

Imitating the Lion's roar?

How Bill C-22 to create a National Security and Intelligence Committee of Parliament stacks up against its UK model

The Canadian Parliament is about to embark on a bold experiment, and the Liberal government to enact one of its key promises regarding national security legislation. Just before the summer recess, the Government introduced Bill C-22, a bill to create a new National Security and Intelligence Committee of Parliamentarians, (NSICOP). The bill is now facing the test of debate and scrutiny as the fall session proceeds. The proposed committee will be structured differently from standing committees of the Commons and Senate and will have unique powers to access classified records and briefings on intelligence and security matters. It is meant to 1) address a longstanding deficiency in the ability of the Parliament of Canada to properly scrutinize the activities of the Canadian security and intelligence system, and 2) address serious gaps in the capacity of existing accountability and review mechanisms to provide a broad overview of what goes on in the many federal government agencies charged with security and intelligence functions.

The Canadian legislation is avowedly modelled on British practice. The British Parliament has had an Intelligence and Security Committee (ISC) since 1994, with its own unique mandate and powers. The ISC was recently reshaped in 2013 because of the passage of the UK Justice and Security Act. While Canada has been a laggard in initiating our own Parliamentary body, we do at least have the opportunity of learning from others' experience and fine-tuning our own legislation in light of the existing British model. Getting the legislation right will be only the first step on the path to success of the Canadian experiment. The Canadian committee will have to learn the ways of secrecy, learn to be scrupulously non-partisan, develop a serious understanding of the security and intelligence business, and earn the trust of the agencies it will scrutinize. It will also have to earn the trust of both the House of Commons and Senate, and, perhaps most importantly, command respect among the Canadian public in terms of how it presents its findings. All of this represents a tall order and reflects an inevitable

process of slow maturation, with a corresponding requirement for patience around the development of this new form of Parliamentary activism. It is an important experiment, and the starting point is ensuring that the legislation is as functional and robust as possible.

The main lines of Parliamentary debate on the Bill are already clear. Conservative members have lined up to attack it as being deficient in terms of the powers of scrutiny given to the Committee, suggesting that it is really a “hollow shell,” an exercise in Prime Ministerial power, or simply a mistake stemming from an ill-conceived election campaign promise. In calling for greater access, they have conveniently forgotten their previous track record of adamant opposition to any form of Parliamentary scrutiny. The NDP have indicated they will support the bill as a first step but want changes made, in particular to the provision of a chair appointed by the Prime Minister.

Liberals have not been content to play defence but have argued that the legislation was long overdue, and that it is based on a close study of the practices of our Five Eyes intelligence partners, in particular the Westminster style governments of the UK, Australia, and New Zealand. They have even argued that the Canadian legislation goes beyond the current practices of our partners, in particular in the broad scope afforded the committee in terms of the range of security and intelligence agencies it may scrutinize. The Parliamentary Secretary for Public Safety went so far as to suggest, perhaps with an excess of zeal, that “this bill sets a new standard that some of our allies might well follow.” The members of the British ISC who recently visited Ottawa might find that assertion a little puzzling.

Murray Rankin for the NDP has argued the contrary, that “Bill C-22 is essentially a weaker version of its closest analogue, namely Britain’s intelligence and security committee.” Rankin also referenced the warning of the UK ISC delegation about the

importance of a Canadian committee earning the public trust and overcoming cynicism about its functions.

So let us be clear. The Canadian legislation is not a carbon copy of the UK version, but takes its main inspiration from British practice. An important and revealing question is this: just how well does the Canadian legislation stack up against its UK parent model, particularly regarding five key elements?

1. *Membership*
2. *Mandate*
3. *Powers*
4. *Resources*
5. *Protection against Leaks*

In looking at the draft legislation through a UK lens, we have a ready-made tool for determining the strengths and weaknesses of C-22, particularly in the absence of any direct Canadian experience. The Library of Parliament takes a similar approach in the legislative summary it has prepared of Bill C-22. That legislative summary offers what it describes as a “high-level comparison” between the proposed Canadian committee and its UK counterpart. Its main overall finding, which the Minister of Public Safety has disputed, is that the proposed National Security and Intelligence Committee of Parliament is out of step with the current UK practice and most closely resembles the UK committee prior to reforms made in 2013.

Neither my study nor that of the Library of Parliament suggests that the UK system is perfect, but both agree that it has historical experience at its back.

