



Government  
of Canada

Gouvernement  
du Canada

## MEMORANDUM

## NOTE DE SERVICE

TO

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D.D.G. (A. & P.)

FROM  
DE

O I/C INTERNAL SECURITY

SUBJECT  
OBJET

Security Screening of Security Service  
Personnel

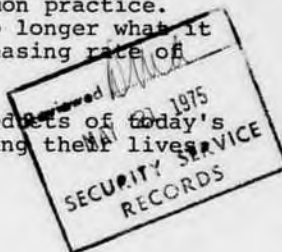
SECURITY CLASSIFICATION DE SECURITE
CONFIDENTIAL
OUR FILE - N/REFERENCE
1P 371-17
YOUR FILE - V/REFERENCE
DATE
16 May 1975

Your attention is invited to S/Sgt. Lawryk's memo dated 15-5-75 which is a response to the proposed amendment to Admin Manual II 2.H.1.A. The crux of his argument is that if common-law marriages cannot be condoned by the RCMP and such behaviour is subject to disciplinary sanctions, then it should be dealt with in a chapter other than Personnel Security in order to avoid clashing with established Government policy governing security clearance standards applicable for all Federal Government employees.

2. My understanding is that common-law marriages are an offence under Section 25(o) of the RCMP. Although common-law marriages are not explicitly mentioned therein, this section states that: "Every member who conducts himself in a scandalous, infamous, disgraceful, profane or immoral manner, is guilty of an offence to be known as a major service offence and is liable to trial and punishment as prescribed in this Part." Morality seems to be the main issue here.

3. It is apparent that any legislator transposes in the law, prevailing moral codes of ethics of his society. However, societies and their norms of behaviour are constantly pressured by changes. Morality is not something static, it too is bombarded by changing attitudes and common practice. For instance, the institution of marriage is no longer what it was mere decades ago, as reflected by the increasing rate of divorce, and new forms of styles of living.

4. Our members as full fledged products of today's society are not immune from these factors shaping their lives.



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To continue treating common-law marriages strictly as a disciplinary matter will not in the long run instill better discipline. I suggest that sometimes extenuating circumstances leave very few alternatives open to some of our members, and each case should be studied on its own merits. The issue is not so much one of morality since it is demonstrated daily in our modern urban context that people no longer look upon a common-law marriage as a scandalous and disgraceful behaviour. It is just a fact of life which is recognized by emerging new jurisprudence in civil laws, insurance policies, pension plans, hiring practices, etc.

5. I submit that perhaps the time has come to review our policy of what constitutes an offence under Section 25(o). I for one, certainly do not suggest repealing entirely the section, since no matter how permissive certain segments of society may become, there is still a need to draw a line somewhere between an acceptable citizen's behaviour and that of a policeman.

6. I respectfully suggest that we update our interpretation of Section 25(o), and would appreciate receiving your comments on this.

*J.C.C. Dagenais*  
J.C.C. Dagenais, Inspector,  
O i/c Internal Security

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