Some progress was made in attempting to have Security Service operations more centrally controlled but all too often progress was more apparent than real. And, indeed, the APLQ affair and other incidents suggest that by the time I left in April of 1973 such control was much less real than I had supposed at the time. Certainly by April 1973 virtually no

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progress had been made in giving the Security Service control over its finances and its personnel resources.

The reasons for these latter failures are complex and many. An important factor of course was the nature of the relationship between the Commissioner and some of his senior officers and me.

I did not know and, indeed, I do not know to this day whether Len Higgitt was aware that I was a rival, albeit an unenthusiastic one, for the job of Commissioner. I suspected he was but I was careful to give him no hint of the fact. I was particularly careful also to do the same with every other member of the Force and those outside it. In the circumstances to have done other than to have accepted to serve the Commissioner loyally would have made a difficult relationship even more difficult, and, more important, would have made it impossible to gain his support without which the extensive reforms apparently contemplated by the government could not be accomplished.

In fact, I enjoyed a good personal relationship with the Commissioner which went back to the days when he was RCMP Liaison Officer in London and I was Chairman of the Joint Intelligence Committee in Ottawa. He went to great lengths to introduce me throughout the Force and within the foreign security and intelligence community. However, in matters aimed at giving the Security Service greater autonomy, as expressed in the Prime Minister's statement of June 26, 1969 to the House of Commons, progress was non-existent or painfully slow.

Those responsible for administrative and personnel matters in the Force resisted every attempt to remove their authority in these areas. Even the simplest proposals, such as allowing members of the Security Service to adopt the title of "Mr." instead of their substantive rank when occasion appeared to make this desirable, the secondment of members of the Security Service to other government departments and agencies or increased university training facilities for the Security Service was only agreed after lengthy and exhausting discussions. Even when substantive changes of significance were agreed the arrangements to give effect to them often came undone, usually while I was absent from Ottawa, and had to be renegotiated. It proved to be a discouraging, endless uphill battle.

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The attitudes towards the Security Service of those responsible for administration of the Force were deeply engrained and made more difficult to change because the government's long-term intentions for the Security Service were only stated in the most general terms and never refined or enlarged upon. Nor was there a written mandate for the Security Service, a situation which was only corrected after the coming into law of the Protection of Privacy Act in 1974 by the issuance of a Cabinet Directive on the subject. It should be added that the impetus for such a directive came from the Security Service. Not only did the Security Service have no written mandate from the government but it lacked any statutory authority for its existence. The Security Service lived solely by virtue of Section 44(e) of the RCMP Regulations and Orders (1960) proclaimed by the Governor-in-Council under the RCMP Act and sections 1331 and 1336 of the Commissioner's Standing Orders. I understand this continues to be the position today.

A great deal of time and effort was devoted in the early 1970's to trying to define the role of the Security Service and to establishing its priorities in relation to national priorities. These efforts were only partially successful. They did, however, provide a basis for the subsequent Cabinet Directive on the Security Service's mandate. They did not result in any clarification of the government's thinking on the role and the eventual form of the Security Service.

At the time I attempted to set down in a few paragraphs what I thought was the role of the Security Service. The formulation I arrived at eventually became part of the briefings offered to Ministers from time to time and more specifically to Mr. Goyer and Mr. Allmand when they took office and to which no objections were ever offered. Unfortunately, I have been unable to find the document in question. This lack of a clear government directive was never corrected during my term of office although the need was pointed out on various occasions and keenly felt at times.

Between the beginning of 1970 and the traumatic events of October 1970, which proved to be a watershed in the work of the Security Service, there were numerous meetings of the Cabinet Committee on Security and Intelligence under

~~the chairmanship~~ of the Prime Minister. These meetings were held principally to discuss some of the unresolved questions raised by the findings and recommendations of the Royal Commission. Discussion centred largely on security screening procedures, the Commission's proposals to establish a Security Review Board and various security aspects of immigration and citizenship.

Eventually the only discussion in the House of Commons of the findings and recommendations of the Royal Commission on Security was during the brief debate initiated by the Prime Minister on June 26th, 1969. At the time the Prime Minister stated his intention to consult with the leaders of the opposition parties to determine how best the report might become the subject of parliamentary debate during the following session.

