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HQC 3040-5
TD7169

OTTAWA, Ontario, Jul 57

HQ
General Officer Commanding,
Western Command,
Kingsway Avenue,
EDMONTON, Alberta.

Sexual Offences

1 Reference is made to your letter
WCC 3040-1 (AAG) over WCC 3700-1 dated 13 Jun 57.

2 The problem of dealing with homosexuals
has been reviewed at various times at this Headquarters.
It has been found undesirable to publish a policy which
could apply to all cases except in so far as release is
concerned. It is the considered view at this Headquarters
that each case must be dealt with on an individual basis
in so far as disciplinary or release action is concerned.

3 It is considered that as soon as a
commanding officer is informed that a sexual offence
has been committed or incidents involving sexual aberration
are suspected, he should order an immediate investigation
and, at the same time, notify the Area Commander or the
General Officer Commanding the Command. When the investiga-
tion is completed, the Commanding Officer should then seek
the direction of the Area Commander or the General Officer
Commanding the Command as to the action that should be taken
and, particularly, as to whether or not disciplinary action
will be initiated. The investigation should be carried out
by C Pro C, and should include medical or psychiatric
examination where practical.

4 For this reason, it is considered that
perhaps your instruction is too detailed and attempts
to legislate for too many contingencies. Since this type
of case is comparatively rare, it is considered that the
decision as to what action, including disciplinary, should
be taken should be retained in the hands of an Area Commander
or GOC. He will be in a better position to assess the
requirement and implications. An instruction, therefore,
might be sufficient if limited to the direction outlined
in our para 3 coupled with a general statement as to the
necessity of discretion and lack of publicity in dealing
with these matters.

5 If, however, you feel that fuller instruction
is necessary, your policy letter is, in general, acceptable,
except:

- (a) no statement should be included that Army Head-
quarters has laid down that personnel involved
in such acts must be released from the services;
since no such policy has in fact been laid down.
- (b) no suggestion should be included that Army Head-
quarters has established a general policy that
disciplinary action should not be taken. It is
pointed out that homosexual practices and gross
indecent are criminal offences and must not be
condoned or even appear to be condoned;

*the form of
release if
release
is decided
on*

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(c) investigation should be carried out by C Pro C, since they are, by training and experience, most fitted to this specialized task.

6 This matter is of general application across the country, and should be subject to as standard consideration as may be feasible. The general instructions outlined in paragraphs 3 and 4 above will, therefore, be imparted to other commands as required.

7 This Headquarters would appreciate having a copy of any final instruction that you may issue on this subject.

JMJ/2 2891/MP

(M L Brennan)
Major-General
Adjutant-General

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