

1P 371-9

MEMORANDUM

27 February 1973

The DDG (Ops)

I attach a memorandum to Robin Bourne, together with a suggested reply which the Minister might send to Michael Cassidy on the vexed question on the employment of homosexuals in the Public Service. I would be grateful if you and the experts concerned would look at the proposed draft letter for the Minister's signature and to make any changes which you consider would improve it. Once you are satisfied and during my absence I suggest that you get my memorandum to Robin into his hands as soon as possible. As you will see, I am suggesting that he and Roger Tasse may wish to look at the matter from a departmental point of view.

John Starnes
Director General
Security Service

[Signature]

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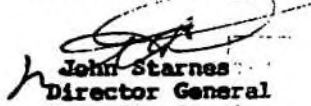
Mr. Robin Bourne,
Assistant Deputy Minister (Police and Security),
PSPG,
Ministry of the Solicitor General.

Dear Robin,

I have tried my hand at a letter which the Minister might send to Mr. Michael Cassidy in reply to his letter to the Minister of January 24th concerning the government's policies about the employment of homosexuals in the Public Service. Since Mr. Cassidy makes direct reference to the Solicitor General's Department, no doubt you and Mr. Tasse will wish to consider the nature of the reply which might be suggested to the Minister.

As an alternative to the attached draft letter, it might be advisable to write Mr. Cassidy along the lines that, given the complexity of the subject, it is suggested that Mr. Cassidy might find a confidential discussion of the matter, with appropriate officials of the Solicitor General's Department and the RCMP Police Security Service, useful. I see no objection to this and, indeed, in some ways, it might be easier to seek to handle the problem in this way than by causing the Minister to put himself on paper. However, the Minister may feel that there are good reasons why a written response is required.

Yours sincerely,


John Starnes
Director General
Security Service

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Ottawa, Ontario,
K1A 0A6

February 1973.

Mr. Michael Cassidy, M.P.P.,
Ontario Legislative Assembly,
Room 212, North Wing,
Parliament Buildings,
Toronto 182, Ontario.

Dear Mike,

I should like to refer to your letter to me of January 24th, which was acknowledged on 5 February 1973, dealing with the government's policies concerning the employment of homosexuals in the Public Service.

You will appreciate, of course, that the policies of the government on this score apply not only to the Department which I head but throughout the government service. The responsibility for implementing those policies and government guidelines on security rests with each Minister and with his senior advisers.

The government seeks to assure itself about the bona fides of those of its employees who must have access to classified material and who occupy positions of trust. In this respect, persons who are homosexuals are treated no differently than other employees whose character, reliability and record are taken into account in granting them access to classified material. The very difficult problems associated with arriving at judgments on such questions are clearly set out in the Report of the Royal Commission on Security and, in particular, paragraphs 96, 97, 98 and 100.

While the latter paragraph was drafted before changes were made in the Criminal Code of Canada legalizing homosexual acts between consenting adults, many of the considerations mentioned in paragraph 100 would have to be taken into account by employing departments when deciding whether to grant such employees access to particularly sensitive work. Each such case would have to be judged in the light of

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all the circumstances and, on that score, would be similar to the treatment of persons involved in "illicit sexual behaviour." Homosexual acts performed in public or, for example, involving an adult and a minor, continue to be criminal offences and thus make the persons concerned subject to blackmail. Moreover, while homosexual acts carried out in private between consenting adults are legal in Canada that is not the case in many foreign countries. For example, the laws of such matters in the Soviet Union are very harsh and, thus, a Canadian discovered in such activities in the Soviet Union is breaking the law and is immediately open to blackmail and coercion.

Unfortunately, there are a significant number of cases in which foreign intelligence services have sought to use homosexuals in ways which were not in Canada's interests. While attitudes towards homosexual behaviour clearly are changing in various parts of the world, there is no evidence to suggest that homosexuality has ceased to become one of those features of character which can be exploited in various ways to the detriment of the individual and the government.

For the reasons which I have explained it is not possible to generalize about whether homosexuals are barred by their employing departments from access to highly classified material. Each case must be considered separately and will depend upon varying circumstances. For example, you can appreciate that a department whose employees remain in Canada might regard the matter in a light different from that of a department whose employees were expected to serve abroad for lengthy periods.

The RCMP has no policy which singles out homosexuals as such. This particular characteristic is treated no differently than any of the many other character features which are taken into account in providing departments and agencies with material on which to assess the loyalty and reliability of its employees.

I hope that this answers the various questions you have asked on this rather complex subject.

Yours sincerely,

Warren Allmand