A review of Hansard for the years 1969-74, however, reveals the astonishing fact that despite repeated requests by members of parliament for a further debate and information about implementation of the Royal Commission Report, no such debate took place and no further information about implementation was forthcoming. From December 3rd, 1970 until November 1st, 1973, seven questions about these matters were put to the Prime Minister. It should be added, however, that while these questions were turned aside by the government one has the impression they were put principally for partisan political purposes rather than out of a desire to improve Canada's security. Indeed, Members of Parliament showed little interest in the subject as such and an abysmal lack of knowledge about security matters generally.

On June 26th, 1969 the Prime Minister also stated; "the government, after careful consideration, has decided to accept the Commissioners' recommendation for the establishment of a Security Review Board". To this day the government has not acted upon the proposal nor has it made any public pronouncement on the subject. Ministerial discussion of the matter was interminable. A principal stumbling block was whether such a board, if it was to exist at all, should be established by legislation or by order-in-council. There also were misgivings about the extent to which such a board might involve a derogation of ministerial responsibility and power.

Some of the findings and the sixty-five odd recommendations made in the report of the Royal Commission were discussed at different levels of government. A good number of them, however, were never discussed at any level

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of government except in the most perfunctory manner. Alas, these included recommendations of importance in terms of the day to day operations of the Security Service. For example, recommendations 306(c) and (d) having to do with telephone interceptions, microphone operations and examination of mail or recommendation 305(f) calling for a complete revision of the Official Secrets Act, which the Security Service has repeatedly urged.

It is difficult to know why the government consistently avoided further discussions of the report. I suspect the reasons were varied and perhaps complex. For example, I guess the reluctance of the government to pursue the idea of a Security Review Board stemmed in part from the reluctance of Ministers to delegate their prerogative to exercise judgements in such matters to a body which would lie outside the established framework. Perhaps the events of October, 1970 and the government's handling of them which gave rise to so much controversy made them shy to debate the issues of national security publicly. No doubt also the government's minority position in parliament had some bearing on the matter. Whatever the reasons the lack of an informed and intelligent discussion of the Royal Commission report made the task of the Security Service more difficult.

The outcome was ironic, even tragic, however, in relation to the important comment made by the Commissioners in the introduction to their report, the last paragraph of which says; "Finally, we have become convinced that effective security arrangements must have a firm basis in public awareness and understanding, that the level of parliamentary and public debate on these subjects would be considerably improved if more information were made available, and that a good deal of information could in fact be made available without detriment to the public interest. For these reasons, we feel that the government should make public as many of the arguments and recommendations contained in this Report as may in its opinion be revealed without damaging the public interest."

The public debate which should have followed upon the tabling in Parliament of the Royal Commission's report in 1969 is now taking place, nine years later. While the atmosphere in which the present debate is developing is far from ideal, to some extent the dramatic way in which disclosures about specific Security Service operations and techniques have been made probably has resulted in a greater public awareness of the problems and the needs of a security service. Thus, the

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present debate is far more realistic than that which might have taken place in 1969. One hopes the result eventually will be a much better informed public and parliament.

During the period up to October 1970 numerous violence-oriented activities across the country, and especially in Quebec, increased the pressures upon the Security Service to provide accurate, timely reports on matters affecting internal security. These reports, submitted through the Minister and the only machinery of government then available - principally the Security Panel chaired by the Secretary to the Cabinet and the Security Secretariat in the Privy Council Office - no doubt are available in the files of the Security Service and elsewhere.

It is very difficult in 1977 to recreate the atmosphere which surrounded the events leading up to October 1970 in Quebec and the situation which existed in the ensuing two years. However, it is important to an understanding of the position in which the Security Service found itself to know something of the fears and the perceived threats which existed in the public mind and among government leaders in Ottawa and Quebec City.

The events of early October '70 are a story in themselves but not one I can relate at first hand since I contracted pneumonia on October 9th and was in bed and convalescing until November 23rd when I returned to work. Those events, which I was able to view from an unusual vantage point, however, are germane to an understanding of subsequent events and, more particularly, of a worsening of the relationship between the RCMP and Cabinet Ministers.

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I recall I had a meeting with the Prime Minister on the evening of the 7th of October 1970

Although by that time Mr. Cross had been kidnapped we hardly discussed the Quebec situation at all. Indeed, at that time the Prime Minister still planned to visit the Soviet Union. Certainly up until the 7th of October nothing that the Security Service had discovered suggested a state of "apprehended insurrection" existed in Quebec.

