



SECURITY INTELLIGENCE
REVIEW COMMITTEE



reflections

Twenty years of
independent external review
of security intelligence
in Canada

Canada

Reflections is published by the Security Intelligence Review Committee (SIRC). Some of the opinions expressed in this publication do not necessarily reflect the views or opinions of SIRC.

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Reflections

This publication was prepared to commemorate the twentieth anniversary of the Security Intelligence Review Committee. More than a summary of the functions and landmark reviews conducted by SIRC, it serves as a record of the people who have worked for and have had an impact on the activities of the Committee since it was first established. From Committee chairs to members, from executive directors to staff, all have served Canada with distinction by ensuring that national security intelligence remains accountable and effective.

The publication is organized in three themes: a look back at SIRC's past, a look ahead to the challenges in the future and an overview of SIRC's role today.

Looking back
is to look at time as a mirror;
one that reflects
who we were,
who we are,
and who we aspire to be...

The Committee



Photo: Couvrette/Ottawa

Chair: The Honourable Paule Gauthier (centre)

Left to right: The Honourable Bajjit S. Chadha, The Honourable Raymond Speaker,
The Honourable Roy Romanow, The Honourable Gary Filmon

Inside

Foreword

A message from the Chair	1
--------------------------------	---

Commentary

Intelligence review and democratic governance: an overview of Canadian and international perspectives	3
--	---

Looking back

The case for security intelligence review in Canada	7
SIRC's early years (1984–1990)	12
A maturing organization (1990–2004)	16
The new millennium and post-9/11 era	20

Looking forward

The challenges of security intelligence review in the years ahead	21
---	----

Leadership

Chairs and members of SIRC (1984–2004)	25
--	----

Want to know more?

An overview of SIRC's role and responsibilities	31
Contact information about SIRC	37

Appendix

SIRC Reviews 1984–2004	39
------------------------------	----

Foreword

A MESSAGE FROM THE CHAIR

This publication, *Reflections*, marks an important milestone in the history of the Security Intelligence Review Committee—and of Canada's security intelligence community.

Over the past 20 years, Canadians have witnessed important changes in the relationship between the security of the state and the rights and freedoms of citizens. We've seen the emergence of new, sophisticated threats to our national security and an evolution in how governments respond to keep those threats at bay. The Security Intelligence Review Committee (SIRC) and the Canadian Security Intelligence Service (CSIS) were both established in 1984, and since then, both have evolved. As Chair of SIRC, I am proud of the central role that our Committee has played in the development of CSIS and as an international example of Canada's commitment to rights and freedoms. I also have no doubt that SIRC will continue to play a vital role in Canada's security intelligence community in the years ahead.

Key events in the evolution of both organizations are reflected in this special retrospective publication. More than an omnibus list of cases and reviews, this publication offers perspectives on the SIRC members and staff who have been part of this organization's history. Moreover, it casts light on the lessons of our past so that we may apply them to today and help shape our future. With this in mind, this publication features quotes and highlights of various individuals who lived this history in their careers. It also includes a section devoted to the challenges ahead with respect to the review of Canada's security intelligence functions.

I hope this publication will lead to a better understanding of SIRC and that it will help to explain how the Committee continues to play a vital role in protecting public safety and civil liberties in Canada.



The Honourable Paule Gauthier, P.C., O.C., O.Q., Q.C.

Commentary

INTELLIGENCE REVIEW AND DEMOCRATIC GOVERNANCE: AN OVERVIEW OF CANADIAN AND INTERNATIONAL PERSPECTIVES

by Professor Martin Rudner

In response to the global terrorist onslaught that beset the turn of the 21st century, the intelligence services of democracies, including Canada, have been catapulted to the forefront of public attention. In democracies, citizens look to their intelligence agencies to protect national security and public safety. They also look to intelligence review (often confused with “oversight”) to provide public scrutiny of the activities of those agencies. Intelligence review plays a vital role in making secret intelligence agencies politically accountable and publicly acceptable—it has become a hallmark of good governance in the domain of national security in democratic political systems.

Intelligence review is structured and performed in various ways in different countries. It may be undertaken by an executive, legislative or freestanding body—one that is political-party based, bi-partisan, or non-partisan and independent. Review bodies can have jurisdiction over a single intelligence agency or over a wider intelligence and security sector. The scope of intelligence review or oversight can be retrospective—scrutinizing past practices—or can involve the investigation of current, ongoing operations. Evaluations in the review process may assess organizational efficiency, including resource allocation and questions of value for money, or may examine the compliance of intelligence activities against law, policy and Ministerial direction, or ethical propriety. Outcomes from the review process can take the form of binding directives to remedy deficiencies, or recommendations to government and or to the intelligence service concerned for remedial action. This can be conducted either in public or secretly.

Canada, Belgium and Norway each have a freestanding, non-partisan intelligence review committee operating at arm’s-length from Parliament. Other countries chose to base their intelligence review or oversight responsibilities more directly within their respective legislatures. The United States Congress, the German Bundestag, the Israeli Knesset and the parliaments of Australia, Italy, Switzerland and New Zealand (among others) all have specific committees

mandated to monitor the conduct of their respective intelligence services. While the intelligence review function in those countries is politically representational, it can also become partisan and politically charged. The United Kingdom, for its part, sought to blend parliamentary representation with non-partisan prescriptions in an Intelligence and Security Committee, which was given a unique statutory status.

Governments may also make use of executive oversight mechanisms, such as Inspectors General (Australia, Canada, New Zealand, Sweden, Switzerland, U.S.A.), or executive boards (Sweden) or judicial commissions (New Zealand, U.K.) to monitor intelligence service compliance with law and policy. Most countries confine their intelligence scrutiny to the retrospective review of intelligence activities. A few also provide for the external oversight of current operations. American congressional committees and the Norwegian Committee on the Intelligence, Surveillance and Security Services are two examples of external bodies that engage in oversight of current, ongoing intelligence operations.

Both approaches—retrospective review and operational oversight—present important challenges to national security systems of democratic countries. Intelligence review (and especially oversight bodies) risk being co-opted as a result of the close working relationship that must develop for scrutiny to be effective. With oversight in particular, there is a danger that intelligence monitoring can become transformed into an endorsement of ongoing operations, absolving the intelligence service from any subsequent questioning about the propriety of its actions. Retrospective reviews of intelligence activities can also involve ambiguities of time, especially with respect to intelligence operations that last for prolonged periods. This is frequently seen with counter-terrorism cases, where investigations and surveillance of suspected terrorists and their networks can continue for years. In Canada, SIRC can initiate a review of CSIS activities at any time and may scrutinize operations that are still ongoing, but only on a retrospective basis.

During its first two decades, SIRC had to heed the changing thrust of CSIS activities as the focus of security intelligence shifted from the Cold War preoccupation with counter-espionage and counter-subversion, to current priorities: counter-terrorism, transnational organized crime and the proliferation of weapons of mass destruction. The expanded role of security intelligence over the past two decades has been accompanied by an unprecedented increase in reliance on inter-agency cooperation and information sharing,

both domestically (with law enforcement agencies) and internationally (with allies and partners in the coalition against terrorism). These trends have far-reaching implications for intelligence review and accountability mechanisms. SIRC's mandate is limited by statute to the activities of CSIS and does not cover other organizations involved in security intelligence.

For the accountability process to function effectively, trust is required. The intelligence community and civil society must acknowledge the trustworthiness of the intelligence review system. The intelligence community must trust the intelligence review apparatus to exercise appropriate standards of accountability while respecting the need to protect citizens from harm by improper disclosures, unwarranted interference, or partisan political games. Civil society must trust intelligence review mechanisms to discern whether the intelligence mandate is being fulfilled lawfully and appropriately and that civil liberties are respected.

Trust takes time to build, and can be damaged by a moment of folly. Yet it is precisely trust that empowers the intelligence review and accountability functions, enabling them to enhance the democratic management of, and public confidence in, the national security machinery of government.

Professor Martin Rudner was Associate Director and Director of the Norman Paterson School of International Affairs at Carleton University, Ottawa, Canada, from 1985 to 1999, and is currently Director of the School's Canadian Centre of Intelligence and Security Studies. The author of numerous books and articles on international matters, he is Past President of the Canadian Association for Security and Intelligence Studies (CASIS), and a frequent commentator on national radio, television and print media. Dr. Rudner is also a member of the Advisory Panel to the Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar.

Looking back

THE CASE FOR SECURITY INTELLIGENCE REVIEW IN CANADA

A police-sponsored campaign of dirty tricks consisting of break-ins, arson and theft targeted at left-leaning press and political parties (including one that was poised to form a government). A subsequent cover-up that was almost successful—involving a deception that included lying to a Minister about the campaign¹—but was undermined by frank admissions of people who participated directly in illegal activities.

These kinds of stories might seem far-fetched and the stuff of spy-novel fantasy, but all of it is true. And all of it happened...in Canada.

Revelations of an RCMP dirty tricks campaign conducted during the 1970s—which came to light during the hearings and subsequent report of the *McDonald Commission of Inquiry Concerning Certain Activities of the RCMP* (1981)—led directly to the disbandment of the RCMP's Security Service. It also resulted in the creation three years later of a new civilian security intelligence service and the Security Intelligence Review Committee (SIRC).

The story of how Canada's security service evolved is worth re-telling. In doing so, it's important to understand that there were key events that predate the McDonald Report. The RCMP Security Service's illegal activities up until the late 1970s were not isolated incidents. There were lessons that should have been learned—perhaps earlier than they were—about the need for changes in the way that security intelligence had been conducted in Canada. Circumstances simply reached a breaking point, such that by the 1980s, a civilian security intelligence service and a framework to hold it publicly accountable were long overdue in Canada.

