

PROTECTED B

JUDGE  
ADVOCATE GENERAL

MEMORANDUM

91013 19 21

1745-42-7 (DPP 2)

REFERRED TO NDH/HRI  
CONTROL NO. 90362

7 Feb 91

D Law/HRI

MICHELLE DOUGLAS AND HER MAJESTY THE QUEEN

Ref: Transcript, Examination for Discovery of  
BGen D.E. Munro on 26 October 1990 (copy enclosed)

1. In the preparation of responses to the various undertakings contained in the reference, I have encountered two areas where I need your assistance.
2. At page 15, question 46, BGen Munro is quoted as saying: "If a person declared themselves as a homosexual - openly declared themselves a homosexual, there would not necessarily be an investigation." I am not certain that that is an accurate statement in terms of what CFAO 19-20 required. Although CFAO 19-20 is silent on self-declared homosexuality, sub-para 4a does not appear to have provided for any discretion on the part of the CO; it appears that an SIU investigation would have been mandatory in such circumstances. Of course, in some respects all this is academic now. The SIU no longer investigates homosexuality per se and the CO seeks direction from NDHQ on a case-by-case basis. The question is whether or not there is any requirement to attempt to clarify or add to that particular response by BGen Munro. Your advice please.
3. At page 42, question 156 there is an undertaking to correlate the flag numbers that are referred to in Tab 25 of the Defendant's Book of Documents. I have located the original copy of the SCRB submission (held in DPCAO) and have identified all the flags except Flags 10 to 13 inclusive. These are, allegedly, letters of appreciation in favour of 2Lt Douglas. Presumably they were misplaced somewhere along the line, possibly when being photo-copied for the SIRC hearings. In any event, my question is: Do you have a copy of Flags 10 to 13? If so, please forward them to me so I can provide them to D. McAllister.
4. Please call if you wish to discuss.

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G.L. Logan  
DPP 2  
995-0014

Enclosure: 1

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