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Security Panel

A special meeting of a quorum of the Security Panel was held in the Privy Council Committee Room, East Block, on Friday, June 24th, 1960, at 11:00 a.m.

PRESENT:

Mr. R.B. Bryce
Secretary to the Cabinet (Chairman)

Commissioner C.W. Harvison
Royal Canadian Mounted Police

The Honourable S.H.S. Hughes
Chairman of the Civil Service Commission

Mr. N.A. Robertson
Under-Secretary of State for External Affairs

Mr. D.F. Wall
Privy Council Office (Secretary)

ALSO PRESENT:

Mr. E.W.T. Gill
Assistant Under-Secretary of State
for External Affairs

Supt. W.H. Kelly
Royal Canadian Mounted Police

Mr. Paul Pelletier
Civil Service Commission

The meeting had for consideration a memorandum prepared by the R.C.M. Police entitled "Homosexuality Within the Federal Government Service", setting out a number of problems which had arisen during recent investigations, and making a number of proposals as to how these investigations might be handled in future.

The Chairman stated that, with the agreement of the Prime Minister and the Minister of Justice, he had taken the initiative in arranging this meeting to look into the problems of security which appeared to arise where government employees in sensitive positions had homosexual tendencies. He felt that owing to the nature of the problem, the discussion of it should for the present be limited to the smallest circle possible, and saw no reason for its being considered by the Cabinet at this stage. The Chairman suggested that the present meeting be limited to an exchange of views and ideas on how the problem might best be approached, and invited the views of the other members.

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The Commissioner of the R.C.M. Police expressed his desire for more explicit guidance from the government as to the manner in which investigations were to be made concerning homosexuality, the extent of these investigations, and the means and timing of informing the departments concerned. He added that, while the R.C.M. Police were only concerned with the practice of homosexuality as it affected security, recent investigations indicated that the problem was becoming increasingly widespread, and the accumulation of the names of persons against whom allegations had been made was growing with each new enquiry. The investigations so far had been handled only by most experienced members of the Force, who had interviewed a large number of persons against whom allegations had been made. The Commissioner considered it important that the R.C.M. Police be permitted to continue these interviews, but pointed out the deterrents to further investigations which might arise if employing departments, on being informed that certain of their employees were being interviewed for this purpose, were to take precipitate action in transferring or dismissing the employees involved. While he felt that investigations could be conducted more effectively if employing departments were not aware of them, it was not the intention nor the desire of the R.C.M. Police to withhold information relevant to the security of the departments and agencies concerned. In addition, the Commissioner pointed out the difficulty arising from the present policy stipulation that the reasons for any action taken on security grounds must not be given an employee without reference to the Security Panel. For these reasons he felt that the Force must now have a clear directive from the government as to how to proceed with this matter.

The Under-Secretary of State for External Affairs expressed some concern at the statistical approach to the problem which the R.C.M. Police appeared to be making. He pointed out the danger of this kind of investigation developing into a sociological survey in which the security aspects were lost sight of, and suggested that it did not serve our present purpose to make a determination of the probable proportion of homosexuals in our population. Mr. Robertson considered that, because of the dangers which the problem presented not only to security, but to the prestige of the departments concerned and of the government itself, there must be a responsible pooling of judgment as to the best means of dealing with the problem effectively and without publicity. He did not doubt that some risks would have to be accepted, both to security and prestige, but he felt that the investigations made by the R.C.M. Police should be concerned only with the security aspects of the problem. It had been the experience of his department that cases where exploitation had been attempted had been promptly reported to the department and so far as he was aware no breach of security had occurred.

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The Chairman of the Civil Service Commission also indicated concern at the momentum of present investigations which were being made largely on the basis of suspicion alone, and stated that it was essential to make the most careful assessment of the weight to be given homosexuality in determining the risk to security in each case. As it appeared that no case had been as yet successfully exploited, he considered that the R.C.M. Police should continue their investigations in the Department of External Affairs and a few other sensitive departments and agencies, but not in other government organizations except when it was necessary to follow up an investigation that had begun elsewhere. Considering the dangers involved in extensive investigations such as had already taken place, he considered that future investigations should be limited to ensuring the security of classified information, and saw no reason why non-sensitive departments should be informed of the homosexual tendencies of any of their employees whose names came to light during other investigations.

The Chairman was not convinced that there was a direct relationship between the number of homosexuals in our society and the consequent risk to our security, and agreed that our enquiries should be limited to those persons who were vulnerable to effective exploitation by foreign intelligence services. He suggested that consideration be given to transferring employees with this weakness into non-sensitive positions, preferably with their knowledge of the reasons therefor. While he considered that the R.C.M. Police would require some discretion in determining the nature and extent of their investigations in this field, he felt that every effort should be made to determine the validity of any suspicion and to assess the possible risk to security before the persons involved were interviewed by the Police. He said that it would be necessary for the Security Panel to consider whether, in the light of recent investigations, there were not reasons to modify the attitude which the Panel had adopted to this problem when the initial study was made over a year ago, and whether changes in policy would be required as a result.

The Secretary suggested that it might be possible to narrow the scope of present inquiries to the most vulnerable areas by drawing distinctions between positions in the government service which were highly exploitable by hostile intelligence services, such as diplomatic posts in Iron Curtain countries, and those positions which were less exploitable or more dangerous to exploit from an intelligence point of view.

During a lengthy discussion of the R.C.M. Police memorandum and the proposals set out therein, the following points were raised:

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- (a) that the question of prosecution for homosexual offences would probably not arise through present investigations, although there might be pressure for prosecution should it become known publicly that such investigations were being made;
- (b) that while there did not appear to be any serious security objection to informing persons being interviewed in connection with homosexuality that the inquiry was related to security, it was important to bear in mind the effect on the person's attitude, particularly if the allegations were eventually proved false;
- (c) that the most careful consideration would have to be given in each case to the nature and timing of informing departments whose employees were involved, in view of the possible effects on the employees' careers;
- (d) that the assessment of the possible danger of scandal arising out of the employment of someone found to be homosexual was essentially a matter for the judgment and discretion of the employing department concerned;
- (e) that where security was not a factor, there did not appear to be any reason for the R.C.M. Police to report allegations of homosexuality to the employing department;
- (f) that, in cases where continued investigation was essential, but where it was also necessary to inform the department concerned, the Secretary of the Security Panel might ask the department to withhold action until the investigation was completed;
- (g) that there appeared to be some reduction in the risk to security if the R.C.M. Police and the employing department were aware that an employee had homosexual tendencies.

After further discussion and the tabling of an interim report on this problem prepared by Dr. F.R. Wake of Carleton University, the meeting agreed:

- (a) that consideration might be given to the officials present meeting with the Prime Minister and the Minister of Justice in order to discuss the policies which should be adopted to deal with this problem, and particularly the handling of information derived from R.C.M. Police investigations;

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- (b) that the Secretary should be asked to prepare a paper setting out various of the tentative proposals which had been discussed; and
- (c) that a further meeting should be held to discuss this paper in the near future.

D.F. Wall,
Secretary of the Security Panel

July 26th, 1960.

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