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FIVE WOMEN FIRED FROM CANADIAN FORCES FOR HOMOSEXUALITY

CBC: Five women have been kicked out of the Armed Forces in Nova Scotia. They were fired because they're lesbians. It's against the rules for homosexuals to be in the Armed Forces but critics say it may not be so easy to enforce those rules in the future. Jim Sunstrum reports.

REPORTER: The five women worked at this military base in southern Nova Scotia. It's a base that does top secret work tracking submarine movements in the Atlantic Ocean. The Defence Department says the women were fired because lesbians are security risks, they can be blackmailed. That's what Darl Wood was told when she was fired from the Armed Forces in 1978 for being a lesbian.

DARL WOOD: Former Private Anyone can be blackmailed. I mean, I've known a number of men who were going out on their wives, women who were sleeping with their bosses and if their wife found out, and people who drank too much which is very prevalent in the Forces.

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REPORTER: People fired from the Armed Forces for sexual reasons now have no recourse but that could change in April, that's when the equality provision of the Charter of Rights comes into effect.

CHRISTINE BOYLE:
Dalhouse Law School And I think what that means is that the government, including the Armed Forces, can't make arbitrary distinctions and sort of...(inaudible)..apart whether these rules about homosexuality are justifiable or not. We'll have a constitutional dimension.

REPORTER: But the Charter will affect more than homosexuals in the Armed Forces. The whole structure of military justice which is separate from the public courts could be challenged.

WAYNE MACKAY:
Constitutional Expert The military will be required to justify any separate treatment of military personnel as reasonable under the Charter and that the burden will clearly be on them to justify their rules and their various codes and their various forms of discipline.

REPORTER: Military officials in Halifax would not be interviewed on this subject today, however they have confirmed that the Armed Forces are concerned about the effect of the equality provisions in the Charter of Rights and lawyers for the Department of National Defence are already working on arguments to help defend a system of justice they believe is necessary to maintain discipline in the ranks.

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