

June 8, 2016

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The We Demand an Apology Network submission on the urgent need for an official state apology and redress for those affected by the anti-gay/anti-lesbian purges in the public service and the military.

The We Demand an Apology Network supports a public and official government apology and redress process for all those affected by the purge campaign from the public service and the military for being lesbian, gay, or bisexual *and* pardons for all consensual homosexual/gay/lesbian/bisexual sexual activities both before and after 1969 (we address this at the end of this submission).

The “We Demand an Apology Network” brings together people who were directly affected by the national security campaigns to purge those thought to be “homosexuals” from the public service, the RCMP, and the military, with supporters and researchers who believe an injustice was done. An apology for the wrongs committed by the Government of Canada against LGBT people is the least that is required to begin to right these wrongs. If the injustices against LGBT people in Canada are to be addressed we need a *state apology, immediate action on the information the government currently has available to it and establishing a redress process for all those who lost their jobs and careers, or were otherwise detrimentally affected through the purge campaign directed against homosexuals.*

An Official Apology and redress process for all those affected by the purge campaigns in the public service and the military.

Our focus, as a Network, is on the urgent need for an official state apology and redress for all those who were affected by the “national security” purge campaigns in the public service and the military. Discrimination; including legal, social, and economic forms continued at least well into the 1990s. For example thousands, of people lost their jobs and careers in the public service and the military from the 1950s to the early 1990s simply because they were lesbian, gay, or bisexual. Major suffering and harm was caused in people’s lives by these state policies (on this see attached statements in Appendix A).

In this context, we are glad to see that an investigation co-ordinated by the Justice Department is reviewing the possibility of apologies for those purged for being lesbian or gay from the public service and the military. So far it appears that this investigation is based on departmental reviews of their own files. This will only scratch the surface of the problem. But even this must lead to immediate changes. The official apology must be coupled with action the government can take on the information it already has. For instance, it is our understanding that the military Ombudsman's office has a list of 800-1,000 people who were explicitly discharged for being 'homosexual' from the military. These people should immediately be shifted into having "honourable discharges" and given all the benefits and pensions they deserve. But this will not address the needs of all those purged from the military as part of this anti-homosexual campaign nor the needs of others directly affected by this campaign. We therefore urge that this investigation be extended to centrally include discussions with the people who were purged from their positions in the military and the public service and also with those who have researched these purge campaigns and the experiences of lesbians and gay men in the military.

This purge campaign affected people in various and multiple ways. This is why we argue that the apology and the following redress process should be as broadly based as possible to cover all of those detrimentally affected by these purge campaigns in the public service and the military; including all those put under surveillance; all those the RCMP or Military police tried to obtain information from about those who were gay or lesbian; as well as the partners, friends, and families of those directly affected. In the public service this must include not only those who lost their positions officially because they were identified as homosexuals, but also those investigated and interrogated; those denied security clearances or higher security clearances and whose career advancement was therefore frozen; and those who lost their jobs because they were identified as homosexual and their positions then disappeared. In the military, a whole series of procedures were used to discharge people and to put pressure on to force them to leave. This included surveillance (like the military conducted at the Turret gay/lesbian club in Halifax); interrogations; demotion in security clearances so people were forced to do work that often "outed" them on military bases; to those who resigned for other reasons; and those explicitly discharged for being gay or lesbian. This must include recognition of promotions that were denied when an individual's "homosexuality" was discovered. This must include not only people who were expelled, but also those investigated who escaped expulsion, but who also suffered because of this persecution. Personnel, medical, as well as other files, must be made available to be examined. Various forms of administrative release were also used ranging from "not advantageously employable," to "unsuitable for further service," to arguments that they were released for "bona fide occupational requirements." This must also include those who resigned prior to investigation because they knew they would be discovered and purged.

There are a number of forms this redress process or mechanism could take, but it must be as broad as possible and must be developed with the needs of those who were affected by these purge campaigns in mind. In both public service and military situations any redress process must include the documents and evidence that those purged have in their possession; the testimony of those who experienced what happened to them and those who have knowledge of this; as well as those files still in the possession of government departments.

This is an urgent matter since many who were purged and affected by these campaigns have died and more will soon be lost. Many people's lives and careers were destroyed. People have been waiting decades for this apology and redress - including members of our Network. The time for action is now. It is not a difficult matter to recognize that an injustice was done, and to make an official apology for this purge campaign, and to establish a redress process for those who were affected.

The “National Security” Purge Campaign

At the same time as the Canadian government claims to be a firm supporter of LGBT rights on a world-scale, it has still not come to terms with the major anti-LGBT national security purge campaign in Canada for which it was directly responsible. This historical section is based on detailed personal accounts and interviews with those directly affected as well as documents released through the Access to Information Act (see references).

