

**CONFIDENTIAL**

Disposal of Personnel who have Committed  
Homosexual or indecent Acts, or are sus-  
pected of having Homosexual Tendencies

1 AFHQ policy letter, file S45-4-57 (DPA) dated 4 May 48, dealing with the above-noted subject is hereby cancelled and replaced by the instruction herein. X

2 In all cases, whether disciplinary action is indicated or not, all the facts are to be laid before the unit SMO immediately, due regard being had for the provisions of para 10 hereunder. X

3 If the facts are such as to establish a strong prima facie case indicating an act of indecency or that a homosexual act has been committed and no civilians are involved, normal disciplinary action is to be taken. X

4 If a civilian or civilians are involved, all the facts are to be laid by the Commanding Officer before the appropriate civil authorities. If the civil authorities indicate that they are not going to proceed against the Service personnel, and a strong prima facie case exists, the normal disciplinary action is to be taken. If the civil authorities prosecute and conviction results, the advisability of releasing the Service personnel so convicted is to be considered as in any other case. X

5 In all cases not coming within the purview of paras 3 or 4 where homosexual behaviour or tendencies are suspected, and in cases coming within para 3 and 4 where conviction does not result from the disciplinary action either by Service or Civil courts, the individual is to be referred immediately to the SMO and Command Neuropsychiatrist for an opinion as to whether homosexuality is present. If the subject individual is considered to be homosexual, the diagnosis of "psychopathic personality - homosexual type" is to be made. X

6 When an officer or airman admits the commission of any homosexual act or act of indecency to a Medical Officer, and this admission is the only evidence available, full details of such an admission are to be notified to AFHQ, and no disciplinary or release action is to be taken or report to the

civil authorities made until advise is received from AFHQ.

7 In cases falling within paras 3 and 4 above, where disciplinary action results in the conviction of an airman or airwoman but not in dismissal pursuant to a sentence of court martial, the AOC <sup>may</sup> ~~is to~~ authorize release under the provisions of QR(Air) Art 15:01 Item 2 (c) "Unsatisfactory Conduct". Where disciplinary action results in the conviction of an officer the AOC is to take action in accordance with QR(Air) Art 15:21 and QR(Air) Art 15:01 Item 2 (c).

8 In cases where airmen and airwomen state that they have homosexual tendencies or voluntarily admit that they have committed unnatural acts and in cases where homosexual tendencies are suspected, and a diagnosis of "psychopathic personality - homosexual type" is confirmed by the Command Neuropsychiatrist, the personnel concerned are to be released 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. Officers of this category are to be considered for release pursuant to QR(Air) Art 15:21 and QR(Air) Art 15:01 Item 5 (b) (ii).

9 The medical records for all personnel released because of proven, admitted or suspected homosexual tendencies are to be annotated "psychopathic personality - homosexual type".

10 In all cases which are to be tried by the civil power or by the Service courts, the accused officer or airman is not to be psychiatrically examined before the trial by a Medical Officer, unless the accused or his defending officer indicates that the accused wishes the service of such medical officer, in which event these services will be made available to the accused, if the exigencies of the Service permit. This of course does not apply to the normal examination that is made by the unit medical officer prior to his issuing a certificate as to fitness to undergo trial by court-martial.

11 If there is to be a trial, the SMO is to be notified of the date and place of the trial for the following reasons:

(a) so that he may advise the defence (in advance of the trial)

if, in his opinion, there exist medical facts relevant to the case;

- (b) as he or some other suitable medical officer should attend the trial for the purpose of gaining a first hand knowledge of the facts, X

12 Moreover, it is to be the responsibility of the SMO to institute appropriate medical action in cases in which there is no disciplinary action contemplated, or where the officer or airman has been acquitted.

13 When release action is effected under this policy, consideration is to be given to the counselling and rehabilitation of persons affected. Further, in order that the civil authorities may be advised, when considered appropriate by AFHQ, a detailed report of the reasons for release is to be submitted to AFHQ by confidential letter, the letter to be marked "attention DAFS".

14 In cases of female personnel who are suspected of having homosexual tendencies any investigation into such allegation or suspicions is to be conducted by or under the direction of the Social Welfare Branch of the RCAF. X