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TOP SECRET

SECURITY PANEL

The twenty-sixth meeting of the Security Panel was held in the Privy Council Committee Room, East Block, on Wednesday, February 22nd, 1950, at 3.30 p.m.

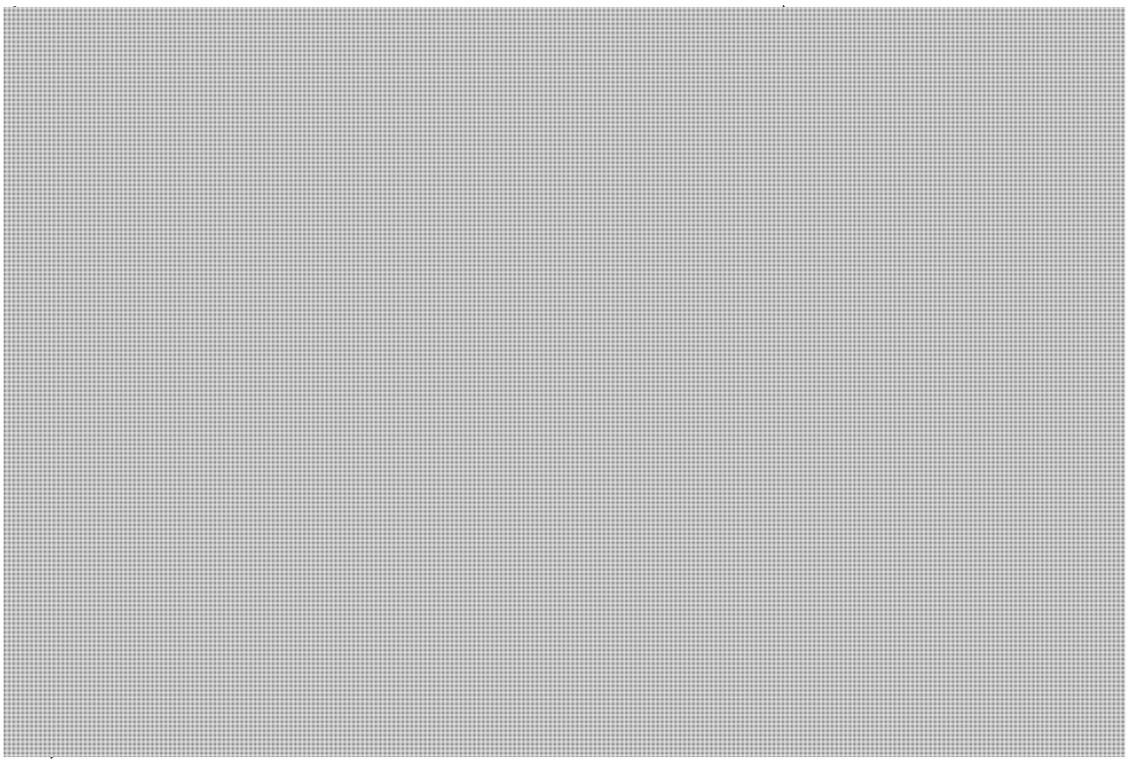
PRESENT:

Mr. N.A. Robertson,
Secretary to the Cabinet. (Chairman)
Mr. E.W.T. Gill,
Privy Council Office.
Mr. G. deT. Glazebrook,
Department of External Affairs.
Commander L.L. Atwood,
Department of National Defence.
Assistant Commissioner L.H. Nicholson,
Royal Canadian Mounted Police.
Mr.E.F. Gaskell,
Privy Council Office (Secretary)

ALSO PRESENT:

Mr.C.E.S. Smith,
Acting Director of Immigration.
Mr. J.D. McFarlane,
Department of Citizenship and Immigration.
Mr. T.D. Macdonald,
Department of Justice.
Mr. J.M. Teakles,
Department of External Affairs.
Inspector R.A.S. MacNeil,
Royal Canadian Mounted Police.

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SCREENING OF IMMIGRANTS

9. The Chairman stated that the time was now opportune for a general review of procedures applied in respect of the screening of immigrants.

10. Mr. Smith informed the Panel that new instructions, based on practices and precedures currently in effect, had been prepared for the use of Immigration Officers in the field, and these instructions were now awaiting approval by the Minister of Citizenship and Immigration.

Copies of these instructions were circulated.

There was some discussion as to whether machinery existed whereby persons in the exempt categories (para 1), who were known to be espionage agents or Communists, might be refused entry, and it was pointed out that normal checks were applied in all cases where information in possession of the appropriate authorities cast the least shadow of doubt on the applicant.

Mr. Smith, at the request of the Chair, gave a progressive account of the procedure followed in an actual case from the time the application was received to the final approval or rejection of the immigrant. It was pointed out that routine file checks were made on all applicants as a matter of course.

11. The Chairman observed that there appeared to be an ambiguity in para 6(c)(v) of the draft instructions, and suggested that the phrase "other recognized members of organized religious bodies" should be amended to specifically exclude lay members of any organized religious group.

12. In general discussion, it was observed that there were some obvious weaknesses in the present Immigration Act, including provisions which would allow persons in the exempt categories, but with backgrounds likely to make them undesirable persons, to enter Canada. It was noted that once such persons had obtained access to the Canadian courts, it was very difficult to find grounds on which they might be deported.

13. The Chairman expressed the view that the security screening of immigrants was still unsatisfactory in some respects, and suggested that the whole question was one for discussion by the Cabinet Committee on Immigration.

