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5077-3-0 (DPCAOR 5-2)

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BRIEF ON [REDACTED]

AIM

1. The aim of this brief is to outline the procedures followed and factors considered in administering the Canadian Forces policy on homosexuality to [REDACTED]

DISCUSSION

2. [REDACTED] enrolled in the Canadian Forces on [REDACTED] [REDACTED] as a [REDACTED]. While attending his initial trades training at CFSEME [REDACTED] he was interviewed by the Special Investigation Unit (SIU) regarding his sexual orientation. [REDACTED] admitted to having had participated in homosexual acts over a three month period with a friend while in high school. The acts consisted of hugging and fondling each others genitals

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through their clothes. [REDACTED] then stated that, for the past six weeks, about three or four times per week, he and another serviceman had participated in homosexual acts (mutual fondling). He further stated that he may be bisexual and should receive psychiatric counselling.

3. [REDACTED] was then posted to [REDACTED]. At the request of DPCAOR 5, the Commanding Officer reviewed the SIU report and advice from medical authorities. The Commanding Officer recommended no career action. Command Headquarters also reviewed the case and disagreed with the recommendation of the unit. Command Headquarters recommended release as [REDACTED] had admitted to having participated in sexual acts with person of his own sex.

4. Upon receipt of the unit and Command recommendations the file was prepared for Special Career Review Board (SCRB) review. The Board, composed of DPCAOR, DPLS, DMTS and DGPCOR determined that, notwithstanding a medical opinion that [REDACTED] was heterosexual, CFAO 19-20 did apply in [REDACTED] case as he admitted to participating in homosexual activities both prior to enrolment and three or four times a week for six weeks during initial trades training. In January 1990, [REDACTED] Morash was offered release under QR&O 15.01 item 5(d). He refused the offer in February 1990, and submitted a Redress

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of Grievance. [REDACTED] was retained in the Canadian Forces with career restrictions until his engagement expired on 28 September 1990. [REDACTED] Redress of Grievance was denied by Mobile Command headquarters on 12 April 1991.

5. On 26 September 1990 the Headquarters of 1 Brigade requested that [REDACTED] terms of service be extended until such time as his Redress of Grievance could be resolved. The request was denied by DPCAOR. The Commander of 1 Brigade then requested the Commander of Mobile Command to obtain an extension of [REDACTED] terms of service until the Redress of Grievance, which was at Command level, was resolved. The Commander, Mobile Command stated that [REDACTED] was, by his own admission, a person to whom CFAO 19-20 applied and as such, recommended no extension of service. DPCAOR then directed [REDACTED] CO to action the release, under QR&O 15.01 Item 5(c), completed service for which he was required.

CONCLUSION

6. [REDACTED] admitted to having participated in homosexual activities. Although his Commanding Officer recommended retention and indicated that medical authorities considered [REDACTED] to be a heterosexual, Command Headquarters and NDHQ SCRB decided that, due to [REDACTED] admission of homosexual activity, the provisions

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of CFAO 19-20 did apply. [REDACTED] was offered and refused release under QR&O 15.01 item 5(d). He was retained in the Canadian Forces and was not offered re-engagement. The unit and Brigade requested an extension of [REDACTED] service until his Redress of Grievance was resolved. However, Command Headquarters did not agree and the request was denied. [REDACTED] was released under QR&O 15.01 item 5(c) in November 1990.

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