For much of its history, Canada (and many other democracies to this day) did not have laws or a formalized framework governing domestic security intelligence. Since national security was handled by the RCMP—at arm's length from government—political responsibility belonged to the Solicitor General of Canada (now called the Minister of Public Safety and Emergency

¹ Cleroux, Richard. *Official Secrets—The Story Behind the Canadian Security Intelligence Service*. McGraw-Hill Ryerson, Toronto, 1990. (page 45-58)

Preparedness). Debates related to national security were a rarity in the House of Commons, well into the late 1970s and early 1980s, a point that is acknowledged in the Government of Canada's 2004 discussion paper on creating a National Security Committee of Parliamentarians.² Prior to the McDonald Commission's work, the appetite of media and scholars for the subject was not much better. The body of academic writing³ and reporting prior to 1980 was meagre at best, prompting at least one Globe and Mail reporter to admit that "reporting on national security affairs in Canada... was not something that should be recommended to journalism students as a shining example of investigative reporting."⁴

Canada's national security—how it was conducted, managed and maintained—was largely a matter left unspoken at nearly all levels of civic discourse. The inherent and obvious consequence was that an entire area of state power—considerable in its might and scope—was wide open and vulnerable to abuse. Parliamentary scholar C.E.S. Franks of Queen's University, writing about the importance of accountability in security intelligence, warned about the dangers stemming from a culture of secrecy. "Secrecy in any government agency," he said, "is an invitation to an abuse of power, and there is therefore a potential threat to free discussions and democratic politics."⁵ Indeed, by measure of the McDonald Report revelations alone, there was a compelling case to be made that civil liberties and democratic freedoms could be seriously undermined in Canada if the security service's powers were left unchecked.

Security screening in Canada in the pre-Cold War years

Well before the events described in the McDonald Report, there were earlier efforts to better define the roles and limits of the Canadian government's intelligence monitoring capacity. Security screening of immigrants to Canada and of staff within the federal public service was the first area that underwent a review. In Canada, government-run screening dated back to 1945, immediately following the Gouzenko affair—a landmark international incident involving a Russian defector who revealed significant Soviet espionage within the

² *A National Security Committee of Parliamentarians—A Consultation Paper to Help Inform the Creation of a Committee of Parliamentarians to Review National Security*. Public Safety and Emergency Preparedness Canada, Ottawa, 2004

³ Wellor, Geoffrey, *International Journal of Intelligence and Counter Intelligence* (Assessing Canadian Intelligence Literature 1980–2000), 2001, (page 1)

⁴ Sallot, Jeff, in Hanks, Peter and McCamus, John A. (eds.), *National Security: Surveillance and Accountability in a Democratic Society*. Les Éditions Yvon Blais Inc., Osgoode Hall Law School and York University, 1989, (page 95)

⁵ Franks, C.E.S., in Hanks, Peter and McCamus, John A. (eds.), *National Security: Surveillance and Accountability in a Democratic Society*. Les Éditions Yvon Blais Inc., Osgoode Hall Law School and York University, 1989, (page 20)

Canadian and allied governments. In fact, at least one historian has contended that screening efforts had started much earlier, in 1931, when civil servants were systematically screened for checks against criminal wrongdoing.⁶

Nevertheless, it was Gouzenko's revelations (and the Cold War tensions they helped spark) that led the Government of Canada to use screening as a tool to identify and suppress communism—a much-feared ideological adversary for much of the 20th century. The consequences of federal screening activities in this regard are well documented in University of Victoria historian Larry Hannant's book, *The Infernal Machine: Investigating the Loyalty of Canada's Citizens*, in which he contends: "In the course of imposing this security screening, the Canadian state violated the civil liberties of hundreds and thousands of citizens...the infernal machine was built without brakes, and roll on it did."⁷

The MacKenzie Commission

By the mid-1960s, fuelled in part by a desire to modernize security practices at the federal level, the *Royal Commission on Security*, headed by Maxwell MacKenzie was established. It submitted its report in 1968. While many of its key recommendations seemed more geared to sustaining and even expanding the status quo as far as screening was concerned (it called for fingerprinting and security checks of every government employee), the MacKenzie report also included a progressive idea: that the RCMP's security intelligence function be completely severed from the police force. That latter recommendation caused considerable debate and friction between the RCMP and the government. In 1969, a compromise was reached—the RCMP retained its national security role, but John Starnes, a career diplomat, was appointed as its first civilian director.

It was a compromise that even Starnes would second-guess later on. In his memoirs, published in 1998, he wrote: "In my view, the MacKenzie Commission should have received much more attention. The government should have been much firmer in dealing with the RCMP's largely emotional and sometimes unrealistic objections to the idea of having a security service divorced from the RCMP."⁸ Just as important, he was frank in his assessment of how this new arrangement did little to repair what had become a difficult relationship between police and government. "What I had not reckoned on was the quite different culture of the RCMP and the mistrust that had grown

⁶ Hannant, Larry, *The Infernal Machine: Investigating the Loyalty of Canada's Citizens*. University of Toronto Press, 1995, (page 9)

⁷ Hannant, (pages 11 and 253)

⁸ Starnes, John, *Closely Guarded: A Life in Canadian Security and Intelligence*. University of Toronto Press, 1998, (page 135)

up between the...government and the force. I now believe that both the force and the government were to blame, though the latter's rather unsophisticated and dilatory treatment (of the MacKenzie report's recommendations) certainly worsened the unsatisfactory relationship."⁹

The McDonald Commission

More than a full decade passed before the MacKenzie Commission's controversial recommendation re-emerged, this time in the *McDonald Commission of Inquiry into Certain Activities of the RCMP*. By that point, investigative reporting had found its footing in national security matters in Canada. Vancouver Sun journalist John Sawatsky had run several stories exposing RCMP misdeeds, culminating in a December 1976 front-page exposé in which he concluded that there was a cover-up that "extended into the upper echelons of the RCMP in Ottawa."¹⁰

He documented how the RCMP Security Service had conducted a systematic campaign throughout the 1970s to subvert organizations in Vancouver deemed to be a threat—those espousing communist or far-left leaning politics. Sawatsky later remarked how, for the most part, the RCMP members who were involved in the dirty tricks weren't bothered by the illegality of their deeds. He wrote: "Illegal activity was accepted with enthusiasm since it was exciting, was good for one's career and contributed to the fight against communism."¹¹

More newspaper reports emerged in 1977, including revelations of how the offices of the Agence du Presse Libre du Quebec (APLQ)—a separatist newspaper—had been burglarized by the RCMP in the early 1970s. Also revealed among the RCMP Security Service's activities was the torching of a barn outside of Montreal, which had been used as a meeting place of Quebec intellectuals suspected of having separatist affiliations. Morale within the RCMP sank. By the time the McDonald Commission had begun its work in 1978, then-Solicitor General of Canada, Francis Fox, found himself in the unenviable position of having to make a series of disclosures about the RCMP Security Service's activities, including an admission that it had been engaged in illegal conduct for over two decades.¹² Mr. Fox's predecessor, Warren Allmand,

⁹ Starnes, (page 133)

¹⁰ Sawatsky, John, "Trail of break-in leads to RCMP cover-up," *Vancouver Sun*, December 7, 1976

¹¹ Sawatsky, John, "Men in the Shadows—The RCMP Security Service," *Doubleday Canada*, Toronto, 1980 (page 255)

¹² Sawatsky, (page 283)

would later testify at the McDonald hearings that he “felt very much betrayed...it appears now that I did not get full answers even when I asked them specifically.”¹³

The McDonald Commission Report, published in 1981, heralded a new chapter in the history of Canadian security intelligence. It called for a new civilian intelligence service and an advisory council, comprised of members of the House of Commons and Senate, to examine the activities of the new agency. By 1983, when the government introduced Bill C-157, the broad mandate proposed for the new civilian agency caused considerable political debate.

As a result, the legislation was referred to a Senate Committee, which recommended major changes in a report entitled *A Delicate Balance*. It called for a two-tiered approach to security intelligence review. The first level—an internal review mechanism—was to be an Inspector General, responsible to the Deputy Solicitor General. This office would examine the CSIS Director’s annual report and report directly to the Minister. In effect, the IG would serve as the Minister’s “eyes and ears” concerning CSIS.

The second level of review—an external review mechanism—was to be a Security Intelligence Review Committee (SIRC). This Committee would report to Parliament and its members would be appointed by the Governor in Council after consultation by the Prime Minister with the leaders of the Opposition parties.

The CSIS Act

In January 1984, the Government of Canada introduced Bill C-9, incorporating virtually all of the changes recommended by the Senate Committee. In doing so, Canada became the first democratic government anywhere in the world to establish a legal framework for its security service. This revised bill was passed by the House of Commons and the Senate in June 1984, and on July 16, 1984, *An Act to Establish the Canadian Security Intelligence Service* was proclaimed.

One of the most important legacies of this legislation was that it marked the end of an era for the intelligence community. For the first time, Canada had legislation that clearly defined the mandate and limits of state power to conduct security intelligence. Just as important, it created a framework to keep those powers in check—and that framework has stood the test of time.

¹³ McDonald Commission of Inquiry into Certain Activities of the RCMP, (1981)

SIRC'S EARLY YEARS (1984–1990)

While lawmakers had hoped that the civilianization of Canada's security intelligence service would result in immediate improvements, it took time for both SIRC and CSIS to find their bearings. One problem was that Canada's new intelligence agency was initially staffed mainly with officials who had chosen to move to CSIS from the now-disbanded RCMP Security Service, bringing the old ways of doing business with them. Meanwhile, SIRC was in its infancy. Under the leadership of its first Chair, Ron Atkey, the Committee was only beginning to exert its powers to ensure that CSIS acted legally and appropriately in safeguarding Canada's national security.

What is SIRC?

