

**Office of the Intelligence  
Commissioner**

**2023–24**

Departmental Plan

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The Right Honourable Justin Trudeau  
Prime Minister of Canada

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the Office of the Intelligence Commissioner, 2023.

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## Table of contents

From the Intelligence Commissioner .....	1
Plans at a glance.....	3
Core responsibilities: planned results and resources, and key risks .....	5
Internal services: planned results.....	9
Planned spending and human resources .....	11
Planned spending .....	11
Planned human resources .....	13
Estimates by vote.....	13
Future-oriented condensed statement of operations.....	13
Corporate information.....	15
Organizational profile .....	15
Raison d'être, mandate and role: who we are and what we do.....	15
Operating context.....	15
Reporting framework.....	15
Supporting information on the program inventory .....	16
Supplementary information tables.....	16
Federal tax expenditures.....	16
Organizational contact information .....	16
Appendix: definitions .....	17
Endnotes .....	21

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## From the Intelligence Commissioner

As Intelligence Commissioner and Deputy Head, I am pleased to submit my first Departmental Plan for the Office of the Intelligence Commissioner (ICO). This 2023-24 Departmental Plan provides Canadians with an overview of the ICO’s objectives, planned activities and expected results during the reporting period, as well as the financial and human resources forecast to deliver those results.

The ICO is a separate agency of the federal government. More specifically, the ICO is an independent advance oversight quasi-judicial body whose legislative mandate is to review certain national security and intelligence activities before they can be undertaken by the Communications Security Establishment and the Canadian Security Intelligence Service. Oversight is an essential aspect of maintaining the proper balance between national security interests, respect for the rule of law and the rights and freedoms of Canadians. There are heightened expectations regarding public institutions. Canadians expect open and transparent reporting on national security activities that may infringe on their privacy.

The 2023–24 plan continues to build on ICO initiatives and achievements. Maintaining a respectful, healthy and agile workplace is a core goal for the ICO over the coming year.

The ICO will also strengthen its engagement and outreach by exploring new approaches as well as the adoption of emerging and innovative technologies. Collaborating with other government departments and agencies will remain a priority in the coming year to strengthen ICO’s technical, security and internal services infrastructure in a manner that is effective, accessible and sustainable.

The ICO will seek opportunities to improve the accessibility of my decisions to serve better the Canadians’ interest. A key element of this will be ensuring simple and direct access to the vetted decisions through online tools.

I have full confidence that the ICO is well prepared to deliver on my legislative mandate. We will continue to serve Canadians in an open and transparent manner, and in doing so, strengthening the national security framework through greater transparency and enhanced accountability.

The Honourable Simon Noël, K.C.  
Intelligence Commissioner



## Plans at a glance

The following provides an overview of the ICO’s priorities and key actions planned for 2023–24:

### **Timely, comprehensive quasi-judicial reviews**

The ICO will continue to perform quasi-judicial reviews of the reasonableness of conclusions. All decisions rendered by the IC must be in accordance with the deadlines set out in the legislation.

### **Transparency**

In accordance with the *Intelligence Commissioner Act (IC Act)*, the IC will submit an unclassified report to the Prime Minister (to be subsequently tabled by the Prime Minister before each House of Parliament). This unclassified report will address the IC’s activities during the previous calendar year. The annual report will include statistics that the IC considers appropriate, relating to the authorizations, amendments and determinations that were reviewed.

### **Effective management of internal services**

Internal services will continue to be strengthened to ensure the necessary services and tools are available to managers and employees. Plans include the review of the human resources and financial management frameworks with a view to strengthening control processes and identifying areas of greatest risk.

For more information on the Office of the Intelligence Commissioner’s plans, see the “Core responsibilities: planned results and resources, and key risks” section of this plan.





## Core responsibilities: planned results and resources, and key risks

This section contains information on the department’s planned results and resources for each of its core responsibilities. It also contains information on key risks related to achieving those results.

### Quasi-judicial review of certain ministerial conclusions

#### Description

The ICO is an independent oversight body. Under the *IC Act*, the IC is responsible for performing quasi-judicial reviews of the conclusions on the basis of which certain authorizations are issued or amended, and certain determinations are made, under the *Communications Security Establishment Act* and the *Canadian Security Intelligence Service Act*. In each case, the IC, supported by the ICO, undertakes an in-depth analysis of the records. If the IC is satisfied that the conclusions reached by the decision-maker are reasonable, the IC must approve the authorization or determination in a written decision that sets out the reasons for doing so.

