

MEMORANDUM NOTE DE SERVICE

TO / À : DIRECTOR, LEGAL SERVICES

FROM / DE : DIRECTOR, DEPARTMENTAL SECURITY

SUBJECT / OBJET : Security/Reliability Clearance Process - Applicant

SECURITY - CLASSIFICATION - DE SÉCURITÉ
CONFIDENTIAL
OUR FILE - N / RÉFÉRENCE
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YOUR FILE - V / RÉFÉRENCE
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Further to previous correspondence and discussions in this regard, I am forwarding those sections of the Admin. Manual on Personnel Security, which deal with the subject of homosexuality (see material highlighted).

Although the Federal Government made a commitment in "Toward Equality" to take whatever measures are necessary to ensure that sexual orientation is a prohibited ground of discrimination in areas of federal jurisdiction and the Canadian Human Rights Act will no doubt be amended to reflect this, I would like to explore to what extent a field investigation for a security/reliability clearance can touch on the subject of homosexuality. For example, let us say that during the security/reliability interview the applicant replied "no" to the question "Have you been involved in any sexual activity that would (could) subject you to blackmail?" Later during the field investigation it is learned that the applicant is a homosexual. Since the concern is not the applicant's sexual orientation but his/her being subjected to blackmail because of how he/she deals with the homosexuality, what lines of enquiry can the investigator follow? In my opinion the investigation should be directed towards determining if the individual's sexual orientation is common knowledge or the individual is secretive about the matter. Once this is known then an assessment can be made of his/her vulnerability. To suggest that as soon as the subject of homosexuality comes to light the investigator should not deal with it does not address the security risks.

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I acknowledge that the topic of sexual orientation is very sensitive, however there have to be avenues that can be followed to protect the interests of the Force. Is it the investigation of the subject's sexual orientation that is prohibited or is it the discrimination against the individual because of his/her sexual orientation?

If you require further information/comments please contact me at 993-1081.

J.E. Religa, Supt.
Director, Departmental Security

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