



Canadian Association of University Teachers
Association canadienne des professeurs et professeurs d'université

Memorandum 23:29

Date: July 13, 2023

To: Presidents and Administrative Officers
Local and Federated Associations

From: David Robinson, Executive Director

Re: **Guidance on Interacting with CSIS agents or other public safety officers**

The Canadian Association of University Teachers (CAUT) is aware of several incidences in recent months when CSIS agents or “public safety officers” have contacted and requested interviews with academic staff. The primary motivation for these contacts appears to be related to perceived research security risks involving China. The purpose of this memo is to provide your members with guidance on what to do if contacted by CSIS. I encourage you to share it widely.

What is CSIS?

The Canadian Security Intelligence Service (CSIS) is Canada's primary national intelligence agency. CSIS agents are not law enforcement officers. They are tasked with investigating “activities suspected of constituting threats to the security of Canada and to report on these to the Government of Canada.” CSIS agents may be concerned that you could be a target of a foreign state or entity, or they may have questions relating to your research and scholarly work at your institution.

What should I do if contacted by CSIS?

If you are contacted by a CSIS officer, or any other public safety officer, concerning any matter relating to your academic work or to national security generally, it is strongly recommended that you immediately advise your academic staff association and that the association seek guidance from CAUT. It is recommended that you not answer any questions until you and your association has received advice from CAUT.

The following general guidance may be useful if you are approached or contacted by a CSIS agent or other public safety officer:

- Remain calm and polite when insisting on contacting your association and CAUT and, as always, remain truthful in any statements you do make regarding contacting your association and CAUT.

- Ask why the CSIS agent has approached you and ask for a business or contact card for each agent with whom you are speaking.
- Take notes of the conversation, or better still, if possible, record the conversation.
- Remember, you do not need to speak with the agent immediately, or at the place where they have approached you. You can decline to speak with the agent until after you have sought advice.

The key point is that you have a right to remain silent pending seeking advice from CAUT and/or legal counsel. If you agree to an interview (recommended only after obtaining advice), you have a right to have legal counsel with you.

Am I required to answer questions posed by CSIS?

You are **not** required to answer questions posed by a CSIS agent and it is recommended you not engage in a substantive way until you have received advice from your association and CAUT.

Stating that you wish to seek advice prior to speaking with a CSIS agent (or other public safety officer) or refusing to permit a search to be conducted **is not** an indication or admission of guilt despite what an agent may tell you.

Can CSIS agents arrest or detain me?

CSIS agents do not have the power to arrest or detain you. However, in rare cases, CSIS agents may bring law enforcement officers with them who may be authorized to arrest or detain you.

You may be required to follow the direction of such law enforcement officers, but you are under no obligation to answer their questions (and it is strongly recommended that you seek advice from your association, CAUT and/or legal counsel prior to answering any questions). If you are detained, you have a right to legal counsel prior to answering any questions.

For more information and assistance, please contact David Robinson, CAUT executive director, at ed.office-bureau.dg@caut.ca or 613-820-2270.

This document is not legal advice and is provided solely for the purpose of information and education for CAUT associations and their members.