

OPS-501 OPERATIONAL REPORTING

1. INTRODUCTION

Objective

1.1 To provide direction for consistent and compliant reporting of information and intelligence throughout the various phases of the intelligence cycle.

Scope

1.2 This policy concerns the operational reporting of information and intelligence collected under sections 12 and 16, CSIS Act.

Authorities and References

1.3 CSIS Act

1.4 Ministerial Direction on CSIS Operations (2008 10 29)

1.5 Access to Information Act

1.6 Privacy Act

1.7 Canada Evidence Act

1.8 Citizenship Act

1.9 Immigration and Refugee Protection Act

1.10 Official Languages Act

1.11 DDO Directive - "Information Sharing - Agencies with poor Human Rights Records" (2008 11 19)

1.12 DDO Directive - "Retention of Investigative Information" (2008 07 08)

1.13 OPS-104, "Targeting Section 12 - Requests for Approval"

1.14 OPS-701, "Human Sources - Human Source Program" and OPS-702, "Human Sources - Case Management"

1.15 OPS-211, "Processing of Materials or Communication Intercepts Collected Under Warrant - Section 12"

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- 1.26 OPS-601, "Authorized Disclosure of Operational Information and Intelligence - General"
- 1.27 OPS-601-6, "Procedures - Disclosure Respecting Public Officials and Senior Public Officials"
- 1.28 OPS-602, "Disclosure of Security Information or Intelligence"
- 1.29 OPS-603, "Disclosure of Operational Information and Intelligence - Caveats"
- 1.30 ADM-403, "Requests - Access to Information and Privacy Acts"
- 1.31 SEC-102, "Violations and Breaches of Security"
- 1.32 SEC- 401, "Classification and Designation of Recorded Information"
- 1.33 HUM-803, "Language of Work"

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Definitions

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1.43 **Immediately:** as soon as possible within the next 24 hours. (**Immédiatement**)

1.44 **Incidental information:** information unrelated to an investigation of a threat to the security of Canada, which was obtained by the Service in the performance of its duties and functions, and which may be disclosed in accordance with s. 19, *CSIS Act*. (**Information fortuite**)

1.45 **Information:** material or data from any source which has not been analysed or evaluated. (**Information**)

1.46 **Intelligence:** product resulting from the processing, assessing and analyzing of information collected. (**Renseignement**)

1.47 **Investigative material:** all objects collected, received or generated by the Service during an authorised investigation. It includes, but is not limited to, operational notes. (**Matériel d'enquête**)

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1.49 **Need-to-know:** the principle whereby an individual is provided with access only to the classified or designated information needed to properly carry out their current duties or responsibilities. (**Besoin de savoir**)

1.51 **Operational report:** a written account or description of investigative activity that contains mandated information and is retained pursuant to the *CSIS Act*. (**Rapport opérationnel**)

1.52 **Public Officials:** Provincial / Territorial legislators, Mayors, Deputy Mayors and municipal Council members. (**Fonctionnaire**)

1.53 **Record:** any documentary material, regardless of medium or form, under the control of the Service. (**Document**)

1.55 **Senior Public Official:** Prime Minister, Governor General, Lieutenant Governors, Members of Parliament, Parliamentary / Legislative Secretaries, Clerk of the Privy Council, other Privy Councillors, Senators, Order-in-Council appointments, Provincial / Territorial Premiers, Provincial / Territorial leaders of opposition parties, Deputy Ministers, Associate Deputy Ministers, Assistant Deputy Ministers, Heads of public Agencies, Heads of Crown Corporations, Senior Advisors and Chiefs of Staff to any of the preceding officials, and members of the Judiciary. (**Haut fonctionnaire**)

2. RESPONSIBILITIES

Supervisors

2.1 Supervisors are responsible for:

- a) reviewing operational reports in a timely manner and ensuring relevance to the CSIS mandate prior to uploading to BRS;
- b) ensuring that operational reports are assessed

- c) ensuring compliance with policies including report content, automated system input requirements and standards;
- d) ensuring operational reports are written as soon as possible after the collection / receipt of information or intelligence (e.g., upon return after an interview);
- e) ensuring report writers are aware of their responsibility to retain and cross-reference operational notes and/or other investigative material used in the production of an operational report in accordance with the procedures and standards;
- f) ensuring all relevant policies and procedures and any other requirements are respected.

