



Solicitor General Solliciteur général
Canada Canada

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30 April 1986

Mr. G.M. Allen
Assistant Commissioner
Royal Canadian Mounted Police
Room 653
Pickering Building
250 Tremblay Road
Ottawa, Ontario
K1G 3M6

J/11/86 (P)
See page 2. Could I have input from IAB + STP (checked) please. 860502

O.I.C. IAB - ASAP
A.O.I.C. - S + P - please.

I.A.Br./S.d.A.I.
Received/Reçue
MAY 6 1986

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04-468
MAY 1 1986
D.O.P.'s Office
Bureau du D.-O.P.

Dear Assistant Commissioner:

We spoke this afternoon about the Justice project to amend the Canadian Human Rights Act. I am attaching the project Work Plan.

The project is very comprehensive, covering all aspects of the Commission's role and jurisdiction. Justice has asked for a list of comments and concerns by next week on any and all aspects of the Work Plan headings. I believe that the only way to keep this task manageable is to provide a general list of concerns, questions and problems and at the same time indicate clearly to Justice that this material does not represent an official Ministry position in any way. Justice officials have promised a thorough round of consultations on any "options" that they develop on the basis of material submitted by various departments.

To some extent, the Ministry's concerns are already on the record with respect to discrimination issues: these were developed in response to the Equality for All Report. Since the Government has taken a formal position (Towards Equality) on these issues, the current project is not an opportunity to reiterate old positions that may be inconsistent with the official Government position. However, Towards Equality left some questions unanswered, particularly with respect to sexual

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orientation and mandatory retirement (bona fide occupational requirements). I understand that Martin Suo discussed with you some comments that we might convey to Justice on the sexual orientation issue. I would also welcome your views on bona fide occupational requirements that may have special application for the Force.

I have some concerns about sections I, II and III of the Work Plan, i.e. basic questions about the structure, powers and procedures of the Commission. These questions were not dealt with to any great extent in the Equality for All exercise. I also know that the RCMP has had extensive experience with the Commission. I would greatly appreciate receiving your comments, general and/or specific, on these aspects of the Commission.

I am available at any time to consult with you on these matters. Thank you for your co-operation.

Yours sincerely,

Dave Whellams
Director
Legislative Policy
(990-2637)

Attachment

- ① Time frames - identify concerns, questions, + problems week of May 5
- options letter.
- ② Comments to my Suro re sexual orientation related to divergence between Comm's stated position to Equality Rights (as in Right to Life) versus Gov't's response to Equality Rights report. See attached material on "other jurisdictions" DAG's letter to D/Sol Jan dated 560822
- ③ Need comments re - age + sex orientation a) BEOP's - age + sex orientation b) usefulness of "other jurisdictions" work plan re Parts I, II + III of work plan re CHRA.
- ④

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