The Security Intelligence Review Committee (SIRC) is an independent, external review body that reports to the Parliament of Canada on the operations of the Canadian Security Intelligence Service (CSIS). By conducting reviews of CSIS activities and by investigating complaints, SIRC provides assurance to Parliament that CSIS is complying with the law, policies and Ministerial direction.

Pushing back

Maurice Archdeacon, SIRC's first Executive Director (1985–1999), later recalled that the earliest meetings between CSIS and SIRC were far from cooperative or constructive. "CSIS pushed back constantly against our efforts...and we regularly found ourselves in long waits for responses to our requests. They were perpetuating the culture that the new agency was supposed to bring to a stop." Nevertheless, SIRC prepared its first annual report to Parliament—only months after the Committee had been formed. Members pledged to approach their work "sincerely" and with a "genuine curiosity, sprinkled with a healthy dose of scepticism."

Early challenges

One author who documented the creation of CSIS summarized its early years as follows: "They (former RCMP staff) could catch a pickpocket, terrorize a stool-pigeon...or spot a terrorist with a bomb in an airport, but they couldn't name the various warring Lebanese factions, let alone analyze political thoughts or predict possible future behaviour."¹⁴

SIRC also had to contend with its own challenges. In the debate that culminated with the promulgation of the *CSIS Act* and the creation of SIRC, some had been quick to dismiss the Committee even before it had begun operations, contending that its mandate was too narrow, and its resources too few. The Committee also recognized it would have to tread a delicate balance between Canadians' need to know and its legal obligation to protect national security and privacy. This would, in turn, influence public confidence in the new review body.

¹⁴ Cleroux, (page 82)

Holding CSIS to account

The Committee proved its mettle by publicly demonstrating that it fully intended to carry out the role that had been prescribed in the *CSIS Act*. Beginning in 1985, Ottawa media were regularly treated to press conferences by SIRC's first Chair, Ron Atkey (1984–1989). He seized those opportunities to signal to Canadians—and to CSIS—that SIRC was prepared to exercise fully the powers which it had been granted by Parliament.

Maurice Archdeacon recalls that these press conferences helped to signal an important message: "SIRC meant business." That point was stated baldly in SIRC's second annual report, in a subsection called CSIS Attitude to the Review Process: "If CSIS is still uncomfortable with the process of civilianization, it is even more uncomfortable with the process of independent review." The Committee's mandate to examine complaints was one area where SIRC clearly responded to a need for a public redress system. By 1986, it reported that it had received more than 600 complaints—"many more than we had expected."

A shocking discovery

Among SIRC's roles, Section 42 of the *CSIS Act* stipulates that it is responsible for investigating complaints about the denial of federal security clearances. In carrying out this responsibility, an important revelation was made about security screening at the Department of National Defence (DND). The Committee discovered that up until 1985, DND had been rejecting up to 500 Canadians every year who were applying to join the Canadian armed forces—and in some cases, they were releasing existing members. At issue was the security screening used by the department (which at that time was still conducting its own screening of existing and potential members). Many candidates were being rejected (or ejected) simply on the grounds of their sexual orientation and lifestyle.

In this case, SIRC worked behind the scenes, making representations directly to Canada's Chief of the Defence Staff. Its objections were clearly heeded, as National Defence was commended in the Committee's subsequent annual report: "We are pleased this year to say publicly what we have already said privately—that DND showed some real sensitivity to individual dignity by radically revising its security clearance procedures."

Who appoints the members of SIRC?

Members are appointed by the Governor-in-Council after consultation by the Prime Minister with the leaders of the Opposition parties. All of the Committee members must be Privy Councillors, which means they have full access to highly classified information—a privilege that is not granted to most Parliamentarians.

How are members compensated?

Since SIRC members work for the Committee on a part-time basis, their remuneration is based on a per-diem rate, based on guidelines established by the Privy Council Office.

Why was SIRC created?

SIRC was created in response to recommendations in the final report of the McDonald Commission, which looked into the activities of the RCMP Security Service. The Committee was established in 1984 under the same legislation that created Canada's civilian intelligence service (CSIS) as well as the Inspector General of CSIS (IG-CSIS). SIRC helps to ensure that CSIS does not undermine Canadians' fundamental rights and freedoms while the Service is carrying out its mandate to guard against threats to national security.

Darkest moments for the Service

At times, SIRC's willingness to pursue difficult or thorny issues has generated profound consequences for the Service. For example, in its 1986–1987 annual report, the Committee devoted an entire chapter to criticizing many practices of CSIS's Counter-Subversion Branch. The Committee stated its concerns plainly: "According to the best information we have been able to obtain, the Counter-Subversion Branch probably has more than 30,000 files on individuals—how many more, no one knows. This is a matter of some concern to us. We don't know and we can't find out without a manual examination of thousands of files...to further place the 30,000 figure in context, CSIS as a whole holds more than 600,000 files on individuals." SIRC concluded that the branch was "intruding on the lives of too many Canadians" while focussing on targets that were of minimal threat to Canada.

Additional momentum for change came via a 1987 ruling by the Federal Court of Appeal, which was reviewing the case of an individual, Harjit Singh Atwal, accused of having been involved in an earlier attack in B.C. on a Punjabi Cabinet Minister. The court ruled that CSIS had made faulty wiretap applications in its investigation of Atwal. This resulted in the immediate resignation of the Service's first Director, Ted Finn. Further, two months later, the Solicitor General of Canada released a report by an advisory team headed by former Privy Council Clerk Gordon Osbaldeston, which resulted in the disbandment of the Service's Counter-Subversion Branch.

SIRC Chair Ron Atkey and Committee members acknowledged this chain of events in their next annual report (1987–1988), commenting that "CSIS (had) faced perhaps its darkest moments" as a result of this matter. Yet it was also a key turning point. Maurice Archdeacon later contended that this event—and the subsequent arrival of Reid Morden as the new Director of CSIS—were "watershed events" that improved the relationship between the Service and SIRC.

Other key events during the first five years included:

- **Objections to the use of polygraphs by CSIS**—SIRC has repeatedly expressed concerns about the Service's use of polygraphs (lie-detector tests) as a staff-screening tool. The Committee's objections were well supported by clinical research that contended such tools were too unreliable to be of much value. In its 1986–1987 annual report, SIRC said: "CSIS tried to dress its program up in a lab coat by calling it a pilot project, but this is merely a disguise."

While CSIS continues to subject prospective new recruits to a polygraph examination, the questions are now focussed exclusively on loyalty issues.

- **CSIS and First Nations**—In 1989, in response to significant media reporting of alleged CSIS monitoring of First Nations groups across Canada, SIRC undertook a review of what it called “CSIS inquiries into native issues.” While the Committee conceded in its report there had been regulatory breaches in how the Service had conducted its inquiries, it also attempted to set the record straight in CSIS’s favour. “In fact, the use of the word ‘investigation’ in discussions of this initiative...may be misleading if it hints at anything in the nature of wiretaps or shadowing targets. What CSIS carried out was more like a fact-finding exercise or research program, relying on open sources like newspaper reports and on interviews with knowledgeable people.” A second report, prepared subsequent to violent incidents in First Nations communities in 1989–1990, offered similar conclusions.
- **Five-year review of the CSIS Act**—The *CSIS Act* received its first report card in 1990–1991 in the form of a five-year review by a special Parliamentary committee, chaired by Member of Parliament, Blaine Thacker. SIRC submitted 31 recommendations that were considered by the Thacker Committee as it prepared its report. While much of SIRC’s advice about how the *Act* could be improved went unheeded, still this period marked the end of an era—capping half a decade of important accomplishments that had helped shape the growth of the new intelligence service.

Turning the corner

SIRC Chair Ron Atkey, near the end of his tenure, signalled optimistically that this was the beginning of a period that historians might some day consider as the point when CSIS “turned the corner” and had truly begun its evolution into the civilian agency that legislators had earlier envisioned. Indeed, by the end of the 1980s, relations between CSIS and SIRC had become much more professional and respectful, similar to the healthy tension that exists between the two organizations today.

What’s the difference between an oversight and a review agency?

Among other responsibilities, an oversight body looks on a continual basis at what is taking place inside an intelligence service and has the mandate to evaluate current investigations or work in “real time.” It can also have an influence on policy being developed as well as on budgets. In Canada, on the other hand, Parliament established review bodies that examine past operations of the Service. The advantage of review in comparison to oversight is that SIRC can make a full assessment of CSIS’s past performance without being compromised by any involvement in its day-to-day operational decisions and activities.

How much access does SIRC have to classified information?

The CSIS Act gives SIRC the right to have access to "any information under the control of the Service or of the Inspector General." As a result, SIRC has the absolute authority to examine all of the Service's files and all of its activities—no matter how sensitive and no matter how highly classified that information may be. The sole exception is Cabinet confidences (e.g., written and oral communications among Ministers).

A MATURING ORGANIZATION (1990-2004)

Over the 1990s and into the new millennium, CSIS evolved, becoming noticeably more familiar and comfortable with the accountability expectations placed on it. SIRC was also maturing and saw an influx of new staff as well as new Committee chairs and members. The relationship between CSIS and SIRC benefited from a deepening mutual respect for each other's work and responsibilities—a point that was recognized repeatedly in SIRC's annual reports throughout this decade.

While improved relations throughout the 1990s were a direct result of CSIS's growth and maturity as a civilized organization, some of the credit also belongs to SIRC's second Chair, John Bassett (1989–1992). His impact on SIRC is acknowledged by Maurice Archdeacon, who recalls Mr. Bassett as "a man of enormous achievement and charisma...he was a great listener and possessed a remarkable memory. Everybody he met respected him—and that served him exceptionally well in his work with CSIS. Even though he was only with SIRC for three years, he managed to accomplish a lot, especially in helping to build a more workable relationship with the Service."