This campaign led to surveillance of thousands of people and the destruction of the careers and livelihoods of thousands of LGBT people from the 1950s until the 1990s. For example, in the 1960s the RCMP created a list of more than nine thousand suspected homosexuals in the Ottawa area. They attempted to develop a “fruit machine” to identify homosexuals using federal research moneys in the 1960s. We are very glad to see that students at Carleton University are raising concerns about how their university was involved in developing this detection “technology,” but the federal government was also directly responsible for this research.

Identification as a “confirmed homosexual” meant the loss of employment and denial of security clearances. People were watched, followed, interrogated, and purged from their jobs. In a large research project investigating past and current experiences of Canadian LGBT soldiers, Gouliquer and Poulin found evidence that the campaign against homosexuals resulted in deaths (Gouliquer, Poulin, & Hobson, 2012). Some of their participants were family members of the former soldiers as they had committed suicide due to the military discharging them for homosexuality. Fiona, a participant in their study and the sister of a discharged soldier discusses her brother's suicide:

“He was traumatized. They [Canadian military] made him believe that he was a pervert. That he could never be trusted with anything or anyone. He said [in his suicide

note] that he had ruined our mother's life, his life, everyone's life, and he could no longer live with that." (Fiona).

To get information on, and the identities of, gay men, lesbians, and bisexuals in the public service and in the military, the RCMP and other security forces often relied on threatening to lay criminal code charges for consensual homosexual activities to get lesbians and gay men to give them the names and identities of other lesbians and gay men who were in the public service and the military. Those charged with consensual homosexual offences who were in the public service and the military lost their positions.

Authorized at the highest levels, the Canadian government organized through its national security institutions; including the Security Panel, the Royal Canadian Mounted Police (RCMP), the Canadian Security and Intelligence Service (CSIS), and the Canadian Armed Forces (CF) an official campaign against thousands of Canadians. Homosexuals were defined as suffering from a "character weakness" that supposedly led them to be open to blackmail by "enemy" agents. Research has shown that those people who were interrogated and followed by the RCMP, CSIS or the CF, felt that the only people who tried to blackmail them were the Canadian security officers themselves. Canadian security officers tried to force these individuals to reveal the names of gay and lesbian armed forces members and public servants. These security campaigns were vicious episodes of tracking, humiliating, interrogating, threatening, hounding, and intimidating innocent Canadians who had done no wrong. In addition, these Canadian security officers brought about the discharging or firing of those individuals their investigations found to be homosexual. Research has shown that as a result some people were forced to flee Ottawa, or even the country, and some people simply stopped having sex. These campaigns forced many LGBT people into the closet and into living a double-life (heterosexual at work and only gay or lesbian in limited very private gay or lesbian networks).

The Canadian military

During World War II, people suspected of homosexuality were discharged from the military for being "psychopathic personalities with abnormal sexuality." Later this evolved into prohibitions against sexual deviates; those with sexual abnormalities, and homosexuals (see Canadian Forces Administrative Order 19-20). Military security was directed to enforce both national security regulations against LGBT people and military regulations that prohibited homosexuals from being in the military for both national security and disciplinary reasons.

In the 1960s the first focus was on the Navy. Investigations also had a particular focus on lesbians in the 1970s and 1980s. For instance, five women were arrested at gunpoint and dismissed from the Canadian Armed Forces Base in Shelburne, Nova Scotia in 1984 as "hard-core lesbians." For the women and men in the military, this often included intense questioning by male military police officers about the sexual practices

in which they engaged (also see Appendix A for statements by Martine Roy, Darl Wood, and others on this). In the late 1980s, military members suspected of homosexuality would have their security clearance suspended and were transferred to very low level employment positions on military bases before they were discharged, which in practice “outed” this person to other people on the base.

The Public Service

In the very early years a major focus was on External Affairs. In 1960, the RCMP identified fifty-nine suspected homosexuals in External Affairs. Research has shown that External Affairs was hit hard with the transfer of John Holmes and the dismissal or resignation of many others. In 1960, three hundred and sixty-three confirmed and suspected homosexuals in government work were identified by the RCMP. In 1961, this number went up to four hundred and sixty. By 1962, eight hundred and fifty homosexuals were identified. This purge was extended into many areas of the public service including but not limited to: the Department of Finance, the Post Office, Central Mortgage and Housing, Health and Welfare, Public Works, the Ministry of State for Science and Technology the Department of Industry, Unemployment Insurance, as well as the National Film Board and the Canadian Broadcast Corporation. LGBT public servants faced *systemic* discrimination during these years.

People outside the military and public service

But, it was not only members of the public service and the military who were affected. As mentioned, the RCMP security police would approach LGBT people outside the public service and military to get them to inform on LGBT members in these institutions. Police often threatened to lay criminal charges against these individuals unless they gave the names and identities of their LGBT acquaintances and friends. They were able to do this given the complete criminalization of homosexual practices until 1969 and the continuing criminalization of consensual homosexual sexualities that existed for decades after that (on this see the later section). In the 1970s, because gay and lesbian movement organizations challenged these national security policies in the military and public service, many of these organizations were also subjected to RCMP surveillance and were spied on as well.

