

Within the RCMP a homosexual, because of his/her sexual orientation, creates serious problems which precludes their employment. These problems, I believe, are created from the occupational requirements of police work in general, and the unique role the RCMP plays in Canadian society. To illustrate this point, I put forward the following rationale for not employing a homosexual:

1. Recruitment and Public Acceptance - A primary concern of the R.C.M.P. is, and must be to recruit and retain, disciplined members required to fulfill our policing commitments. The image of the R.C.M.P. in the eyes of the public is of direct concern, since the engagement of qualified personnel depends a great deal on how the Force is viewed by potential recruits, and by their relatives and friends. The majority of Canadians are not prepared to accept the idea of homosexuals in the R.C.M.P. and they would not see such an

organization as an acceptable or suitable environment for their sons and daughters. The police are a reflection of the community's mores. The public has come to expect a high standard of comportment of the members of its police service. Loss of faith and trust, public repugnance, unwillingness to co-operate and/or associate with members, whose homosexual orientation is common knowledge, will more than likely result in placing additional constraints upon the Force to fulfill its already difficult mandate. Public acceptance of the police is undoubtedly one of the most difficult tasks of our profession.

2. Self-Image - The R.C.M.P. has an image of itself which has been determined by how it is viewed in the eyes of the nation, other police forces, and particularly the citizens it serves on a day to day basis. The Force has historically found self-image to be of extreme importance in crisis situations. This "esprit de corps" depends upon self-image and a number of intangible factors. It can be easily destroyed and is extremely difficult to rebuild.

To engage or retain homosexuals would do grave damage to the self-image of the R.C.M.P.

3. Security - Experience has shown that homosexuals are at greater risk of being subverted. Such persons are, either directly or indirectly, subject to blackmail. Even if a homosexual is entirely open about the matter and thereby reducing the risk of direct blackmail, he/she is still a security risk indirectly because of the involvement of a partner "who may not have come out of the closet" or because the member's propensity may be exploited. Experience, over the years, has demonstrated a degree of vulnerability to blackmail. Prevailing social attitudes make it imprudent to place homosexuals in security sensitive positions.

Though the R.C.M.P. no longer includes Canada's Security Service, The Force continues to carry responsibilities in the areas of domestic and international terrorism, protection of diplomatic personnel, heads of state and government when in Canada and provides the enforcement arm for our

new Security Service. Obviously internal security is still a real concern to the R.C.M.P.

4. Operational and Occupational Impediments -

Throughout Canada, we must maintain a large number of small posts, some of which are located in isolated areas. In this type of posting, members are forced to live and work, in the majority of instances, in constant and close association. When performing some types of duty, such as night patrol and surveillance, members are often required to work in pairs in a vehicle for many hours at a time. When facing dangerous or difficult situations, members must have complete trust in their fellow police officers. In these situations, any homosexual advancement, either real or perceived, would undoubtedly eliminate any possibility of this necessary harmonious working relationship. Danger of physical harm to the homosexual could occur in these circumstances.

The Force has always had a strict policy that except for certain emergencies a male member will not search a female and vice versa. The frequent need to control and search prisoners in police custody provides an intimidating atmosphere where the employment of homosexuals would not be accepted. The possibility of the member being known as a homosexual by a prisoner carries high risk of violent resistance or complaints by the prisoner, which would not otherwise occur.

5. The Force as a trend setter - While homosexuality as an alternate lifestyle may be accepted in some segments of society, it continues to be an issue of debate. This is particularly so with respect to the smaller conservative Canadian communities and rural areas where, outside of Quebec and Ontario, the Royal Canadian Mounted Police represents local law and order. In general terms, the employment of homosexuals as peace officers, particularly in the small community, would reduce the image of the Force in the eyes of the public it serves. I believe that the police must exemplify the moral

values of the society it polices and must not be in the forefront of social changes, particularly when it involves an issue which remains controversial with the Canadian public.

6. Hierarchal Rank Structure - Discipline requires a strict and hierarchal rank structure in the R.C.M.P., which places leaders in a dominant position vis-à-vis their subordinates. The operational effectiveness of the Force requires subordinates to obey orders first, unless they are manifestly unlawful, and to question the wisdom of such orders at a later time and through a prescribed procedure. This could create a unique problem pertaining to the use of rank or position to impose or solicit a homosexual relationship upon a subordinate. This is a particularly unwholesome situation where the subordinate is a youthful member of the R.C.M.P., an auxiliary or a summer student. Apart from being socially abhorrent, this would undermine leadership, authority and respect between the ranks, and adversely affect the Force's chain of command.

7. Micro environment - The R.C.M.P., unlike most employers, provides, in many instances, a combined working and social milieu. Where employees, in this case members of the R.C.M.P., have little or no choice as to either the environment, the company they keep or where they will serve. The R.C.M.P., has an obligation to provide a milieu that is acceptable to the vast majority of its employees as well as doing everything possible to preserve the cohesiveness and harmony of the organization. Because of such a milieu persons having unusual behavioural traits may attempt to inflict their views upon others, and this may be found offensive to the majority. The only way to prevent a situation where behavioural patterns will not cause additional stress, both social and work-related, is to avoid the employment of homosexuals in the first place. Furthermore, the employment of homosexuals could be most disruptive and lead to incidents of violence against the homosexual. The effectiveness of police service is, more so than any other activity, predicated on strong group cohesion and morale. The employment of homosexuals would be subversive of both.

8. Illegality - Activity often associated with homosexuals is covered (Buggery, Gross Indecency) under Sections 155 and 157 of the Criminal Code. Section 158(1) (b) permits such activity between two consenting persons, but only if each is twenty-one years of age or more. Presently, our recruiting includes individuals of nineteen and twenty years of age. The hiring of homosexuals under twenty-one years of age would thus place the Force in a high risk situation.

I have, outlined briefly the rationale for the position taken by the Force that we should not employ homosexuals. I am firm in my belief that this position must be maintained. I am completely confident in my reading of attitudes held by members of the Force and the Canadian police community. I am equally sure of the reaction we would face in many of the communities we police and from many of the people we encounter as violators should the Force employ known homosexuals.



The reason for discussion of this topic however, rests on a very fine point of law. Some legal advisors feel that section 15(1) of the Charter of Rights which comes into force on April 17th next may proscribe discrimination on grounds of Sexual Orientation. My position is that IF that opinion is deemed accurate then the concerns I have expressed to you are of sufficient validity to be "demonstrably justified in a free and democratic society" thereby invoking Section 1 of the Charter which would permit the R.C.M.P. position to be maintained.