

Appendix C

Major Findings and Recommendations

Major Findings and Recommendations

CSIS LIAISON WITH FOREIGN AGENCIES

The Committee audited a Security Liaison Officer (SLO) post overseas that operates in an especially difficult working environment. Maintaining the security of the physical operating environment is a major ongoing challenge. The situation is compounded by generally onerous working conditions. The Committee was struck by the substandard conditions in which Service staff were obliged to work. The poor physical facilities at Canada's mission, a heavy workload arising from increasingly large numbers of immigration and visa applications requiring security screening all combine to form an adverse environment. Notwithstanding these difficult circumstances, however, the SLO and staff are performing well.

We found that while the SLO has made steady progress with foreign interlocutors, rising demands from the immigration side of the SLO's mandate left less time for developing relationships with other countries in the region for which the post is nominally responsible.

The evident work overload gave rise to concerns on the part of the Committee that some of the post's important functions might not be being handled expeditiously. Service senior management told the Committee that it shared our concerns and believed that the immigration workload problem extended to certain other of its SLO posts as well. It is the Committee's view that the Service might wish to review this element of its Foreign Liaison Program.

The Committee examined all documentation associated with operational co-operation and information exchanges involving the SLO post from March 31, 1998 through June 30, 2000. Our review identified only one problematic exchange. We advised the Service that it should consider providing updated information to clients so that earlier advice is regarded in its proper context.

Concerns about potential impacts on human rights figured significantly in the Committee's audit of this particular post. SLOs are obligated to give the rest of the Service timely and accurate assessments of an agency's human rights record, and of its propensity to pass information on to third parties without authorization. With respect to the SLO post under review, the Committee identified no information exchanges that failed to conform to these standards and satisfied itself that all human rights assessments of agencies had been properly carried out.

MINISTERIAL DIRECTION, REVISED AND UPDATED

In February 2001, the Solicitor General issued a revised compendium of Ministerial Directions governing control and management of the Service—a development the Committee has looked forward to for some time.

The new compendium (a classified document) goes a long way to rationalizing the Government's strategic guidance of the Service and, in the Committee's view, reflects a maturation of the legal and policy framework that governs the Service's work. Ministerial guidance is now considerably streamlined, consistent in its use of language and presented in a concise and cohesive document. Also apparent is an overall shift in discretionary powers from the Office of the Solicitor General to the Director of CSIS, with respect to the day-to-day management of the Service. In the course of future audits, the Committee intends to pay particular attention to how the new guidance is interpreted and implemented across the range of CSIS activities.

DOMESTIC EXCHANGES OF INFORMATION (5)

The Committee examined all Service exchanges of information with other domestic agencies for the fiscal year 1999–2000. In addition, the Committee conducted an on-site review of information exchange practices in one Service regional office.

For the period under review, the Committee identified two exchanges that raised concern. In the first case, the Service's database holding the unsolicited material contained several items relating to individuals and organizations for which CSIS did not have targeting authorizations. We asked the Service to explain its reasons for retaining this material and were satisfied with the explanation. The Committee believes that in future, however, the rationale for retaining unsolicited information of a similar nature should be clearly set out in the relevant operational reports.

The Committee recommends that the purpose for retaining information under a general collection category be clearly identified in operational reports.

The second case concerned the appropriateness of retaining certain information received from a domestic agency about the activities of a small group of minors. CSIS subsequently decided that no further action was needed but retained the original exchange of information in its files. It is the Committee's view that the information should be deleted from CSIS records. The Service did agree to modify

the operational reports to reflect the decision it ultimately made that the information warranted no further action on its part.

The Committee recommends that the Service employ greater diligence in deciding whether to retain unsolicited information.

SECURITY SCREENING BRIEFS TO CIC

The Committee examined a selection of the Service's immigration security screening investigations from the 166 briefs sent by CSIS to CIC in the 1999–2000 fiscal year. The Committee reviewed the briefs sent to CIC and all supporting documents relevant to each investigation. All the Service briefs to CIC in which the Service rendered an opinion were found to be accurate and adequately supported by the information collected.

The Committee has recently been advised that the Service and CIC have developed a “Front End Screening” program for refugee claimants in Canada. The aim of the program is to prevent persons from being able to enter Canada and remain for an indefinite period without undergoing a security screening assessment—a significant risk under the procedures in place at the time of a previous Committee review.