I offer a short scorecard assessment at the end of each section of the analysis and then a conclusion about the comparative strength of the Canadian legislation. Readers are encouraged to develop their own assessment. There is an important avenue for public discourse on this (and many other) issues opened up by the Government’s recently announced Green paper consultation on National security. Canadians have been

encouraged to submit their views on national security issues through an online consultative portal:

<https://www.publicsafety.gc.ca/cnt/cnslttns/ntnl-scr/index-en.aspx>

1. Membership

Both the UK and Canadian committees consist of members drawn from both houses of Parliament. Both are equivalent in size. Appointment procedures vary between the British practice and that proposed for Canada, with a strong appointment role in both systems for the Prime Minister.

In the UK model, the membership numbers nine persons; of the nine, two are by tradition appointed from the House of Lords. In the revised UK system, the Prime Minister nominates the members, but they are appointed by Parliament. A collective list of nominees is presented for a vote, thus giving Parliament at least a symbolic say in the composition of the committee. There is a requirement for the PM to consult the leader of the Opposition when nominating members. The chair of the committee is now elected from among its members (one of the many changes in the 2013 legislation, which revamped the original act of 1994).

The Canadian model is more precise in terms of membership, dictating that of the nine members (eight plus a chair), no more than two can be drawn from the Senate, and no more than four from the governing party in the House of Commons. All members, including the chair, are appointed by the Prime Minister, who has an obligation to consult with the leader of any party that has at least twelve seats in the House in appointing members from that party. But Parliament as a whole has no role in approving the roster, unlike the UK model. Having the Committee chair appointed rather than elected signals caution and the government's desire to maintain a degree of control over the work of the committee, at least in its formative years. In terms of numbers, the governing party would not "own" a

majority of seats on the committee and the hope would be that this membership quota would help instill a degree of non-partisanship.

The membership quota reflects an important 2014 private member's bill (C-622) introduced while in opposition by Liberal MP Joyce Murray in an attempt to fast track thinking about parliamentary scrutiny of Canadian intelligence and security. The Murray bill would also have followed the changes in UK practice by allowing for an elected chair and for Parliamentary approval of the membership roster. Support for these two features was also presented in Bill S-220, sponsored in the Senate by Hugh Segal and Romeo Dallaire in May 2014, which called for the creation of an Intelligence and Security Committee of Parliament (again in the UK mold). With this legislative wind behind them, it is odd that the Liberal government chose to ignore these elements.

Legislative rules around committee membership tell only half the story. The UK experience has emphasized the importance of having committee members who are senior public officials, whose political careers have peaked, and who are not seeking further political advancement. Ideally, they are also willing to devote considerable time to work on the committee as a matter of public interest, where their efforts will inevitably be shrouded in secrecy and cannot be discussed within their political caucus, with their constituents, or with the broader public. Such a membership profile helps establish the non-partisan political environment so vital to the work and also helps eliminate any temptation to leak information.

The challenge for the Canadian committee will be to find a way to mimic the British membership profile while respecting that the composition of the Canadian House of Commons and Senate is inevitably different from that of the UK Commons and Lords. Finding the right talent, as a start-up,

will be a challenge for the Canadian Parliament, where knowledge of the Canadian security and intelligence community is not widespread, where senior statesmen often return to the private sector or pursue non-Parliamentary careers, and where partisanship is often fiercely rooted.

Scorecard: Advantage UK. *A system along current UK lines for an elected Chair and a vote in Parliament on membership is more likely to win Parliamentary understanding and support and more likely to help create the right Committee culture. The UK Parliament has a deeper talent pool than is currently available in Canada, though recent changes to appointments to the Canadian Senate may eventually help sustain expertise on the National Security and Intelligence Committee.*

2. Mandate

On the surface, the mandates of the proposed Canadian committee and that of the UK ISC appear similar. The UK committee is charged with examining or overseeing the expenditure, administration, policy, and operations of the core intelligence agencies of the UK government: the Security Service (MI5 or BSS), the Secret Intelligence Service (MI6 or BSIS), and the signals intelligence agency, the Government Communications Headquarters (GCHQ). The UK committee may also examine a broader range of government intelligence activity as set out in a Memorandum of Understanding (MOU) presented to Parliament in 2013. This broader scope includes the strategic intelligence activities of the Chief of Defence intelligence and offensive cyber activities undertaken by the Ministry of Defence, intelligence related functions of the Cabinet Office, and the activities of the Office for Security and Counter-Terrorism in the Home Office.

