

ANNEX "A"

Canadian Forces Administration Order (CFAO)
Policy and Procedure Respecting
Inappropriate Sexual Conduct and Behaviour

EXTRACTS ONLY

- ° This order prescribes the policy applicable to the enrolment of persons and the disposition of members in respect of whom there is evidence of inappropriate sexual conduct and behaviour (section 1).
- ° Where the investigation discloses grounds to believe that the member has engaged in inappropriate sexual conduct, the Commanding Officer shall:
 - a) take whatever administrative and disciplinary action may be deemed appropriate in the circumstances;
 - b) having regard to all the circumstances relating to the inappropriate sexual conduct, including:
 - its seriousness,
 - its remoteness in time,
 - the extent to which it consisted of an isolated incident,
 - the degree to which it was out of character for the person, and,
 - the extent to which the person was a willing participant, decide whether or not to recommend [to a Senior Officer Committee] the member's retention in or release from the Canadian Forces (Section 10).
- ° Where the Committee concludes that the investigation establishes that the member has engaged in inappropriate sexual conduct, the Committee shall, subject to paragraph 14, recommend to ADM (Per) that the member be released from the Canadian Forces (section 13).
- ° Any act, offer or request of a sexual nature, by an applicant for enrolment or by a member of the Canadian Forces, which involves persons of the same gender and which does not constitute an offence under the Criminal Code of Canada or the Code of Service Discipline constitutes inappropriate sexual conduct (section 16).

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