

RCMP GRC

TRANSIT SLIP

FICHE DE SERVICE

BIN BD

GD S-1600-1-51

Classification

File No. - N° du dossier

● HANDWRITE - ÉCRIRE À LA MAIN

TO - À  OIC S & P <i>o/c MPE</i> <i>NCO ic CHRU</i>	FROM - DE  D/DOP (Personnel) <i>M/c SAP</i> <i>OIC P/HRU</i>	Date  86-09-19 <i>86-09-22</i> <i>86-09-23</i>
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| <input type="checkbox"/> Comments<br>Commentaires            | <input type="checkbox"/> Action<br>Donner suite               | <input type="checkbox"/> Prepare Brief<br>Préparer un exposé | <input type="checkbox"/> Return with Current File<br>Retourner avec le dossier actuel |
| <input type="checkbox"/> Perusal and P.A.<br>Lire et classer | <input type="checkbox"/> Prepare Reply<br>Rédiger une réponse | <input type="checkbox"/> Make File(s)<br>Ouvrir un dossier   | <input type="checkbox"/> Check Records<br>Vérifier les dossiers                       |

SUBJECT - SUJET

DRAFT MEMO TO CABINET - EQUALITY RIGHTS

REMARKS (Use same A-5 for Reply when space permits) - REMARQUES (Si l'espace le permet, répondre sur cette formule)

Attended meeting this date at Ministry Office chaired by Dave Whellams.

Generally covered all areas of concern to the various agencies of the Ministry.

Mr. Whellams opined that given the new Deputy Solicitor General's previous post (Minister of Justice) that the Ministry's reply will receive a great deal of attention at the Senior Committee level.

Naturally, the issue of sexual orientation received a lot of attention. It was recognized by the Committee that the new Minister's views on sexual preference as it concerns the R.C.M.P. and C.S.I.S. are not very well known and as such we could only speculate that if the Force was to establish a B.F.O.R. that prevents homosexuals from entering the Force and/or C.S.I.S., that this would have to be first discussed at a high level within the Ministry.

I made it plain that our original position has not changed and that the recommendation to make sexual orientation a specific ground of discrimination is not objected to by the Force.

DPT 7 12:38 PM '86

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P.A.-A.C.	
Date	A0930864_1-000219
<i>BU 09 02 11/11</i>	

Diary Date - Date d'agenda

Meeting Date - Date de réunion

A-5 (80-08) 7530-21-029-4767

**RCMP GRC****TRANSIT  
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TO - À	FROM - DE	Date
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SUBJECT - SUJET

- 2 -

REMARKS (Use same A-5 for Reply when space permits) - REMARQUES (Si l'espace le permet, répondre sur cette formule)

Lloyd Younger (counsel for the Ministry) and Martin Suo raised the possibility that some time in the future, the Commission could; if the Force is found to be discriminating on grounds of sexual orientation, be forced to install a special program.

While the legislation would seem to allow this, there are apparently persuasive arguments why the Commission would not want to include this ground as subject to a special program. The concern will still be raised with Justice to try and forestall any attempt in this regard.

Other concerns centred around the primacy consideration of the C.H.R.A. and the Charter and this will be covered in the submission as well as they will be seeking clarification of the nexus between B.F.O.R. and a reasonable accomodation.

On the issue of B.F.O.R. and mandatory retirement, the Committee was of the opinion that the Force should continue to push for a change in the regulations. In the intervening, two year period the Force should continue to amass whatever statistical data that may be of a benefit to our objective of setting 60 as the mandatory retirement age.

... / 3

P.A. - A.C.

Diary Date - Date d'agenda

Meeting Date - Date de réunion

Date

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A-5 (80-08) 7530-21-029-4787

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RCMP GRC

TRANSIT SLIP

FICHE DE SERVICE

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SUBJECT - SUJET

- 3 -

REMARKS (Use same A-5 for Reply when space permits) - REMARQUES (Si l'espace le permet, répondre sur cette formule)

In keeping with the subject of mandatory retirement, I was advised that a Seminar is to be held in Toronto, November 4-5, 1986 dealing with mandatory retirement. There will be speakers both from the legal and medical profession and it might be useful for someone to attend.

Please have someone call "Corpus Public Policy Group - 416-445-6641" and ask for all available literature.

Attached you will find a Human Rights Legal opinion on D.N.D.'s B.F.O.R. on mandatory retirement. You will note that Human Rights Legal Counsel reluctantly admits that D.N.D.'s policy could probably withstand a challenge. D.N.D. makes some very persuasive arguments in the area of Military structure, which we should examine very closely.

See if you can get a copy of their paper "A Study of Age Limitation in the Canadian Forces".

Dave Whellams will provide us a copy of his draft comments for input.

C.C. O.O.P.

*[Signature]*  
P.E.J. Banning, C/Supt.  
D/D.O.P. (Personnel)

*You info & following Re: above seminar, with this 1/5 of justification of that steps to have someone attend. If we can assist in mandatory retirement exp. using similar cases. P.A.C. A.C. 1/10*

Diary Date - Date d'agenda	Meeting Date - Date de réunion	Date
		A0930864_3-000221

A-5 (BO-08) 7530-21-029-4767