

Security Intelligence Review Committee

Departmental Performance Report

**For the
Period ending
March 31, 2005**

The Right Honourable Paul Martin
Prime Minister of Canada

Table of Contents

Section I - Overview

Chair's Message	1
Management Representation Statement	2
Summary Information	3
Highlights of Performance	4
Operating Environment	5
Performance Against Priorities	7

Section II - Analysis of Performance By Strategic Outcome

Strategic Outcome	11
Reviews	12
Complaints	14
Other Activities	17

Section III - Supplementary Information

Organizational Information	19
Tables	20

Section IV - Other Items of Interest

Corporate Direction and Services	23
Contact Information	23

Section I - Overview

Chair's Message

It is my pleasure to introduce the performance report of the Security Intelligence Review Committee (SIRC) for fiscal year 2004-2005.

To begin, I would like to pay tribute to my predecessor, the Honourable Paule Gauthier, P.C., O.C., O.Q., Q.C. Madame Gauthier distinguished herself by serving as a Member of the Committee between 1984-1991 and 1995-1996, and then as the Committee's Chair for two consecutive terms, beginning in 1996. This is an extraordinary example of public service, especially in an area as challenging as national security intelligence. I feel very privileged to have worked with Paule and I sincerely hope to continue her example of wise and able leadership, following my own appointment as Chair on June 24, 2005.

Having served on the Committee throughout the period under review, I am very proud of SIRC's accomplishments. It was during this period that we finalized our investigation into CSIS's involvement in the case of Maher Arar, which was submitted to the Minister of Public Safety and Emergency Preparedness on May 19, 2004. While the specifics of SIRC's review cannot be discussed as they remain the subject of an ongoing public inquiry, it is important to note that Mr. Justice O'Connor was provided with a copy of SIRC's classified report.

The issues which arise from this case – of individual rights versus the security of the state, the exchange of intelligence and the safeguards associated with such exchanges – go to the heart of how national security intelligence is practised. As a review agency, the Committee has dealt with these same issues for more than twenty years, but they have been cast into sharp relief by developments post 9/11. How Canada responds will in some measure define the type of society we are or aspire to be. As Chair of the Committee, I want Canada to have a strong capacity to deal with terrorism and other threats to our national security, while at the same time maintaining an absolute respect for the rule of law.

These and other publications (all of which are available on SIRC's website) help to explain the vital role SIRC plays in protecting Canadians' rights. With the passage of the *CSIS Act* in 1984, Parliament clearly signalled that it has high expectations for this review body, and as SIRC's report shows, the Committee is determined to honour that trust.



Gary Filmon, P.C., O.M.
Chair

Management Representation Statement

I submit for tabling in Parliament, the 2004-2005 Departmental Performance Report (DPR) for the Security Intelligence Review Committee.

This document has been prepared based on the reporting principles contained in the Treasury Board of Canada Secretariat's *Guide for the preparation of 2004-2005 Departmental Performance Reports*.

1. It adheres to the specific reporting requirements;
2. It uses an approved Program Activity Architecture (PAA) structure;
3. It presents consistent, comprehensive, balanced and accurate information;
4. It provides a basis of accountability for the results pursued or achieved with the resources and authorities entrusted to it; and
5. It reports finances based on approved numbers from the Estimates and the Public Accounts.



Name: Susan Pollak
Title: Executive Director

Summary Information

Our Mission – To protect Canadians’ rights by ensuring that CSIS acts within the law.

The Security Intelligence Review Committee (SIRC or the Committee) is a small, independent review body which reports to Parliament on the operations of the Canadian Security Intelligence Service (CSIS or the Service). It was established at the same time that CSIS was created in 1984, and derives its powers from the same legislation, the *CSIS Act*.

The Committee is chaired by the Honourable Gary Filmon, P.C., O.M. who was appointed Chair on June 24, 2005. The other Members are the Honourable Raymond Speaker, P.C., O.C., the Honourable Baljit S. Chadha, P.C., the Honourable Roy Romanow, P.C., O.C., Q.C. and the Honourable Aldéa Landry, P.C., Q.C. All Members of the Committee are Privy Councillors, who are appointed by the Governor-in-Council after consultation by the Prime Minister with the Leaders of the Opposition parties.