Consistent with the IC’s oversight role, an authorization or determination is valid only after it is approved by the IC. The activities described in the authorizations or determinations cannot be carried out by the intelligence agencies without the IC’s approval.

The *IC Act* requires that the IC’s decision be rendered within 30 days after the day on which the IC received notice of the authorization or determination, or within any other period that may be agreed on by the IC and the decision-maker. In the case of an authorization issued by the Director of Canadian Security Intelligence Service for a query of a dataset in exigent circumstances, the IC must render his or her decision and the reasons for it as soon as feasible.

#### Planning highlights

The role of the IC and that of the ICO is to provide greater transparency, better accountability and, ultimately to bolster public confidence in Canada’s national security framework and it remains unchanged. In addition, the core responsibility to perform quasi-judicial reviews of certain ministerial conclusions remains the same.

In support of its ability to perform quasi-judicial reviews in accordance with the deadlines established by the legislation, in 2023–24, the following activities will be undertaken:

- Continue to refine existing processes and procedures to better align resources to conduct quasi-judicial reviews in accordance with the deadlines set out in the legislation;
- Review organizational structure with a focus on maintaining a highly skilled workforce and increasing diversity;
- Continue to utilize the departmental results framework and performance measurement regime in accordance with the Treasury Board Secretariat’s Policy on Results.

## **Innovation**

Given the mandate, role and responsibilities of the IC, the ICO has limited opportunities for high impact innovation. With the appointment of the Honourable Simon Noël as Intelligence Commissioner on October 1, 2022, 2023–24 will be an opportune time for the ICO to test new practices and measure the outcomes of tests. Evidence from the tests will be used to modify existing practices and procedures and implement new ways of achieving desired results.

### **Key risks**

#### **Risk 1: Human resources management**

The ICO must ensure that it has sufficient resources in place to meet the review and reporting requirements set out in the legislation. Regardless of the number and complexity of the quasi-judicial reviews conducted, the requirements of the legislation must be met. The ICO's workload is largely demand-driven by the reviews submitted to the IC for approval, and subject to fluctuations in the volume and complexity of the file submitted over which the ICO has limited control. This significantly affects the ICO's operational context and places pressures on the ICO as a whole.

The ICO will continue to apply strategies to effectively recruit, retain and manage its human resources to meet the requirements of the IC and provide the necessary support to achieve program delivery.

#### **Risk 2: Policies, procedures and practices**

The ICO has policies, procedures and practices including new technologies and capabilities to support the independent role of the IC and the performance of an effective and efficient quasi-judicial review program.

In October 2022, a new IC was appointed and with this appointment, an analysis and update of procedures and practices will occur in 2023–24 to ensure the current, complete and comprehensive conduct of the quasi-judicial reviews.

#### **Planned results for the quasi-judicial review of certain ministerial conclusions**

The following table shows, for the quasi-judicial review of certain ministerial conclusions, the planned results, the result indicators, the targets and the target dates for 2023–24, and the actual results for the three most recent fiscal years for which actual results are available.

Departmental result	Departmental result indicator	Target	Date to achieve target	2019–20 actual result	2020–21 actual result	2021–22 actual result
Enhancing transparency and accountability of the national security framework	% of decisions and the reasons for them delivered in accordance with the deadlines set out in the legislation	100%	March 31, 2024	100%	100%	100%
	Annual report on Commissioner's activities delivered to the Prime Minister by March 31st	100%	March 31, 2024	100%	100%	100%

The financial, human resources and performance information for the Office of the Intelligence Commissioner's program inventory is available on [GC InfoBase](#).<sup>i</sup>

Planned budgetary spending for the quasi-judicial review of certain ministerial decisions

The following table shows, for the quasi-judicial review of certain ministerial decisions, budgetary spending for 2023–24, as well as planned spending for that year and for each of the next two fiscal years.

2023–24 budgetary spending (as indicated in Main Estimates)	2023–24 planned spending	2024–25 planned spending	2025–26 planned spending
1,920,922	1,920,922	1,920,922	1,920,922

Financial, human resources and performance information for the Office of the Intelligence Commissioner's program inventory is available on [GC InfoBase](#).<sup>ii</sup>

Planned human resources for the quasi-judicial review of certain ministerial decisions

The following table shows, in full-time equivalents, the human resources the department will need to fulfill this core responsibility for 2023–24 and for each of the next two fiscal years.

