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MEMORANDUM

1745-42-7 (DPP 2)

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8 Apr 91

CPCSA (through DGPPTF)


CF POLICY ON SEXUAL ORIENTATION  
CHRONOLOGY OF POLICY DEVELOPMENT

Ref: 1745-42-7 (DPP 2) 3 Apr 91

1. The chronology enclosed with the reference has been revised slightly on the advice of D Law/HRI. Two changes are noteworthy:

- a. an additional comment is added to Serial 2 to highlight the fact that it was the message of 10 Feb 86 that introduced the term "homosexual act" into CFAO 19-20 although there is some doubt whether or not the basic policy in para 7 (discrimination on the basis of homosexuality/propensity) was amended by that message; and
- b. the insertion of a new Serial 3 to provide better continuity in the sequence of events. It was the report Equality For All that led to the Government response in the form of Toward Equality (Serial 5).

2. Unfortunately, what we are left with is something of a mess. The policy is vague and ambiguous. Although it is clear we discriminate against "homosexual activity", the term is not defined. The amplifying administrative instructions in CPCSA OPM 310-3 are technically applicable only to NCMs even though they are, apparently, applied to officers. The individual complaints we are dealing with are factually poor from our point of view. As well, the evidentiary base to support our case is weak. Perhaps I am overstating the difficulty, but it is hard to be optimistic.

  
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D Law/HRI  
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