Mr. Bassett's view of CSIS and of how that organization had become more professional was clearly reflected in the 1991–1992 SIRC annual report. It noted: "Those who have followed the progress of CSIS with interest have seen our annual reports change from being compendiums of direct and implied criticism, in the early years, to being much more supportive accounts of CSIS's activities in recent years. This progressive but clear-cut change in the tone and substance of our annual reports simply reflects the fact that CSIS is now virtually a new organization, hardly recognizable any more as the direct descendant of the Security Service of the RCMP."

Section 54 reports

It is worth noting two Section 54 reports that were prepared while Bassett was Chair of SIRC: Air India, and the investigation into the attack on the Iranian embassy. These reports are a special kind of review, pursuant to Section 54 of the *CSIS Act*, in which SIRC can report to the Minister on any matter relating to the Service's performance of its duties and functions. Reports of this nature are rare—as of 2004, only seven had been produced in the last decade.

- **Air India**—SIRC undertook an extensive review of the 1985 Air India tragedy—an incident in which an Air India flight originating from Vancouver was destroyed by a planted bomb, killing all passengers and crew. SIRC's report—which it had delayed after considering a well-presented case by the Crown about the need to avoid interfering with an ongoing police investigation—served to answer many questions about CSIS's predictive capacity. The Committee's report, published in November 1992, found deficiencies with CSIS's handling of the investigation, but concluded the agency was not in a position to predict the bombing attack.
- **Attack on the Iranian embassy**—The Committee examined the role of CSIS prior to and during the 1992 attack on the Iranian Embassy in Ottawa by members of the Mujahedin-e-Khalq (MEK) organization. SIRC identified a flaw in the way the Service handled information before the attack, but concluded that this information—even if it had reached the right person at the right time—would not likely have led a reasonable person to issue a warning to the police.

New leadership and a landmark court ruling

By late 1992, SIRC saw a change in leadership with the appointment of Montreal lawyer Jacques Courtois as the Committee's third Chair (1992–1996). Under Mr. Courtois' leadership, the Committee had to contend with the consequences of the *Thomson* decision—a landmark Supreme Court of Canada ruling that had been rendered earlier that year. This case was about an individual (Thomson), who had been refused a position with the Department of Agriculture because of an unfavourable security assessment by CSIS. He appealed this decision to SIRC, which conducted a hearing and recommended he be given the necessary clearance. This recommendation was rejected by the Deputy Minister of Agriculture, prompting a series of court decisions that culminated in a final ruling by the Supreme Court of Canada. It held that SIRC's recommendations in security clearance cases were not binding on government—a setback and disappointment for the Committee.

Heritage Front

Mr. Courtois' leadership and the skills of all Committee members were put to the test in 1994, when well-publicized allegations surfaced about a CSIS source, Grant Bristow, who had been operating within the Heritage Front, a North American-based neo-Nazi group. This issue attracted significant media and public attention and prompted many scholars to view the case as "the first serious test" of the Canadian system of public accountability for security

What's the difference between SIRC and the Inspector General, CSIS?

The IG-CSIS is an internal review body that monitors CSIS activities independently and reports directly to the Minister of Public Safety and Emergency Preparedness. SIRC is an independent, external review body that reports to Parliament. While the main focus of the IG-CSIS is to prepare an assessment of the CSIS Director's annual classified report, SIRC conducts in-depth reviews of the Service's activities, investigates complaints and prepares an annual report for tabling in Parliament. There is no comparable public complaints process under the IG-CSIS.

What must I do if I want to file a complaint against CSIS?

SIRC's complaint process is governed by the CSIS Act. If you have a complaint about "any activity or thing" done by CSIS, Section 41 of the CSIS Act will apply. If you have a complaint concerning the denial or revocation of a security clearance necessary to obtain or keep federal government employment or contracts, Section 42 of the CSIS Act applies. In both cases, the procedures for making a complaint are explained on SIRC's website.

intelligence.¹⁵ Maurice Archdeacon described the Heritage Front review as "one of the most interesting we had ever done." SIRC's investigation included the review of over 25,000 pages of documents, as well as interviews of over 100 individuals. The result was a 200-plus page report, submitted to the Solicitor General of Canada, in which the Committee extensively documented CSIS's investigation of the Heritage Front. A vetted version of this report was also made public.

SIRC concluded that CSIS was right to investigate the leadership of the extremist organization. Committee members later defended that point of view in their presentations to the House of Commons Subcommittee on National Security, providing more than 16 hours of testimony. While SIRC rebuked Bristow for having tested the limits of what was appropriate behaviour with respect to his involvement in the Heritage Front, it also said that Canadians owed him a debt for doing valuable work. It's worth noting that in August 2004, *Walrus Magazine* ran a story by Andrew Mitrovica, looking back at Bristow's involvement in the Heritage Front affair. In the article, the author noted that as a result of SIRC's review, "the media hysteria that had enveloped Bristow quickly evaporated as much of the press accepted SIRC's findings and considered the case closed."¹⁶

Renewed vigour

In 1996, less than four years into his term as Chair, Mr. Courtois passed away after a brief illness. In his place, Madame Paule Gauthier was appointed as the fourth Chair of SIRC. A former president of the Canadian Bar Association (1992–1993) and a member of SIRC from 1984–1991 and from 1995–1996, Mme Gauthier's appointment as Chair was welcomed by many as the start of a new, revitalized era for SIRC. Distinguished York University political scientist Reg Whitaker contended that this new leadership resulted in "a renewed confidence at SIRC."¹⁷ Mme Gauthier's appointment followed less than two years after the appointment of Ward Elcock as Director of CSIS. Together, these leaders helped spark renewed vigour in their respective organizations.

This revitalized attitude was reflected in the Committee's 1998–1999 annual report, which noted that at the fifteen year mark in the history of the *CSIS Act*, some "fairly reliable conclusions" could be drawn about the state of security

¹⁵ Whitaker, Reg, "The Bristow Affair: A Crisis of Accountability in Canadian Security Intelligence," *Intelligence and National Security* (11), no. 2, April 1996, (page 279–305)

¹⁶ Mitrovica, Andrew, "Front Man" in *The Walrus*, September 2004

¹⁷ Whitaker, Reg, "Recent Changes in SIRC: From Watchdog to Lapdog to Watchdog Again?," *CASIS Newsletter*, #35, Fall 1999, (page 12)

intelligence in Canada. “The plain fact is that some twenty years after Justice McDonald laid out the broad principles for Canada’s security intelligence system, there is a growing incongruity between the world for which the existing set of laws and practices were designed almost two decades ago, and the world as it is in 1999.”

As SIRC Chair, Mme Gauthier has taken a keen interest in the Committee’s mandate to investigate complaints. She has presided over 22 open and 14 *ex parte* hearings, involving eight cases since her appointment as Chair, and has authored five written reports to date. In addition, there have been several noteworthy reviews under Mme Gauthier’s leadership:

- **Ernst Zündel**—National media credited SIRC for helping to block a bid by Holocaust denier Ernst Zündel to become a Canadian citizen. He attempted to fight SIRC’s authority to investigate his case, which included a review of earlier findings by CSIS that had concluded Zündel was ineligible for Canadian citizenship because he posed a threat to national security. In 1997, the Federal Court of Appeal upheld SIRC’s authority. Subsequently, the Supreme Court refused to hear an appeal of the lower court’s decision.
- **Sunni Islamic extremism**—Following the events of September 11, 2001, SIRC conducted a broad-based study into CSIS’s earlier investigation of al-Qaida and Sunni Islamic extremism in general. The Committee identified “no evidence or information that would indicate that CSIS had in its possession any information that should have alerted it, and through it the Government, to the impending events of September 11th.”
- **Ahmed Ressam**—The Committee looked at the activities of CSIS concerning the case of Ahmed Ressam—an Algerian-born al-Qaida operative arrested in 1999 in the U.S. in connection with a bombing plot. In SIRC’s report, much of which remains classified to protect ongoing investigations, it contended that Ressam had earlier been able to evade scrutiny while planning his attack because officials in the Canadian Passport Office had mistakenly issued him a Canadian passport under a false name.
- **Maher Arar**—While the specifics cannot be discussed as they remain the subject of an ongoing public inquiry, this case illustrates the difficult dilemma often faced by the Committee. Because of SIRC’s legal obligation to protect both national security and privacy concerns, it is often difficult to convey the thoroughness or complexity of SIRC reviews, or provide the details that might help to substantiate its findings and recommendations. SIRC launched its

How can Canadians find out more about SIRC?

Every year, SIRC prepares an annual report that is publicly tabled in Parliament and is available on the Committee’s website. Every study conducted, every query pursued and every complaint investigated is reflected in the pages of that publication. Since SIRC is legally obliged to withhold classified information and protect the privacy of individuals, the annual report is an edited version of SIRC’s internal reports.

Why should Canadians trust SIRC?

SIRC's structure was designed to ensure that knowledgeable and respected individuals — independent from CSIS and from government, but familiar with the security intelligence environment—can render honest and fair-minded assessments based on the facts. These individuals are acutely aware of the responsibility that Parliament has entrusted in them. Canadians can have confidence that SIRC will remain vigilant to ensure that CSIS acts within the law.

Section 54 review before the Commission of Inquiry was established, and provided its findings to the Minister in May 2004. Although the classified report was shared with the Commission, SIRC was unfairly criticized when the government released a heavily expurgated version without consulting the Committee. SIRC has stated publicly that it would have “no objection” if a summary of its classified report is released by the Commission, once its own investigation is completed.