Suffice it to say that subsequently the government's efforts to recover control of the situation led to a proliferation of "crisis centers" and interdepartmental task forces. Some of these were necessary to a co-ordinated government approach to a very complex problem but the existence of so many centers did little to help the kind of unspectacular, patient investigative work which the RCMP had set in motion to try to discover James Cross and to obtain his safe release. This kind of work depended upon absolute secrecy and the use of all the investigative aids and techniques available. The well meaning involvement of so many persons not directly responsible for the investigation made it very difficult at times to keep the course of the investigation from becoming public knowledge.

In the event it was the Security Service which discovered Mr. Cross and the hiding place of the Rose brothers and Francis Simard. I should like to table copies of two memoranda dated December 10th, 1970 and January 8th, 1971 (Appendix F) informing Ministers of the manner of Mr. Cross' discovery, since I believe they provide useful insights into the techniques, and some of the problems of the Security Service.

During the time I was convalescing the Secretary to the Cabinet asked me to try my hand at a memorandum analyzing the crisis and making recommendations for improvement in the machinery of government for dealing with similar problems in future. I should like to table this memorandum dated 12th November 1970. (Appendix G) I understand it subsequently was used in discussions with the Prime Minister. A number of the recommendations contained in the memorandum eventually

were acted upon in different ways. For example, the security/intelligence committee structure of the government was extensively overhauled. An independent body to collate and assess all kinds of material relating to internal security was established; a beginning was made on reviewing the national security aspects of the immigration and citizenship function; the Security Panel was replaced by a more suitable interdepartmental committee called the Security Advisory Committee and other measures were instituted to better co-ordinate the work of the Security Service with that of other elements of the security/intelligence community and the government generally.

I should like to turn now to the complicated and important question of the relationship between the Security Service and the Prime Minister and the Security Service and the Minister responsible to Parliament for its activities, including those of a clandestine nature. In many ways, the problem is central to this Commission's work and no doubt it deserves the most careful attention.

At the outset it was made quite clear to me by the Prime Minister that there were certain matters on which he wished me to deal directly with him. These included any information about his Ministers which might cause him difficulties and information of a similar character concerning members of his family and personal entourage, Liberal Members of Parliament and persons holding senior government appointments which were within his power to make, e.g. Deputy Ministers and heads of government agencies. He also made it clear that I should not hesitate to deal with him directly on any other matter on which I felt it important for him to be informed or which might require his decision.

I should add here that 99.9% of the time the Security Service was unable to provide anything more than a "negative" report on the kinds of persons he had mentioned. That is to say, usually there was nothing on the files of the Security Service about the persons in question for the simple reason that investigations of individuals usually were only instituted at the specific request of departments or agencies in accordance with Cabinet Directive No. 35 having to do with security clearances. On rare occasions a Security Service investigation of some suspected espionage or subversive activity might reveal involvement or apparent involvement of persons subsequently selected for appointment by the Prime Minister.

So long as the person in question was a

private individual the relationship would be of little or no interest from a national security standpoint. However, if the Prime Minister then wished to appoint such a person to a senior position of trust obviously the situation would be changed.

I found the arrangement useful and for the most part satisfactory. The Prime Minister was a pleasure to do business with. He was quick, perceptive and decisive and inevitably patient and courteous. I would not have had occasion to see him in this way more than half a dozen times a year and I was very careful to avoid taking advantage of the privilege.

As I mentioned earlier, George McIlraith encouraged me to see the Prime Minister and certainly he was aware of the P.M.'s wish to have me deal directly with him on certain matters. Unfortunately, his successors, Jean-Pierre Goyer and Warren Allmand, were not made aware of the arrangement before their appointment.

In the case of Jean-Pierre Goyer this led to some awkwardness. I cannot now recall how the matter arose but it became necessary for me, shortly after Jean-Pierre Goyer's appointment, to inform him about the arrangement, a chore I would have preferred to have avoided. The Minister reacted badly and we had an unpleasant argument. He felt he ought to be the intermediary through whom any information about his Cabinet colleagues, Liberal Members of Parliament, members of the Prime Minister's family or personal entourage or senior officials should be transmitted to the P.M. Indeed, he also insisted that he should be informed about personnel security problems in any department of government.

The Commissioner and I urged him to consider carefully the position he was taking. We pointed out that for him to be informed about his Cabinet colleagues could be embarrassing and certainly it seemed inappropriate since all Ministers held their portfolio at the Prime Minister's pleasure, as did senior officials. We said we assumed, moreover, that the Minister would not wish to be privy to information about the Prime Minister's family and personal entourage or Liberal Members of Parliament. Insofar as security information about public servants was concerned, there existed a very clear Cabinet directive (No. 35) which required information of this kind to be communicated directly by the Security Service to the deputy head of the department concerned. It was then

his responsibility, together with his Minister, to decide how each case should be handled. To follow any other procedure would require an amendment to that Cabinet directive.