The Committee's raison d'être is to provide assurance to the Parliament of Canada and through it, to Canadians, that CSIS is complying with legislation, policy and Ministerial Direction in the performance of its duties and functions. In doing so, the Committee seeks to ensure that CSIS does not undermine the fundamental rights and freedoms of Canadians. The Committee is the only independent, external body equipped with the legal mandate and expertise to review the Service's activities and is, therefore, a cornerstone for ensuring the democratic accountability of one of the Government's most powerful organisations.

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

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 and the Auditor General, Information Commissioner and Privacy Commissioner of Canada.

Total Financial Resources (\$ millions)

Planned Spending	Total Authorities	Actual Spending
\$2.81	\$2.81	\$2.80

Total Human Resources (FTEs)

Planned	Actual	Difference
20	19	-1

Highlights of Performance

The Committee re-organized the way it presents information to Parliamentarians, beginning with its DPR for 2002-2003. As a result, the Committee now has only one strategic outcome, which is achieved through two programs: reviews and complaints. While SIRC's programs will be discussed in more detail in *Section II - Analysis Of Performance By Strategic Outcome*, the highlights of SIRC's accomplishments in 2004-2005 are provided below as a convenience.

Reviews

The Committee completed eleven reviews during the fiscal year (one more than had originally been planned):

- Terrorist entity listing process
- Transnational criminal activity
- A counter terrorism investigation
- A counter proliferation investigation
- CSIS's information operations centre
- Exchanges of information with close allies
- A counter intelligence investigation
- Terrorist financing in Canada
- Review of a Security Liaison Post abroad
- Review of a CSIS regional office
- A special s. 54 report into the case of Maher Arar, which was submitted directly to the Minister of Public Safety and Emergency Preparedness

- In addition, the Committee reviewed 10 expansions to foreign arrangements as well as the CSIS Director's annual report for 2003-2004 and the Inspector General's 2004 certificate.

Complaints

- Dealt with 46 complaints, of which 16 were carried over and 30 were new. Twenty-eight had been closed by fiscal year end, and 18 were carried forward
- Issued one s. 41 report, dealing with an immigration security screening interview
- Issued one s. 42 report, dealing with the denial of a security clearance
- Issued a report on a complaint referred by the Canadian Human Rights Commission under s. 45 of the *Canadian Human Rights Act*
- Responded to 28 requests under the *Access to Information Act*
- Responded to 3 requests under the *Privacy Act*.

Other Activities

- Published a history of SIRC entitled *Reflections*, to mark the Committee's 20th anniversary
- Submitted a paper to Mr. Justice O'Connor concerning the establishment of an arm's-length review mechanism for the RCMP's national security function
- Completed a Management Action Plan, Risk Assessment, Audit Plan and additional Performance Indicators, as required under modern comptrollership (management practices).

Operating Environment

Several factors influenced SIRC's performance during the year under review. While most were anticipated, some initiatives did not evolve as rapidly as predicted, which had an impact on the attainment of some SIRC objectives.

Proposed Committee of Parliamentarians on National Security

When Prime Minister Martin took office in December, 2003, he proposed the establishment of a Committee of Parliamentarians on National Security. Significantly, he called for its members to be "sworn in as Privy Councillors so that they can be briefed on national security issues." This

was followed by the release of a Consultation Paper by the Deputy Prime Minister in March, 2004 and the establishment of an Interim Committee of Parliamentarians to consult and make recommendations.

While SIRC (along with representatives of other federal review bodies) shared its views with the Interim Committee on September 8, 2004, progress was much slower than anticipated. Indeed, it was not until April 4, 2005 that the Government announced details of its proposed model for this new Committee of Parliamentarians.

It should also be noted that although SIRC reports to Parliament, it has been more than two years (February 18, 2003) since the Committee last appeared before the House of Commons Subcommittee on National Security. While SIRC made presentations to both the Senate and House committees reviewing the *Anti-Terrorism Act* (in April and June, 2005), the Committee hopes that Parliament will pay closer attention to its work.

O'Connor Commission

The establishment of the Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar has been closely followed by SIRC. In fact, the Committee launched its own s. 54 review into this case in the Fall of 2003 (before the Commission was established) and provided its findings to the Minister on May 19, 2004. While the specifics of SIRC's review cannot be discussed as they remain the subject of an ongoing public inquiry, suffice to say that Mr. Justice O'Connor was provided with a copy of the classified version of SIRC's report. Unfortunately, SIRC was unfairly criticized when the Government later released a heavily expurgated version of this same report 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.

