

MEMORANDUM

HQ [redacted] (Adm 2A1)

Adjutant-General

OTTAWA, 19 Oct 55

Misconduct release

1. This memorandum seeks your approval to change the stated reason for release of [redacted]
2. The facts are:
  - (a) on 5 Oct 53 whilst on strength [redacted], [redacted] was found naked in bed with [redacted] who was also naked;
  - (b) he was tried summarily and found guilty of an offence under NDA 118 and was sentenced to thirty days detention;
  - (c) [redacted] was then returned to Canada with a recommendation that he be released under QR(Army) 15.01(1)(c) "Service Misconduct" being implied that he was a homosexual;
  - (d) release for "Service Misconduct" was approved at this HQ and effected on 4 Feb 54.
3. On 1 Aug 55 [redacted] wrote a letter to the V.A.G. requesting that the stated reason for his release be changed. This letter is at folio 39 flagged "A". [redacted] represents that he has been branded as a homosexual without basis or proof. He claims that his being found in bed naked with another naked male was purely accidental as he was drunk at the time and lost his way when trying to return to his tent.
4. An attempt to obtain further information on this incident brought no results.
5. It is true that there is no direct evidence that [redacted] is a homosexual and that his release for misconduct was based solely on the assumption resulting from the circumstances of his offence that he was that sort of an individual. For this reason, it seems that to release this man for "Service Misconduct" was too harsh.
6. In view of the above, it is considered that the stated reason for [redacted]'s release should be changed to QR(Army) 15.01 Item 5(b)(ii) "Being considered unsuitable for reasons other than misconduct, inefficiency or medical unfitness".
7. If you concur may minute 2 below be signed, please.

*W E Scott*  
(W E Scott) Lt-Col  
Chairman, Discharge Review Board

*V. Leduc*  
(V. Leduc) Lt-Col  
Member, Discharge Review Board

II  
Discharge Review Board

Approved.

*not approved*

(M L Brennan)  
Major-General  
Adjutant-General

Oct 55

*L L England*  
(L L England) Major  
Member, Discharge Review Board

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