In the Canadian legislation, the new Committee of Parliamentarians would be charged with reviewing the “legislative, regulatory, policy, administrative and financial framework for national security and

intelligence.” The core agencies that would be subject to review are not named. The committee is also enjoined to review “any activity” carried out by a department that relates to national security or intelligence,” and to study “any matter” relating to national security or intelligence that a Minister refers to it.

Three differences stand out. The first, mentioned above, is that the Canadian legislation does not specify or single out any specific security and intelligence agencies for scrutiny. It provides no list of the possible agencies and departments that might fall under its eye and no indication of where its primary focus should be.

In terms of the subject areas for examination, the Canadian system includes legislation and regulation (absent from the UK system owing to the presence of independent commissioners charged with this function), but does not specify operations. The decision to include scrutiny of legislation and regulations presumably signals a decision on the part of the government not to pursue the creation of an independent commissioner or inspector of national security legislation, along existing UK and Australian lines.

The absence of any explicit reference to “operations” in the Canadian draft legislation may carry greater or lesser significance and perhaps only time and experience will tell. The Canadian committee mandate does include “activities” but in matters to be excluded from the committee’s purview and access the Canadian legislation singles out “ongoing” defence intelligence activities and “ongoing” investigation carried out by a law enforcement agency that may lead to prosecution.

To have a better sense of the potential hole created by the absence of a reference to “operations” in the Canadian committee mandate, one has to look to the MOU about the expanded

work of the British ISC created in the aftermath of the passage of the Justice and Security Act in 2013. The British MOU seeks to spell out the circumstances in which the ISC can examine operational matters, stressing the retrospective nature of scrutiny (that is, the operation under consideration must largely have been concluded) and the importance of restricting such examination to “matters of significant national interest.” At least one recent inquiry underway by the ISC illustrates both the importance of examining operational issues and the challenges involved in finding some delimitation between retrospective scrutiny and that involving current and on-going agency activity. These issues are complications at the heart of the effort on the part of the ISC to examine the intelligence operations engaged in by UK agencies in support of drone strikes in Syria that targeted and killed three UK nationals.

The absence of any explicit mandate direction regarding operations may, in the Canadian context, impact the ability of the committee to scrutinize the increasingly important overseas activities undertaken by the Canadian Security Intelligence Service and may limit the ability of the committee to look into such things as CSIS’s conduct of threat reduction operations. Another area in which the Canadian committee may be hampered by lack of an explicit mandate would involve cyber operations conducted by the Communications Security Establishment or by elements of the Canadian armed forces.

Scorecard: Advantage UK. *The revised UK legislation and MOU made clear the agency-specific focus of the committee’s scrutiny and tried to clarify the scope of its remit regarding scrutiny of operations. Both are missing pieces in the Canadian draft legislation. The Canadian legislation may be more flexible in terms of providing scope for possible examination by the Committee of a wide range of government departments and agencies. That advantage is potentially outweighed by the lack of explicit focus, the greater challenges involved in coming up with coherent work plans, and the loss of messaging*


around what the Prime Minister, Parliament, and the public should expect from the Committee. Great care will also be needed, in the absence of any legislative guidelines on this matter, to ensure that the Canadian committee is not excluded from retrospective scrutiny of intelligence operations.

3. Powers (or lack thereof)

The respective mandates of the UK ISC and the Canadian NSICOP spell out in general terms what they are meant to cover. The question of their powers really refers to the limitations on their mandates imposed by additional restrictions regarding what sensitive information they can access and what they can report on. This is very delicate ground, as it goes to the heart of what constitutes that body of secrets that such a committee must not access or report on in order to preserve the greater good of national security. Not only is such a definition of the holiest of secrets inherently difficult but any hint of an over-reaching definition immediately raises suspicion that governments would like to preserve the ability to protect not only genuine secrets but also hide embarrassments of various kinds. Here the threat of a cynical response by Parliamentary critics and the public looms large, especially if the restrictions appear designed to declaw the committee.

Before either the UK committee or its proposed Canadian equivalent can make reports, both face restrictions on what they can investigate, restrictions that reach beyond the general nature of their mandates.

In the UK system, there is both a process and a general understanding of restrictions on access to sensitive information, spelled out in the MOU that governs the work of the ISC following the legislative changes of 2013. There is no specific provision for a MOU in the Canadian legislation but it may well be advisable to develop such



guidance at some early point in the Canadian committee's evolution and to share it with Parliament.