While these national security campaigns began to weaken in the public service by the mid to late 1980s, they continued at a very high level of intensity in the RCMP, CSIS, and the military. Indeed, the purge campaign continued despite the McDonald Commission report into the RCMP violations of people’s rights in 1981, patriation of the Canadian Constitution including the Canadian Charter of Rights and Freedoms in 1982, and the coming into force of the Equality Rights Section of the Canadian Charter of Rights and Freedoms in 1985.

In the military, the purge campaign officially continued until 1992. Many people identified as suspected homosexuals in the military chose to resign, or to accept dismissal on other grounds. This is why there needs to be a review of people’s service

records and the question of those who were denied benefits, severance pay, and pensions needs to be addressed. Many were released as “not advantageously employable due to homosexuality” that created problems in their finding other employment. But, directly under CFAO 19-20, it is reported that even in the 1980s hundreds of military members were discharged for homosexuality. For example; reports indicate that forty-five people were dismissed in 1982, forty-four in 1983, and thirty-eight in 1984. But, another source has one hundred people being dismissed in 1982 alone. Other sources report that discharged armed forces members were calculated as: eighteen people in 1985, thirteen in 1986, seven in 1987, ten in 1989, four in 1990, and two in 1991-92. However, because of national security restrictions, information deleted from Access to Information requests, and inconsistent recording, the numbers officially discharged have never been able to be confirmed. This is why more information withheld on the grounds of national security needs to be released. Violence and abuse against those identified and outed as gay or lesbian in the Canadian military was tolerated - if not actively encouraged - by the military hierarchy during these years.

The military hierarchy very actively fought the ending of its exclusionary policies until it was forced to do so officially in the Michelle Douglas Supreme Court case in 1992. In October 1992, just before Douglas’ case went to trial, the Canadian military abandoned its policy banning gays and lesbians and settled the case brought against them. Michelle Douglas, and four others engaged in legal battles with the Canadian military in 1992, are *the only people in Canada* who have ever been recognized for enduring this discrimination and to have these attempts by the military to destroy their careers redressed. There remain major problems within the Canadian military as well as the RCMP regarding sexual assault and abuse against women and hostility towards LGBT members.

A fuller public picture of the national security campaigns against LGBT people in the public service and military became visible as a result of journalist Dean Beeby’s articles in newspapers in 1992, based on Access to Information Requests. In response to a question based on these reports by NDP MP Svend Robinson, then Prime Minister Brian Mulroney stated that the purge campaigns reported in these articles would “appear to be one of the great outrages and violations of fundamental human liberty that one would have seen for an extended period of time.” He went on: “[I do not] know much beyond what I have read, but I have instructed the Clerk of the Privy Council to bring forward for consideration ways that we might examine this more carefully because on its face it would appear to be a fundamental violation of the rights of Canadians and, if it is as it has been reported, a most regrettable incident.” (See Canada, *House of Commons Debates*, (April 27, 1992), 9713-14; and “PM Denounced 1960s Purge of Homosexual Civil Servants,” *Globe and Mail*, April 28, 1992). However, he neither called for an inquiry nor offered an apology. Consequently, nothing ever came of this.

When calls for an official apology were made by researchers and activists in

1998 the Liberal government produced briefing notes for government officials stating that if they were asked about this they should respond by arguing that this was already investigated by the McDonald Commission into RCMP wrongdoing in 1981. However, the McDonald Commission did not significantly investigate the national security campaigns against gay men and lesbians; these campaigns continued long after 1981 in the public service and the military; and no apology for these practices was included in the Commission report.

There has never been an apology and redress from the government for the injustice and harm caused by this campaign. We demand an apology and the commitment that such a campaign will never happen again.

In this light we are pleased that the Defence Minister stated that a blanket apology for all those purged from the military for being lesbian or gay was being "considered." In our view, a first step in addressing the wrong done to lesbians, gays and bisexuals who were affected by this purge campaign is a blanket official state apology to all those who were purged from their positions in the public service and military and others affected by this purge campaign. What we are asking for is a *clear, official and public apology* that what the Canadian government did was wrong and that it will never happen again. This will lead to reviews of people's service records, and also review of the denial of benefits, severance pay and pensions to these people. This must include recognition of promotions that were denied to people and the pay raises these people were therefore denied. *This must be combined with a broad redress process* developed in collaboration with those who were most detrimentally affected by this campaign and those who have researched it. This must include for all people purged from the military full support and access to services from Veteran's Affairs. The German government has recently announced a pardon for all those convicted of homosexual offences (about 50,000 men) linked to a process of redress for survivors and the Australian state of Victoria has announced a wide-ranging apology for those criminalized and discriminated against because they were gay or lesbian (see references).

