



Definition of Review as referenced in s.8(1) (a-c) of the *NSIRA Act*

Review by NSIRA is the independent and expert scrutiny of national security and intelligence activities conducted by any department or agency of the Government of Canada. The criteria for assessment can include, but need not be limited to, compliance (with law, ministerial direction, and policy), reasonableness, necessity, and efficacy. Additional criteria or lines of assessment may be determined at NSIRA's discretion. Review can reach findings and issue recommendations with respect to the activities under consideration, as well as the broader context (e.g., governance, policy, organizational structure) in which they occur. Recommendations are non-binding on the departments and agencies to which they are issued.

Review occurs outside of the decision-making and operational process by which activities are conducted. That is, review is not connected to control or management of the activities being examined. In this way, NSIRA maintains its independence, as it is not implicated in the activities it reviews. Review is not bound by any temporal limitations. It may apply to past (completed) and present (ongoing) activities. It may also consider future activities by assessing the policies and procedures guiding a prospective activity, and highlighting potential issues before they occur.

The purpose of review is to ascertain facts after careful examination to develop findings and recommendations that inform accountability. NSIRA's findings and recommendations are provided to the implicated departments and agencies as well as the responsible minister. NSIRA's Annual Report, summarizing and contextualizing its review work from the previous year (including all findings and recommendations), is provided to the Prime Minister and tabled in parliament. Unclassified versions of each review report and the Annual Report are published on NSIRA's website. In this way, review by NSIRA informs the broader deliberation – fundamental in a free and democratic society – regarding the means, lengths, and laws by which national security or intelligence activities are carried out. Crucially, NSIRA enjoys unfettered access (with the exception of cabinet confidences) to the sensitive and classified information of relevant departments and agencies, ensuring a level of scrutiny unavailable to other entities (such as civil society groups, academia, the media, etc.).