

SECRET

ANNEX 3

Sexual Orientation
Reference: Recommendations 10, 11, & 14

To address concerns that homosexuals or lesbians not be denied accommodation, goods and services or employment because of their sexual orientation, the Parliamentary Committee called for the addition of sexual orientation as a prohibited ground of discrimination under the CHRA. While Mr. Crosbie's original recommendation to Cabinet agreed, suggesting an explicit exemption for the Armed Forces and the RCMP, the response before P&P retreats from the recommendation by deferring the issue to consideration in the CHRA review. In addition, CCSD agreed (response to recommendation 11) that RCMP and Armed Forces existing policies imposing limitations concerning sexual orientation should continue.

This is the most contentious issue among caucus members, who remain clearly opposed to any amendment relating to sexual orientation. CCSD Ministers devoted considerable time to its discussion. While some Ministers felt that the Government should act to clearly prohibit such discrimination, others expressed strong reservations about the signal such action would give the community. They suggested the Government could appear to be condoning deviant behaviour and undermining the existing commitment to the family.

A more positive response would be to accept to amend the CHRA or at least accept in principle that people should not be denied accommodation, goods and services or employment because of their sexual orientation. Whichever course is followed, either acceptance or rejection of the Parliamentary Committee's recommendations, this issue will engender heated debate.