

D R A F T

All Commands and Groups

Personnel Convicted of Homosexual or Indecent
Acts or Suspected of Homosexual Tendencies

1 Policy issued previously on the above subject is hereby cancelled and superseded by the following.

2 (a) If the facts are such as to establish a strong Prima facie case indicating an act of indecency, or that a homosexual act has been committed, and no civilians are involved, normal disciplinary action is to be taken and the advisability of taking discharge action is to be considered.

(b) If a civilian or civilians are involved all the facts are to be laid by the Commanding Officer before the appropriate civil authorities. If the civil authorities indicate that they are not going to proceed against the service personnel, and a strong prima facie case exists, the normal disciplinary action is to be taken. If the civil authorities prosecute the service personnel and conviction results, the advisability of discharging the service personnel so convicted is to be considered as in any other case.

3 When discharge proceedings are taken in 2 (a) or (b), the SMO is to be acquainted with all the circumstances in order that this information may be included in the Medical Board proceedings. The Medical Board proceedings are to include under diagnosis "psychopathic personality - homosexual type or perversion type" as applicable.

4 In all cases not coming within the purview of para 2, where there are reasonable grounds for the belief that an individual is a homosexual or has homosexual tendencies, and in cases coming within para (2) where conviction does not result from the institution of disciplinary proceedings either by service or civil court, the individual is to be referred immediately to the SMO. The SMO is to arrange an examination by a competent Neuro-psychiatrist who will form an opinion as to the presence or tendency to homosexuality or perversion.

A0142762_1-003856

If it is the medical opinion that these tendencies exist, a diagnosis of "psychopathic personality - homosexual type or perversion type" is to be made. It is to be understood that this tendency in itself is not to be considered adequate reason for discharge action. When the commanding officer is satisfied that the facts warrant release, he is to make application to CHQ or Group Headquarters as applicable for release under QR(Air) article 15.01 (2) c.