



CANADA

Department of National Defence

Royal Canadian Air Force

SECRET
IN REPLY PLEASE QUOTE

No. S. 393-100-2 (AOC)

AUG 24 1954

File No. S. 370-112

Trenton, Ontario, 19 Aug 54.

The Chief of the Air Staff,
Air Force Headquarters,
Ottawa, Ontario.

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

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1 Reference is made to your letter S.370-112 TD188 (AMP)
dated 11 Aug 53.

2 The referenced letter is considered to be an unsafe guide
to the administration and disposal of homosexuals in the RCAF.

3 Para 2 of the policy letter under consideration states
that "Homosexual behaviour between males is a criminal offence
under the Criminal Code of Canada". The letter then goes on to
discuss the various categories under which homosexuality may be
considered, to wit:

- (a) Proven cases,
- (b) Suspected cases,
- (c) Admitted cases or tendencies, etc.

On the basis of the supposedly general criminal nature
of homosexual behaviour in males the letter states that proven
cases should be immediately discharged from the RCAF under the
provisions of QR(Air) art 15.01(2)(c), "unsatisfactory conduct".
This final step is taken only after consultation on the case by
the SMO and the Command Neuropsychiatrist.

5 Disposal of suspected cases of homosexual behaviour
follows much the same pattern as that of proven cases except that
the release is affected under the provisions of QR(Air) art
15.01(5)(b)(ii), "Being considered unsuitable for reasons other
than misconduct, inefficiency or medical unfitness".

6 Admitted cases, wherein a man comes forward and states
that he has homosexual propensities, are to be referred to CHQ
before action is to be taken and his release affected. However,
these cases are not to be given psychiatric examination until
after instructions are received from Headquarters.

7 In all cases of "personnel released because of proven,
admitted or suspected homosexual tendencies...", their records are
to be annotated "psycopathic personality - Homosexual type".

8 It will be seen from the above excerpts that a man who
is convicted, accused or suspected of homosexuality, with one
possible exception, must be released from the RCAF.

.... /2

②
DPA.
This was discussed
at the SPSO's
conference and
there have been numerous
criticisms of the letter
referred to. As I recall
it was decided the letter
should be rewritten
at that time. Please
expedite action
in conjunction with
DMS(Air) staff.
W. J. Mearns
CPS
25 Aug.

③
Pas
Please review
with Pa 2
and members
of DMS(Air)
and view
reuniting existing
letter.
W. J. Mearns
DPA
25 Aug 54

RCAF G-32J
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9. The policy thus set out restricts COs to such an extent that any man seeking discharge might, by admitting to homosexual tendencies, force his CO to give him his release.

10. The possibility of a man, disliked by his fellows, being reported as a suspected homosexual might occur. In this case, a few trumped up charges backed by prepared witnesses could lead to the discharge of an innocent and competent man.

11. Throughout the policy letter it appears that complete trust is placed in para 2 which is quoted above. It should be noted that nowhere in the criminal code is the word "homosexual" used to define a criminal act. Nor does the code make "behaviour" generally, a criminal offence. Certain specific homosexual acts, which fall under the Buggery, Indecent Acts, or Gross Indecency sections, are held to be criminal and punishments are directed accordingly. Tendencies are not held to be criminal, and in any event it is likely that a man's working and barrack companions will not tolerate overt signs of homosexuality without taking steps to rebuke and ostracize such a person.

12. It is the opinion of this HQ that the letter under discussion herein should be withdrawn completely. The law sets out the punishment for criminal acts of a homosexual nature and the Air Force by their policy appears to be censuring a peculiar psychological ailment for its symptoms alone. It is not the policy to treat those with kleptomania or pyromania tendencies who have not committed a specific act in any set fashion, let alone in as severe a fashion.

13. Therefore it is felt that cases dealing with matters of a homosexual nature should be dealt with individually. This would avoid any fraudulent use of policy laid down to deal with such matters. Further it would allow MOs more freedom in their efforts to correct and restrict the psychoneurotic ailment known as "homosexuality".

R. A. Ashman CMC
(J.G. Kerr) A/V/M
AOC, TC.