The UK system creates a direct interface between the ISC and the agencies it scrutinizes by having the ISC make requests for access to information directly to the agencies. Only in the event that an access request is considered problematic is it elevated to the relevant Secretary of State [Minister] for a decision. In the UK system, a Secretary of State may determine that information should not be disclosed if it is considered "sensitive," which might reveal sources or methods of intelligence and security activities. Sensitive information also includes what is often referred to as "third party" intelligence — that is, information provided by a foreign entity that remains under its control. A Secretary of State may also refuse to disclose information when deemed contrary to the "interests of national security."

The UK MOU is clear about the exceptional nature of a decision to withhold information: "the power to withhold information from the ISC... is discretionary and one that it is expected will be required to be exercised very rarely."

The proposed Canadian system creates no direct interface, as in the UK model, between the NSICOP and the agencies they scrutinize in terms of access to sensitive information. The relevant Minister adjudicates all access requests made by the Committee. In addition, the Canadian draft legislation provides more extensive grounds for withholding information from the Committee of Parliamentarians under two sections (14 and 16), which have considerable overlap. Section 14 includes seven categories of exemption, starting with cabinet confidences (itself an elastic term) and covering ongoing defence intelligence activities, source protection, ongoing law enforcement investigations, and the inner workings of FINTRAC (the Financial Transactions and Reports Analysis Centre of Canada, responsible for monitoring money laundering and

terrorism financing). Section 16 exemptions are more generic and refer to "special operational information" as defined in the Security of Information Act (SOIA) (2001) whose release to the committee would be deemed "injurious to national security."

Special operational information in fact already covers source protection and military operations, rendering those clauses of section 14 largely superfluous. Use of the "special operational information" exemption may be problematic because of the breadth of meaning attached to the term in the SOIA. The SOIA defines special operational information to include the following:

the means that the Government of Canada used, uses, or intends to use, or is capable of using, to covertly collect or obtain, or to decipher, assess, analyse, process, handle, report, communicate or otherwise deal with information and intelligence.

If taken as a literal exemption, withholding of "special operational information" would cripple the ability of the NSICOP to understand the effectiveness of the collection methods, analytical efforts, and dissemination practices of the Canadian security and intelligence system — in effect covering the entirety of what is known as the intelligence cycle. It is important to note that withholding of special operational information also requires that its release would be deemed "injurious to national security." But this qualifier is unfortunately vague.

Curiously, the Canadian draft legislation requires the Minister to inform the committee of refusal decisions in which Section 16 is involved but no such requirement is laid down for refusals that meet Section 14 exemptions.

If we line up the refusal powers available to the UK

government regarding “sensitive information” and those available to the Canadian government regarding “special operational intelligence,” they may appear equivalent. Both try to protect sources and methods of intelligence but the statutory definition provided in the Canadian Security of Information Act in fact is much broader and reaches well beyond the sources and methods involved in the acquisition of intelligence.

No committee of Parliamentarians charged with review and oversight of intelligence and security can do its job without sufficient access to classified information. Both the UK and Canadian systems properly recognize that such access cannot be absolute. But the refusal powers provided in the Canadian legislation are more extensive and less focused than in the UK system. Comparison with the UK model suggests that the refusal powers in the Canadian legislation can be safely narrowed, and also simplified.

There are also limitations on how the respective committees report, even after they have threaded the needle of access to secrets. These limitations are in general shared and equivalent between the two committees. Both committees report through their respective Prime Ministers; in both contexts, the Prime Minister can decide to exclude material before such reports are presented to Parliament. In the UK case, the Prime Minister may exclude information in any report to Parliament if it is deemed “prejudicial” to the work of any of the intelligence agencies under scrutiny. In the event that the Prime Minister excludes information, the ISC, in its report to Parliament, is required to call attention to it. In effect, exclusion is a matter for negotiation between the Prime Minister and the committee, with the Prime Minister having the final say but the committee having the ability to call public attention to such exclusions.

In the Canadian legislation, the Prime Minister may require the Committee to exclude material in its reports to Parliament on a number of grounds, most

importantly when it involves information that would be “injurious” to national security, national defence, or international relations. Injurious is otherwise undefined in the legislation and could be applied in a very broad way; the same holds true for the term “prejudicial” in the UK system. But the Canadian terminology is not linked, as in the UK system, to specific damage to the work of the intelligence agencies. The Prime Minister must consult with the chair of the committee, but the decision power rests with the PM and the Committee possesses no capacity equivalent to its UK cousin to indicate that exclusion has occurred.