THE NEW MILLENNIUM AND POST-9/11 ERA

In the new millennium, and especially since the terrorist attacks on the United States in 2001, there has been a fundamental shift in the priorities of security intelligence services around the world. The war on terror has moved CSIS to the forefront of public attention, as SIRC remarked in its 2001–2002 annual report: “Canada’s security and intelligence apparatus—CSIS in particular—has become the object of public and media scrutiny of a kind not seen in decades.”

Canadians saw a sea change in public policy, immediately following the September 11th attacks. The Government of Canada quickly adopted additional security measures, drafted new laws to combat terrorism, and within three months put in place a comprehensive new *Anti-Terrorism Act*. But these new powers make it all the more important to safeguard citizens’ rights and freedoms, to preserve Canada as an open and democratic society.

Today, at the 20th anniversary of the *CSIS Act*, Canada has much to be proud of in terms of the model it developed for making security intelligence more cooperative and accountable. This point was underscored by then-CSIS Director Ward Elcock, in a speech to the Canadian Association for Security and Intelligence Studies in 2003:

“Twenty years of constant review activity have resulted in many recommendations on how we could have run things differently, and many of these recommendations have mirrored adjustments that have been made to the Service’s management procedures. SIRC’s comments have extended into the heart of how the organization is run, including matters of source-handling, investigative methods, targeting decisions and other core functions. Do we always share SIRC’s views? No in some cases, yes in some...The point is that the review process remains an ongoing debate on ways to ensure that the principles of the legislation are sustained as we evolve and adapt to new threats. That is what the legislators intended.”¹⁸

¹⁸ Elcock, Ward, an address to the Canadian Association for Security and Intelligence Studies Conference (2003)

Looking forward

THE CHALLENGES OF SECURITY INTELLIGENCE REVIEW IN THE YEARS AHEAD

by Susan Pollak

Nearly four years after September 11th, the security environment in which SIRC functions is dramatically different from that of its first two decades. CSIS's powers and the way it does its work have not changed, but the focus of its investigations has shifted markedly. This reflects the end of the Cold War, greater regional instability in much of the world and increased threats from terrorism, notably jihadist extremism.

Canadians live in an essentially safe, tolerant and open society—a society that has among its cornerstones a commitment to the rule of law and respect for individual rights and freedoms. SIRC sees itself as a defender of those rights by giving assurances to Canadians that their security intelligence service has not overstepped its authority. SIRC examines in meticulous detail and on a continuous basis the Service's activities, and recommends changes where it sees the need. Yet SIRC recognizes that, by their very nature, democracies are susceptible to terrorist activity and, therefore, that the state must be able to defend itself against those who would undermine its citizens' rights to live in a safe and secure society.

We have all seen the reverberations of September 11th around the globe, many of which have increased public scepticism about the very agencies that exist to protect them: the war in Iraq; huge increases in spending on security throughout the Western world; heightened security measures at our borders and at our airports; several commissions of inquiry concerning the activities of security and intelligence agencies in the U.K., U.S.A. and Australia; legal challenges against detention without charge; and so on.

In Canada, we have seen similar repercussions:

- the RCMP was given new powers in the area of national security as a result of the *Anti-Terrorism Act*;
- in May 2004, SIRC completed an intensive inquiry into CSIS's involvement in the matter of Maher Arar, the subject of an ongoing public inquiry. One of the issues to be addressed is the extent of information sharing between intelligence services of various countries;
- the *Criminal Code*, as amended by the *Anti-Terrorism Act*, provided for the listing of terrorist entities, a new activity in which CSIS plays a key role and which is therefore subject to SIRC review;
- the heightened threat environment has led to an increase in security screening carried out by CSIS, and a proportionate increase in complaints to SIRC about security clearances that have been denied or revoked;
- the government has proposed the creation of a Parliamentary Committee on National Security, with members to be sworn-in as Privy Councillors (as with SIRC), to inquire into intelligence and security matters;
- under its national security policy, the government is pursuing a more coordinated approach to all-source intelligence assessment on threats to Canada, by creating the Integrated Threat Assessment Centre (ITAC). As ITAC is housed at CSIS and under the day-to-day direction of its Director, SIRC is responsible for reviewing its operations;
- the *Public Safety Act* gave CSIS additional responsibilities to share information about individuals with Transport Canada, and these new activities will be subject to SIRC review; and
- the *Security of Information Act* created a role for SIRC in respect to disclosures in the public interest of special operational information by CSIS employees.

Clearly, the issues SIRC deals with are wide ranging and are likely to be even more so in the future. We will continue to “watch the watchers,” as Parliament has decreed and as Canadians expect us to do. But our work is also connected to the bigger picture. As Canadians, we take pride in a nation that actively promotes cultural diversity, free association, economic robustness and political dialogue. It is all the more important that we maintain the fine balance between individual rights and free expression (as provided for under the *Charter of Rights and Freedoms*), as well as our collective interest in defending and preserving a country where we can all live and prosper.

Over the past twenty years, SIRC has honed its expertise and understanding of the world in which CSIS operates and has evolved along with the Service. We have made a positive difference in the way CSIS operates. We expect new challenges and we will adapt to meet those challenges. Above all, SIRC will be watchful on behalf of all Canadians and will strive to uphold the public's faith in our work.

Susan Pollak is SIRC's current Executive Director.

Leadership

CHAIRS AND MEMBERS OF SIRC (1984–2004)

COMMITTEE CHAIRS

1984–1989 **Hon. Ronald G. Atkey, P.C., Q.C.**

Born in Saint John, N.B., in 1942, Ron Atkey was the founding chair of the Security Intelligence Review Committee (1984–1989). A senior partner with the Toronto law firm of Osler, Hoskin and Harcourt LLP, Mr. Atkey was called to the Ontario Bar in 1969. He was elected Member of Parliament for St. Paul's in 1972–1974, and again in 1979–1980. In 1979, he was appointed as Minister of Employment and Immigration.

A graduate of the University of Western Ontario and Yale University law schools, Mr. Atkey has also held teaching positions at Western, Osgoode Hall Law School of York University, and University of Toronto. In 1970–1972, he was special counsel to the Ontario Law Reform Commission. Mr. Atkey co-authored *Canadian Constitutional Law in a Modern Perspective*. In 1989 and 1991, he delivered lectures on national security, international terrorism and the Canadian Charter of Rights and Freedoms at Cambridge University, England. In 1994, he produced a novel, "The Chancellor's Foot," a political thriller set in Ottawa and Montreal. In community affairs, he serves on the boards of a number of organizations involved in music and the performing arts, and is the Vice President-Ontario of the International Commission of Jurists (Canadian Section).

In 2004, Mr. Atkey was appointed as *Amicus Curiae* (Friend of the Court), serving as counsel to the *Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar*. Mr. Atkey's mandate is to test government requests on the ground of national security confidentiality.

November 30, 1984

Chair:

**Hon. Ronald G. Atkey,
P.C., Q.C.**
(five years)

Committee members:

Hon. Frank McGee, P.C.
(five years)

**Hon. Jean Jacques Blais,
P.C., Q.C.**
(five years)

**Hon. Saul M. Cherniack,
P.C., Q.C.**
(five years)

**Hon. Paule Gauthier,
P.C., O.C., O.Q., Q.C.**
(five years)

November 30, 1989

Chair:

**Hon. John W.H. Bassett,
P.C., O.C.**

(three years)

Committee members:

**Hon. Stewart D.
McInnes, P.C., Q.C.**

(three years)

**Hon. Jean Jacques Blais,
P.C., Q.C.**

(two years)

**Hon. Saul M. Cherniack,
P.C., Q.C.**

(two years)

**Hon. Paule Gauthier,
P.C., O.C., O.Q., Q.C.**

(two years)

November 30, 1991

Committee member:

**Hon. Saul M. Cherniack,
P.C., Q.C.**

(one year)

1989–1992 Hon. John W.H. Bassett, P.C., O.C.

Prior to his appointment as Chair of SIRC in 1989, John Bassett had already achieved a highly distinguished career as broadcaster, entrepreneur, soldier, newspaper publisher and reporter. Born in Ottawa in 1915 and educated at the University of Bishop's College, he was a newspaper reporter for the *Globe and Mail* until 1940, when he enlisted in the Canadian Armed Forces and served overseas with the Seaforth Highlanders of Canada during World War II.

Throughout the 1950s and 1960s, Mr. Bassett built a media empire in Canada, first by purchasing key Canadian newspapers, including the *Toronto Telegram*, and later by heading Baton Broadcasting—a group that launched Canada's first privately owned television station, CFTO-TV. This station would later become the flagship for the CTV Television Network. As a sports entrepreneur, Mr. Bassett was Chairman of the Board of Toronto's Maple Leaf Gardens and Chairman of the Board of the Toronto Argonauts Football Club.

In 1985, he was made an Officer of the Order of Canada, and in 1989, was appointed as Chair of SIRC and made a member of the Privy Council of Canada. In 1992, he was elevated to Companion of the Order of Canada and was earlier appointed to the Order of Ontario (1989). He was also an Honorary Trustee for the Hospital for Sick Children in Toronto, Ontario.

John Bassett died at the age of 82, in April 1998. In November 2000, he was inducted posthumously into the Canadian Association of Broadcasters' Hall of Fame.

1992–1996 Hon. Jacques Courtois, P.C., Q.C.

Montreal lawyer Edmond Jacques Courtois was appointed as SIRC's third Chair on December 23, 1992. Born in Montreal in 1920, and deceased in 1996, Mr. Courtois completed his studies at the University of Montreal and was called to the Quebec Bar in 1946. He practised law with the firm of MacDougall, MacFarlane, Scott & Hugessen, which later became Courtois, Clarkson, Parsons & Tétreault. Mr. Courtois remained with this firm until 1982.