Eventually, no agreement was reached and the matter was left on a very sour note. We pointed out that if the Minister felt the matter was unsatisfactory he should raise it with the Prime Minister. I was worried that the affair could adversely affect the whole tenor of my relationship with the Minister and I subsequently mentioned the problem to the Prime Minister on a suitable occasion. I assume the Prime Minister dealt with it in some way since Jean-Pierre Goyer never raised the matter again and certainly Warren Allmand never questioned the arrangement.

This unpleasantness could easily have been avoided if a practice had been established by which the Prime Minister met with each newly-appointed Solicitor General and the head of the Security Service, a suggestion I advanced on various occasions. Indeed, I also urged that each new member of the Cabinet should be fully briefed by the Security Service when he took office. Nothing was ever done on either score.

I do not know the extent of George McIlraith's knowledge of the clandestine side of the work of the Security Service since I was not in charge of the Security Service when he was appointed. However, it was quite clear from my numerous dealings with him that he was very knowledgeable and he was well aware that the Security Service employed methods which sometimes were outside those used in normal police work. He signed all warrants for telephone interceptions and he clearly understood that the Security Service's operations sometimes involved extra-legal activity. For example, from notes I made at the time I recall a conversation we had on November 24, 1970, when he raised the question of what should be done to eliminate, as he put it; "the inherent contradiction in the existing Security Service which turns around the question of the commission of crime in the national interest."

In the case of Jean-Pierre Goyer and his successor, I can personally attest to their having been informed about various clandestine activities since I participated in those briefings. They were not, of course, informed about all the different techniques used by the Security Service to obtain

certain kinds of information.

It would be impossible for anyone receiving such briefings not to be aware, for example, that some of the microphones in question had been installed by other than normal methods. Jean-Pierre Goyer, moreover, insisted on personally reviewing and approving, from time to time, all microphone operations in addition to signing warrants for telephone interceptions and making a monthly review of these. Warren Allmand approved telephone interceptions but did not take on responsibility for microphone operations, at least not during the four-month period he was Minister prior to my retirement in April 1973.

The Commissioner and I suggested to Jean-Pierre Goyer when he first raised the question that since microphone operations sometimes involved extraordinary measures for their installation, as a Minister of the Crown, he might prefer not to be aware of such operations. Instead, he might wish to accept recommendation 306(c) made in the report of the Royal Commission on Security which stated, inter alia; "Electronic eavesdropping should be permitted on the authority of the Head of the Service".

He was unwilling to accept our advice. Accordingly he instructed Mr. Bourne, the Head of the Security Planning and Research Group in his Department to write me asking that he be given monthly reports about such operations. This Mr. Bourne did on July 20th, 1971. I should like to table a copy of this letter. (Appendix H) It will be noted in the second paragraph it is stated: "The Minister made it clear that he did not want to be acquainted with the operational side of these activities such as how various devices are installed nor does he intend to remove from you the authority to install devices when in your judgement they are necessary". I also should like to table related memoranda dated July 26th and 27th, 1971. (Appendix I) The documents actually listing audio surveillance installations approved by the Minister are available on the files of the Security Service. He signed such documents on July 26th, 1971, October 28th, 1971, February 27th, 1972, April 6th, 1972, June 18th, 1972 and November 3rd, 1972.

In more general terms no Solicitor General, having read the published Report of the Royal Commission on Security, could possibly be in any doubt that there were clandestine aspects to the Security Service's work. For example, para. 57,

page 20, of the Report states: "A security service will inevitably be involved in actions that may contravene the spirit if not the letter of the law, and with clandestine and other activities which may sometimes seem to infringe on individuals' rights; these are not appropriate police functions." I might add here that to my knowledge neither Jean-Pierre Goyer nor Warren Allmand ever read or asked to see the unabridged version of the Royal Commission's report which at least reveals the rationale behind the recommendations it contains on certain clandestine activities, such as the interception of mail and the use of electronic eavesdropping devices.