All those people whose lives and careers were harmed and destroyed by this Canadian government campaign, and those detrimentally affected in other ways must get recognition and redress for the problems the government created in their lives.

The need for pardons for engaging in consensual homosexual activities.

As already noted one of the ways the RCMP collected information on those who were suspected of being gay or lesbian in the public service and the military was to threaten criminal code charges unless people revealed the names of other gays and lesbians. There was therefore a *direct linkage* between the purge campaign against lesbians and gay men in the public service and the military and the criminalization of consensual homosexual activities. This use of the criminalization of consensual

homosexual activities was an important part of the surveillance and purge campaign directed against thousands of people in the military and the public service.

We are pleased to see the federal government commitment to pardon Everett George Klippert for his convictions on “gross indecency” charges and his sentencing as a “dangerous sexual offender” in the 1960s. We are glad this has been extended to review the possibility of pardons for all those convicted of “gross indecency” (a vague term usually, but not always, referring to oral sex) and “buggery” (often referring to anal sex) before the partial and limited de-criminalization of homosexual activities in 1969. After the 1969 criminal code reform homosexual activities were still criminalized involving anyone under the age of 21, those involving more than two people, and acts engaged in anywhere outside of a very narrowly defined “private” sphere. The number of charges against consensual homosexual sexual activities dramatically increased after the 1969 reform.

This review and these pardons must be extended to include all those convicted of consensual homosexual activities after 1969 (including those convicted because of the discriminatory higher age of consent for homosexual activities) and also broadened out to include not only “gross indecency” and “buggery” but also those convicted under the “acts of indecency” section of the bawdy house laws; those sentenced for “indecent acts;” and those convicted under “anal sex” (after 1988) for engaging in consensual activities that involved more than two people or people convicted because of the higher age of consent (set at 18) for anal sex as compared to other sexual practices. It is important to remember that none of these offences criminalized violence or abuse, but simply criminalized people for engaging in homosexual practices.

In our view this should be a blanket pardon aside from clear instances where violence or abuse was involved. The recently announced German government pardon and redress program for those charged for homosexual acts, as well as the broad ranging apology and pardon process in the Australian state of Victoria, could establish models for how this can be done in the Canadian context.

The issue of pardons for people convicted for consensual homosexual activities is also particularly urgent given that many people unjustly convicted for these offences who experienced harm from these convictions have already died and many more will be lost in the near future.

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Below find the references this submission is based on and also support statements in Appendix A from some of the people who were directly affected by the purge campaign

who are part of our Network. Following this Appendix B lists the organizations that support the demands of our network.

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State Apology to Those Convicted Under Unjust Laws Against Homosexual Acts — Premier’s Speech at <http://www.premier.vic.gov.au/apology-to-those-convicted-under-unjust-laws-against-homosexual-acts/>

Bruce Walker, “Canadian Criminal Laws,” at:

http://www.brucewalkertraveladventures.ca./brucewalkertraveladventures.ca/Blog_2016/Entries/2016/2/29_Canadian_Criminal_Laws.html

Appendix A: Support Statements from those directly affected by the national security purge campaigns.

Brenda Barnes

Diane

Frank Letourneau

Paul-Emile Richard

Martine Roy

Simon Thwaites

Darl Wood

Supporting statement from former naval reserve Lt(N) Brenda Barnes

May 27, 2015

In the summer of 1983, in the face of an economic recession and no jobs in Ontario, I joined the Summer Youth Employment Program at the naval reserve unit, HMCS Queen in Regina, my home town. After graduating at the top of my class, I was encouraged to apply for officer training upon my return to Toronto to complete my undergraduate degree. After a rigorous application I was accepted into the program.

While in officer training at Albert Head on the west coast in 1984, I was called to a meeting with a training officer that I did not request. Ostensibly it was to discuss my course of training, but the real reason I was called to the meeting was because of allegations of co-trainees that I was a lesbian. Unbeknownst to me there was an official policy prohibiting homosexuals in the military which also required that all members report any suspicions to their superiors. The policy lumped homosexuality, bestiality and pedophilia together as unacceptable behaviour for which, the system presumed, members could be blackmailed to reveal state secrets.

I talked my way out of that meeting and I was never aware of any formal investigation into my behavior. While at a 27-year reunion in 2007, I heard from some women with whom I trained that they had all been asked about me and they had also lied at risk of their careers to protect me. I served for six years, initially as a naval control

of shipping officer; but, before I left the service I became one of the first 5 women in Canada to obtain a bridge-watching certification for minor war vessels. I also worked at Maritime Command in Halifax as the assistant editor of *The Trident*, an internal naval publication.