Earlier, during World War II, Mr. Courtois served with the Royal Canadian Naval Volunteer Reserve. He was appointed Queen's Counsel in 1963. Prior to his appointment to SIRC, he held several executive responsibilities, including: chair of McGraw-Hill Ryerson Ltd.; president of CIIT Inc.; vice-president and director of the Bank of Nova Scotia and the Canadian Life Assurance Company; director of CAE Industries Ltd., Norcen Energy Resources Ltd., Ritz-Carlton Hotel Company of Montreal Ltd., and Rolland Inc.

December 5, 1991

Committee members:

Hon. Michel Robert,
P.C., Q.C.

*(five years)**

**Appointed to the Bench,
May 1995*

Hon. Jacques Courtois,
P.C., Q.C.
(five years)

November 30, 1992

Committee member:

Hon. Edwin A. Goodman,
P.C., O.C., Q.C.

(five years)

December 23, 1992

Chair:

Hon. Jacques Courtois,
P.C., Q.C.

(five years)

Committee member:

Hon. George Vari, P.C.,
O.C., C.L.H.

(five years)

April 20, 1993

Committee member:

Hon. Rosemary Brown,
P.C., O.C.

(five years)

June 8, 1995

Committee member:

Hon. Paule Gauthier,
P.C., O.C., O.Q., Q.C.

(five years)

September 30, 1996

Chair:

Hon. Paule Gauthier,
P.C., O.C., O.Q., Q.C.

(to June 7, 2000)

Committee member:

Hon. James Andrews
Grant, P.C., Q.C.

(five years)

April 30, 1998

Committee member:

Hon. Bob Rae, P.C., Q.C.

(five years)

1996–present Hon. Paule Gauthier, P.C., O.C., O.Q., Q.C.

Paule Gauthier has been the Chair of SIRC since September 1996, including a re-appointment to a second five-year term in 2000. Earlier, she served as a member of SIRC from 1984 to 1991 and from 1995 to 1996. Born in Joliette, Quebec, Mme Gauthier graduated from Collège Jésus-Marie with a Bachelor of Arts in 1963, and received her Law degree from Laval University in 1966. She was called to the Quebec Bar in 1967, and completed her Master's degree in Business Law at Laval University in 1969.

Mme Gauthier is a senior partner with the law firm of Desjardins Ducharme Stein Monast in Quebec City. She was appointed to the Queen's Privy Council for Canada in November 1984, made a Queen's Counsel in December 1988, appointed as an Officer of the Order of Canada in October 1990, and an Officer of l'Ordre national du Québec in May 2001.

Mme Gauthier is a member of the Arbitration Committee of the Canadian Council for International Business, a member of Chapter 19 NAFTA Roster, and an arbitrator for the American Arbitration Association and the London Court of International Arbitration. She is a Director of the Royal Bank of Canada, Royal Trust Corporation, TransCanada Corporation, Rothmans Inc., and Metro Inc. She is President of the Foundation of la Maison Michel Sarrazin. Mme Gauthier was appointed Consul General of Sweden (Honorary) in October 1994. She was the President of the Canadian Bar Association in 1992–1993, and is an associate member of the American Bar Association.

EXECUTIVE DIRECTORS OF SIRC

1985–1999 **Maurice Archdeacon, B.Sc.**

Maurice Archdeacon was educated at St. Edward's College and the University of London. He attended the Aerospace Systems Course in Winnipeg, Manitoba in 1962, Staff College in Toronto in 1968, and Post-Graduate Management at Monterey, California in 1974.

In 1983, Mr. Archdeacon was appointed Deputy Assistant Secretary, Foreign and Defence Policy, in the Privy Council Office. In 1985, he was appointed Executive Director of the Security Intelligence Review Committee. He served in this capacity until August 1999, when he was appointed as Inspector General- CSIS. He retired from that position in 2003.

1999–present **Susan Pollak, B.A., M.A.**

Susan Pollak began her public service career in 1973 at the Communications Security Establishment. She was seconded to the Privy Council Office in 1984, and three years later accepted a position as principal policy advisor to the Deputy Clerk (Security and Intelligence and Counsel). Ms. Pollak has also held several senior management positions with the Treasury Board Secretariat, the Department of Fisheries and Oceans, and Natural Resources Canada.

Born in Barrie, Ontario, Ms. Pollak earned a Bachelor of Arts (First Class Honours) from Carleton University in 1972, and a Master of Arts (English Literature) from Carleton in 1974.

June 9, 1999

Committee members:
Hon. Raymond Speaker, P.C., O.C.
(five years)

Hon. Frank McKenna, P.C., Q.C.
(five years)

June 8, 2000

Chair:
Hon. Paule Gauthier, P.C., O.C., O.Q., Q.C.
(five years)

October 4, 2001

Committee member:
Hon. Gary Filmon, P.C., O.M.
(five years)

February 20, 2003

Committee member:
Hon. Baljit S. Chadha, P.C.
(five years)

November 13, 2003

Committee member:
Hon. Roy Romanow, P.C., O.C., Q.C.
(five years)

September 16, 2004

Committee member:
Hon. Raymond Speaker, P.C., O.C.
(five years)

Want to know more?

AN OVERVIEW OF SIRC'S ROLE AND RESPONSIBILITIES

Established in 1984, the Security Intelligence Review Committee is an independent, external review body that reports to the Parliament of Canada on the operations of the Canadian Security Intelligence Service. The Committee was created, in part, to provide a balance against the significant and intrusive powers that were granted to the Service under the *CSIS Act*.

SIRC has two programs. The first is to conduct in-depth reviews of CSIS activities to ensure that they comply with the law, including the *CSIS Act*, and with the various policy and legal instruments that flow from it. The second is to receive and inquire into complaints by any person about any action of the Service.

Reviews of CSIS activities

To determine whether CSIS is in compliance with the law, SIRC conducts in-depth reviews of past operations of the Service. With the sole exception of Cabinet confidences, SIRC has the absolute authority to examine all information concerning CSIS activities, no matter how highly classified that information may be. Because much of this material is so sensitive that it must be reviewed on-site, the Service makes available a separate office and computers at CSIS Headquarters in Ottawa for the exclusive use of SIRC staff.

SIRC's reviews for any given year are designed to yield assessments across the range of CSIS activities. This approach helps to ensure that over time, the Committee has a comprehensive understanding of the Service's activities. Each review can include findings and or recommendations. The Committee's role is to advise and warn, so that the Service and those bodies of government that direct it, may take steps to modify policies and procedures accordingly.

SIRC's goal

To provide assurance to the Parliament of Canada and through it, to Canadians, that CSIS is complying with the law, policy and Ministerial direction in the performance of its duties and functions.

Complaints about CSIS

SIRC's second responsibility is to investigate complaints. When SIRC accepts jurisdiction, complaints are examined through a quasi-judicial hearing presided over by a Committee Member assisted by staff. Complaints can be made by individuals or groups, and can take one of four forms:

1. complaints "with respect to any act or thing done by the Service" as described in the *CSIS Act*;
2. complaints about denials of security clearances to federal government employees and contractors;
3. referrals from the Canadian Human Rights Commission in cases where the complaint relates to the security of Canada; and
4. Minister's reports in respect of the *Citizenship Act*.

When SIRC investigates a complaint, it will make findings and any recommendations it considers appropriate. SIRC tries to release as much information as possible to the complainant, bearing in mind any national security and privacy concerns.

Annual report to Parliament

By examining past operations of the Service and investigating complaints, SIRC is able to make findings and recommendations designed to improve or correct the Service's performance. The results of this work, edited to protect national security and personal privacy, are summarized in its annual report to Parliament, which is usually tabled in October.

Legislative and policy framework

CSIS's activities are governed by a comprehensive legislative and policy framework, which provides the basis for determining compliance. The principle elements of this framework include:

- **The Canadian Security Intelligence Service Act**—Promulgated on July 16, 1984, the *CSIS Act* (and its subsequent amendments) are the founding legislation for both CSIS and SIRC;
- **Ministerial Direction**—This is the principal means by which the Minister exercises her or his authority over the Service as set out in Section 6 of the *Act*. Ministerial direction gives overall policy guidance to the Director of the Service and governs a wide spectrum of Service activities. All changes to Ministerial direction are reviewed by the Committee;

- **National Requirements for Security Intelligence**—Issued by the Minister each year, National Requirements direct CSIS where it should focus its investigative efforts and how it should fulfill its intelligence collection, analysis and advisory responsibilities;
- **CSIS Operational Policy**—This sets out for CSIS employees the parameters and rules governing the entire range of Service activities. CSIS operational policy is regularly updated to conform with changes in legislation and Ministerial direction. All revisions to operational policy are reviewed by the Committee to ensure that they conform with law and Ministerial direction.

It is important to note that the Committee examines CSIS's performance on a retrospective basis, that is to say, it examines the past activities of the Service. Its work is not intended to provide oversight of current CSIS activities. However, by preparing "snapshots" of highly sensitive CSIS activities over almost two decades, SIRC helps Parliament to determine whether CSIS is acting appropriately and within the law.

The Service continues at all times to be accountable for current operations through the existing apparatus of government, specifically the Minister of Public Safety and Emergency Preparedness, the Inspector General of CSIS, central agencies of the federal government, the Auditor General, the Information Commissioner and the Privacy Commissioner of Canada.

HOW SIRC WORKS

At its monthly meetings, the Committee establishes priorities and reviews the work undertaken by its staff. Day-to-day operations are delegated to an Executive Director, with direction—when necessary—from the Chair. The Committee is supported by a small group of officials and administrative staff located in Ottawa. These individuals prepare material for the Committee's consideration, which is often so highly classified that it must be handled using special security procedures.

How SIRC reviews are conducted

The SIRC review process begins with the development of a research plan, approved by the Committee before the start of every fiscal year. Given the Committee's small size in relation to CSIS, it operates on the basis of risk management. It is not capable of examining all of the Service's activities in any

given period and must carefully choose which issues to examine. A number of factors influence that selection, including shifts in the nature of the threat environment and the need to follow up on past Committee reviews.

