



Public Safety  
Canada

Sécurité publique  
Canada

Office of the  
Inspector General  
of CSIS

Bureau de  
l'inspecteur général  
du SCRS

Ottawa, Canada  
K1A 0P8

**PROTECTED**

Our File: [REDACTED] 2007-002

November 2, 2007

[REDACTED]

Dear Mr. [REDACTED]

This is in response to your *Personal Information Request* dated October 26, 2007, which was received by the Office of the Inspector General of CSIS (OIG-CSIS) on November 1, 2007.

We can advise that, pursuant to section 16(1) of the *Privacy Act*, if the type of information you requested did exist, a refusal to give access could reasonably be expected to be based on one or more of sections 19(1), 20, 21, 22(1)(a&b), 23, 25, 26 or 27 of the *Act*. Based on the information provided in your request, we searched the OIG-CSIS Classes of Personal Information and, in accordance with section 16(2) of the *Act*, we can neither confirm nor deny the existence of any information about you.

If you are not satisfied with the results of your request, you are entitled to submit a complaint to the Privacy Commissioner located at: Place de Ville, Tower B, 112 Kent Street, Ottawa, Ontario, K1A 1H3.

Yours sincerely,

[REDACTED SIGNATURE]

ATIP Coordinator

Canada

## What I requested from CSIS;

All information concerning **myself from 1973 forward**, with additional reference to **my time in South Africa (1986 to 1990) & Canadian Government or other involvement from 1990 to 2007**. As well, any information from R.A.J. Brazeau (Administrative Consul - South African Embassy), External Affairs & xxxx xxxxxxxx (CSIS). **Any information pertaining to the Helderberg SA-295 plane crash & the 1988 US/Iraq arms deals that was given to both R.A.J. Brazeau and CSIS, by myself, in 1990**. Any information pertaining to 1990 or later wiretaps by CSIS, legally or illegally acquired, on **my phone/cell lines**. **I want everything in my file.**

**Oh, what a tangled web they weave, when they practice to deceive....**

**“When the government is afraid of the people, there is liberty and freedom. When the people are afraid of the government, there is tyranny.”**

**Obviously, information exists on me or the OIG-CSIS would not be able to quote relevant sections (and so many of them) to authorize the refusal. Now I have to ask the question, “Who they are protecting?” - Me, themselves, Foreign Affairs, MP's/MPP's, the ANC, the past South African government, the US, the French, arms dealers, the banks, the stock market, Canadian Universities, etc.... It's a bloody long list ! I suppose I'll be sending in a complaint to the Privacy Commissioner ;-)**

**My notes to the below sections are denoted \*\*\* in BLUE and the potentially relevant passages in RED**

**An additional note: It's now March of 2008, 5 months after I filed a formal complaint with the privacy commissioner requesting that this refusal to co-operate by CSIS and External/Foreign Affairs be investigated. I have left a message with the privacy commissioners acting director, we'll see what happens. Next is the letter of complaint to the Privacy Commissioner;**

## WITHOUT PREJUDICE

**The Office of the Privacy Commissioner of Canada  
112 Kent Street  
Ottawa, ON K1A 1H3**

November 13, 2007

**Subject: Complaint per Public Safety Canada/CSIS request number xxxx-xxx-2007-02**

**Sir/Madam,**

I have made a request to OIG-CSIS which was denied, to release information concerning myself and matters I was involved in, to me, so that I can confirm or deny said information on file and/or have it modified accordingly. OIG-CSIS neither confirms nor denies information exists, however, Revenue Canada, reported to me through the Directors office in Scarborough, that information existed as did External Affairs in 1991. OIG-CSIS is quoting sections of the privacy act that involve national security, eg. foreign governments and institutions, potential damage to the government of Canada domestically and internationally, personal safety, etc.

Although I agree that there is a personal safety issue, probably mine, I cannot understand how my employment with military contractors and Armscor/the South African Military 20 years ago could have an impact on present day affairs for the government. As well, my dealings with the Canadian government, Universities, the stock market/banks and Revenue Canada is presently under a Superior Court gag order (permanent injunction [which I and my wife at the time were forced to agree to]) which I will not breach (publishing a book with the material facts but without real names [concerning events in Canada] was allowed under the gag order).