SIRC also made a submission to Mr. Justice O'Connor on February 23, 2005 dealing with the "policy review." In its paper, SIRC noted that it has over twenty years of experience reviewing CSIS operations and as a result, if a similar review mechanism is established for the RCMP's national security function, then SIRC is equipped and prepared to assume this role.

Public Awareness

In March, 2005, EKOS Research Associates published public opinion data in its *Security Monitor* dealing with federal review bodies. This research showed that fewer than one in ten Canadians (9 percent) have a clear awareness of these bodies and most respondents were unable to name a specific organization. Nevertheless, three in four Canadians (71 percent) believe that it is "very important" that review bodies exist to monitor the activities of security agencies. These results underline the importance of SIRC's efforts to raise public awareness about its role and responsibilities, and the need for all federal review bodies to devote more resources to this challenge.

Resources

In December, 2004 Parliament finally approved Supplementary Estimates which increased SIRC's budget by \$344,000 in 2004-2005 and future years. This was based on a Treasury Board submission made in 2002, in which SIRC presented a business case explaining why it required additional funding to keep abreast of a 30 percent increase in CSIS's budget. Parliament's approval was welcomed by SIRC, because the long-awaited funding is critical to maintaining SIRC's ability to review CSIS operations effectively. Most of the new funding will be used to hire more staff in SIRC's review program.

Modern Comptrollership

SIRC has made significant progress in the modernization of its management practices. However, like many other small agencies, SIRC continues to struggle with central agency reporting requirements, given its small staff complement. While it is fully supportive of modern comptrollership, it does not have the luxury of dedicated, functional specialists available in larger departments. As a result, it must often rely on contracted resources to acquire the necessary expertise. It is also following several government-wide initiatives with interest, such as the expenditure and management review; the proposed sharing of common services; the implementation of the *Public Service Modernization Act*; and certain governance initiatives.

Committee Membership

While SIRC was briefly down to four (4) Members for the period June - September, 2004, the re-appointment of the Honourable Raymond Speaker, P.C., O.C. brought the Committee up to full strength. Maintaining a full complement is important, because it allows SIRC to benefit from another perspective when considering reviews and provides greater flexibility when scheduling complaints hearings.

Performance Against Priorities

In SIRC's *Report on Plans and Priorities for 2004-2005*, seven priorities were identified. The following section discusses planned and actual spending against these priorities, as well as a score card on whether or not they were achieved. *Section II - Analysis Of Performance By Strategic Outcome* will discuss SIRC's two programs of reviews and complaints in detail.

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

Priority 1 – To produce an Annual Report and other high-quality communications material, to inform Parliament and Canadians about SIRC’s activities.

This is an ongoing priority. SIRC once again met its statutory obligation to deliver its Annual Report to the Minister of Public Safety and Emergency Preparedness by September 30, and she in turn tabled it in Parliament on October 21, 2004. The report’s release was accompanied by a news release and detailed backgrounder. (SIRC also issued a news release on May 19, 2004 announcing the completion of its s. 54 report into Maher Arar).

To mark the Committee’s 20th anniversary in 2004-2005, SIRC published [Reflections](#). This is available in hard copy as well as HTML and PDF formats on our website. *Reflections* recounts the history of SIRC, beginning with the McDonald Commission, the passage of the *CSIS Act*, and key reviews and complaint cases undertaken over the past two decades. It also provides detailed information on the inner workings of the Committee, to help raise public awareness about SIRC’s role and responsibilities. *Reflections* is one of several initiatives designed to raise public awareness about the Committee.

Planned Spending #1	Actual Spending	Expected Results and Current Status
\$100,000	\$104,918	Exceeded

Priority 2 – To pursue outreach and liaison activities domestically and internationally to raise awareness and exchange best practices.

This is an ongoing priority, which involves both domestic and foreign travel. As part of its review program, the Committee visited two CSIS regional offices in 2004-2005 to examine how Ministerial direction and CSIS policy affect investigators’ day-to-day field work. These trips afforded Members with an opportunity to meet senior CSIS staff, receive briefings on regional issues and communicate the Committee’s focus and concerns. In addition, SIRC visited one Security Liaison Officer (SLO) post abroad, in order to monitor the application of the Service’s information-sharing arrangements with foreign agencies. A visit to a second SLO post was postponed until 2005-2006. However, the reduced schedule of Committee and staff travel allowed SIRC to realize savings against this priority.

