

MEMORANDUM

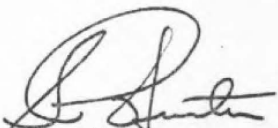
1461-31 (DG Pers C)
1464-1

30 Aug 89

Distribution List

CFAO 19-36

1. The marginally noted draft CFAO has been noted on the ADM(Per) float file.
2. There is cause for concern that a person convicted of an offence of a sexual nature, and subsequently granted a pardon could be denied enrolment in the CF. This could constitute discrimination and be the subject of a complaint to the Human Rights Commission. Perhaps the CFAO should at least caution officials to seek a legal opinion in such circumstances, and, if the evidence is a criminal conviction, to ensure a pardon has not been granted. It is acknowledged that homosexuality has not been a criminal offence since 1980.
3. Provision is made in para 11 to remove documents from individual's files and hold them separately. This could be perceived as contravening the Privacy Act and appear to create a "non-authorized exempt bank". Presumably the intention is to safeguard the interest of the individual and this should be made clear. Also it should be clearly stated that such records are accessible to the individual.
4. As drafted, the proposed CFAO could violate an individual's rights under both the Human Rights and Privacy Acts.


S.P. Hunter
DG Pers C
992-7173

DISTRIBUTION LIST

<u>Action</u>	<u>Info</u>
CPCSA	DPLS D Pers A

000506