



**SECRET**

Serial No 189-77CR  
Série No  
Copy No 157  
Copie No

This document is for Ministers and such officials who need to see it in order to prepare briefing. It is not to be copied or reproduced in any way and is to be returned to the Privy Council Office within 30 days.

Le présent document, à l'usage exclusif des ministres et des fonctionnaires qui doivent en prendre connaissance à titre documentaire, ne doit être reproduit d'aucune façon et doit être retourné au Bureau du Conseil privé dans les trente jours.

April 27, 1977.

MEMORANDUM TO THE CABINET

Bill C-25, the Canadian Human Rights Act;  
Sexual Orientation and Political Belief

Bill C-25, loi canadienne sur les droits de la  
personne: orientations sexuelles et opinions  
politiques

The Cabinet Committee on Security and Intelligence considered at a meeting on Tuesday, April 26, 1977 a memorandum of the Minister of Justice (Cab. Doc. 189-77MC) seeking direction from Ministers on the approach to be taken in dealing with public and parliamentary pressure for inclusion of sexual orientation and political belief as prohibited grounds of discrimination in Bill C-25, then before the Justice and Legal Affairs Committee.

The Committee agreed that:

1. efforts should continue to avoid inclusion in Bill C-25 of sexual orientation and political belief as prohibited grounds of discrimination, on grounds of national interest, since:
  - (1) homosexual persons were not admissible for employment in certain parts of the Public Service (namely in defence, police and penitentiary establishments and in the rotational foreign service);
  - (2) homosexual persons were not generally admissible to Public Service positions requiring access to information classified Secret or Top Secret;
  - (3) persons holding certain extreme political views detrimental to the national interest were not admissible to Public Service positions requiring access to classified information.

C  
A  
B  
I  
N  
E  
T  
  
D  
O  
C  
U  
M  
E  
N  
T  
  
D  
O  
C  
U  
M  
E  
N  
T  
  
D  
U  
  
C  
A  
B  
I  
N  
E  
T

**SECRET**

010528

**SECRET**

Serial No 189-77CR  
Série

C  
A  
B  
I  
N  
E  
T  
  
D  
O  
C  
U  
M  
E  
N  
T

2. officials of departments with responsibilities relating to (1) and (2) above (National Defence, External Affairs and the Ministry of the Solicitor General) should provide to the Minister of Justice explanatory matter for use in the Standing Committee on Justice and Legal Affairs, and elsewhere as necessary, relating to the problems likely to arise for the federal government, as employer, if sexual orientation were to be included in Bill C-25 as prohibited grounds of discrimination, and to policies and practice in dealing with homosexual employees and applicants for employment, to demonstrate that both the public and individual interests are taken into account in every case;
3. officials of the Privy Council Office should provide to the Minister of Justice similar explanatory matter on the problems likely to arise if political beliefs were to be included in Bill C-25 as prohibited grounds of discrimination;
4. the Solicitor General should consider and advise the Minister of Justice on the possibility of offering to the Justice and Legal Affairs Committee an in camera briefing on the security implications and concerns inherent in these and other aspects of Bill C-25.

D  
O  
C  
U  
M  
E  
N  
T  
  
D  
U  
C  
A  
B  
I  
N  
E  
T

G. Frazer  
Acting Secretary  
Cabinet Committee on  
Security and  
Intelligence

**SECRET**

010529