

CR 287-100-19.00/17
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CONFIDENTIAL

C19.00/17

DISCIPLINE

**C19.00/17—HOMOSEXUALITY AND GROSS INDECENCY—INVESTIGATION,
MEDICAL EXAMINATION, AND DISPOSAL**

INVESTIGATION

- (1) Immediately a person, subject to the Code of Service Discipline, becomes aware, or suspects that an act of a homosexual nature has taken place which involves serving personnel, dependants, or civilian employees, he shall report the matter to the CO.
- (2) The CO, with the assistance of the SMO, shall investigate the case to determine whether the report is an idle rumour or any substantiating evidence exists. If the investigation reveals evidence which tends to substantiate the report, the CO shall continue his investigation with the SMO and any investigating agencies available to the CO. On the advice of the SMO, the CO shall refer the subject for psychiatric examination. COs shall ensure that psychiatric examination is completed as quickly as possible. The investigation shall be conducted in such a manner that the subject will be caused the minimum embarrassment. If a woman is involved, questioning other than by the SMO shall be done in the presence of a woman officer or a woman NCO.

DISCIPLINE

- (3) Disciplinary action normally should not be taken. However COs shall consider such action particularly when the act takes place under circumstances that might scandalize other service members or lead to discredit on the RCAF. Service charges with respect to women personnel for homosexual offences shall not be laid.
- (4) When a person, subject to the Code of Service Discipline, is convicted by a Civil Court under the Criminal Code, Section 147 (Buggery), 148 (Indecent Assault on a male or attempts to commit Buggery), and 149 (Gross Indecency) the certificate of conviction and all the facts pertaining to the conviction shall be forwarded to CHQ and AFHQ.

DISPOSAL

- (5) RCAF policy does not allow retention of homosexuals in the Service and when it is decided that a person shall be released, action shall be taken as quickly as possible to effect the release with a minimum of publicity.
- (6) When the CO has completed his investigation he shall forward all information including copies of medical reports, SIU reports, and all pertinent information to CHQ.
- (7) Because release in these cases is normally of an administrative nature the case should be reviewed by career staffs at CHQ. When the case has been reviewed by CHQ it shall be forwarded with all pertinent information and CHQ's recommendation to AFHQ for disposal action.
- (8) Personnel are normally released under QR(Air), art 15.01, item 5(b)(ii), "being considered unsuitable for reasons other than misconduct, inefficiency, or medical unfitness". However when the release is a direct result of a conviction by a Civil Court or Service Tribunal consideration shall be given to release under QR(Air), art 15.01, item 2(c), "unsatisfactory conduct".

(AL 1/62)

CONFIDENTIAL

2

C19.00/17

(9) When a release is effected under this order the person shall be interviewed by the Area Social Welfare Officer, when practical, with a view to counselling and rehabilitation.

(C) (HQ C871-100-19.00/17)(DPA) (27 Apr 62)

(AL 1/62)

Indexing

Discipline—homosexuality and gross indecency

Gross Indecency—and homosexuality—medical examination and disposal

Homosexuality—and gross indecency—medical examination and disposal

Medical—homosexuality and gross indecency

Release—homosexuality and gross indecency

Discipline

(3) Disciplinary action normally should not be taken. However, COs shall consider such action particularly when the act takes place under circumstances that might scandalize other service members or lead to discredit on the RCAB. Service charges with respect to women personnel for homosexual offences shall not be laid.

(4) When a person subject to the Code of Service Discipline is convicted by a Civil Court under the Criminal Code, Section 147 (Burglary), 148 (Indecent Assault on a male or attempt to commit Burglary), and 149 (Gross Indecency), the certificate of conviction and all the facts pertaining to the conviction shall be forwarded to CHQ and AFHQ.

Disposal

(5) RCAB policy does not allow retention of homosexuals in the Service and when it is decided that a person shall be released, action shall be taken as quickly as possible to effect the release with a minimum of publicity.

(6) When the CO has completed his investigation he shall forward all information including copies of medical reports, SHU reports, and all pertinent information to CHQ.

(7) Because release in these cases is normally of an administrative nature the case should be reviewed by correct status CHQ. When the case has been reviewed by CHQ it shall be forwarded with all pertinent information and CHQ's recommendation to AFHQ for disposal action.

(8) Convicts are normally released under QR(A)(i), art 15.01, item 2(d)(ii), "being considered unsuitable for reasons other than misconduct, inefficiency, or medical grounds". However, when the release is a direct result of a conviction by a Civil Court or Service Tribunal, consideration shall be given to release under QR(A)(i), art 15.01, item 2(e), "un satisfactory conduct".

(AL 1/62)