Once the Committee has approved the broad research plan, staff resources are allocated for each review. A typical review requires hundreds of staff hours and is completed within four to five months. Thousands of pages of hardcopy and electronic documentation must be obtained from CSIS files, reviewed and analyzed. Briefings from and interviews of relevant CSIS staff are typically part of any SIRC review, as are field visits when a review involves a regional office or a Security Liaison Post abroad.

In almost all cases, the interviews and the examination of documents generate follow-up questions for the Service, to which detailed answers are expected. A report on the results of the review—always a classified document—is presented to the Committee at its monthly meeting. Sometimes, members will request that follow-up inquiries be made. Once finalized, the review document is provided to the Director of CSIS and the Inspector General, CSIS.

Section 54 Reports

Pursuant to Section 54 of the *CSIS Act*, SIRC can report to the Minister on any matter relating to the performance and functions of the Service.

In addition to the review functions described in Section 38(a) of the *CSIS Act*, the Committee has additional authority under Section 54 of the *Act*. These reports, relatively rare in SIRC's work, are submitted directly to the Minister of Public Safety and Emergency Preparedness for consideration. Examples include the attack on the Iranian Embassy, the Air India tragedy and the Heritage Front Affair.

Every year, the Committee also conducts a series of reviews in a CSIS region. These cover: warrants; surveillance; targeting authorizations; community interviews and other matters. Regional reviews give SIRC an opportunity to examine how Ministerial direction and CSIS policy affect the day-to-day work of investigators in the field.

How SIRC complaints are investigated

Almost all complaint cases begin as inquiries to SIRC—either in writing, in person or by phone. SIRC staff respond immediately to such inquiries, usually instructing the prospective complainant about what the *CSIS Act* requires for their concern to become a formal complaint. Once a written complaint is received, SIRC conducts an initial review that includes all information that might be in the possession of CSIS.

Where a complaint does not meet certain threshold requirements, SIRC declines jurisdiction and the complaint will not be investigated. For example, a complainant may not have complied with the requirements of the *CSIS Act*—by first complaining in writing to the Director of the Service. Still others may be addressed by administrative action, or the complainant may be re-directed to another government organization. In other cases, the complainant may decide to withdraw his or her complaint, resulting in the file being closed.

If jurisdiction is established, complaints are investigated through a quasi-judicial hearing presided over by a Committee member, assisted by staff. In investigating complaints, SIRC has all of the powers of a superior court. A complainant has the right to be represented by counsel and to make representations at the hearing. Pre-hearings may be conducted to establish and agree on procedures with the complainant and/or the complainant's counsel. The

Committee's Senior Counsel provides legal advice on procedural and substantive matters, and will also cross-examine Service witnesses when, for national security reasons, evidence must be heard *ex parte* (without the complainant being present).

At the completion of a hearing, SIRC prepares a report with findings, including any recommendations the Committee considers appropriate. This report is sent to both the Minister and the Director of CSIS. Any information with national security implications is removed from the version of the report that goes to the complainant. Summaries of these reports, edited to protect national security and the privacy of complainants, are also included in SIRC's annual report to Parliament.

Types of complaints

The types of complaints that SIRC investigates are described in the *CSIS Act* and take several forms. Under Section 41 of the *Act*, SIRC can investigate “any act or thing” done by the Service. Under Section 42, it can hear complaints about denials of security clearances to federal government employees and contractors. However, Section 42 does not permit the Committee to accept

From its creation until March 31, 2004, SIRC received a total of 3,186 complaints (of which 2,000 related to language of work) resulting in 118 written reports over the last twenty years.

jurisdiction to hear complaints concerning less-intrusive background screening or reliability checks, which are generally conducted simply to determine the trustworthiness or suitability of a potential federal employee.

Under Section 41 of the *CSIS Act*, SIRC can investigate “any act or thing” done by the Service. Under Section 42 of the *CSIS Act*, the Committee can hear complaints about denials of security clearances to federal government employees and contractors.

Under the *CSIS Act*, individuals who have been denied a security clearance must be informed of this action by their Deputy Head. These individuals have the right to make a complaint to SIRC, and where appropriate, it will investigate and report its findings and any recommendations to the Minister, the Director of the CSIS and the Deputy Head. The Committee also provides the complainant with a report of its findings, taking into consideration the obligation to protect classified information.

Should the Canadian Human Rights Commission receive a written notice from a Minister of the Crown about a complaint that relates to the security of Canada, the Commission may refer the matter to SIRC. Upon receipt of such a referral, the Committee carries out an investigation and reports its findings to the Commission, the respondent and the complainant. SIRC also has the authority to conduct investigations into matters referred to the Committee pursuant to the *Citizenship Act*.

CONTACT INFORMATION ABOUT SIRC

Annual reports

All SIRC annual reports dating back to when the Committee was first established are available online in HTML and Adobe Acrobat (PDF) formats (reports dating prior to 1995 are only provided in PDF format). These documents are indexed and searchable by keyword via our search feature on the SIRC website.

Consult SIRC's annual reports online at: www.sirc-csars.gc.ca/reports_e.html

Complaints

For detailed information about how to file a complaint, please consult SIRC's website at www.sirc-csars.gc.ca/complaints_making_e.html

Contact us

SIRC can be contacted at the following address:

Security Intelligence Review Committee

P.O. Box 2430, Station D

Ottawa, Ontario

K1P 5W5

613) 990-8441

www.sirc-csars.gc.ca

Appendix

SIRC REVIEWS 1984–2004

*Note: Section 54 reports (special reports the Committee makes to the Minister) are indicated with a ****

1. Eighteen Months After Separation: An Assessment of CSIS Approach to Staffing Training and Related Issues (SECRET) * (86/87-01)
2. Report on a Review of Security Screening for Applicants and Employees of the Federal Public Service (SECRET) * (86/87-02)
3. The Security and Intelligence Network in the Government of Canada: A Description (SECRET) * (86/87-03)
4. Ottawa Airport Security Alert (SECRET) * (86/87-05)
5. Report to the Solicitor General of Canada Concerning CSIS' Performance of its Functions (SECRET) * (87/88-01)
6. Closing the Gaps: Official Languages and Staff Relations in the CSIS (UNCLASSIFIED)* (86/87-04)
7. Counter-Subversion: SIRC Staff Report (SECRET) (87/88-02)
8. SIRC Report on Immigration Screening (SECRET) * (87/88-03)
9. Report to the Solicitor General of Canada on CSIS' Use of Its Investigative Powers with Respect to the Labour Movement (PUBLIC VERSION) * (87/88-04)
10. The Intelligence Assessment Branch: A SIRC Review of the Production Process (SECRET)* (88/89-01)
11. SIRC Review of the Counter-Terrorism Program in the CSIS (TOP SECRET) * (88/89-02)
12. Report to the Solicitor General of Canada on Protecting Scientific and Technological Assets in Canada: The Role of CSIS (SECRET) * (89/90-02)
13. SIRC Report on CSIS Activities Regarding the Canadian Peace Movement (SECRET) * (89/90-03)
14. A Review of CSIS Policy and Practices Relating to Unauthorized Disclosure of Classified Information (SECRET) (89/90-04)
15. Report to the Solicitor General of Canada on Citizenship/ Third Party Information (SECRET) * (89/90-05)
16. Amending the *CSIS Act*: Proposals for the Special Committee of the House of Commons (UNCLASSIFIED) (89/90-06)
17. SIRC Report on the Innu Interview and the Native Extremism Investigation (SECRET) * (89/90-07)
18. Supplement to the Committee's Report on Immigration Screening of January 18, 1988 (SECRET) * (89/90-01)
19. A Review of the Counter-Intelligence Program in the CSIS (TOP SECRET) * (89/90-08)
20. Domestic Exchanges of Information (SECRET) * (90/91-03)
21. Section 2 (d) Targets: A SIRC Study of the Counter-Subversion Branch Residue (SECRET) (90/91-06)
22. Regional Studies (six studies relating to one region) (TOP SECRET) (90/91-04)
23. Study of CSIS' Policy Branch (CONFIDENTIAL) (90/91-09)

