

SECRET

May 14, 1987

MEMORANDUM FOR RAY PROTTE

From: Gordon Reay

Homosexuals in the Canadian Armed Forces

Further to our conversation earlier today, I have discussed this issue with officials in DND. The Department has prepared but has not yet issued a Canadian Forces Administrative Order (CFAO) on "Inappropriate sexual conduct". This CFAO states policy in precisely the same words Mr. Beatty used in his appearance before the Standing Committee on Human Rights on February 11.

A CFAO currently exists on this issue but it effectively bars the enrolment of homosexuals into the Canadian Forces. Because Mr. Beatty's statement, in effect, made it clear that homosexuals could not be barred from enrolment simply on the grounds of their sexual proclivity, the current CFAO became inoperative. DND's problem was either to publish a new policy or have none. They have chosen to issue a new one, reflecting Mr. Beatty's statement. While it has been approved within the Department, the Minister has not yet agreed to its promulgation.

The CFAO will state that should one engage in homosexual (or inappropriate and scandalous) sexual behaviour while a member of the Canadian Forces, one will be released from the Forces. DND regards this as consistent with the charter, even with an eventual addition on sexual orientation, because of the Bona Fide Occupational Requirement clause. I have been assured that the CFAO (which I hope to receive shortly) does not in any way go beyond Mr. Beatty's statement.


G.M.R.