Within this context, I recollect a meeting, although I cannot recall the date, in the West Block office of the then Justice Minister, Otto Lang, which was attended by Jean-Pierre Goyer, the Commissioner, Don Maxwell, the Deputy Attorney General, myself and others in order to discuss draft legislation on "wiretapping". The Security Service was concerned about various aspects of the application of the new law to its work and the RCMP was concerned in more general terms about the effect of the Act upon criminal investigations. The proposition had been advanced that electronic eavesdropping devices used by the Security Service in its operations might be authorized by a warrant obtained from a judge. I recall pointing out that this would effectively block the use of such devices since I could hardly imagine any judge issuing a warrant when he knew that the device probably would have to be installed by methods which might be slightly outside the law. I pointed out that microphones did not get installed by ringing front doorbells!

The subsequent decision to handle the matter differently appears to have been recognition of my point. However, it also was recognition by Ministers that such methods are a necessary part of Security Service operations.

The full story is to be found on the appropriate files of the Security Service and might also be of interest to the Commission as a good illustration of Ministerial direction of the Security Service and implementation of their wishes.

Successive Prime Ministers, perhaps even before Mackenzie King, were aware of the clandestine side of the RCMP's work and apparently accepted it. In Mr. Trudeau's case, for example, the Commissioner and I saw him on February 26th, 1970 to discuss with him certain proposed counter-intelligence operations which, because of their extreme political sensitivity in domestic and in foreign terms and for other reasons, seemed to require his personal approval.

I have no quarrel whatsoever with the general proposition that the Security Service, like any other part of the government, must be firmly under Ministerial control. Indeed, I agree completely with the lucid expression of this view which was given by Mr. Stanfield during the brief debate which took place on June 26, 1969 when the Prime Minister tabled the abridged Report of the Royal Commission on Security in the House of Commons. At that time Mr. Stanfield said: "I am sure that Members of Parliament accept the necessity that much of the security operation is conducted outside our purview. What would be cause for grave concern would be any thought that much of the operation is beyond the ken of a Minister or the Prime Minister; that there are not Ministers, elective and responsible members of government, to whom the

entire security operation is an open book, who have continuing access to everything that is going on in that area, and who give proper, responsible, political, civilian direction to the operation on a continuing basis. None of us would want to see a security operation in this country running under its own steam and answerable only to itself - a government, so to speak, within the government. The very decision as to what affects security and what does not, what must be secret and what public, is finally a matter of political decision and judgement. The effective supremacy of the civilian authority must never be compromised in this matter."

I think it can be clearly demonstrated from documents I have tabled and from many more which are on the Security Service's files that there has been a close and continuing Ministerial involvement in the work of the Security Service over many years. Not involvement in every last detail of security operations since that would both be impractical and perhaps unwise but a general overview of the work of the Security Service.

Certainly Ministers were not made aware of all of the operational techniques employed by the Security Service. For example, none of the Ministers for whom I worked knew the full extent of the operations carried out through the co-operation of certain Post Office officials, but that is not surprising since I also was ignorant on this score. I was familiar with the code name Cathedral but understood it to consist of the photographing of envelopes which was accomplished with the help of a few postal officials acting on their own authority. Even a casual reading of the unabridged version of the Royal Commission report of 1969 made clear that interception of mail was regarded by the Commissioners as an important source of intelligence. No Minister ever raised the matter with me and had he done so I could not have told him the full story. However, clearly Ministers understood that electronic eavesdropping often had to be accomplished by surreptitious entry to premises and that such operations sometimes yielded additional benefits. They also were aware of the need to employ false documentation.

The fact remains, however, that the operations of a security service, which is purely defensive in character

does not correspond to the work of any normal department or agency of government and many of its activities and problems are very different from those of a police force. Catching spies and terrorists is not the same

as catching criminals. Those found guilty of espionage or subversive activity seldom are brought to court; the anatomy of security work is very different from that of police work. The object of the police when they catch a criminal is to obtain his conviction. When the Security Service catch a spy their first aim is turn him around and have him work for them or at least provide information which will enable them to learn as much as possible about the espionage or subversive activity involved.

There is a very fine balance which has to be achieved between adequate control and interference in the affairs of a Security Service which, at the Ministerial level, could be perceived as interference for partisan political reasons. To achieve such a delicate equilibrium, among other things, requires the development of a high degree of understanding and trust between the Minister and whoever heads the Security Service. It also requires a sophisticated appreciation by the Minister of the complex, often convoluted, problems which are part of the operations of any security service. This is difficult to achieve through weekly meetings of which seldom more than an hour might be devoted to Security Service business and which sometimes have to be hurried and subject to interruption. Nor is it easy for any Minister to find extra time for any one of his responsibilities given the constant pressures under which all Ministers must operate and the heavy workload they must accept.