During my time in the service I knew many sailors who were persecuted while in service or were dishonourably released. In 1989 after my promotion, I was due for re-investigation by CSIS as I had a 'Secret' security designation. Rather than subjecting friends and family to possible interrogation about my life, I voluntarily resigned.

Statement of support for the We Demand an Apology Network By Diane

May 27, 2015

In 1979, there was an investigation in Chatham New Brunswick. I was allowed to remain in the service but my partner at that time who was posted in Shelburne Nova Scotia was dismissed. I have no clue why this happened but I believe my Major R.P. prevented my release. The investigation was awful, the first time I was taken to CFB Halifax and met by two SIU officers. For at least 3 days I was interrogated in an undisclosed area for hours at a time. Examples of the questions asked included; who is the man in the relationship? Do you like to masturbate in front of a mirror? Who takes the garbage out? Do you use a dildo? Do you hate men?" etc. There were always two SIU officers present. One had long hair and looked like a hippie and was not very nice. The other guy was clean cut and shaved, well dressed and very nice. I guess now that I think of it today, it was like a good cop/bad cop situation. I was 19 years old and I was afraid of being in that room with them for hours. Then came the lie detector test, all they did is ask questions and I answered yes or no. I didn't believe in that machine and I never did find out the results.

The second stage was they had me see a psychiatrist in Halifax and he asked me about my family life growing up, and if I thought that being raised by a single parent could attribute to my being a lesbian as my father had died when I was 3 months old. I told him that I couldn't see why not having a father would affect me, my sister was not gay and was married with children. The investigations by the SIU and the psychiatrist went on for months. With the SIU, the investigation took place in the same place but I was not sure where as it was always night time and I didn't know Halifax that well. It was the same types of questions but I'd have to write out my answers. At some point they wanted me to write down who I knew who was gay and they badgered me for hours into the night until I gave them names. I gave them first names only and never gave in to the constant request for second names. I no longer cared at that point I guess I was getting used to their tactics.

During one visit the psychiatrist told me that he saw nothing wrong with me and that being a lesbian was not an illness. But he also said he wasn't in charge and that his decisions didn't carry much weight and that I would have to see him for several months, to keep my nose clean, and to stay away from gay people if I wanted to remain in the service. I listened to him as being in the military was my dream since a child and I didn't want to lose my job. I stopped going to the mess hall, and never went to clubs. In the mornings I did make a quick stop at the mess hall to grab my lunch box for my shift and at night I stopped at Canex for a snack to eat in my room in the barracks. On the weekends I went to my Mom's as it was just 2 hours away. It always felt like I was being followed and it was not a good feeling being paranoid that someone was never far away spying on me. You just know when someone is following you. My colleagues would always ask me why I wouldn't participate in activities with them and I guess they figured I was just too shy and one of them even called me anti-social and that really hurt. I was allowed to remain in the military but I lost my top secret clearance and had to leave 416 Squadron and go to work at the MSE supply (auto parts) that carried a classification of confidential.

Finally in 1980 I moved off base and shared an apartment with a friend.

Then I met someone (female) and started dating. A year later, there was another investigation but this time we both got discharged from the military but not before months of being interrogated again. They said someone saw us kissing through our basement window. I was so devastated that I can't for the life of me (till this day) remember where the investigation took place. I was just so numb and the experience was worse than the first one. Everyone on the base found out. It was not enough having the SIU follow me, my Captain at the time made it his mission to make my life a living hell. Everywhere I went on base my Captain was there; the canteen; Gym; the baseball diamond etc. One day I asked him "what is this all about, I turn around and there you are all the time". He told me that I was a security risk and could not be left alone wandering about the base, saying that he would not have the base compromised because of "ME" and he went on to say I was a threat to our country and he would make sure I got dismissed and that he would not allow Major R.P to help me this time. Shortly after this the anonymous phone calls started, the callers would shout some nasty words

and hang up. I'd walk to work and they'd drive by and also call me names, it was awful. I went to see Major R.P and the Base commander and they both said they would put an end to it but it continued until the day I was released, sometime in the 1980's and my partner followed soon after. I have to say my Sgt. D.C. did everything to keep me in the military but he fought a losing battle. He had even put my name forward before the investigation for an advance promotion to corporal. I was so excited. Before I left the military they had a big party for me with a plaque and all but I did not attend. I just couldn't. Sgt. D.C. delivered the plaque and told me how sorry he was.

When I cleared off base the last thing my Captain told me was ***"Don't forget, when you apply for a job there might just be a note on your file and they will all know the kind a person you really are!"*** Anyhow, we had to move away as we were harassed all of the time and decided to move to Ottawa as it had a bilingual population and at the time that made sense to us. I got a job with the Corps of Commissionaires and my partner with the Canadian Red Cross. I moved on to Canada Post and retired after 30 years of service. My now (ex) partner is still working for the department of Health and Welfare. We went our separate ways after 25 years together and we were blessed with a son who is now 27 years old.

