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Committed - Women

AFAO (2)

•TO ALL COMMANDS

Disposal of Airwomen or Women Officers Found to Have Committed Homosexual or Lesbian Acts

- 1 AFHQ policy letter S370-112 (AMP) dated 26 May 53
is hereby cancelled and replaced by the instructions herein.
- 2 Homosexual behaviour^R in women, or lesbianism, is
not at the present time an offence under The Criminal Code of Canada.
Only section 292 (Indecent assault) could be construed as applying to
specific acts between women.
- 3 Para 3 Order (1)
- 4 Para 4 Order (1)

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3 In all cases, all the facts are to be laid before the unit SMO, who may call in the Area Social Welfare Officer to make further inquiry. It is the responsibility of the SMO to keep the CO informed at all times, so that he will be aware of the situation and will know if the Area Social Welfare Officer has been called in.

4 If the first evidence of homosexual behaviour is discovered by the Air Police, all the information in the possession of the AP is to be laid before the unit SMO immediately. All inquiry and investigation is to be under the direction of the SMO at all times. If the Area Social Welfare Officer is called in, he may discover other factors in the situation which would require AP investigation. In such cases, the Social Welfare Officer and the AP will work co-operatively and the AP must keep the Area Social Welfare Officer informed. If the Area Social Welfare Officer has first knowledge of a homosexual situation, he will inform the SMO. He may then call in the AP to handle any aspect of the case which may lead to service disciplinary or civil a

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5 If the facts are such as to establish a prima facie case indicating that a homosexual act has been committed, release action is to be taken as outlined in paras 8.

6 If a civilian is involved and that civilian is a juvenile, according to the Meaning of the Children's Protection Legislation in the province where the act took place, the CO is to lay all the facts before the civilian authorities, for their action.

7 If there is evidence to suggest that sec 292 of The Criminal Code has been contravened, if a civilian is involved, the CO may inform the civilian authorities. If no civilian is involved, the CO may proceed under The Code of Service Discipline. If either of these actions is taken, the regulations as ~~px~~ applied to airmen or male officers will apply to airwomen and women officers.

8 When disciplinary action or criminal proceedings are not taken and there is no doubt that an airwoman or woman officer has committed a homosexual act and the SMO can diagnose her as "psychopathic personality - homosexual type", he is to do so. If not, he is to refer her to a certified psychiatrist for an opinion as to whether she is a homosexual. If such a diagnosis is made, the documents of the airwoman or woman officer are to be annotated "psychopathic personality - homosexual type" and she is to be released from the RCAF under the provisions of QR(Air) art 15.01 item 5(b)(ii) "Being considered unsuitable for reasons other than misconduct, inefficiency or medical unfitness".

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9 If there is no medical officer at a unit where such a situation arises, the information obtained by the Area Social Welfare Officer, AP or other source that a homosexual act has been committed, is to be laid before the CO immediately. He will contact the Command SOMS immediately for his advice as to how to proceed.

10 If the Area Social Welfare Officer who conducts such an inquiry is male, he is not to conduct it in such a way as to be embarrassing to an airwoman or woman officer. Such questioning as he does is to be done in the presence of a woman officer, nursing sister or woman medical officer.

11 Para 11 - Order 1

12 Para 12 - Order 1.

9 Para 10 - Order 1

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