

HQC 3040-5TD 7169
(DAdm) (Adm 2A1)

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OTTAWA, 26 Jul 57

Headquarters
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 insofar as the form of release is concerned, if release is decided upon. It is the considered view at this HQ that each case must be dealt with on an individual basis insofar 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 investigation 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 CProC, 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 HQ 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 HQ has established a general policy that disciplinary action should not be taken. It is pointed out that homosexual practices and gross indecency are criminal offences and must not be condoned or even appear to be condoned;

Seen and approved by the DAs!!

RB
R.B. McCORMACK
Colonel
D Adm

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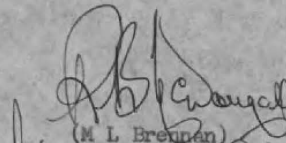
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(c) investigation should be carried out by CProC, since they are, by training and experience, most fitted to this specialized task.

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

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(M. L. Breunen)
Major-General Col
Adjutant-General

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