I did release a book in June of 2006 (from outside of Canada) which outlines my South African military related “activities” in some detail from 1986 to 1990 and corruption in Canada from 1995 forward, the content of which might be under active investigation (for more than 10 years? Highly improbable) now that I am placing real names back into the first half of book which involves South Africa. If this is the case, I don't understand why CSIS doesn't send someone to take a statement, unless they are embarrassed by the fact that they never debriefed me in 1990 on my return from South Africa or possibly because Adrian Brazeau, the Canadian Administrative Consul in Pretoria South Africa almost got my wife and two children killed through inaction (we had to leave SA covertly without any help from the Canadian Government although it was requested).

Regardless, I want to examine information concerning myself or about me, so that I can either confirm or deny the content. The following is the body of the request I made to CSIS;

“All information concerning myself from 1973 forward, with additional reference to my time in South Africa (1986 to 1990) & Canadian Government or other involvement from 1990 to 2007. As well, any information from R.A.J. Brazeau (Administrative Consul - South African Embassy), External Affairs & xxx xxxxxxxx (CSIS). Any information pertaining to the Helderberg SA-295 plane crash & the 1988 US/Iraq arms deals that was given to both R.A.J. Brazeau and CSIS, by myself, in 1990. Any information pertaining to 1990 or later wiretaps by CSIS, legally or illegally acquired, on my phone/cell lines. I want everything in my file.”

I would like this information ASAP or within the proscribed 30 days. Please contact me.

Sincerely,

## WITHOUT PREJUDICE

The Office of the Privacy Commissioner of Canada  
112 Kent Street  
Ottawa, ON K1A 1H3

BY FAX: 1-613-xxx-xxxx

March 6, 2008

Attention: Xxxxxx Xxxxxx and Xxxxxxx Xxxxxx

Subject: Resolution of Complaint per Public Safety Canada/CSIS request number xxxx-xxx-2007-02

File Number: xxxxxxxxx

Ms. Xxxxxxx and Xxxxxxxx,

I have been patiently waiting for resolution on the above mentioned complaint and have heard nothing but excuses from your department. I find it disgusting that CSIS and External/Foreign Affairs break their own laws, rules and time frames, especially in this case as I am simply asking for information about myself in the FOIA requests to both CSIS and External/Foreign Affairs and of course, what has been placed on record about me or my involvement with the military in South Africa, by government personnel or others. I would like to make sure the information is correct.

Since no one appears willing to play nicely here (CSIS, External/Foreign Affairs, Privacy Commissioner or Revenue Canada), I have placed the record of this affair to date in PDF format, on the website for my book, which has been deliberately published outside of Canada and which delves into the corruption I have experienced first hand in Canada and abroad with governments and the military (there are no real names in the actual book, yet). You can find the link on my main page at;

<http://www.withmaliceandforethought.com> or if you chose, at the direct link of  
[http://www.withmaliceandforethought.com/Canada\\_FOIA\\_CSIS.pdf](http://www.withmaliceandforethought.com/Canada_FOIA_CSIS.pdf)

Personally, I don't like games and I certainly don't appreciate someone in foreign affairs deliberately frustrating this issue by ignoring my FOIA request or someone else that has never seen "action" in CSIS, denying my request based on their orders to protect Canadian Government officials and bureaucrats from their mistakes in "judgement" we'll call it that simply to be polite. Some day, it's all going to come out, probably through court, that Canadian ministers and CSIS had knowledge of certain plane explosions, arms deals and tax and public funds frauds that they ignored or deliberately kept quiet to protect consuls/ambassadors, ministers, bureaucrats and "friends of government" from civil and criminal prosecution. It would also be interesting to know why CSIS and/or External/Foreign Affairs prevented the NPA (Scorpions) in South Africa from interviewing me personally in June 2007 in Toronto or Ottawa, since I have information pertinent to one of their ongoing investigations.

Three FOIA requests were sent out, the RCMP's response was expedient, direct and stated they had nothing about me on record. **Please consider this letter as confirmation, of my November 13<sup>th</sup>, 2007 formal complaint, that neither CSIS nor Foreign Affairs/External Affairs have complied with my FOIA requests about myself, that were requested in October, 2007 (5 months ago) and that they have seriously and apparently deliberately disregarded the 30 day period provided under the law.**

Finally, you might ask SIRC to tell CSIS to get the taps off my lines and out of my network/email, they aren't going to get anything I haven't already told them, unless I choose to or am otherwise compelled by a court of law.

