



# Department of National Defence

**CONFIDENTIAL**

SECRET PLEASE QUOTE

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OTTAWA, 11 Aug 53

AOC TAC  
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DPA/PA5  
A/C AAG Corbet, DMS(Air)  
DAPC  
DPC

AMCJS Washington  
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## 1 Fighter Wing HQ

Disposal of Personnel, Other Than Airwomen  
and Women Officers, Who Have Committed  
Homosexual or Indecent Acts, or Are  
Suspected of Having Homosexual Tendencies

1 AFHQ policy letter S45-4-57 (DPA) dated 4 May 48 is hereby cancelled and replaced by the instructions herein.

2 Homosexual behaviour between males is a criminal offence under the Criminal Code of Canada.

3 In all cases, all the facts are to be laid before the unit SMO immediately, who is to call in the Area Social Welfare Officer. The suspected person is not to be psychiatrically examined by a medical officer at this stage. If it develops that the suspect is accused of homosexuality, he is not to be psychiatrically examined before the trial except on the request of the accused, his defending officer or counsel. If such request is made, the services of a qualified medical officer will be made available if the exigencies of the Service permit. A medical officer is, however, to conduct the normal examination required prior to issuing a certificate as to fitness to undergo trial by court martial.

4 If the first discovery is made by the SP, and it appears that there may be a problem of homosexual behaviour, all the information in the possession of the SP is to be laid before the unit SMO immediately. The unit SMO will call in the Area Social Welfare Officer to make further inquiry and the SPs are not to conduct an independent inquiry into the homosexual aspects of the case. However, there may be other factors in the situation which would require SP investigation. In such cases, the Social Welfare Officer and the SP will work co-operatively and the SPs must keep the Social Welfare Officers informed. If the Social Welfare Officer has first knowledge of a homosexual situation and other factors appear, the Social Welfare Officer will call in the SP to handle any aspect of the case which may lead to service disciplinary or civil action.

## Cases in which Conviction has been Recorded

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

6 When a civilian or civilians are involved, all the facts are to be notified by the commanding officer to the appropriate civil authorities. If the civil authorities indicate that they do not propose to proceed against the service personnel, and a strong prima facie case exists, normal disciplinary action is to be taken.

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7 If service personnel are convicted by the civil power of homosexual acts or other acts of indecency, or if they are convicted by a service tribunal of such acts, but the sentence of the service tribunal does not include a punishment of dismissal, the person convicted is to be referred immediately to the SMO and Command Neuropsychiatrist for an opinion as to whether such person is a homosexual. If a person is diagnosed to be a homosexual, the diagnosis of "psychopathic personality-homosexual type" is to be made. Convicted persons respecting whom such a diagnosis is made are to be released from the RCAF. When release is effected following a conviction as referred to in this paragraph, it may be and normally will be under the provisions of QR(Air) art 15.01 (2)(c) "unsatisfactory conduct".

Suspected Cases

8 In all cases where homosexual behaviour or tendencies are suspected, including cases where disciplinary action is taken but no conviction ensues, the person concerned is to be referred immediately to the SMO and Command Neuropsychiatrist for an opinion as to whether homosexuality is present. If the person is diagnosed to be a homosexual, the diagnosis of "psychopathic personality - homosexual type" is to be made. Persons in respect of whom this diagnosis is made are to be released. In such cases, the release shall be under the provisions of QR(Air) art 15.01 (5)(b)(ii) "Being considered unsuitable for reasons other than misconduct, inefficiency or medical unfitness".

9 Any further inquiries and all interrogation into such alleged behaviour are to be conducted by or under the direction of the Social Welfare Branch Officers who will work in close co-operation with medical officers. The Social Welfare Officers may request the assistance of the SP to carry out investigation procedures which the Social Welfare Officers are not equipped to do. In the event that no Social Welfare Officer is immediately available, and the matter is urgent, the inquiry is to be done by the medical officer in the manner set out above. The Social Welfare Officers who may make such inquiries must be graduate social workers.

Admitted Cases

10 When an officer or airman admits the commission of a homosexual act or act of indecency or tendency to such acts to a medical officer or Social Welfare Officer, and this admission is the only evidence available, full details of such 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 advice is received from AFHQ. In such cases of admission of homosexual acts, the person involved is not to be subjected to a psychiatric examination before the matter is submitted to Headquarters and direction received therefrom.

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General

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

12 If there is to be a trial, the SMO is to be notified of the date and place of the trial in order that he may:

- (a) advise the defending officer or defence counsel before the trial if, in his opinion, there exist medical facts relevant to the case,
- (b) attend the trial for the purpose of gaining first-hand knowledge of the facts of the case.

13 It is the responsibility of the SMO to institute appropriate medical action in cases in which no disciplinary action is taken, or where acquittal has resulted, or the sentence does not include dismissal.

14 When release is effected under this policy, consideration is to be given by the Social Welfare Officer 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.

15 <sup>(OPA)</sup> The contents of this letter are to be notified by confidential letter to the CO of all units within your Command.



(F.G. Wait) A/V/M  
for CAS

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