I offer two examples of the difficulties of striking a proper balance between Ministerial supervision and interference.

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The affair reveals the difficulties which can be created by Ministerial initiatives in sensitive Security Service operations. It also illustrates the lack of appreciation by Ministers of the limitations of a defensive organization such as the RCMP Security Service.

The other matter was far more serious since it involved an attempt to use the Security Service in support of partisan political activity. Marc Lalonde, before he joined the Cabinet and while he was the Prime Minister's principal secretary, formed a group in the Privy Council Office to deal on a political level, through Liberal Party channels, with the political threat posed in Quebec by the Parti Quebecois. Marc Lalonde proposed that the Security Service should be associated with this group in its activities.

Jean-Pierre Goyer, who presumably had been approached by Marc Lalonde, first raised the suggestion with me in April of 1971. I undertook at that time to explore the matter. The Commissioner and I discussed it again with the Minister on May 21st, 1971. I should like to table a copy of a memorandum dated May 21st, 1971, describing that conversation together with subsequent memoranda on the same subject dated, June 2nd, 1971 and December 22nd, 1972. (Appendix L)

It will be obvious from these memoranda that when the full dimensions of the proposition became clear to me I entertained serious doubts about the propriety of attempting to involve the Security Service in activity of this kind.

Happily, the Prime Minister agreed with the stand taken by the Security Service. If he had not done so it was a matter upon which I had been prepared to resign and to make public my reasons for so doing. It was one thing for the Security Service to be interested in the activities of the Parti Quebecois, and especially its more extreme elements, in terms of maintaining internal security. It was quite a different matter for the Security Service to become linked with the political activities of one political party directed against another.

I should like at this point to offer one further example of the difficulties which can be created by Ministerial involvement in the day to day activities of a security service. Various Ministers quite properly were worried about leaks of information to unauthorized persons from the departments and agencies for which they were responsible. They had asked for any information about those who might be responsible which the Security Service might be able to furnish. The request was communicated to the Security Service in the first instance through the Security Secretariat in the Privy Council Office. In particular, the Security Service was asked to look at the possibility of there being some relationship between these apparently unconnected efforts to embarrass the government.

The enquiry took some time but a preliminary report was sent to the Solicitor General by my Deputy. Given the sensitivity of the subject and because many of the persons mentioned in the report were identified only in the most tentative manner the report was marked Top Secret and it was given special handling. That is to say, each copy was numbered and it was delivered by safe hand.

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In the circumstances the Security Service was disturbed subsequently to discover that Jean-Pierre Goyer, against the strong advice of his officials, had insisted on sending the material in a letter addressed to each of the Ministers concerned, including a list of all the officials named. Had the views of the Security Service prevailed, at the very most a general memorandum on the subject might have been shown to individual Ministers and each of them also could have been informed orally of the names of suspected officials in the department or agency for which they were responsible in accordance with Cabinet Directive No. 35.

To have handled the matter otherwise represented a breach of a very fundamental principle of good personnel security practice. In addition it was risky, in political and other terms, as the subsequent brouhaha about "blacklists" was to prove. Within this context, I should like to table a memorandum dated June 29th, 1971 describing a conversation initiated by the Prime Minister which dealt in part with this rather awkward affair. (Appendix M)

I have touched only briefly on the counter-espionage activities of the Security Service.

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The three Solicitors General for whom I worked were generally sympathetic and tried to support the Security Service in its counter-espionage role. However, usually it was the Secretary of State for External Affairs who had the greatest influence in deciding what, if any, action should be taken in each case.

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By mid-1972 I had come reluctantly to the conclusion that on the central tasks I had set myself when I took on the job I had made no real progress.

About that time and after a good deal of patient negotiation I had obtained the Commissioner's agreement to my enlisting the services, under contract, of the Bureau of Management Consulting to examine all aspects of finance and personnel control in the Security Service and to recommend ways in which these could be improved. This work was begun and I had hopes that it would provide a lever by which necessary reforms might be brought about. Prior to this, sometime in early 1972, I had sought to enlist the aid of the Prime Minister by having him convoke a meeting with the Minister, the Commissioner, myself and the Secretary to the Cabinet to review what progress had in fact been made to give effect to the government's wishes to make the Security Service more separate and more civilian. The attempt was unsuccessful and it was not until March 16th, 1973, principally for the benefit of my successor, that I was able to arrange such a meeting. I should like to table a copy of my letter to Gordon Robertson dated February 21st, 1973, suggesting why the meeting seemed desirable and a copy of a memorandum dated March 20th, 1973, describing the meeting. I believe it serves to emphasize a number of points I have endeavoured to make in this presentation. (Appendix N)