During these years, I often tried to get an apology but never knew how to go about it. I did speak to Svend Robinson in the early 80's and also helped him with a written statement of my account of dismissal to help the Michelle Douglas case. I also wrote to Michel Drapeau and inquired as to how to get an apology and his response was, in my interpretation, "never going to happen" and that I would have to prove that being gay was the only reason I was dismissed (and that the DND would never admit to any wrongdoing). I had no clue on how to do that and I knew that being gay was the only reason that I was dismissed as I had done nothing wrong and I was an excellent soldier!

All of this happened over 30 years ago and not one day goes by that I don't think about the mistreatment I experienced in the Military because I was gay. The only thing I ever wanted was to serve my country and to be told that I was a threat, well that kind of statement stays with you forever! Moreover, the countless investigations and harassment, they never go away, they are permanently fixed in your mind! I was very traumatized by the whole situation! Oddly enough, if I had the opportunity to serve again, I'd do it in a heartbeat as I LOVED being in the military! It's in my HEART & SOUL! However, I still want an apology someday! I really want someone from the Military to tell me that they are sorry and to acknowledge that I was never a threat, that I was a good soldier and to acknowledge my good service. I do not seek a monetary settlement but I'd love my service medal to wear proudly when I stand every November 11 in respect of our lost military heroes! I know you have to serve 12 years to get that medal but it was never my choice to leave the service and I KNOW for a fact, that if I had not been dismissed for "being gay", I'd still be a proud soldier serving my country today!

My abbreviated naval career By Frank Letourneau

May 23, 2015

In early 1970, I was called to the offices of the Military Police at CFB Halifax and told that enough evidence had been gathered to indicate that I was homosexual. In fact, based on questions asked of me, it became apparent that I had been under investigation and observation for about one year. I was then a 30 year old naval

Lieutenant serving as the Operations Officer in a destroyer with what appeared to be prospects of a promising career in the Canadian Forces.

In view of the then existing Administrative Order addressing “sexual perversions”, countering this accusation would have resulted in the immediate removal from my ship, the downgrading of my top secret security clearance, and a difficult to explain temporary posting to an insignificant position pending further investigations. As I assessed my situation, I saw this as only postponing the inevitable and running the risk of a less-than-honourable discharge from the Forces.

This led me to submitting a letter resigning my officer’s commission which was quickly processed and I was honourably released. I might add that throughout this ordeal and mental anguish I enjoyed the complete moral support of my ship’s Executive Officer, Commanding Officer (a future admiral) and the Squadron Commander.

After some thirteen years with the Canadian Forces I had to seek a new career and begin a new life.

Statement regarding my federal career as an Economist between 1970-1985

By Paul-Émile Richard

May 28, 2015

My name is Paul-Emile Richard and I am an Acadian from New Brunswick. I am 74 years old.

After graduating with a Bachelor's degree in Commerce, a Masters Degree in Economics, as well as a year of postgraduate studies in Paris in Economics, I was employed by the federal Department of Finance as well as other departments between 1970-1985.

In 1985, my career ended abruptly as a result of systemic discrimination and my being identified as a homosexual by the RCMP. The discrimination from which I suffered took many insidious forms, for example: adverse structural reorganizations – job opportunities for which I qualified that would “disappear” from the organizational charts; sabotage – documents I had prepared for important meetings would either vanish or be expropriated from me; a hostile work environment was created, which included unreasonably bad evaluations and physical and social exclusion such as having my office situated at a great distance from the team I supported.

This homophobic treatment by the federal government totally ruined my life. It had long-term consequences on my physical and psychological health that I suffered from for many years including serious depression, extreme agoraphobia and insecurities, psychosomatic effects, anxiety and suicidal thoughts and tendencies.

In 2005, I submitted a complaint to the Canadian Human Rights Commission, which was refused on the grounds that it was time-barred. This decision is seriously flawed in that it failed to consider that it was impossible for me to submit my complaint prior to 2005 because of the results of the government's actions on my health, which is substantiated by expert medical evidence. It also ignores some of the leading jurisprudence on the issue of prescription.

Indeed, I was placed in a rather cruel catch-22 situation. In 1985, the year of my dismissal as a federal public worker, gay rights had not as yet been recognized and unions and lawyers did not defend our rights at that time. It would not be until 1995 with the *Egan* case and in 1998 with the *Vriend* case that the Supreme Court of Canada read in gay rights as being part of the *Charter of Rights and Freedoms*. However, I was unable to take advantage of this first legal opportunity to act given that I was suffering from serious depression and was even suicidal at the time as a result of the way I had been so badly treated simply because I was gay.