During the year under review, considerable work also took place in planning and organizing an International Symposium on Intelligence Review and Oversight, which was co-hosted with the Canadian Centre of Intelligence and Security Studies (CCISS) of Carleton University. The actual event was held in Ottawa on May 18-19, 2005 at Library and Archives Canada, and will be discussed in greater detail in next year’s DPR.

Planned Spending #2	Actual Spending	Expected Results and Current Status
\$155,000	\$90,853	Met

Priority 3 – To establish a constructive, working relationship with the proposed Committee of Parliamentarians on National Security.

This was a new priority. As previously discussed, progress in establishing this new Committee of Parliamentarians was much slower than anticipated. Indeed, it was not until April 4, 2005 that the Government announced details of its proposed model. As a result, resources for this activity were re-allocated. Nevertheless, SIRC looks forward to the establishment of a positive and constructive relationship with the new Committee whenever it is established.

Planned Spending #3	Actual Spending	Expected Results and Current Status
\$30,000	Nil	Did Not Meet

Priority 4 – To undertake modern management initiatives.

This was a new priority. In last year's DPR, SIRC noted that it had undertaken a Capacity Assessment, which laid the foundation for a variety of comptrollership initiatives. In 2004-2005, SIRC completed a Management Action Plan, Risk Assessment and Audit Plan. It also contracted for an independent audit of its policy framework, in order to establish that its policies and procedures are consistent with Treasury Board requirements, and to identify any gaps and omissions. Finally, it developed more detailed Performance Indicators as required by TBS, and contracted for an independent survey (via Statistics Canada) of employee attitudes. (It should be noted that resources allocated to this priority include salaries for three senior staff. This is discussed in greater detail in *Section IV – Other Items of Interest*).

Planned Spending #4	Actual Spending	Expected Results and Current Status
\$525,640	\$571,568	Met

Priority 5 – To purchase and replace office equipment for anticipated staffing.

This was a new priority. Based on the additional resources received in December, 2004 through Supplementary Estimates, SIRC was able to purchase and replace computers and other office equipment required by new staff to fulfill their duties.

Planned Spending #5	Actual Spending	Expected Results and Current Status
\$50,000	\$49,781	Met

Priority 6 – To refine and populate a website compliant with TBS “common look and feel” policies.

This is an ongoing priority. SIRC launched its new website www.sirc-csars.gc.ca on January 21, 2004. Given that 8 of 10 Canadians are now on-line or have access to the Internet, SIRC wants to make better use of this medium in order to raise public awareness and communicate more effectively. A comparison of statistics for the three-month period February, March and April demonstrates the growing popularity of SIRC’s website. In 2005, there were 101,989 requests for pages, which represents a 26 percent increase (21,232) over the 80,757 requests recorded during the same period in 2004.

Planned Spending #6	Actual Spending	Expected Results and Current Status
\$25,000	\$10,138	Exceeded

Priority 7 – To establish a contingency relocation fund in the event SIRC is moved to another location.

This was a new priority. SIRC maintains two offices: its main office in the Jackson Building in Ottawa and a second office located on-site in CSIS headquarters, to permit staff to review highly classified material. SIRC had previously been informed by Public Works and Government Services, that it might be necessary to vacate the Jackson Building during 2004-2005 and move to another location in Ottawa. However, PWGS subsequently told SIRC to “stand down”, which resulted in these funds being lapsed. Some funds were expended, however, on renovations related to health and safety issues in the Jackson Building.

Planned Spending #7	Actual Spending	Expected Results and Current Status
\$100,000	\$39,150	Not Met

Section II - Analysis of Performance by Strategic Outcome

Strategic outcome:

SIRC has only one strategic outcome: to provide assurance to the Parliament of Canada and through it, to Canadians, that CSIS is complying with law, policy and Ministerial Direction in the performance of its duties and functions.

In realizing this outcome, the Committee is seeking to ensure that at all times, CSIS acts within the law.

This outcome is important to Canadians, because it helps to protect their fundamental rights and freedoms. In effect, SIRC is a cornerstone for ensuring the democratic accountability of one of the Government's most powerful organizations.