2023–24 planned full-time equivalents	2024–25 planned full-time equivalents	2025–26 planned full-time equivalents
6.5	6.5	6.5

Financial, human resources and performance information for the Office of the Intelligence Commissioner's program inventory is available on [GC InfoBase](#).<sup>iii</sup>



## Internal services: planned results

### Description

Internal services are the services that are provided within a department so that it can meet its corporate obligations and deliver its programs. There are 10 categories of internal services:

- ▶ management and oversight services
- ▶ communications services
- ▶ legal services
- ▶ human resources management services
- ▶ financial management services
- ▶ information management services
- ▶ information technology services
- ▶ real property management services
- ▶ materiel management services
- ▶ acquisition management services

### Planning highlights

In continuing to strengthen internal services, the ICO will examine its existing service agreements with other government departments to ensure the planned collaboration is continuing to provide the services requested in an effective and efficient manner. In addition, the ICO is with a focus on improved productivity and increased efficiency, opportunities to acquire additional services from other government departments will be explored.

In order to provide the IC with assurance that the internal controls are in place and to increase awareness of the areas of higher risk within the ICO, the ICO will conduct the second phase of the Office of the Comptroller General’s comprehensive compliance self-assessment utilizing the tools developed by the Office of the Comptroller General.

### Planning for Contracts Awarded to Indigenous Businesses

The ICO is committed to meet the mandatory minimum target of 5% of the total value of contracts is awarded to Indigenous businesses annually. The ICO will leverage tools established by Public Services and Procurement Canada, such as standing offers and supply arrangements, to assist in contracting with Indigenous Business.

5% reporting field description	2021-22 actual % achieved	2022-23 forecasted % target	2023-24 planned % target
Total percentage of contracts with Indigenous businesses	N/A	N/A	5%

Planned budgetary spending for internal services

The following table shows, for internal services, budgetary spending for 2023–24, as well as planned spending for that year and for each of the next two fiscal years.

2023–24 budgetary spending (as indicated in Main Estimates)	2023–24 planned spending	2024–25 planned spending	2025–26 planned spending
634,465	634,465	634,465	634,465

Planned human resources for internal services

The following table shows, in full-time equivalents, the human resources the department will need to carry out its internal services for 2023–24 and for each of the next two fiscal years.

2023–24 planned full-time equivalents	2024–25 planned full-time equivalents	2025–26 planned full-time equivalents
4	4	4