My appeal was heard by the Federal Court and the Court of Appeal of Canada but it ruled that the Commission's decision was reasonable on the basis that the government would suffer a prejudice because of the time delay involved and that it therefore would not be able to prepare an appropriate defense against the claim that I suffered from systemic discrimination. My lawyer, Sean McGee of the firm Nelligan O'Brien Payne, argued the reasons given by the government to support its allegation that it would not be able to properly defend itself were all hypothetical at best.

This left me no choice but to ask the Supreme Court of Canada to hear my appeal, but in 2011, without providing any reasons, it refused to do so. Many eminent lawyers I have consulted believe that the Federal and Supreme Courts made an

astonishing error in law by refusing to even hear my case and for allowing the government to never have to explain its discriminatory actions against LGBT members of society like myself.

By exhausting all avenues available to me to seek justice through the legal system, the last available channel open to me for further action is an appeal to the public and the political class.

May 28, 2015

I joined the armed forces in 1983 at the age of 19. A year and a half later, after graduating as a medical assistant I was dishonorably discharged for homosexuality. The events leading up to my discharge consisted of many hours of interrogation, including a promise that, should I confess to my “sexual perversions”, they would keep me.

I was interrogated in a little house that I didn't even know existed on the base. I was asked very personal questions like “who did you sleep with?” and “How often do you have sex”. I felt exhausted, scared and humiliated. At that moment I lost all sense of my self-worth and self-respect. I left the interrogation with an uncertainty and fear that I had never experienced before.

I was released from the interrogation and life in the army went on as usual. Months later, after I had been transferred to the National Defence Medical Center in Ottawa, I was summoned to the office of a psychologist for an evaluation to determine if I was normal or abnormal as per the investigation of my homosexuality. I did a couple of sessions that did not go very well. Again, I did not receive any news on my investigation for months.

I was offered a new contract of 3 Years as a communication officer with Top Secret code verification, and I accepted. I was scheduled to start my course in Kingston shortly.

I was working as a pharmacist assistant the day I got the call to report to the office of the base Colonel. They asked “Do you know why you are here today?” I answered “No”. It was at this moment that I was informed that I had been dishonorably discharged for homosexuality. I had just signed a new contract? I was confused. It made no sense to me that I was being discharged for my sexual orientation!

This event changed my life, robbed me of my self-esteem, and distorted my value system. It took 15 years of intensive therapy, and the help of my family to finally find my place in society, and feel safe to be my authentic self in the workplace.

As a result of what happened to me in the military, I have devoted the last 15 years of my life to the demystification of homophobia in the workplace. I do this so that organizations and corporations are not allowed to discriminate against employees for their sexual orientation or gender identity. This education process encourages these organizations and corporations to create an inclusive workplace. Employees are measured by their skills and competences, not by their sexual identity. I strongly believe that authentic employees are more productive in their work.

Statement of Support for the We Demand an Apology Network By Simon Thwaites

MCpl. Simon Thwaites (retired sort of – I think I can claim that title after one is kicked out of the forces)

May 25, 2015

To most I was a soft spoken quiet military guy who keeps his business to himself. Imagine in the spring of 1986 being ordered to a meeting down town and finding out this was the home of the military's Special Investigative Unit (SIU). Upon arriving, being hustled into a small interrogation room that had two chairs with a lie detector machine sitting on a table between them. Then the questions started. Some were extremely personal questions, which in knowing elements from my medical files about being HIV positive were structured to discover if I was gay. The important catch phrase used was if one was not comfortable being gay and open about it "You could be manipulated and coerced into revealing government secrets". Big deal I was gay and most knew about it. So how did this apply to me but that didn't matter. To the military it became a witch hunt, wanting to know friends and other military members who were gay. Life for me changed. A possible promotion suddenly vanished as my security clearance was removed. A series of officers informed me that I had been reassigned to custodial duties in the drill hall (that meant sweeping floors) and ordered not to visit the ship I belonged to at the time and not to talk to other members about what was going on. Confusion, manipulation, and stigmatization. My head spun at what was going on. In Nov. 1986, finally a medical officer tells me all this is happening because I'm under investigation for being gay. Simply going out to a gay bar downtown became a mystery novelists dream with military personal posted up high taking photographs of people entering and leaving the gay bar. You wondered some days if you were being followed. Thrown into this mix I was also struggling with being HIV positive. My life as I knew it was destroyed by the military actions.

Towards the end of my career they tried to pressure me to sign an "Administration Release" form to absolve them of responsibility. This was the way most gay people were terminated, but I refused and managed a medical release but with no benefits. My files were filled with misinformation and mistakes made by key people in charge which led to my Human Rights Challenge. It meant the soft spoken guy was no more – thrust into the media and spot light I became the "gay sailor" because I felt I had no other choice but to stand up and make the military accountable. In the beginning of the court hearings the focus was on the "Gay issue" and then the medical. Throughout the process I lost my car, my house my job, friends, and social life. In the end I won The Human Rights Case in 1994 because of discrimination based on a disability and was awarded and compensation for lost wages, but no medical coverage or pension – the fact I was gay and how I was treated became a silent back story and at no time did

anyone in the Military/Government ever apologize for the war of attrition waged against me, of destroying what could have been. This should never have happened.