14. It was agreed, after further discussion, to refer the memorandum prepared by the Department of Citizenship and Immigration for the guidance of its officers in the field in handling the screening of immigrants to the Cabinet Committee on Immigration as a basis for reviewing the general problem.

NORTH ATLANTIC TREATY ORGANIZATION: SECURITY PROCEDURES

15. The Secretary reported progress made in completing arrangements in civilian departments for the handling of classified material to conform with the security system for the North Atlantic Treaty Organization. It had been agreed at the last Panel meeting that, upon entry into force of the agreement, the Security Panel should take the initiative in coordinating the activities of the departments and agencies required to implement these procedures.

It was observed that preliminary discussions had been held with authorized representatives of the civilian user departments (i.e., External Affairs, Trade and Commerce, and Finance), with attention to the following special problems:

(a) arrangements for the retention of COSMIC documents in a restricted area within the department concerned;

(b) procurement (where necessary) and installation of approved type combination safes or safe-cabinets;

(c) arrangements for supervision of documents while in circulation within the department;

(d) selection, security clearance, indoctrination and identification of personnel authorized to handle COSMIC information; and,

(e) arrangements for consultation on points of procedure as they arise in practice.

It was expected that the civilian departments would be in a position to implement the special security arrangements for COSMIC information at an early date, and the Secretary stated that efforts were being made to expedite the programme in order that inspection by an authorized NATO team, headed by the United Kingdom, might be carried out as soon as possible in conjunction with an inspection of similar arrangements in National Defence.

The Secretary reported that the Security Panel had been invited to act in a liaison capacity in concluding an agreement between National Defence and Public Works relative to the installation of intrusion protection devices in "A", "B", and "C" buildings, National Defence Headquarters. As a result of these negotations, it had been agreed to recommend the installation of a point protection system which would afford maximum security at reasonable cost. This system would be expanded to make special provision for the Joint Staff area in National Defence Headquarters, where all COSMIC material would be held, and it was observed that the special equipment to be utilized in carrying out these arrangements would also be available to the civilian user departments.

16. The Panel noted the progress made in implementing the special NATO security requirements in departments and agencies of the Canadian Government, and directed the Secretary to press for completion of the required arrangements at the earliest possible date.

DISCLOSURE OF INFORMATION TO OTHER COUNTRIES

17. The Secretary submitted a document outlining the procedures to be followed with regard to disclosure of information to other governments, or their representatives, whether civilian or military. This had been approved by the Chiefs of Staff Committee, with one minor amendment, and had been forwarded to the Security Panel with the recommendation that it be approved as a formal statement of the procedure to be followed in dealing with information in any of the specified categories.

The paper had been circulated.

(Panel Document SP-56 of 17th January, 1950)

18. The Panel, after discussion, approved the paper entitled "Disclosure of Information to Other Countries" as a statement of the procedure to be followed by Canadian authorities, and agreed that it be issued for the information and guidance of all concerned.

DISPOSITION OF SUBVERSIVE PERSONNEL (ARMED FORCES)

19. The Panel had before them a request from National Defence for guidance as to the procedure to be followed in dealing with Service personnel with proven subversive tendencies, or otherwise undesirable from a security standpoint. It was pointed out that the present Service regulations could not be reconciled in this respect with the provisions of Cabinet Directive No. 4 which states, inter alia, that:

> " Government departments and the Civil Service Commission, if required to state reasons for transfer or dismissal, will explain their actions on grounds of personal unsuitability rather than on grounds of security."

An explanatory memorandum had been circulated.

(Panel Document SP-57 dated 21st February, 1950)

20. The Chairman observed that while it was present government policy not to inform individuals dismissed on security grounds of the true reasons for their release, the position thus taken might prove untenable in the event of a direct challenge as to the validity of this procedure. There would be obvious disadvantages in any system involving the establishment of Courts of Appeal and, to the extent that it was practicable to do so, it was desirable to maintain the principles enunciated in Cabinet Directive No. 4.

21. Commander Atwood stated that the present difficulty had arisen due to the fact that the Army had no procedure whereby officers might have their appointments terminated on security grounds without entailing a form of appeal procedure (e.g., KR(CAN) - 268). The regulations for the R.C.N. and the R.C.A.F. were phrased in such a way that persons in questionable categories might be released under clauses subject to broad interpretation - i.e., "Appointment terminated - Services completed" (in the case of officers), and "Services Completed" (in the case of men). As all officers hold their commissions "During pleasure", and as Other Ranks are subject to dismissal for a variety of causes, such a procedure could be employed to dispose of subversive personnel without serious risk of embarrassing consequences. He stated that the most convenient way of dealing with this problem would be to standardize the relevant sections of the Service regulations, in conjunction with the present general revision thereof.

22. It was agreed, after discussion:

(a) that in view of the difficulty experienced by the Service authorities in disposing of personnel on security grounds, under the present regulations, it would be desirable to revise the relevant sections in the regulations to enable such personnel to be released from the Services or reallocated without disclosing the reasons for the action taken; and,

(b) that the attention of the Service authorities should be drawn to the fact that the present government policy, as laid down in Cabinet Directive No. 4, was designed primarily for civilian personnel, and that an insufficient number of cases had been dealt with to prove the effectiveness of this procedure in practice.

E.F. Gaskell,
Secretary,
Security Panel.

Privy Council Office,
February 28th, 1950.