Sincerely,

# Relevant Portions of the Privacy Act taken from the Canadian Government Website

[http://laws.justice.gc.ca/en/ShowDoc/cs/P-21/bo-ga:s\\_12::bo-ga:s\\_18//en?page=5&isPrinting=false#codese:16](http://laws.justice.gc.ca/en/ShowDoc/cs/P-21/bo-ga:s_12::bo-ga:s_18//en?page=5&isPrinting=false#codese:16)

## Where access is refused

16. (1) Where the head of a government institution refuses to give access to any personal information requested under subsection 12(1), the head of the institution shall state in the notice given under paragraph 14(a)

(a) that the personal information does not exist, or

**(b) the specific provision of this Act on which the refusal was based or the provision on which a refusal could reasonably be expected to be based if the information existed,**

and shall state in the notice that the individual who made the request has a right to make a complaint to the Privacy Commissioner about the refusal.

**\*\*\* of course information exists**

## Existence not required to be disclosed

**(2) The head of a government institution may but is not required to indicate under subsection (1) whether personal information exists.**

**\*\*\* denial is not just a river in Egypt**

## Deemed refusal to give access

(3) Where the head of a government institution fails to give access to any personal information requested under subsection 12(1) within the time limits set out in this Act, the head of the institution shall, for the purposes of this Act, be deemed to have refused to give access.

1980-81-82-83, c. 111, Sch. II "16".

**\*\*\* they would have been smarter to say, "Here's a little bit, this is all we have and see, we aren't hurting anyone." Denial leads to many questions and I want some answers, not some wishy washy "canned" statement.**

## Responsibilities of Government

### Personal information obtained in confidence

19. (1) Subject to subsection (2), the head of a government institution shall refuse to disclose any personal information requested under subsection 12(1) that was obtained in confidence from

**(a) the government of a foreign state or an institution thereof;**

**(b) an international organization of states or an institution thereof;**

(c) the government of a province or an institution thereof;

(d) a municipal or regional government established by or pursuant to an Act of the legislature of a province or an institution of such a government; or

(e) the council, as defined in the Westbank First Nation Self-Government Agreement given effect by the Westbank First Nation Self-Government Act.

**\*\*\* ahhhh, where they got the lies, I mean information, they have to protect the UN, IMF, CFR, CIA, US, France, South Africa, the ANC, etc....**

## Federal-provincial affairs

20. The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) **the disclosure of which could reasonably be expected to be injurious to the conduct by the Government of Canada of federal-provincial affairs.**

1980-81-82-83, c. 111, Sch. II "20".

\*\*\* injurious to the conduct by the Government of Canada of federal-provincial affairs, a very important statement

### International affairs and defence

21. The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) **the disclosure of which could reasonably be expected to be injurious to the conduct of international affairs**, the defence of Canada or any state allied or associated with Canada, as defined in subsection 15(2) of the Access to Information Act, or the efforts of Canada toward detecting, preventing or suppressing subversive or hostile activities, as defined in subsection 15(2) of the Access to Information Act, including, without restricting the generality of the foregoing, any such information listed in paragraphs 15(1)(a) to (i) of the Access to Information Act.

1980-81-82-83, c. 111, Sch. II "21".

\*\*\* injurious to the conduct of international affairs, eg. (past) South African Government, the ANC, the IMF, the World Bank, the CFR, the UN, the United States Government, the CIA, French Government, Government of England, (past) Iraqi Government - it's a very important statement again

### Law enforcement and investigation

22. (1) The head of a government institution may refuse to disclose any personal information requested under subsection 12(1)
- (a) that was obtained or prepared by any government institution, or part of any government institution, that is an investigative body specified in the regulations in the course of lawful investigations pertaining to
    - (i) **the detection, prevention or suppression of crime,**
    - (ii) the enforcement of any law of Canada or a province, or
    - (iii) activities suspected of constituting threats to the security of Canada within the meaning of the Canadian Security Intelligence Service Act,

**if the information came into existence less than twenty years prior to the request;**

- (b) the disclosure of which could reasonably be expected to be injurious to the enforcement of any law of Canada or a province or the conduct of lawful investigations, including, without restricting the generality of the foregoing, any such information
  - (i) **relating to the existence or nature of a particular investigation,**
  - (ii) **that would reveal the identity of a confidential source of information, or**
  - (iii) **that was obtained or prepared in the course of an investigation;** or
- (c) the disclosure of which could reasonably be expected to be injurious to the security of penal institutions.

\*\*\* does it take 10 years or 17 years to do an investigation (two actually) when you have all the information?