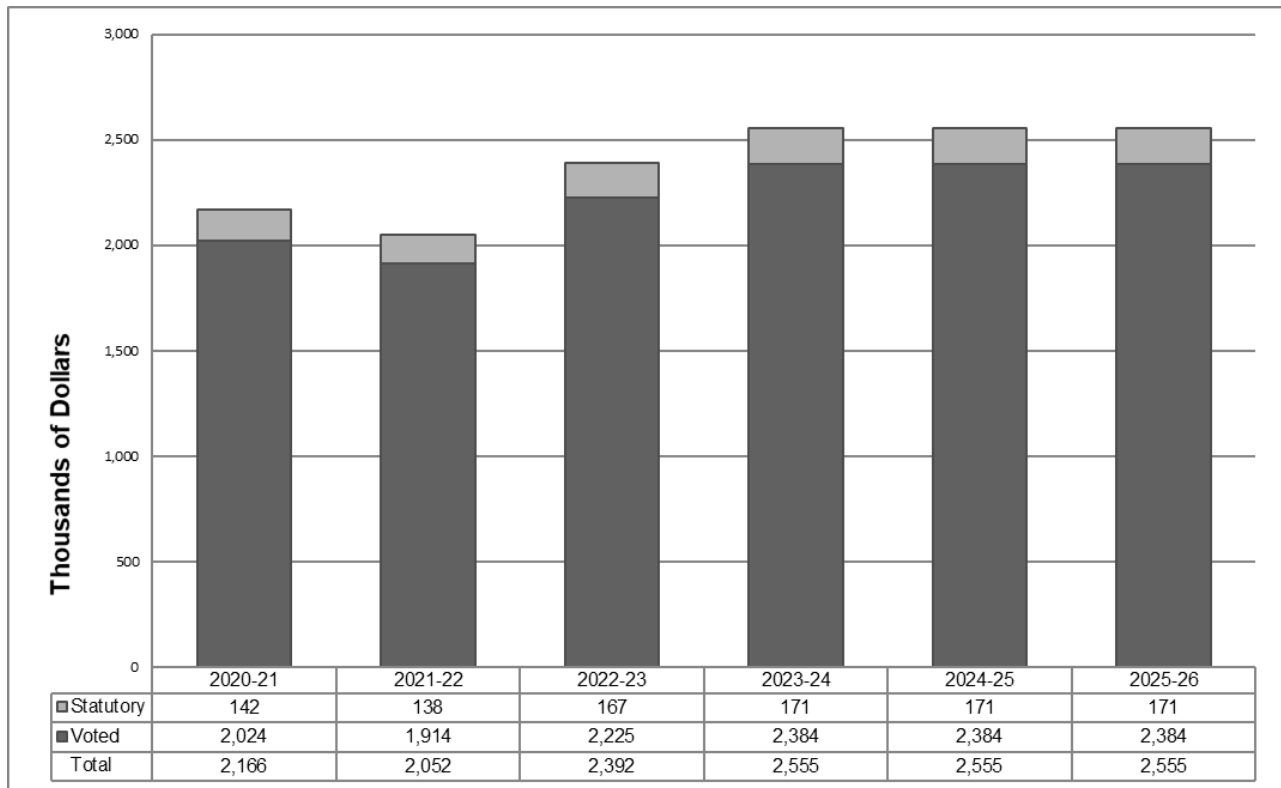
## Planned spending and human resources

This section provides an overview of the department’s planned spending and human resources for the next three fiscal years and compares planned spending for 2023–24 with actual spending for the current year and the previous year.

### Planned spending

Departmental spending 2020–21 to 2025–26

The following graph presents planned spending (voted and statutory expenditures) over time.



The planned spending for 2023–24 shows an increase over actual spending in 2022–23 of \$163 thousand and over actual spending in 2021–22 of \$503 thousand. Planned spending in 2023–24 is based on a full FTE complement. In addition, ICO is enhancing its security platform to ensure appropriate safeguards are in place.

Budgetary planning summary for core responsibilities and internal services (dollars)

The following table shows information on spending for each of the Office of the Intelligence Commissioner’s core responsibilities and for its internal services for 2023–24 and other relevant fiscal years.

Core responsibilities and internal services	2020–21 actual expenditures	2021–22 actual expenditures	2022–23 forecast spending	2023–24 budgetary spending (as indicated in Main Estimates)	2023–24 planned spending	2024–25 planned spending	2025–26 planned spending
Quasi-judicial review of certain ministerial conclusions	1,519,442	1,547,470	1,744,325	1,920,922	1,920,922	1,920,922	1,920,922
Internal services	646,405	504,415	647,548	634,465	634,465	634,465	634,465
<b>Total</b>	<b>2,165,847</b>	<b>2,051,885</b>	<b>2,391,873</b>	<b>2,555,387</b>	<b>2,555,387</b>	<b>2,555,387</b>	<b>2,555,387</b>

The increase in budgetary and planned spending for the quasi-judicial review program and internal services accounts for a full complement of FTEs, as well as planned security enhancements.



## Planned human resources

The following table shows information on human resources, in full-time equivalents (FTEs), for each of the Office of the Intelligence Commissioner’s core responsibilities and for its internal services for 2023–24 and the other relevant years.

### Human resources planning summary for core responsibilities and internal services

Core responsibilities and internal services	2020–21 actual full-time equivalents	2021–22 actual full-time equivalents	2022–23 forecast full-time equivalents	2023–24 planned full-time equivalents	2024–25 planned full-time equivalents	2025–26 planned full-time equivalents
Quasi-judicial review of certain ministerial conclusions	5	5	5	6.5	6.5	6.5
Internal services	2	2	2	4	4	4
<b>Total</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>10.5</b>	<b>10.5</b>	<b>10.5</b>

## Estimates by vote

Information on the Office of the Intelligence Commissioner’s organizational appropriations is available in the [2023–24 Main Estimates](#).<sup>iv</sup>

## Future-oriented condensed statement of operations

The future-oriented condensed statement of operations provides an overview of the Office of the Intelligence Commissioner’s operations for 2022–23 to 2023–24.

The forecast and planned amounts in this statement of operations were prepared on an accrual basis. The forecast and planned amounts presented in other sections of the Departmental Plan were prepared on an expenditure basis. Amounts may therefore differ.

A more detailed future-oriented statement of operations and associated notes, including a reconciliation of the net cost of operations with the requested authorities, are available on the Office of the Intelligence Commissioner’s [website](#).<sup>v</sup>

Future-oriented condensed statement of operations for the year ending  
March 31, 2024 (dollars)

Financial information	2022–23 forecast results	2023–24 planned results	Difference (2023–24 planned results minus 2022–23 forecast results)
Total expenses	2,598,358	2,688,610	90,252
Net cost of operations before government funding and transfers	2,598,358	2,688,610	90,252

The slight increase is due primarily to the cost of planned expansion and strengthening of the security and technology platforms offset in part by a decrease in amortization costs for leasehold improvements which were fully amortized in 2022–23.