My failure to make the Security Service more separate and civilian in nature, and continual uninformed criticism of its work in parliament and in the news media, coupled with the never-ending bureaucratic squabbles and indifference to Security Service concerns on the part of senior officials and Ministers led me to conclude my usefulness probably had ended. I decided to take my retirement as soon as possible following my birthday which fell on _____ despite the fact that to do so then would entail a financial penalty since I had only _____ years of service instead of the 35 years necessary for a full pension. I should add the penalty at the time was quite real since no thought had been given to indexing pensions. I was, however, so discouraged and fed up I decided my resignation probably was in my own best interests and in the interests of the Security Service. I hoped that a fresh mind and a different approach might succeed where I had failed.

I was very careful in giving effect to this decision not to reveal my reasons for wanting to resign since I felt to have done so would have made my successor's task unnecessarily difficult and it could only harm the continuing work of the Security Service. I left with great regret since nobody likes to feel they have failed. Moreover, I had formed a high regard for many of those in the Security Service whose motivation, professionalism and dedication I found to be unique in the public service.

I am unable to comment on the present problems of the Security Service. Nor would it be appropriate for me to attempt to do so except insofar as these relate to problems which have remained from past failures to find workable solutions, e.g. the failure to create adequate security review procedures. In these cases, therefore, perhaps my comments about past mistakes and possible ways of correcting them may still have relevance.

With hindsight it is perhaps easier to see where mistakes were made and to suggest remedies for the future. Certainly it seems inappropriate to attempt to ascribe blame to individuals for past shortcomings since many of these appear attributable to institutional weaknesses and mistaken attitudes rather than specific sins of commission or omission.

I believe the single most serious fault was a lack of precision about the long-term aims of the government in matters of internal security. To have said that it wished to see developed a security service which was more separate from the RCMP and more civilian in nature obviously was insufficient in itself. It required a far more precise statement of both short and long-term intentions (particularly the latter) and provision for periodic and methodical review by Ministers of the progress being made to give effect to the government's wishes.

In my view the eventual goal should have been, and still should be, the establishment of a security service within the framework of the RCMP but which is quite separate and distinct from it. Admittedly it represents a difficult goal to achieve successfully as my various comments on this score will have illustrated. However, that in itself is not a reason for not making the effort. If for various reasons the experiment were to fail completely then I believe the recommendation made by the Royal Commission in 1968 is the only sensible alternative, assuming, of course, that complete separation could be brought about gradually.

Whatever the long-term goals of the government for the Security Service I believe it should have a proper basis in legislation. Certainly if it were to be established as a separate agency it would require some legal underpinnings. Whatever course might be chosen, the role, the aims and the responsibilities of the agency should be stated as clearly as possible as should the relationship between the agency and the Prime Minister and Ministers. In particular the

clandestine aspects of its work should be recognized and provided for in whatever ways seem appropriate; by Cabinet Directive, by Order-in-Council or by legislative amendments.

The first recommendation made by the Royal Commission proposed the establishment in the Privy Council Office of a formalized Security Secretariat with; "adequate status, resources and staff to formulate security policy and procedures in the context of general governmental policies, and more importantly, with effective authority to supervise the implementation of government security policies and regulations and to ensure their consistent application."

Such a function existed in a limited fashion in the Privy Council Office for at least a decade prior to 1968. What the Royal Commission was recommending was a greatly enhanced capability which could become the focal point for government activity in this field. In fact this recommendation was never acted upon and the Privy Council Office gradually relinquished whatever influence it had over the activities of the intelligence/security community. When the intelligence/security structure of the government was overhauled in 1971 the function proposed by the Royal Commission for the Privy Council Office in matters of security was conferred upon the Solicitor General's department with the establishment of the Security Planning and Research Group, the Director of which became the Chairman of the Security Advisory Committee.

It is difficult to know why the Royal Commission's recommendation was rejected. Whatever the reason I believe it was an unfortunate decision. I have no quarrel with the concept of having in the Solicitor General's department persons capable of advising and assisting him with the myriad problems having to do with security. I do not think, however, that the Solicitor General's department, any more than any other department, is the appropriate agency to perform the important supervisory function envisaged by the Royal Commission. Departments tend to a parochial view and they have not got the clout needed at times to resolve problems and to see that they are placed before Ministers on a timely basis. The Privy Council Office is perceived as being neutral and it does have the power to get things done promptly and to bring them to the attention of Ministers. I believe there should be a strong and effective Security Secretariat in the Privy Council Office and that the Assistant Secretary to the Cabinet concerned should be the Chairman of the Security Advisory Committee.