Scorecard: Advantage UK. *The Canadian draft legislation adopts a more cautious and restrictive approach to both access and reporting issues. The Canadian legislation provides for greater executive powers to deny information to the Committee and to prevent aspects of reporting to Parliament. The Canadian draft legislation is less clearly focused on protecting sensitive intelligence sources and collection methods and does not adopt the two-stage process for interface regarding access issues (first with agencies, then with the relevant Minister) which is a hallmark of the UK system. The Canadian committee will have, under the draft legislation, less power to call the government to account for refusals of access or exemptions from reporting. The Canadian legislation provides no clear guidance regarding the expected limitations on the use of executive power to refuse access or block reporting.*

4. Resources

One of the unusual requirements to support the work of a committee of parliamentarians is a dedicated, expert, security-cleared staff. Such staff supports both the UK committee and the proposed Canadian committee. The UK legislation does not provide direct requirements for a staff but leaves the arrangements to a Minister of the Crown (Secretary of State). In practice, the UK provides for a small permanent staff of four and a

part-time investigator. These numbers have recently been increased by the addition of six other staff to help the UK ISC in its detainee inquiry. Staff are drawn from the UK civil service but recruitment restrictions have been designed to ensure that staff members are not current or recent officials of any UK intelligence and security agency.

The Canadian draft legislation makes explicit reference to the creation of a Secretariat to “assist the Committee in fulfilling its mandate.” While the size or budget of the secretariat is not laid down in statute, the head of the secretariat is designated as executive director and is to hold the rank of deputy head (e.g., deputy minister). In other words, the intention is to appoint a very senior, experienced official to be in charge of the secretariat and to get it up and running. Full time employees of the secretariat would be public servants, drawn from the ranks of the bureaucracy, but the Secretariat may also hire on contract, possibly given its greater scope.

Scorecard: Advantage Canada. *Only the Canadian legislation establishes a secretariat by statute, provides for its leadership, and allows for flexible hiring arrangements. Having a deputy minister level executive director is meant to be a clear signal of the power to be exercised by the Committee in terms of its research and reporting functions. The head of the secretariat for the committee would outrank the executive directors of all the existing independent review bodies and would be of equivalent rank to the agency heads in charge of the elements of the Canadian security and intelligence community. The Canadian advantage here will still need to be secured by careful hiring practices, which might follow the British guidelines to ensure critical independence.*

5. Protection against Leaks

Any start-up exercise of Parliamentary scrutiny of classified intelligence activities is bound to raise

fears about possible leaks of state secrets. These fears may well be groundless, but can only be laid to rest over time and do need to be met by statutory preventive powers.

In the UK system, the Official Secrets Act binds members of the ISC, and their staff. As stated in the 2013 MOU, “they may not... disclose any information related to security or intelligence which has come into their possession as a result of their work on, or for, the ISC.” The UK ISC is sometimes referred to as operating “within the ring of secrecy” of the UK intelligence community. To the best of my knowledge, the ISC has never been identified as the source of any leak of classified information since its inception in 1994.

The draft Canadian legislation provides for various measures to protect against the unlawful disclosure of classified information and does so in ways that go beyond the UK provisions. Members of the Canadian committee must take an oath affirming, among other things, that they will not divulge confidential information. This oath is backstopped by a statutory requirement against disclosure of information. They are also required to obtain security clearance, a completely unusual requirement for a sitting MP or Senator, though the level of required clearance is not specified. Were it to be at the Top Secret (enhanced) level provided by the 2014 Standard on Security Screening, it would require MPs and Senators, among other things, to undergo a polygraph examination (!) but it is unlikely that members would be security cleared to that level. Members of the committee are stripped of the privilege of Parliamentary immunity should they make statements in Parliament that disclose classified information. They would also be permanently bound to secrecy under the provisions of the Security of Information Act, joining officials from the security and intelligence community who have had access to highly classified information. To add to the protections surrounding the Committee, its

secretariat would be exempt from the provisions of the Access to Information Act.

The Canadian provisions represent a statutory piling on that suggests a degree of nervousness about the protection of secrets not evident in either the UK legislation or experience.

Scorecard: Advantage in the eye of the beholder.