Intermediate outcome:

To make findings and recommendations designed to improve or correct the Service's performance.

Immediate outcome:

To complete reviews into CSIS activities.

To receive and investigate complaints about CSIS.

As noted earlier, the Committee has only one strategic outcome: 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. To realize this strategic outcome, the Committee has two programs. The first is to conduct in-depth reviews of CSIS activities to ensure that they comply with the *CSIS Act* and with the various policy instruments that flow from it. The second is to receive and inquire into complaints by any person about any action of the Service.

Combined, these two programs – knowledge gained by review and information derived through the investigations of complaints – provide Canadians with the assurance that knowledgeable individuals, independent from the Service and from government, will render an honest and fair-minded assessment based on the facts.

Reviews

Before discussing performance achievements, it may be useful to explain how the Committee conducts its reviews. The process begins with the development of a research plan which is approved by the Committee before the beginning of each fiscal year. However, the plan is not static and can be adjusted to respond to unexpected events.

Once the Committee has approved the research plan, staff resources are allocated for each review. A typical review requires hundreds of staff hours and is completed over a period of several months. Thousands of pages of hard copy and electronic documentation must be obtained from CSIS files, reviewed and analysed. Briefings from and interviews with relevant CSIS staff normally form part of any SIRC review, as do field visits whenever a review involves a regional office or an SLO post abroad.

In almost all cases, the interviews and the examination of documents generate follow-up questions to 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 one of its monthly meetings. Sometimes Members will request that follow-up inquiries be made. Once finalized, the review document is provided to the Director of the Service and the Inspector General, CSIS.

The reviews can include findings or recommendations. Although these are not binding, experience has shown that the Service and those bodies of government that direct it, will usually modify CSIS policies and procedures accordingly. Finally, a summary with all classified information removed, is included in the Committee's Annual Report to Parliament.

Achievements

SIRC had an ambitious research plan in 2004-2005, which identified ten CSIS activities or operations for review. One of the most challenging involved CSIS's role in the terrorist entity listing process, a new activity arising from the federal *Criminal Code*, as amended by the *Anti-Terrorism Act*. (On April 18, 2005, SIRC's Executive Director made a presentation to the Senate Special Committee summarizing the key findings of this review. Her remarks are posted in the Newsroom section of SIRC's website).

SIRC also undertook its first review of CSIS's investigation of threats against Canada's critical information infrastructure. In today's information age, a variety of techniques and software can be used to hack a targeted system – a so-called “information operation.” SIRC also returned to the subject of transnational criminal activity, which it had previously looked at in SIRC Study 1998-01. Other reviews addressed a broad range of CSIS's activities, including: counter terrorism, counter proliferation and counter intelligence. The Committee also reviewed one CSIS regional office and one SLO post abroad.

During the period under review, the Committee also finalized its s. 54 report into the case of Maher Arar. This report was submitted directly to the Minister of Public Safety and Emergency Preparedness on May 19, 2004.

It should also be noted that among its various statutory duties, the Committee reviewed ten expansions of existing foreign arrangements.

Details of each of these reviews, vetted to respect national security and privacy concerns, can be found in SIRC's *Annual Report 2004–2005: An Operational Review of the Canadian Security Intelligence Service*, which is tabled in Parliament by the Minister of Public Safety and Emergency Preparedness. This is available on SIRC's website at: www.sirc-csars.gc.ca

Performance Measures

One indication of the review program's effectiveness is whether or not the annual research plan is completed. In 2004-2005, SIRC was "above target" because not only was the plan completed in its entirety, but the Committee completed one additional review (its s. 54 report on the case of Maher Arar).

Another performance measure concerns whether CSIS acts on the observations and recommendations contained in the Committee's reviews. SIRC tracks the status of each recommendation to determine whether and how the Service acted upon it. The Committee would simply note that SIRC is "at target" in terms of whether its 2003-2004 recommendations are now reflected in CSIS operational policy. Incidentally, all such policies are subject to SIRC review.

Another measure is the frequency of reviews. For example, SIRC tries to review CSIS's major branches, i.e. counter terrorism, on an annual basis, while reviews of CSIS regional offices or a particular aspect of the *CSIS Act*, i.e. s. 12 and s. 16, are done every five years. For this measure, SIRC is "approaching target."