It is unfortunate that the present government's announced resolve to proceed with the establishment of a Security Review Board has petered out. Perhaps it was not an ideal solution but at least it would have helped to cope better with some of the more troublesome aspects of maintaining national security in a democratic society. Certainly the existence of a Security Review Board would be of assistance to the Security Service. Among other things it would provide a much-needed forum in which difficult security problems could be considered and judged.

The lack of such a forum very often puts the Security Service in the position of being asked to make judgements which more properly should be the responsibility of senior officials and Ministers. The Security Service should have a neutral stance in such matters. They have the responsibility of drawing to the attention of the government any information which may appear to affect security and of commenting upon its validity and the degree of seriousness they attach to it. They should also be required to satisfy the government on these latter points but they should not be asked to decide what action to take once the government has satisfied itself the information in question is correct and that the situation warrants action.

A most important and difficult task for any Security Review Board would be to establish a balance between the rights of individuals and the interests of the state and to provide individuals with a fair hearing. The lack of any such tribunal has meant that such problems are dealt with on an ad hoc basis. Among other things this has resulted in an unfortunate lack of consistency in the handling of different cases. A Security Review Board would provide a consistent approach. A jurisprudence would be developed, and, more important, it would result over time in the establishment of a well-informed group of men and women capable of making judgements in an area of government, which by its nature normally is hidden from public view.

Much has been written and said about the difficult problem of individual rights and the national interest. As far as my own views on the subject are concerned I take the liberty of referring the Commission to a report (classified Secret) I prepared, under contract, for the Department of Manpower and Immigration in August of 1975, entitled "National Security Aspects of Immigration Policy". In particular I would refer you to Chapters 5 and 6 entitled respectively, "National Security and Natural Rights" and "Security Review Procedures". Although the report focuses on the immigration

function much of what it contains has a far broader application and emphasizes a number of points I have attempted to make in this presentation.

No amount of tinkering with the structures of government and the bureaucratic machinery, however, will alter much unless there are also fundamental changes in the attitudes of key Ministers and senior officials towards questions of internal security.

It is as if successive groups of Ministers and officials have felt it necessary to have a capability for dealing with internal security problems but little real interest in devoting the time and the effort needed to ensure that this capability is fully and appropriately used. Moreover, one has the impression this attitude resulted in a conscious avoidance of questions involving operational methods and techniques. Certainly it seems quite wrong to allocate millions of dollars and valuable human and other resources to internal security while giving these efforts little real continuing attention or support.

To change attitudes is not easily accomplished. At the very least, however, it should be possible to develop in the upper reaches of the government a more sophisticated and knowledgeable approach to security problems and the techniques for dealing with them. Hopefully this process also could be extended to include a greater education of Members of Parliament and the public. For example, much of the recent uninformed, sometimes hysterical, public debate about Members of Parliament being under technical surveillance by the Security Service and the equally unedifying comments about files maintained by the Security Service on public figures probably could be avoided if a program of education existed.

That various governments have tended to neglect security matters perhaps is not surprising. It is not a subject which many people like and most of the time certainly it does not enjoy a high priority in relation to other problems of government. The difficulties arise, of course, when as in October, 1970 or during the past few months, the government suddenly is forced to give its full attention to internal security problems and to find that their neglect of them has made them very much more difficult to handle.

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Finally, I would like to suggest the establishment of some formal procedures which would make it mandatory for the outgoing and the incoming Minister responsible for the Security Service to consult together at the time of the changeover. Custom, the problems associated with constructing a Cabinet and personal bias, in my experience at least, have meant that incoming Solicitors General seldom have the benefit of the experience and views of their predecessor. They are like ships that pass in the night; they see one another's lights but not their logs. In a field of government activity which is so unusual and politically sensitive, it seems only common-sense that there should be a transfer of experience and an exchange of opinions. Obviously this might be very much more difficult to achieve when a change of political party also is involved but there seems no excuse not to have some such arrangement when all that is involved is a change of Ministers from the same political party. Even in cases where one political party replaces another one hopes that national interest might be permitted to rise above narrow political interest and allow Ministerial consultations concerning security problems.