## Corporate information

### Organizational profile

**Appropriate minister:** The Right Honourable Justin Trudeau, P.C., M.P. – Prime Minister of Canada

**Institutional head:** The Honourable Simon Noël, K.C. – Intelligence Commissioner

**Ministerial portfolio:** Prime Minister

**Enabling instrument:** *Intelligence Commissioner Act*<sup>vi</sup>

**Year of incorporation / commencement:** 2019

### Raison d'être, mandate and role: who we are and what we do

Information on the Office of the Intelligence Commissioner's raison d'être, mandate and role is available on the Office of the Intelligence Commissioner's [website](#).<sup>vii</sup>

### Operating context

Information on the operating context is available on the Office of the Intelligence Commissioner's [website](#).<sup>viii</sup>

### Reporting framework

The Office of the Intelligence Commissioner's approved departmental results framework and program inventory for 2023–24 are as follows.

Departmental Results Framework	Core Responsibility: Quasi-judicial review of certain ministerial decisions		Internal Services
	Departmental Result: Enhancing transparency and accountability of the national security framework	% of decisions and the reasons for them delivered in accordance with the deadlines set out in the legislation	
		Annual report on Commissioner's activities delivered to the Prime Minister by March 31 <sup>st</sup>	
Program Inventory	Quasi-judicial Review Program		

## Supporting information on the program inventory

Supporting information on planned expenditures, human resources, and results related to the Office of the Intelligence Commissioner's program inventory is available on [GC InfoBase](#).<sup>ix</sup>

## Supplementary information tables

The following supplementary information tables are available on the Office of the Intelligence Commissioner's [website](#)<sup>x</sup>:

- ▶ Gender-based analysis plus
- ▶ United Nations 2030 Agenda for Sustainable Development and the Sustainable Development Goals

## Federal tax expenditures

The Office of the Intelligence Commissioner's Departmental Plan does not include information on tax expenditures.

Tax expenditures are the responsibility of the Minister of Finance. The Department of Finance Canada publishes cost estimates and projections for government-wide tax expenditures each year in the [Report on Federal Tax Expenditures](#).<sup>xi</sup> This report provides detailed information on tax expenditures, including objectives, historical background and references to related federal spending programs, as well as evaluations, research papers and gender-based analysis plus.

## Organizational contact information

### **Mailing address**

Office of the Intelligence Commissioner  
P.O. Box 1474, Station B  
Ottawa, ON K1P 5P6

**Telephone:** 613-992-3044

**Email:** [info@ico-bcr.gc.ca](mailto:info@ico-bcr.gc.ca)

**Website(s):** [www.canada.ca/en/intelligence-commissioner.html](http://www.canada.ca/en/intelligence-commissioner.html)

## Appendix: definitions

### **appropriation (crédit)**

Any authority of Parliament to pay money out of the Consolidated Revenue Fund.

### **budgetary expenditures (dépenses budgétaires)**

Operating and capital expenditures; transfer payments to other levels of government, organizations or individuals; and payments to Crown corporations.

### **core responsibility (responsabilité essentielle)**

An enduring function or role performed by a department. The intentions of the department with respect to a core responsibility are reflected in one or more related departmental results that the department seeks to contribute to or influence.

### **Departmental Plan (plan ministériel)**

A document that sets out a department's priorities, programs, expected results and associated resource requirements, covering a three-year period beginning with the year indicated in the title of the report. Departmental Plans are tabled in Parliament each spring.

### **departmental result (résultat ministériel)**

A change that a department seeks to influence. A departmental result is often outside departments' immediate control, but it should be influenced by program-level outcomes.

### **departmental result indicator (indicateur de résultat ministériel)**

A factor or variable that provides a valid and reliable means to measure or describe progress on a departmental result.

### **departmental results framework (cadre ministériel des résultats)**

A framework that consists of the department's core responsibilities, departmental results and departmental result indicators.

### **Departmental Results Report (rapport sur les résultats ministériels)**

A report on a department's actual performance in a fiscal year against its plans, priorities and expected results set out in its Departmental Plan for that year. Departmental Results Reports are usually tabled in Parliament each fall.