SIRC is constantly trying to monitor and improve the quality of its reviews, based on feedback during the approvals process, the reaction of Committee Members and comments from CSIS, after drafts are submitted to be checked for factual accuracy. For this measure, SIRC is "at target."

It should be noted that staff turnover and delays encountered in hiring new staff resulted in lower expenditures against this program activity.

Financial Resources

Planned Spending	Authorities	Actual Spending
\$1,227,414	\$1,227,414	\$1,133,948

Human Resources (FTEs)

Planned	Authorities	Actual
12.5	12.5	11.5

Complaints

The Committee's second program involves the investigation of complaints about CSIS. It should be noted that SIRC provides complete and detailed instructions on its website, about how to register a complaint.

In exercising its statutory jurisdiction regarding complaints, the Committee has all of the powers of a superior court. Where appropriate, complaints are investigated through a quasi-judicial hearing presided over by a Member of the Committee, assisted by staff. Pre-hearings may be conducted in order to establish and agree on procedures with complainants or complainant's counsel. The Committee's counsel also provides legal advice to Members on procedural and substantive matters and prepares summaries of evidence for the Committee's consideration. Complaint cases are often complex, involving the flow of many documents, transcripts and other evidence which require substantial administrative support.

After the hearings, if any, are complete, the presiding Member issues a report including any findings and recommendations, to both the Minister and the Director of CSIS. Once any information with national security implications is removed, the complainant is also advised in writing of the findings.

If the Committee finds that the Service has acted appropriately, we convey that assurance to the complainant. If the Committee identifies issues of concern, we include these in our report to the Director of CSIS and the Minister and, to the extent possible, report on these matters in our Annual Report. These summaries are edited to protect the privacy of complainants and to prevent disclosure of classified information.

Four kinds of complaints may be directed to the Committee's attention for investigation:

- complaints "with respect to any act or thing done by the Service" as described in the *CSIS Act*;
- complaints about denials of security clearances to federal government employees and contractors;

- referrals from the Canadian Human Rights Commission in cases where the complaint relates to the security of Canada; and
- Minister's reports in respect of the *Citizenship Act*.

Achievements

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 law requires for their concern to become a formal complaint. Once a written complaint that conforms with these criteria is received, the Committee conducts an initial review that includes any and all information that might be in the possession of the Service.

During 2004-2005, the Committee dealt with a total of 46 complaints, 16 of which were carried over from the previous year and 30 which were new. At fiscal year end, 28 had been closed of which three resulted in a reported decision. Eighteen were carried forward into the next year. In total, individual Committee Members were involved in 18 days of formal hearings related to complaint cases.

It should be noted that not all complaint cases result in a formal hearing or a written decision. In some cases, the complainant may not have complied with the requirements of s. 41 or 42 of the *CSIS Act*, for example, by first complaining to the Director of the Service. Others were determined not to be within the Committee's jurisdiction and the complainant was advised accordingly. Still others could be addressed by administrative action, or the complainant was re-directed to another governmental organization. And in other cases, the complainant decided to withdraw his/her complaint, resulting in the file being closed.

During the period under review, the Committee made one report on a s. 41 complaint ("any act or thing done by the Service"); one report on a s. 42 complaint (denial of a security clearance); and one report on a complaint referred by the Canadian Human Rights Commission. Details of these complaints, vetted to respect national security and privacy considerations, can be found in SIRC's *Annual Report 2004–2005: An Operational Review of the Canadian Security Intelligence Service*, which is tabled in Parliament by the Minister of Public Safety and Emergency Preparedness. This is available on SIRC's website at: www.sirc-csars.gc.ca

Performance Measures

One measurement of the effectiveness of the complaints program, is whether or not the Committee's decisions are subsequently challenged in the Federal Court. In 2004-2005, SIRC was "at target" because there was no application for judicial review and no such decisions were rendered for prior reports.

The Committee has also adopted strict standards for its handling of complaints. All written complaints must be formally acknowledged within seven days of their receipt. Furthermore, preliminary investigations are to be completed within one month, meaning that they will either have been resolved to the complainant's satisfaction, determined to be without foundation and closed, or elevated to the status of an in-depth Committee investigation. In the latter case, hearings should be completed within eight months, and the final report rendered within six months (which allows for consultation with CSIS over what aspects of the complainant's version of the report must be expurgated due to privacy and national security concerns). In 2004–2005 the Committee was “at target” except in cases where circumstances were outside its control.