24. Investigations, Source Tasking and Information Reporting on 2 (b) Targets (TOP SECRET) (90/91-05)
25. Release of Information to Foreign Agencies (TOP SECRET) * (90/ 91-02)
26. CSIS Activities Regarding Native Canadians-A SIRC Review (SECRET) * (90/ 91-07)
27. Security Investigations on University Campuses (TOP SECRET) * (90/ 91-01)
28. Report on Multiple Targeting (SECRET) (90/91-08)
29. Review of the Investigation of Bull, Space Research Corporation and Iraq (SECRET) (91/92-01)
30. Report on Al Mashat's Immigration to Canada (SECRET) * (91/92-02)
31. East Bloc Investigations (TOP SECRET) (91/92-08)
32. Review of CSIS Activities Regarding Sensitive Institutions (TOP SECRET) (91/92-10)
33. CSIS and the Association for New Canadians (SECRET) (91/92-03)
34. Exchange of Information and Intelligence between CSIS and CSE, Section 40 (TOP SECRET) * (91/92-04)
35. Victor Ostrovsky (TOP SECRET) (91/92-05)
36. Report on Two Iraqis-Ministerial Certificate Case (SECRET) (91/92-06)
37. Threat Assessments, Section 40 Study (SECRET) * (91/92-07)
38. The Attack on the Iranian Embassy in Ottawa (TOP SECRET) * (92/93-01)
39. "STUDYNT" The Second CSIS Internal Security Case (TOP SECRET) (91/92-15)
40. Domestic Terrorism Targets-A SIRC Review (TOP SECRET) * (90/91-13)
41. CSIS Activities with respect to Citizenship Security Screening (SECRET) (91/92-12)
42. The Audit of Section 16 Investigations (TOP SECRET) (91/92-18)
43. CSIS Activities during the Gulf War: Community Interviews (SECRET) (90/91-12)
44. Review of CSIS Investigation of a Latin American Illegal (TOP SECRET) * (90/91-10)
45. CSIS Activities in regard to the Destruction of Air India Flight 182 on June 23, 1985—A SIRC Review (TOP SECRET) * (91/92-14)
46. Prairie Region-Report on Targeting Authorizations (Chapter 1) (TOP SECRET) * (90/91-11)
47. The Assault on Dr. Hassan Al-Turabi (SECRET) (92/93-07)
48. Domestic Exchanges of Information (A SIRC Review-1991/92) (SECRET) (91/92-16)
49. Prairie Region Audit (TOP SECRET) (90/ 91-11)
50. Sheik Rahman's Alleged Visit to Ottawa (SECRET) (CT 93-06)
51. Regional Audit (TOP SECRET)
52. A SIRC Review of CSIS' SLO Posts (London and Paris) (SECRET) (91/92-11)
53. The Asian Homeland Conflict (SECRET) (CT 93-03)
54. Intelligence-Source Confidentiality (TOP SECRET) (CI 93-03)
55. Domestic Investigations (1) (SECRET) (CT 93-02)
56. Domestic Investigations (2) (TOP SECRET) (CT 93-04)
57. Middle East Movements (SECRET) (CT 93-01)
58. A Review of CSIS SLO Posts (1992-93) (SECRET) (CT 93-05)
59. Review of Traditional CI Threats (TOP SECRET) (CI 93-01)
60. Protecting Science, Technology and Economic Interests (SECRET) (CI 93-04)
61. Domestic Exchanges of Information (SECRET) (CI 93-05)

62. Foreign Intelligence Service for Canada (SECRET) (CI 93-06)
63. The Audit of Section 16 Investigations and Foreign Intelligence Reports (TOP SECRET) (CI 93-11)
64. Sources in Government (TOP SECRET) (CI 93-09)
65. Regional Audit (TOP SECRET) (CI 93-02)
66. The Proliferation Threat (SECRET) (CT 93-07)
67. The Heritage Front Affair, Report to the Solicitor General of Canada (SECRET) * (CT 94-02)
68. A Review of CSIS' SLO Posts (1993-94) (SECRET) (CT 93-09)
69. Domestic Exchanges of Information (A SIRC Review 1993-94) (SECRET) (CI 93-08)
70. The Proliferation Threat-Case Examination (SECRET) (CT 94-04)
71. Community Interviews (SECRET) (CT 93-11)
72. An Ongoing Counter-Intelligence Investigation (TOP SECRET) * (CI 93-07)
73. Potential for Political Violence in a Region (SECRET) (CT 93-10)
74. A SIRC Review of CSIS SLO Posts (1994-95) (SECRET) (CT 95-01)
75. Regional Audit (TOP SECRET) (CI 93-10)
76. Terrorism and a Foreign Government (TOP SECRET) (CT 94-03)
77. Visit of Boutros Boutros-Ghali to Canada (SECRET) (CI 94-04)
78. Review of Certain Foreign Intelligence Services (TOP SECRET) (CI 94-02)
79. The Audit of Section 16 Investigations and Foreign Intelligence Reports (TOP SECRET) (CI 94-01)
80. Domestic Exchanges of Information (A SIRC Review 1994-95) (SECRET) (CI 94-03)
81. Alleged Interference in a Trial (SECRET) (CT 95-04)
82. CSIS and a "Walk-In" (TOP SECRET) (CI 95-04)
83. A Review of a CSIS Investigation Relating to a Foreign State (TOP SECRET) (CI 95-02)
84. The Audit of Section 16 Investigations and Foreign Intelligence Reports (TOP SECRET) (CI 95-05)
85. Regional Audit (TOP SECRET) (CT 95-02)
86. A Review of Investigations of Emerging Threats (TOP SECRET) (CI 95-03)
87. Domestic Exchanges of Information (SECRET) (CI 95-01)
88. Homeland Conflict (TOP SECRET) (CT 96-01)
89. Regional Audit (TOP SECRET) (CI 96-01)
90. The Management of Human Sources (TOP SECRET) (CI 96-03)
91. Economic Espionage I (SECRET) (CI 96-02)
92. Economic Espionage II (TOP SECRET) (CI 96-02)
93. Audit of Section 16 Investigations and Foreign Intelligence Reports 1996-97 (TOP SECRET) (CI 96-04)
94. Urban Political Violence (SECRET) (SIRC 1997-01)
95. Domestic Exchanges of Information (1996-97) (SECRET) (SIRC 1997-02)
96. Foreign Conflict-Part I (SECRET) (SIRC 1997-03)
97. Regional Audit (TOP SECRET) (SIRC 1997-04)
98. CSIS Liaison with Foreign Agencies (TOP SECRET) (SIRC 1997-05)
99. Spy Case (TOP SECRET) (SIRC 1998-02)

100. Domestic Investigations (3) (TOP SECRET) (SIRC 1998-03)
101. CSIS Cooperation with the RCMP-Part I (SECRET) * (SIRC 1998-04)
102. Source Review (TOP SECRET) (SIRC 1998-05)
103. Interagency Cooperation Case (TOP SECRET) (SIRC 1998-06)
104. A Case of Historical Interest (TOP SECRET) (SIRC 1998-08)
105. CSIS Role in Immigration Security Screening (SECRET) (CT 95-06)
106. Foreign Conflict-Part II (TOP SECRET) (SIRC 1997-03)
107. Review of Transnational Crime (SECRET) (SIRC 1998-01)
108. CSIS Cooperation with the RCMP-Part II (SECRET) * (SIRC 1998-04)
109. Audit of Section 16 Investigations & Foreign Intelligence 1997-98 (TOP SECRET) (SIRC 1998-07)
110. Review of Intelligence Production (SECRET) (SIRC 1998-09)
111. Regional Audit (TOP SECRET) (SIRC 1998-10)
112. CSIS Liaison with Foreign Agencies (TOP SECRET) (SIRC 1998-11)
113. Allegations by a Former CSIS Employee (TOP SECRET) * (SIRC 1998-12)
114. CSIS Investigations on University Campuses (SECRET) (SIRC 1998-14)
115. Review of Foreign Intelligence Activities in Canada (TOP SECRET) (SIRC 1998-15)
116. Files (TOP SECRET) (SIRC 1998-16)
117. Audit of Section 16 Investigations & Foreign Intelligence (TOP SECRET) (SIRC 1999-01)
118. A Long-Running Counter Intelligence Investigation (TOP SECRET) (SIRC 1999-02)
119. Domestic Exchanges of Information (TOP SECRET) (SIRC 1999-03)
120. Proliferation (TOP SECRET) (SIRC 1999-04)
121. SIRC's Comments on the Draft Legislation Currently Before Parliament-Bill C-31 (PROTECTED)* (SIRC 1999-05)
122. Domestic Targets (TOP SECRET) (SIRC 1999-06)
123. Terrorist Fundraising (TOP SECRET) (SIRC 1999-07)
124. Regional Audit (TOP SECRET) (SIRC 1999-08)
125. Foreign State Activities (TOP SECRET) (SIRC 1999-09)
126. Project Sidewinder (TOP SECRET) * (SIRC 1999-10)
127. Security Breach (TOP SECRET) (SIRC 1999-11)
128. Domestic Exchanges of Information 1999-2000 (TOP SECRET) (SIRC 2000-01)
129. Audit of Section 16 Investigations and Foreign Intelligence Reports 1999-2000 (TOP SECRET) (SIRC 2000-02)
130. CSIS Liaison with Foreign Agencies (TOP SECRET) (SIRC 2000-03)
131. Regional Audit (TOP SECRET) (SIRC 2000-04)
132. Warrant Review (TOP SECRET) (SIRC 2000-05)
133. Review of CSIS Briefs to Citizenship and Immigration Canada 1999-2000 (TOP SECRET) (SIRC 2001-02)
134. CSIS Investigation of Sunni Islamic Extremism (TOP SECRET)(SIRC 2002-01)
135. Source Recruitment (TOP SECRET) (SIRC 2001-01)
136. Collection of Foreign Intelligence (TOP SECRET) (SIRC 2001-05)
137. Domestic Extremism (TOP SECRET) (SIRC 2001-03)

138. CSIS Liaison with Foreign Agencies: Audit of an SLO Post (TOP SECRET) (SIRC 2001-04)
139. Warrant Review (TOP SECRET) (SIRC 2001-06)
140. Special Report following allegations pertaining to an individual (TOP SECRET) *
141. Audit of Section 16 and Foreign Intelligence Reports (TOP SECRET) (SIRC 2002-02)
142. Review of the Ahmed Ressam Investigation (TOP SECRET) (SIRC 2002-03)
143. Lawful Advocacy, Protest and Dissent Versus Serious Violence Associated with the Anti-Globalization Movement (TOP SECRET) (SIRC 2002-04)
144. Regional Audit (TOP SECRET) (SIRC 2002-05)
145. Special Report (2002-2003) following allegations pertaining to an individual (TOP SECRET) *
146. Front End Screening Program (TOP SECRET) (SIRC 2003-01)
147. CSIS Section 12 Operational Activity Outside Canada (TOP SECRET) (SIRC 2003-02)
148. Review of a Counter Intelligence Investigation (TOP SECRET) (SIRC 2003-03)
149. Review of a Counter Proliferation Investigation (TOP SECRET) (SIRC 2003-04)
150. CSIS Liaison with Foreign Agencies: Review of a Security Liaison Post (TOP SECRET) (SIRC 2003-05)