

Applicable to: Navy, Army, and Air Force

CFAO 19-20

SEXUAL DEVIATION - INVESTIGATION, MEDICAL EXAMINATION, AND DISPOSAL

INVESTIGATION

1. Immediately a person subject to the Code of Service Discipline becomes aware or suspects that a member of the Forces is a sexual deviate, he shall report the matter to the commanding officer (CO).
2. The CO shall investigate the report in whatever manner he deems appropriate. In making the investigation he should make use of a medical officer (MO), the military police, or any other means at his disposal. Any investigation made pursuant to this order must be carefully managed so that innocent persons are not made to suffer, especially since those accused of sexual deviation are sometimes the object of malicious intent. Investigation and all subsequent action shall be conducted in such a manner that the subject will be caused the minimum embarrassment. If a woman is involved, questioning other than by the MO shall be in the presence of a woman officer, preferably a nursing sister, or a woman non-commissioned officer.
3. If the investigation tends to substantiate the report, the CO shall:
 - a. call in the local Special Investigation Detachment (SID) to investigate further; and
 - b. when the MO so recommends, refer the subject for psychiatric examination (routine referrals to psychiatrists in such cases shall no longer be made).
4. Normally, disciplinary action should not be taken. However, the CO shall consider such action, particularly when the act takes place under circumstances that might scandalize other service members or bring discredit on the Canadian Forces. Service charges with respect to women personnel shall not be laid.
5. When a member is convicted by a civil court under the Criminal Code, Section 147 (Buggery), 148 (Indecent Assault on a Male or Attempts to Commit Buggery), or 149 (Gross Indecency) the certificate of conviction and all the facts pertaining to the conviction shall be forwarded in accordance with QR&O 19.62.

DISPOSAL

6. Service policy does not allow retention of sexual deviates in the Forces. When it is decided that a person is to be released, action shall be taken as quickly as possible to effect the release with a minimum of publicity.
7. When the procedures referred to in paras 2 and 3 indicate with reasonable certainty that a member of the Forces is a sexual deviate, the CO shall forward the investigation report, with copies of the medical and the SID reports, to CFHQ through normal channels. When forwarding the report the CO, base commander where applicable, and CHQ shall make appropriate recommendations.
8. Personnel normally are released under the table to QR&O 15.01, Item 5(d) Unsuitable for Further Service. However, when the release is a direct result of a conviction by a civil court or service tribunal, consideration shall be given to release under the table to QR&O 15.01, Item 2(a) Unsatisfactory Conduct.

AL 19/67

AUG 30 '90 10:04

8613 92M613 996 7471 PAGE 002

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AGC-1334_0001

CFAO 19-20

2

9. Before a release is effected under this order the person shall, if he so desires, be interviewed by a psychiatrist with a view to counselling and rehabilitation.

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Indexing
Discipline
Medical
Release

AL 19/67

11.10/17

AUG 30 '90 10:04

8613 92M613 996 7471 PAGE.003

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AGC-1334_0002