

INFORMATION PROVIDED BY THE DEPARTMENT
OF NATIONAL DEFENCEREASONS FOR NOT INCLUDING "SEXUAL ORIENTATION" AS A PROHIBITED
GROUND OF DISCRIMINATION IN BILL C-25Security Implications

1. The Royal Commission on Security reported in 1969 that a large number of case histories demonstrated that homosexuals are special targets for attention from foreign intelligence services, that there is clear evidence that certain types of homosexuals are more readily compromised than heterosexuals, that homosexuals should not be recruited if there is a possibility that they may require such clearance in the course of their careers, and should certainly not be posted to sensitive positions overseas. The risk has not changed and the recommendations remain valid. The Department of National Defence (DND) handles a great volume of highly classified national and allied information. In consequence, it would not be in the public interest to recruit a known homosexual. Neither would it be in the homosexual's interest to accept such employment because the person's career expectations would be limited as many positions would be denied that person.

2. The proscribed grounds now contained in Section 3 of Bill C-25 do not in themselves alone have a bearing on an individual's security clearance; homosexuality does. Therefore, if sexual orientation were included in Section 3 a homosexual would, by law, be given advantage from a security point of view over other persons who also have features of character, such as indebtedness, drunkenness, mental instability, and drug abuse, which, like homosexuality, may lead to indiscretion or make them vulnerable to blackmail or coercion.

3. In the case of civilians who are already employed and discovered to be homosexuals, every effort is made to ensure their cases are handled as delicately as possible, and the future career implications of continued employment in the Department are explained.

Canadian Forces Implications

4. If sexual orientation is included as a proscribed form of discrimination, it would not be possible to prevent homosexuals from joining the Canadian Forces in significant numbers. Therefore, they could not be prevented from working in any activity or living in any facility of the Forces, whose organization, discipline, type of work and living conditions are unique in the Government service and Canadian society. This uniqueness is in the very close physical proximity and high interdependence among individuals for long periods during military training and operations, and in housing and in leisure. It is in the public interest to have operational armed forces that are effective and efficient. The presence of homosexuals would impair that capability.

5. It is very difficult for military personnel and their leaders to maintain the necessary high degree of discipline, loyalty, performance and morale in the 1977 social environment. The addition of homosexuals as a legally acceptable part of the Forces, in small but certainly distinguishable numbers, would make these requirements far more difficult to achieve.

6. Because of the nature of military activities, those who join the Forces have far less tolerance for homosexuals than the general population. This intolerance would make homosexuals in the Forces subject to the risk of physical violence which is detrimental to good order and discipline.

7. This Department is heavily involved in recruit and cadet training. Such young persons are particularly vulnerable to advances by aggressive and promiscuous homosexuals, with whom they would have to live and work in close and enforced proximity for protracted periods of time. The Department could not protect and supervise these young people adequately.

8. A Canadian Forces order issued by the Chief of the Defence Staff, provides direction on the action to be taken when it is suspected that a member is a homosexual. An investigation made pursuant to that order is required to be highly confidential so that innocent persons are not made to suffer, or be subjected to undue embarrassment as they may be the object of malice. Canadian Forces policy does not permit the retention of persons considered with reasonable certainty to be homosexuals. When it is decided that a member is to be released, appropriate action is taken as quickly as possible and with a minimum of publicity. The member is "honourably released" as not advantageously employable, if the sole reason for release is homosexuality. Before release under this policy, the member concerned has the right to be interviewed by a psychiatrist and to receive counselling and rehabilitation. Disciplinary action is not taken against a member unless the sexual acts are alleged to amount to scandalous or disgraceful conduct, bring discredit to the Canadian Forces, or constitute an offence under the Criminal Code.