### **full-time equivalent (équivalent temps plein)**

A measure of the extent to which an employee represents a full person-year charge against a departmental budget. Full-time equivalents are calculated as a ratio of assigned hours of work to scheduled hours of work. Scheduled hours of work are set out in collective agreements.

**gender-based analysis plus (GBA Plus) (analyse comparative entre les sexes plus [ACS Plus])**

An analytical tool used to support the development of responsive and inclusive policies, programs and other initiatives. GBA Plus is a process for understanding who is impacted by the issue or opportunity being addressed by the initiative; identifying how the initiative could be tailored to meet diverse needs of the people most impacted; and anticipating and mitigating any barriers to accessing or benefitting from the initiative. GBA Plus is an intersectional analysis that goes beyond biological (sex) and socio-cultural (gender) differences to consider other factors, such as age, disability, education, ethnicity, economic status, geography, language, race, religion, and sexual orientation.

**government-wide priorities (priorités pangouvernementales)**

For the purpose of the 2023–24 Departmental Plan, government-wide priorities are the high-level themes outlining the Government’s agenda in the 2021 Speech from the Throne: building a healthier today and tomorrow; growing a more resilient economy; bolder climate action; fighter harder for safer communities; standing up for diversity and inclusion; moving faster on the path to reconciliation and fighting for a secure, just, and equitable world.

**high impact innovation (innovation à impact élevé)**

High impact innovation varies per organizational context. In some cases, it could mean trying something significantly new or different from the status quo. In other cases, it might mean making incremental improvements that relate to a high-spending area or addressing problems faced by a significant number of Canadians or public servants.

**horizontal initiative (initiative horizontale)**

An initiative in which two or more federal organizations are given funding to pursue a shared outcome, often linked to a government priority.

**non-budgetary expenditures (dépenses non budgétaires)**

Net outlays and receipts related to loans, investments and advances, which change the composition of the financial assets of the Government of Canada.

**performance (rendement)**

What an organization did with its resources to achieve its results, how well those results compare to what the organization intended to achieve, and how well lessons learned have been identified.

**plan (plan)**

The articulation of strategic choices, which provides information on how an organization intends to achieve its priorities and associated results. Generally, a plan will explain the logic behind the strategies chosen and tend to focus on actions that lead up to the expected result.

**planned spending (dépenses prévues)**

For Departmental Plans and Departmental Results Reports, planned spending refers to those amounts presented in the Main Estimates.

A department is expected to be aware of the authorities that it has sought and received. The determination of planned spending is a departmental responsibility, and departments must be able to defend the expenditure and accrual numbers presented in their Departmental Plans and Departmental Results Reports.

**program (programme)**

Individual or groups of services, activities or combinations thereof that are managed together within a department and that focus on a specific set of outputs, outcomes or service levels.

**program inventory (répertoire des programmes)**

An inventory of a department's programs that describes how resources are organized to carry out the department's core responsibilities and achieve its planned results.

**result (résultat)**

An external consequence attributed, in part, to an organization, policy, program or initiative. Results are not within the control of a single organization, policy, program or initiative; instead, they are within the area of the organization's influence.

**statutory expenditures (dépenses législatives)**

Expenditures that Parliament has approved through legislation other than appropriation acts. The legislation sets out the purpose of the expenditures and the terms and conditions under which they may be made.

**target (cible)**

A measurable performance or success level that an organization, program or initiative plans to achieve within a specified time period. Targets can be either quantitative or qualitative.

**voted expenditures (dépenses votées)**

Expenditures that Parliament approves annually through an Appropriation Act. The vote wording becomes the governing conditions under which these expenditures may be made.





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## Endnotes

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- i. GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- ii. GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- iii. GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- iv. 2023–24 Main Estimates, <https://www.canada.ca/en/treasury-board-secretariat/services/planned-government-spending/government-expenditure-plan-main-estimates.html>
- v. Office of the Intelligence Commissioner, <https://www.canada.ca/en/intelligence-commissioner.html>
- vi. *Intelligence Commissioner Act*, <https://laws-lois.justice.gc.ca/eng/acts/I-14.85/>
- vii. Office of the Intelligence Commissioner, <https://www.canada.ca/en/intelligence-commissioner.html>
- viii. Office of the Intelligence Commissioner, <https://www.canada.ca/en/intelligence-commissioner.html>
- ix. GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- x. Office of the Intelligence Commissioner, <https://www.canada.ca/en/intelligence-commissioner.html>
- xi. Report on Federal Tax Expenditures, <https://www.canada.ca/en/department-finance/services/publications/federal-tax-expenditures.html>