### Information obtained by Privacy Commissioner

- 22.1 (1) **The Privacy Commissioner shall refuse to disclose any personal information requested under this Act that was obtained or created by the Commissioner or on the Commissioner's behalf in the course of an investigation conducted by, or under the authority of, the Commissioner.**

### Exception

- (2) However, the Commissioner shall not refuse under subsection (1) to disclose any personal information that was created by the Commissioner or on the Commissioner's behalf in the course of an investigation conducted by, or under the authority of, the Commissioner once the investigation and all related proceedings, if any, are finally concluded.

2006, c. 9, s. 183.

\*\*\* the investigation isn't over yet, it's still ongoing, let's see... 1990 to 2007 at 17 years, or 1997 to 2007 at 10 years, man are they slow

### Security clearances

23. The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) that was obtained or prepared by an investigative body specified in the regulations for the purpose of determining **whether to grant security clearances**

(a) **required by the Government of Canada or a government institution in respect of individuals employed by or performing services for the Government of Canada or a government institution, individuals employed by or performing services for a person or body performing services for the Government of Canada or a government institution, individuals seeking to be so employed or seeking to perform those services, or**

(b) **required by the government of a province or a foreign state or an institution thereof,**

**If disclosure of the information could reasonably be expected to reveal the identity of the individual who furnished the investigative body with the information.**

1980-81-82-83, c. 111, Sch. II "23".

\*\*\* simply because my request involves CSIS and past communication with CSIS as well as Foreign Affairs(ambassadors/consul). The granting of security clearances to me has nothing to do with this, it has to do with "their" security clearances.

### Safety of individuals

25. The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) **the disclosure of which could reasonably be expected to threaten the safety of individuals.**

1980-81-82-83, c. 111, Sch. II "25".

\*\*\* which individual, me or someone else? If it's me, I think I'd like to know if my safety is threatened and by not giving me my information, they have endangered me deliberately and with intent. I doubt they think I am going to go "postal" since I have so many health issues.

### Personal Information

#### Information about another individual

26. The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) **about an individual other than the individual who made the request, and shall refuse to disclose such information where the disclosure is prohibited under section 8.**

1980-81-82-83, c. 111, Sch. II "26".

\*\*\* involves information concerning third parties that are involved, not yourself

### Solicitor-client privilege

27. The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) **that is subject to solicitor-client privilege.**

**\*\*\* this must involve third parties under investigation**

**As referenced in Section 26, Personal Information**

**Disclosure of personal information**

8. (1) Personal information under the control of a government institution shall not, without the consent of the individual to whom it relates, be disclosed by the institution except in accordance with this section.

**Where personal information may be disclosed**

- (2) Subject to any other Act of Parliament, personal information under the control of a government institution may be disclosed
- (a) for the purpose for which the information was obtained or compiled by the institution or for a use consistent with that purpose;
  - (b) for any purpose in accordance with any Act of Parliament or any regulation made thereunder that authorizes its disclosure;
  - (c) for the purpose of complying with a subpoena or warrant issued or order made by a court, person or body with jurisdiction to compel the production of information or for the purpose of complying with rules of court relating to the production of information;
  - (d) to the Attorney General of Canada for use in legal proceedings involving the Crown in right of Canada or the Government of Canada;
  - (e) to an investigative body specified in the regulations, on the written request of the body, for the purpose of enforcing any law of Canada or a province or carrying out a lawful investigation, if the request specifies the purpose and describes the information to be disclosed;
  - (f) under an agreement or arrangement between the Government of Canada or an institution thereof and the government of a province, the council of the Westbank First Nation, the government of a foreign state, an international organization of states or an international organization established by the governments of states, or any institution of any such government or organization, for the purpose of administering or enforcing any law or carrying out a lawful investigation;
  - (g) to a member of Parliament for the purpose of assisting the individual to whom the information relates in resolving a problem;
  - (h) to officers or employees of the institution for internal audit purposes, or to the office of the Comptroller General or any other person or body specified in the regulations for audit purposes;
  - (i) to the Library and Archives of Canada for archival purposes;
  - (j) to any person or body for research or statistical purposes if the head of the government institution
  - (i) is satisfied that the purpose for which the information is disclosed cannot reasonably be accomplished unless the information is provided in a form that would identify the individual to whom it relates, and
  - (ii) obtains from the person or body a written undertaking that no subsequent disclosure of the information will be made in a form that could reasonably be expected to identify the individual to whom it relates;
  - (k) to any aboriginal government, association of aboriginal people, Indian band, government institution or part thereof, or to any person acting on behalf of such government, association, band, institution or part thereof, for the purpose of researching or validating the claims, disputes or grievances of any of the aboriginal peoples of Canada;
  - (l) to any government institution for the purpose of locating an individual in order to collect a debt owing to Her Majesty in right of Canada by that individual or make a payment owing to that individual by Her Majesty in right of Canada; and
  - (m) for any purpose where, in the opinion of the head of the institution,

- (i) the public interest in disclosure clearly outweighs any invasion of privacy that could result from the disclosure, or
- (ii) disclosure would clearly benefit the individual to whom the information relates.