Report Writer

2.2 The report writer is responsible for:

- a) drafting operational reports as prescribed by policy and related procedures such that they are in compliance with BRS standards and completed in a timely manner after the receipt of information and/or intelligence;
- b) ensuring that the operational reports accurately reflect the operational notes and/or the investigative material;
- e) retaining operational notes and/or other investigative material in their original format on an operational file associated with the operational report;
- f) ensuring the operational notes and/or investigative material mentioned
are retained on the relevant operational file(s) and cross-referenced BRS
in accordance with the procedures and standards formulated in
the DDO Directive - "Retention of
Investigative Information" dated 2008 07 08;
- g) consulting in regards to the human rights record of a foreign
government or agency prior to reporting information or intelligence which has been received or will
be shared in order to assess the risk of reporting the information; and
- h) being familiar with related human rights profiles
in consultation with the Department of Foreign Affairs and International
Trade (DFAIT)

3. GENERAL REQUIREMENTS

3.1 Operational reporting will:

- a) be accurate, timely, concise and consistent with the operational notes and other investigative material associated with an operational report, and be relevant to the *CSIS Act* and the Service's

interests;

b) follow Service report writing and data input standards,

c) make a clear distinction between statements of fact and expressions of opinion, analysis, speculation, belief, etc.;

d) include information or intelligence which could affect the interpretation or assessment of reported information;

e) be objective and unbiased;

f) clearly indicate when information or intelligence is used from a foreign agency which has a questionable human rights record

4. OPERATIONAL REQUIREMENTS

Authority

4.1 Operational reports will include the appropriate CSIS Act reference when applicable.

Urgent Reporting

4.2 Urgent and/or time-sensitive information will be reported immediately.

Concerns of Mistreatment

4.3 When a report writer is uploading information and/or intelligence originating with a foreign country / agency with a documented history of mistreatment, and therefore the information may have been obtained through internationally prohibited forms of interrogation, the report writer will include a caveat which includes a special notation,

The notation can also be found in the DDO Directive - "Information Sharing - Agencies with poor Human Rights records" dated 2008 11 19.

Information Sharing

4.4 When sharing information and/or intelligence outside the Service, the appropriate caveat is to be included

OPS-603, "Disclosure of Operational Information and Intelligence - Caveats").

4.4.1 Prior to sharing material originating from a foreign country / agency with a documented history of mistreatment, the report writer must assess whether sharing the material could lead to mistreatment of individuals (see also OPS-601, "Authorized Disclosure of Operational Information and Intelligence - General").

Third-Party Information

4.5 Third-party information contained within an operational report will be appropriately identified, including any restrictions or conditions which apply to information sharing (OPS-601, "Authorized Disclosure of Operational Information and Intelligence - General").

Unsolicited Information

4.6 Unsolicited information may be reported providing it relates to an investigation of the Service or is incidental information.

Access to Information Act and Privacy Act

4.7 Operational reports must comply with legislation and government policies covered by the *Access to Information Act* and the *Privacy Act*.

4.7.1 All comments, remarks or opinions contained in operational reports become part of the official record and are subject to access under the relevant legislation (ADM-403, "Requests - Access to Information and Privacy Acts").

Exchange of Information or Intelligence

4.9 Information or intelligence exchanged with organizations outside the Service is to be appropriately

Open Information

4.10 Open information, including but not limited to that obtained from the Internet, may be reported if it is relevant to a Service investigation.

4.10.1 Only relevant excerpts of the open information as well as identifying details should be reported.

4.11 Specific details in regards to where originals of the open information will be retained should be included in the BRS report.

4.11.1 Hard copy originals of written open information are to be copied and retained on an appropriate operational file, BRS report.

4.11.2 When reporting open information from the Internet, the full webpage, not just the screenshot, containing the Internet information used in preparing the report will be retained in hard copy or PDF format, along with the

full electronic address of the website.

4.11.3 If a written open information document is too large to retain on file, arrangements are to be made to have it available through the Service's Information Centre.

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BRS Reporting Procedures

"BRS User Guide" dated 2008-03.

5. SECURITY REQUIREMENTS

Security Classification / Designation

5.1 Reports will carry the appropriate security classification or designation (SEC-401, "Classification and Designation of Recorded Information").

6. ADMINISTRATIVE REQUIREMENTS

Official Languages Act

6.1 Operational reports will comply with the *Official Languages Act* (HUM-803, "Language of Work").

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