The following table summarizes the numbers of written complaints received and resolved in each of the last three fiscal years.

RESOLUTION OF COMPLAINTS			
Description	2002-2003	2003-2004	2004-2005
Carried over	17	17	16
New	48	30	30
Total	65	47	46
Closed	48	31	28
Carried forward to subsequent year	17	16	18

The complaints program presents a special challenge in terms of resource allocation. The number of complaints received in any given fiscal year is beyond the Committee's control, as is the ultimate complexity of any individual complaint case. Spending in this area is non-discretionary, because SIRC has a legal obligation to address complaints about CSIS in a fair and timely manner.

Financial Resources

Planned Spending	Authorities	Actual Spending
\$559,785	\$559,785	\$525,799

Human Resources (FTEs)

Planned	Authorities	Actual
4.5	4.5	4.5

Other Activities

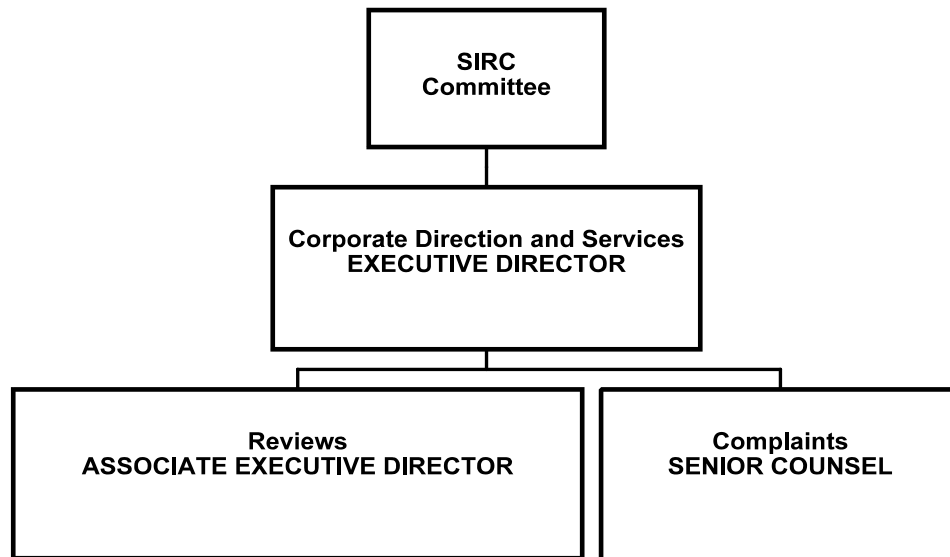
Although the reviews and complaints programs are the Committee's "life blood", Members also pursued several other activities in 2004-2005. This included dialogue with specific governmental, non-governmental and academic bodies concerned with security intelligence matters, to keep fully informed about the operating environment of the Service. SIRC staff also made presentations to non-governmental audiences which are described below. While admittedly modest in scope, SIRC hopes that such outreach activities will help to increase public awareness about the Committee's work.

- The Executive Director attended the Canadian Centre of Intelligence and Security Studies (CCISS) Conference in Ottawa on April 14–15, 2004, entitled "The Gouzenko Affair: The Beginnings of Canadian Counter-Espionage and Cold War Intelligence History." (The Executive Director is a member of the board of advisors for the CCISS).
- On September 8, 2004, SIRC's Executive Director addressed the Interim Committee of Parliamentarians, established to consult and make recommendations regarding the proposed Committee of Parliamentarians on National Security.
- The Chair, Committee Members and Executive Director attended the International Intelligence Review Agencies Conference in Washington, D.C., October 3–5, 2004. The Committee also met with representatives from the oversight bodies of the American security and intelligence community.
- On October 6, 2004, the British High Commission visited SIRC's office to introduce the new Chief of the British Security Intelligence Services who was appointed in August.
- Also on that same day, the Associate Executive Director, on behalf of the Executive Director, was a guest lecturer at a CCISS seminar on intelligence, statecraft and international affairs. The Associate Executive Director provided students with an overview of SIRC.
- The Executive Director and several staff attended a conference of the Canadian Association of Security and Intelligence Studies, held in Ottawa on October 14–17, 2004.

