



MEMORANDUM

NOTE DE SERVICE

TO
A

D.D.G. (A. & P.)

FROM
DE

Officer i/c Internal Security

SUBJECT
OBJET

Security Screening of
Security Service Personnel
(Common-law Marriages)

SECURITY CLASSIFICATION - DE SECURITE
CONFIDENTIAL
OUR FILE - N° REFERENCE
IP 371-17
YOUR FILE - V° REFERENCE
DATE
31 JUL 75

Further to my previous memorandum dated 16/5/75 and Supt. SHOREY's written comments appended thereon concerning the captionally noted topic, you will recall that we had proposed that future amendments be made not in the chapter of personnel security, in order to avoid clashing with established Government policy concerning security clearances (Cabinet Directive 35). I note that amendments in the code of discipline have now been included in the Admin. Manual, Chapter 1.4.C.4.e, which states that "A member shall not cohabit with another person in a husband and wife relationship without being legally married to the other person".

2. Whilst I appreciate that Section 25(o) has now been made more specific by clearly condemning common-law arrangements, the main issue previously raised several times at the weekly D.G. meetings, has not been satisfactorily answered. I am concerned that Security Service employees who are now living common-law, will fear disciplinary sanction and hide from the Office of Internal Security, their status thereby becoming vulnerable to blackmail. Would you please, therefore, raise this question again with the D.G. in the hope that consideration be given to this problem of security.

3. Copies of previous correspondence attached.

Revised
AUG 1 1975
SECURITY SERVICE RECORDS

Attach.

J.C.C. Dagenais, Insp.,
Officer i/c Internal Security

PP
JCD

**THE FOLLOWING DOCUMENTS
ARE ATTACHMENTS OF
REPORT DATED**

**LES DOCUMENTS SUIVANTS
SONT LES PIÈCES JOINTES AU
RAPPORT DATÉ DU**

 1975 07 31
YYYY / MM / DD
AAAA / MM / JJ



Government
of Canada

Gouvernement
du Canada

MEMORANDUM

NOTE DE SERVICE

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D.D.G. (A. & P.)

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O I/C INTERNAL SECURITY

SUBJECT
OBJET

Security Screening of Security Service
Personnel

SECURITY CLASSIFICATION DE SECURITE
CONFIDENTIAL
OUR FILE - N/REFERENCE
1P 371-17
YOUR FILE - V/REFERENCE
DATE
16 May 1975

Your attention is invited to S/Sgt. Lawryk's memo dated 15-5-75 which is a response to the proposed amendment to Admin Manual II 2.H.1.A. The crux of his argument is that if common-law marriages cannot be condoned by the RCMP and such behaviour is subject to disciplinary sanctions, then it should be dealt with in a chapter other than Personnel Security in order to avoid clashing with established Government policy governing security clearance standards applicable for all Federal Government employees.

2. My understanding is that common-law marriages are an offence under Section 25(o) of the RCMP. Although common-law marriages are not explicitly mentioned therein, this section states that: "Every member who conducts himself in a scandalous, infamous, disgraceful, profane or immoral manner, is guilty of an offence to be known as a major service offence and is liable to trial and punishment as prescribed in this Part." Morality seems to be the main issue here.

3. It is apparent that any legislator transposes in the law, prevailing moral codes of ethics of his society. However, societies and their norms of behaviour are constantly pressured by changes. Morality is not something static, it too is bombarded by changing attitudes and common practice. For instance, the institution of marriage is no longer what it was mere decades ago, as reflected by the increasing rate of divorce, and new forms of styles of living.

4. Our members as full fledged products of today's society are not immune from these factors shaping their lives.

Resp Dagenais
You have heard the D.G. say
that the question of common-law
marriage is to be taken up with the
Commissioner, and only then will we
know whether in fact, the proposed amendment
to Admin Manual II 2.H.1.A will be made.
If they are made, then I agree
Section 25(o) should be there
specific, and we should
punish it then.
(over)

Please B.F. this matter to the DDG (A+B) when
he returns off leave at the end of July. Hopefully
the question will have been resolved with
the Commissioner by then and we should
know if further action is needed.

Russ Supt
for DDG (A+B)
15/6/75

CONFIDENTIAL

1P 371-17

To continue treating common-law marriages strictly as a disciplinary matter will not in the long run instill better discipline. I suggest that sometimes extenuating circumstances leave very few alternatives open to some of our members, and each case should be studied on its own merits. The issue is not so much one of morality since it is demonstrated daily in our modern urban context that people no longer look upon a common-law marriage as a scandalous and disgraceful behaviour. It is just a fact of life which is recognized by emerging new jurisprudence in civil laws, insurance policies, pension plans, hiring practices, etc.

5. I submit that perhaps the time has come to review our policy of what constitutes an offence under Section 25(o). I for one, certainly do not suggest repealing entirely the section, since no matter how permissive certain segments of society may become, there is still a need to draw a line somewhere between an acceptable citizen's behaviour and that of a policeman.