#### **Personal information disclosed by Library and Archives of Canada**

- (3) Subject to any other Act of Parliament, personal information under the custody or control of the Library and Archives of Canada that has been transferred there by a government institution for historical or archival purposes may be disclosed in accordance with the regulations to any person or body for research or statistical purposes.

#### **Copies of requests under paragraph (2)(e) to be retained**

- (4) The head of a government institution shall retain a copy of every request received by the government institution under paragraph (2)(e) for such period of time as may be prescribed by regulation, shall keep a record of any information disclosed pursuant to the request for such period of time as may be prescribed by regulation and shall, on the request of the Privacy Commissioner, make those copies and records available to the Privacy Commissioner.

#### **Notice of disclosure under paragraph (2)(m)**

- (5) The head of a government institution shall notify the Privacy Commissioner in writing of any disclosure of personal information under paragraph (2)(m) prior to the disclosure where reasonably practicable or in any other case forthwith on the disclosure, and the Privacy Commissioner may, if the Commissioner deems it appropriate, notify the individual to whom the information relates of the disclosure.

#### **Definition of "Indian band"**

- (6) In paragraph (2)(k), "Indian band" means
  - (a) a band, as defined in the Indian Act;
  - (b) a band, as defined in the Cree-Naskapi (of Quebec) Act, chapter 18 of the Statutes of Canada, 1984;
  - (c) the Band, as defined in the Sechelt Indian Band Self-Government Act, chapter 27 of the Statutes of Canada, 1986; or
  - (d) a first nation named in Schedule II to the Yukon First Nations Self-Government Act.

#### **Definition of "aboriginal government"**

- (7) The expression "aboriginal government" in paragraph (2)(k) means
  - (a) Nisga'a Government, as defined in the Nisga'a Final Agreement given effect by the Nisga'a Final Agreement Act;
  - (b) the council of the Westbank First Nation;
  - (c) the Tlicho Government, as defined in section 2 of the Tlicho Land Claims and Self-Government Act; or
  - (d) the Nunatsiavut Government, as defined in section 2 of the Labrador Inuit Land Claims Agreement Act.

#### **Definition of "council of the Westbank First Nation"**

- (8) The expression "council of the Westbank First Nation" in paragraphs (2)(f) and (7)(b) means the council, as defined in the Westbank First Nation Self-Government Agreement given effect by the Westbank First Nation Self-Government Act.

R.S., 1985, c. P-21, s. 8; R.S., 1985, c. 20 (2nd Supp.), s. 13, c. 1 (3rd Supp.), s. 12; 1994, c. 35, s. 39; 2000, c. 7, s. 26; 2004, c. 11, s. 37, c. 17, s. 18; 2005, c. 1, ss. 106, 109, c. 27, ss. 21, 25.

#### **As referenced in Section 25, Safety of Individuals and Section 26, Information about another individual**

#### **Right of access**



12. (1) Subject to this Act, every individual who is a Canadian citizen or a permanent resident within the meaning of subsection 2(1) of the Immigration and Refugee Protection Act has a right to and shall, on request, be given access to
- (a) any personal information about the individual contained in a personal information bank; and
  - (b) any other personal information about the individual under the control of a government institution with respect to which the individual is able to provide sufficiently specific information on the location of the information as to render it reasonably retrievable by the government institution.

**Other rights relating to personal information**

- (2) Every individual who is given access under paragraph (1)(a) to personal information that has been used, is being used or is available for use for an administrative purpose is entitled to
- (a) request correction of the personal information where the individual believes there is an error or omission therein;
  - (b) require that a notation be attached to the information reflecting any correction requested but not made; and
  - (c) require that any person or body to whom that information has been disclosed for use for an administrative purpose within two years prior to the time a correction is requested or a notation is required under this subsection in respect of that information
    - (i) be notified of the correction or notation, and
    - (ii) where the disclosure is to a government institution, the institution make the correction or notation on any copy of the information under its control.

**Extension of right of access by order**

- (3) The Governor in Council may, by order, extend the right to be given access to personal information under subsection (1) to include individuals not referred to in that subsection and may set such conditions as the Governor in Council deems appropriate.