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MEMORANDUM

2100 (DG Secur)

// Jun 93

DPPCS

MINISTERIAL INQUIRY
MR. ALEX KERMAN, GLOU

Refs: A. CICS Control No. 9301503 B.
B. 1745-42-7 (DPPCS) 3 Jun 93

1. In response to your request at ref B, outlined below are draft responses to specific questions in Mr. Kerman's letter.

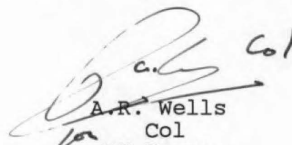
- a. Question 6. The current SIU mandate is limited to security matters consistent with recommendation 1 of the External Review of the SIU conducted by the Honourable Judge Rene Marin. The SIU has no role in investigating the private sexual lives of serving members except insofar as these activities, homosexual or otherwise, may be a factor in a security investigation as recognized by Judge Marin in his report.
- b. Question 7. Prior to 1970, homosexuality was a criminal offence under the Criminal Code and SIU conducted their investigations as criminal investigations. After 1970, when homosexual activity between consenting adults was no longer considered a criminal offence, homosexuality was considered as an administrative problem by the Canadian Forces and SIU investigations were then conducted as administrative investigations.
- c. Question 8. When the investigation of homosexual activity was conducted as a criminal matter, suspects were given the caution administered during such investigations. After 1970, these investigations were handled as administrative inquiries.

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- d. Question 12. If private property were confiscated while investigations were conducted as a criminal investigation, then it would have been disposed of in accordance with the direction of the service tribunal consistent with procedures in effect at the time. When the investigations were handled as an administrative process, the purpose of confiscating anything becomes questionable, as there was no tribunal process in which to present anything as evidence. However, it is possible that such things as photographic pictures may have formed part of the investigation report. If there are specific claims of property rights then the matter will be researched. We do not have the staff to follow up blanket allegations.
- e. Question 13. Inquiries among present SIU and security staff members failed to disclose any knowledge of "medication tranquilizers" for homosexuals or any knowledge of such proposals by SIU investigators. More specific information about any such allegation would be required before any further research is done on this matter.
- f. Question 14. While "DG Secur" (D Secur has not existed for over six years) was not asked to address this question, it would appear to fall within, and only within, this Division's area of expertise.

Investigations into homosexuality had to establish that a homosexual act had occurred. At what point is an individual deemed to be a homosexual? Before career decisions could be made, decision-makers required some specifics with which to resolve this question. It was also not unusual for individuals to seek to escape from career contracts by falsely claiming to be homosexual. Precise details of sex acts were not required but many homosexuals, once they had conceded that they were gay, furnished more detail than the investigator wished to hear. A complete investigative report will include this additional detail whether it was desired or not.

g. Question 15. Questions on the release policy should be addressed to ADM (Per) staff.


A.R. Wells
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945-7275