

CONFIDENTIAL

MEMORANDUM

P 5200-14 TD 9045 (DPLS)

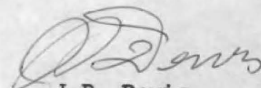
14 February, 1969

JAG

Attention: LCOL J.B. Fay

CANADIAN FORCES POLICY - SEXUAL DEVIATES

1. I refer to our discussions concerning the above and the attached copy of CDS' memorandum of 6 February 1969 addressed CP copy DM.
2. You will note that the CDS has directed that "steps should now be taken to ensure that present regulations for the Canadian forces are exempted from the application of any new legislation related to homosexual acts between consenting adults". You will note from para 4 of the CDS memorandum that the UK legislation expressly exempted the UK navy, army and air force acts from similar UK legislation.
3. In our discussion concerning this matter I indicated that any amendment to the Cabinet Directive (CD) 35 would of course have a direct bearing on the matter, but the fact that homosexual acts in certain circumstances would no longer be criminal offences would not necessarily mean that the forces could not release a member of the forces where in the future such acts or tendencies are present.
4. This matter is obviously a matter in which the CDS requires legal advice from the JAG and views as to how the CDS objective can be attained. You will note that the CDS addressed a copy of his 6 Feb 69 memorandum to the DM.



J.P. Dewis  
Captain(N)  
DPLS  
2-6025

cc: DM  
CDS  
DCPSS  
DGPS

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