- On November 26, 2004, the Executive Director and her senior managers met with members of the Netherlands Supervisory Committee on the Intelligence and Security Services.
- On March 21, 2005, the Executive Director gave a presentation to students of the “National Security and Intelligence in the Modern State” course at Carleton University.

Section III – Supplementary Information

Organizational Information



Tables

Table 1: Comparison of Planned to Actual Spending (incl. FTE)

(\$ millions)	2002–03 Actual	2003–04 Actual	2004–2005			
			Main Estimates	Planned Spending	Total Authorities	Actual
Reviews				1.5	1.5	1.3
Complaints				.6	.6	.5
SIRC	2.1	2.1	2.5	.7	.7	.9
Total	2.1	2.1	2.5	2.8	2.8	2.7
Net cost of Department	2.1	2.1	2.5	2.8	2.8	2.7
Full Time Equivalents	14	14	20	20	20	19

*Resources for SIRC's two program activities of Reviews and Complaints were not identified separately for fiscal years 2002-03 and 2003-04

Table 2: Use of Resources by Business Lines (or Program Activities)

2004–2005								
Business Lines – BL(or Program Activity –PA)	Budgetary			Total: Gross Budgetary Expenditures	Less: Respendable Revenue	Total: Net Budgetary Expenditures	Plus: Non- Budgetary	Total
	Operating	Capital	Grants and Contributions				Loans, Investments and Advances	
<u>SIRC</u>								
Main Estimates	2.5	NIL	NIL	2.5	NIL	2.5	NIL	2.5
Planned Spending	2.8	NIL	NIL	2.8	NIL	2.8	NIL	2.8
Total Authorities	2.8	NIL	NIL	2.8	NIL	2.8	NIL	2.8
<u>Reviews</u>								
Planned Spending	1.5*	NIL	NIL	1.5	NIL	1.5	NIL	1.5
Actual Spending	1.3	NIL	NIL	1.3	NIL	1.3	NIL	1.3
<u>Complaints</u>								
Planned Spending	.6	NIL	NIL	.6	NIL	.6	NIL	.6
Actual Spending	.5	NIL	NIL	.5	NIL	.5	NIL	.5
<u>SIRC - Other</u>								
Actual Spending	.9	NIL	NIL	.9	NIL	.9	NIL	.9

*Program activity resources were not identified in 2004-05 main estimates

Table 3: Voted and Statutory Items

Vote or Statutory Item	Truncated Vote or Statutory Wording	2004–2005			
		Main Estimates	Planned Spending	Total Authorities	Actual
30	Operating expenditures	2.2	2.5	2.5	2.4
(S)	Contributions to employee benefit plans	.3	.3	.3	.3
	Total	2.5	2.8	2.8	2.7

Table 4: Net Cost of Department

(\$ millions)	2004–2005
Total Actual Spending	2.4
Accommodation provided by Public Works and Government Services Canada (PWGSC)	.2
Contributions covering employers' share of employees' insurance premiums and expenditures paid by TBS (excluding revolving funds)	.3
2004–2005 Net cost of Department	3.1

Table 5: Travel Policies**Comparison to the TBS Travel Directive, Rates and Allowances**

Travel Policy for the Security Intelligence Review Committee:

The Security Intelligence Review Committee follows the TBS Travel Directive, Rates and Allowances.

Section IV - Other Items of Interest

Corporate Direction and Services

Because “Corporate Direction and Services” is not displayed in the Main Estimates as a separate program activity, it was not discussed in *Section II – Analysis of Performance by Strategic Outcome*. Resources were included under Priority #4, which was discussed in *Section I – Performance Against Priorities*.

Just to recap, all of the resources associated with modern comptrollership are considered part of Corporate Direction and Services. In 2004-2005, SIRC completed a Management Action Plan, Risk Assessment, Audit Plan as well as additional Performance Indicators.

It should be noted that financial and human resource management services which are not provided to SIRC by the Privy Council Office, are considered part of Corporate Direction and Services. Finally, the salaries of two executives providing corporate direction and one administrative head who supports them, are also included.

Contact Information

Security Intelligence Review Committee
P.O. Box 2430 Station “D”
Ottawa, Ontario
K1P 5W5

Telephone: (613) 990-8441
Facsimile: (613) 990-5230
Internet: www.sirc-csars.gc.ca
E-Mail: ellardm@sirc-csars.gc.ca

Legislation Administered:

The Canadian Security Intelligence Service Act