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ISSUE: Homosexuality/Sexual Orientation

BACKGROUND: The Federal Government, in its response to the report of the Parliamentary Sub-Committee on Equality Rights, held the view that one's sexual orientation was irrelevant to whether one could perform a job or use a service or facility. The Government also stated that it would "take whatever measures are necessary to ensure that sexual orientation is a prohibited ground of discrimination in relation to all areas of federal jurisdiction". This approach is consistent with the Government's position that no one should be denied opportunities for reasons that are arbitrary or irrelevant. The Department of Justice is preparing amendments to the Canadian Human Rights Act, which if approved, would prohibit discrimination on the basis of sexual orientation.

CURRENT STATUS: The Commissioner of the RCMP has stated publicly that homosexual behaviour is not compatible with the role of a peace officer. Private homosexual behaviour between consenting adults is not illegal in Canada, and there is no law prohibiting the recruitment, or retention, of homosexuals in the RCMP. It is clear, however, that if the Canadian Human Rights Act is amended as indicated, or alternatively, if the Courts were to rule that sexual orientation is already protected in Section 15 of the Charter of Rights and Freedoms, a homosexual could not be discriminated against on that ground alone in the RCMP.

Recent amendments to the RCMP Act, when proclaimed in the near future, will provide for the establishment of a Code of Conduct. The new Code will continue to demand a high standard of personal conduct of members of the Force at all times and will ensure that the lifestyles of individual members do not bring discredit to the Force.

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