The UK approach suggests relative confidence in the ability of the ISC to protect secrets. The Canadian approach suggests relative nervousness and lack of trust. The Canadian legislation erects many more safeguards than the UK equivalent, but both work to the same end — to ensure that no unlawful leakage or disclosure of information ensues. Requiring members to be security cleared in the Canadian system is a novel approach, as is their nomination as persons “permanently pledged to secrecy.” Security screening involves time delays around appointments, and inevitable and significant intrusiveness into the lives of elected MPs and appointed senators. It may serve to safeguard against undesirable appointments to the Committee but its presence in statute suggests a concern that the membership appointment process may not be sufficient in itself. Straightjacketing members of the NSICOP as persons “permanently pledged to secrecy” means that they can never give the Canadian public the benefit of their experience on the committee, no matter what the passage of time. Their lips are sealed unto the grave, which is surely excessive.

Conclusion: The Canadian committee: Comparatively strong or weak?

In the end, the differences between the UK legislation and the Canadian draft amount to differences in culture and experience. UK parliamentary scrutiny of intelligence and security has evolved over the past 22 years. Current legislation and regulation suggest the confidence of experience and relative clarity about the committee’s work as well as trust in the ability of

Parliament to perform this role. The ISC remains focused on the core agencies of the British intelligence community but its net was broadened after 2013 to include defence intelligence, other key intelligence actors, and to encompass cyber operations. The UK ISC has acquired greater independence in its ability to elect its own chair, in Parliament’s ability to approve the membership and in narrowing the circumstances in which government can refuse access to information or block reporting of issues.

The Canadian Parliament is a tyro when it comes to scrutiny of sensitive intelligence and security matters. The Canadian legislation is a mixture of some bold strokes and broad-brush caution. The Canadian National Security and Intelligence Committee of Parliamentarians would, in the draft legislation, have a much broader remit, but at the expense of any explicit focus on the core intelligence agencies. The legislation allows for potential boldness in its strategic overview of security and intelligence, but there are strong elements of caution as well, all of which provide ammunition to the bill’s critics and scope for a cynical response about the meaningfulness of Parliamentary scrutiny. The powers accorded to the government to appoint a chair, nominate members, refuse access to certain types of information, and block release of aspects of reporting may raise questions about its credibility.

My own view is that there is nothing in the Canadian legislation that leads to the conclusion that the committee of Parliament could not do its job due to lack of powers and tools. But that ability will depend on the government not abusing its various statutory instruments of control and on the committee coming up with a solid work plan and delivering substantive public reports on issues that matter to Canadians. The Committee could have an easier birth if some amendments were made to the appointment process, and if refusal powers for access and reporting were rolled back.

The anti-leak provisions of C-22 are excessive and the exemption of the NSICOP secretariat from the Access to Information Act is difficult to justify.

But even with a harder than necessary birth, the idea of a Canadian National Security and Intelligence Committee of Parliamentarians is both long overdue and welcome. The next government will be in a position to rectify mistakes in the legislation following a statutory review in five years, even if a few mistakes feature at the outset. Parliamentary scrutiny of intelligence and security has to be a long game and we are playing catch up, including with our British cousins.

Key References

Bill C-22, “An Act to Establish the National Security and Intelligence Committee of Parliamentarians and to make consequential amendments to certain Acts,” introduced June 16, 2016
<http://www.parl.gc.ca/HousePublications/Publication.aspx?Language=E&Mode=1&DocId=8375614>

The Intelligence and Security Committee Annual Report, 2015-2016
<http://isc.independent.gov.uk/committee-reports/annual-reports>

“The Intelligence and Security Committee,” UK House of Commons Library Briefing Paper, February 2016,
<http://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN02178>

Library of Parliament Legislative Summary of C-22, information available at:
<http://www.parl.gc.ca/LegisInfo/BillDetails.aspx?Language=E&Mode=1&Bill=C22&Parl=42&Ses=1>

Memorandum of Understanding Agreed between the Prime Minister and the Intelligence and Security Committee, Annex A, The Intelligence and Security Committee Annual Report, 2013-2014,
<http://isc.independent.gov.uk/committee-reports/annual-reports>

Professor Craig Forcese commentary on C-22, available at:
<http://craigforcese.squarespace.com/national-security-law-blog/2016/9/27/background-resources-bill-c-22-national-security-intelligenc.html>

Parliamentary Debates on C-22, can be followed at: <https://openparliament.ca/bills/42-1/C-22/>

The UK Justice and Security Act 2013,
http://www.legislation.gov.uk/ukpga/2013/18/pdfs/ukpga_20130018_en.pdf

Wesley Wark

Visiting Professor

Graduate School of Public and International Affairs
University of Ottawa

