

Mr Logan

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SEXUAL ORIENTATION - CF INTERIM POLICY

- ISSUE:- Why does the CF continue to discriminate against homosexuals?
- Why did the CF conduct a survey on sexual orientation?
 - What assurances can the Minister provide to those homosexuals whose contracts will soon expire?

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POSSIBLE RESPONSE:

Policy

- The CFs' policy with respect to homosexuality is under review.
- The policy is being challenged in the Federal Court and it would be inappropriate to comment further.

Survey

- As part of the policy review we are attempting to determine what the effects of a policy change would be on the operational effectiveness of the Canadian Forces.



Assurances re Contracts

- Members who are identified as practicing homosexuals will not be released at the conclusion of their contracts unless they so wish pending the review of the CF policy.

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BACKGROUND:

- The present CF policy is contained in CFAO 19-20, in existence since 1976.
- Application of this CFAO was modified in 1987, by Ministerial direction, in that members are no longer released on the basis of propensity alone; confirmed homosexual acts are necessary before release proceedings are initiated; and members are no longer required to report other members suspected of homosexual activity.
- A new CFAO 19-36 "Inappropriate Sexual Behaviour" was drafted to replace CFAO 19-20; it has had 
- In the interim, pending completion of the policy review, identified practicing homosexuals are being released only if they do not object to compulsory release from the CF under item 5(d) of QR&O article 15.01.
- If a member objects to compulsory release, the member is retained subject to a number of career restrictions.
- Currently, five lawsuits which challenge the constitutional validity of the CF interim policy are before the Federal Court. The case of  has been set down for trial in March 1992 and will likely be the first case to be heard. Trial dates for the other four cases have not been set.

- The results of the policy review are expected to be announced shortly.

Prepared by: G.L. Logan
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