6. I respectfully suggest that we update our interpretation of Section 25(o), and would appreciate receiving your comments on this.

J.C.C. Dagenais
J.C.C. Dagenais, Inspector,
O i/c Internal Security

A0054217_5-001299



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MEMORANDUM

NOTE DE SERVICE

TO
A

Officer i/c Internal Security

FROM
DE

S/Sgt. S. Lawryk

SUBJECT
OBJET

Security Screening of Security Service
Personnel

SECURITY CLASSIFICATION - DE SÉCURITÉ
CONFIDENTIAL
OUR FILE - N/REFERENCE
IP 371-17
YOUR FILE - V/REFERENCE
DATE
15 MAY 75

Your attention is drawn to attached telex issued by the Commissioner under date of April 30th, 1974 wherein he states that the D/Comm'r. (Admin.) has reaffirmed that common-law relationships is not acceptable conduct where members of the Force are concerned and that Security Guidelines contained in Admin. Manual II.2 will be amended to reflect this policy.

2. While I have no quarrel with the spirit of the telex, that common-law arrangements by members will be dealt with as a disciplinary matter, I do feel we should raise strong objections, through our channels, against having Admin. Manual II.2.H.1.A. amended to reflect that this Section is being used to enforce the discipline Code of the Force. My contention is that if the Force views common-law arrangements in this day and age as unacceptable, then the Rules and Regulations of the R.C.M.P. Act should clearly reflect such policy. You will appreciate that the security criteria (C.D. #35) is set out by the Federal Government to ensure that all Federal Government employees, irrespective of the Department they are connected with, are subjected to its application uniformly. There are no provisions for any Department or agency to utilize this Directive or its criteria as a vehicle to enforce its disciplinary Code.

3. It is therefore suggested that strong representation be made to have Admin. Manual II.2.H.1.A remain as is because in its present form it clearly states that all our employees, be they members or Public Servants, will be treated in the same manner on matters of security. To amend it in any form, such action will immediately imply to our employees that the Force has two security criterias, one for the members and another for Public Servants. When it comes to security matters, all employees must be treated equally if we are to continue to

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enjoy their support and backing. To do otherwise, the Force will not only be going against Government Policy but by default, will seed distrust amongst our personnel and set the stage towards total disregard for security by our employees. You will appreciate in this one area, because of the nature of our work, we can ill afford such action.



S. Lawryk, S/Sgt.,
Internal Security

A0054217_7-001301

38 OTT APR 30
ROUTIN TT APR30 UNCLAS

A B C D E F G H J K L M N O AND HQ DIV AND DEPOT

DSECO/35 IT HAS RECENTLY COME TO ATTENTION THAT SOME MEMBERS ARE INTERPRETING ADMIN. MAN. II.2.H.1.A. TO IMPLY THAT THE FORCE CONDONES COMMON-LAW RELATIONSHIPS BY MEMBERS OF THE FORCE. THIS NOT THE INTENT OF THIS SECTION AND THE D/COMR. (ADMIN.) HAS REAFFIRMED THAT A COMMON-LAW RELATIONSHIP IS NOT ACCEPTABLE CONDUCT WHERE MEMBERS OF THE FORCE ARE CONCERNED, AND WILL BE DEALT WITH AS A DISCIPLINARY MATTER. AN AMENDMENT TO THE ABOVE SECTION OF THE ADMIN. MANUAL WILL BE FORTHCOMING TO ALLEVIATE THIS MISINTERPRETATION.

COMR OTT

- c. DOP. DDG(ADMIN), DCI, D/CPIC, DLI, DRS, DAS, DPP, DEPT'L SEC'Y, OLYMPIC SECRETARIAT, O I/C OPERATIONAL AUDIT UNIT, O I/C PLANNING BRANCH, O I/C LIAISON BRANCH, DEPARTMENTAL SECURITY OFFICER, NCO CANTEEN, "HQ" BLDG. SECURITY, DIVISION MESSING OFF, S/MAJOR'S OFFICE, O I/C F.S. & S., NCO I/C UPLANDS AIR DETACHMENT, "HQ" DIVISION STAFFING OFFICER, "HQ" STAFF RELATIONS REP., O I/C INTERNAL COMMUNICATIONS OFFICE.

ALL DIVS PROTECTED EXCEPT HQ DIV FLSE

PICK BLDG

pic will be fwd. to Director

SA

*Noted
2/5/75*

- 's i/c A, B, D, E, F, G, H, I, J, L Operations;
- Admin. & F.S.S.;
- Automated Information Services;
- Foreign Services; Internal Security
- Olympics Secretariat;
- Policy-Planning & Co-ordination;
- Staffing; Training & Development;

*Ad.
14-5-75*

13-5-75

*S. Spruce
to DDG.*

MAY - 1 1975