It's been just over 25 years since the military released me and I can still get emotional and angry over how things turned out. I start thinking back over what happened and I get animated and frustrated. I should have been able to move on to let it go but in the end there was no real closure. Yes I received a small compensation for lost wages but that vanished in seconds to pay off bills, taxes and lawyers. There was no apology or acknowledgement of what the government did. What they tried to do essentially in my case is hope that I would crawl off somewhere and die. I didn't and I'm still waiting for that apology.

As one who has a well-documented case through the Human Rights Commission and in the public media that clearly establishes how being gay in the military had consequences in that era. That discrimination and stigma propagated by the military was a reality. It is about time that an official government apology be issued for these injustices.

Statement delivered by Darl Wood on June 2nd at the Media conference at the Parliamentary Press Gallery.

Ursula Franklin has said: “It is hard to imagine one’s own time as history”

What a privilege it is to be here with the NDP and “The We Demand An Apology Network” so we can share our collective stories and concerns and ask for justice.

They say that “when we speak from the heart people listen”...Well I’ve been speaking out around this issue for 37 years and no one in authority has heard. When Gary Kinsman approached me to speak out one more time to share my own story with you today, I was hesitant to re-tell my experience of having been purged from the military for being Lesbian...It is like ripping open old wounds in salt air.

You know, after all these years, it never gets any easier, but I do it because it is important for us to recognize and remember, not only how far we’ve come as an oppressed group, but also the journey, the depth of persecution we’ve experienced. AND what is left to be done.

In 1975 I was young and idealistic, and as corny as it sounds, I went into the military *just wanting to serve my country and be part of something noble....*

I was three years into my military career when one morning I was called into my boss’ office – I worked in the military police office Orderly Room at the time. That experience changed my life forever. That spring many reports came across my desk from across the country about purges that were going on. Each one made me ill because I lived in constant fear of being found out. I knew some of these people... and now I was the one being asked into his office...

I was “accused” of being a Lesbian, I was then taken into custody by the Special Investigation Unit where I was interrogated for hours and hours. In a small room sitting on one of those wooden straight-back chairs while two men grilled me about my sex life...they wanted to know how, who, when, where and what we did in the privacy of our home and bedroom...Over and over for hours...isolating me from everyone – my loved one, my family of friends...I was young, scared, alone and vulnerable... The worst part is that it took me years to realize what happened to me was a sexual assault

They tried to coerce me to name names of womyn whom I might even suspect of being Lesbian... I was in total shock...that day I lost my home, my career, my lover and my family in one full sweep. Being victimized is coercive...In subsequent years I became an academic, a psychotherapist and an activist to try to make sense of what

happened to me, and more importantly to heal from the post-traumatic stress I suffered. After all this time I still have flashbacks, nightmares, sleep problems, trouble concentrating, related bouts of anger, poor concentration, startled response tendencies, suicidal thoughts, dissociation, anxiety and related physical ailments that can be directly attributed to both my military training and interrogation. All of these made it so hard to enjoy my life...

Beginning with my testimony at the Special Parliamentary Committee on Equality Rights in 1985, over the years I have consulted with a number of MPs, MLAs, Ombudsmen, and the Human Rights Commission, and many many different lawyers (too many to remember). I have still not gotten fair treatment, a resolution nor an apology...apparently because it happened prior to the Patriation of the Constitution and the Charter of Rights and Freedoms. I have had no recourse...Neither have the thousands of other womyn and men from that period who still suffer from similar Post-Trauma symptoms...

They isolated me, they abused me, they blamed me, they discredited me, they left me with no resources to cope or heal, they forced me to stay in that environment for three months after the interrogation...and to add insult to injury, I was required to type my own release papers because it was a busy time for the base Orderly Room...and because of the cult-like training in obedience, I didn't think I could refuse.

In 1985 I had hopes that the government would do the honourable thing In essence, you have stolen the best years of my life.

Now, as I once again speak from my heart, I ask that I will finally be heard and you will do what is right, am I not owed, at the very least, an official apology...It was wrong and when you do wrong, you apologize.

Appendix B

Organizations that support the demands of the We Demand an Apology Network

British Columbia Teachers Federation

Canadian Federation of Students

Canadian Labour Congress Solidarity and Pride Committee

Canadian Centre for Gender and Sexual Diversity

Public Service Alliance of Canada

Ontario Federation of Labour Executive Committee

Ontario Federation of Labour Solidarity and Pride Committee

Queer Ontario