



Royal Canadian
Mounted Police

Gendarmerie royale
du Canada

The Commissioner

Le Comm

The Honourable Elmer MacKay, P.C., Q.C., M.P.
Solicitor General of Canada
Sir Wilfrid Laurier Building
340 Laurier Avenue West
Ottawa, Ontario
K1A 0P8

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Dear Mr. MacKay:

Re: Sexual Orientation

You will recall our previous correspondence and discussion concerning homosexuality in the R.C.M.P. For your ease of reference, I am attaching a copy of my proposed policy in this regard, the rationale for that policy and an opinion from the Department of Justice indicating the requirement for publication of that policy created by the Charter of Rights.

My position concerning homosexuals in the R.C.M.P. has been made clear over the years and in fact only echoes what has been the practice throughout the history of the Force. We will not knowingly hire or retain a homosexual as a regular member (peace officer) of the Force. Support for this position is, I believe, clearly set out in the attached paper. I should emphasize, however, that the aversion to homosexuals harboured by the vast majority of members of the Force is sufficiently strong to create serious internal problems should we willingly accept them in our ranks.

Provisions of the Charter of Rights are believed to now require that I publish a process for dealing with homosexuality as a standing order. That process (attached) must be simple, fair and workable. Ministry staff suggested a number of changes to our original draft and though officers of the Force worked intensively with those officials, complete agreement as to the most suitable method of dealing with this issue does not appear possible.

Ministry staff suggested changing the thrust of my proposed standing order to proscribe "homosexual behavior"

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rather than homosexuality per se. We have accommodated that point of view, however, some officials have difficulty accepting a broad definition of "homosexual behavior" which I see as necessary to ensure that this process is workable.

Two other suggestions were put forward concerning which our point of view was perhaps not clearly understood. One would have placed an onus on Commanding Officers recommending the discharge of a homosexual to prove the reasons why acceptance of this orientation is not in the best interest of the Force or the member involved in each case. We know from experience that this creates undesirable impediments. Such an approach is also unnecessary since this standard is set out in my aide memoire which will be published with this standing order. The second suggestion created an impression that I would personally receive oral representations from members recommended for discharge; a condition I cannot accept.

The attached draft standing order follows the main suggestions put forward by Ministry staff. It has been carefully drafted based on legal advice. It is also reasonably similar to the approach used and defended by the Canadian Armed Forces and embodies the procedure which I believe must be taken by the Force.

It was my desire to avoid promulgating this policy until the sub-committee considering equality rights had concluded their work. Unfortunately, events sometimes overtake us. I cannot voluntarily acquiesce to accepting homosexuals as regular members of the Force. Unless you instruct otherwise I will, therefore, publish standing orders dealing with homosexuality.

Your sincerely,

R. H. Simmonds
Commissioner

attach.

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