

Briefing:

Paula MacDonald MSW, RSW Recommendations to Address Sexual Misconduct within the Canadian Armed Forces

1. All investigations must be independent from the Chain of Command. Complaints regarding sexual harassment, and sexual assault need to be investigated and adjudicated by an independent entity. This independent entity needs to have the legislated authority to investigate and adjudicate sexual harassment, sexual assault, and allegations of criminal behaviour by service members. An inspector general's office needs to be established to ensure that all aspects of the Canadian Armed Forces are following Canadian laws and ensuring procedural fairness.
2. All individuals within the Chain of Command who misrepresented themselves and retaliated against victims and allies by abusing administrative authorities provided to them through their leadership positions should be held accountable for their actions as defined by the National Defence Act including superiors of the rank of General. Therefore, military legal systems need to be altered to develop procedures to address Code of Service violations and criminal code violations committed by high-ranking military officers.
3. Military personnel involved in accepting allegations and conducting investigations must be taught better communication skills. Superiors I attempted to report my allegations of sexual misconduct to spoke over me so I could not report. Superiors verbally dismissed my allegations. Military personnel need to be taught to respectfully communicate to people they perceive to be lower value than how they define their value of the value of superiors.
4. Review of all sexual misconduct allegations that unit leadership adjudicated on for procedural bias, and adherence to human rights legislation. Take corrective action to restore any rights or counter act damages victims of procedural bias and unit leadership retaliation against victims who reported.
5. Review all sexual misconduct allegations that meet the criteria for sexual assault, sexual harassment resulting in the abuse of a subordinate, or other forms of criminal behavior or code of service violations as defined by the National Defence Act. Take corrective actions to support victims and address perpetrators behaviors.
6. Train Medical staff to be able to identify and speak against human right violations. Develop evaluation mechanisms to ensure medical staff adhere to professional codes of conduct and human rights legislation when delivering healthcare service to military personnel. Address professional licensing and Professional Standards when using medical technician, physician's assistances who are not regulated by provincial colleges and Padres who are not professionally regulated to deliver and Social Services.
7. Authorize CAF to legally support victims of sexual abuse when CAF leadership launch retaliatory missions against the victim.

8. Many processes applied by Operation Honour are procedurally biased against victims. These need to be altered to be balanced in a manner that supports both the complainant and respondent.
  - a. my allegations of sexual misconduct and retaliation involve superiors at the Colonel level of command who controlled all investigation procedures and exonerated themselves of wrongdoing by appointing a subordinate to investigate and adjudicate on allegations involving the superiors' personal misconduct. This practice is bias against internal procedures and policies within the CAF, however superiors are not enforcing this measure to favor the perpetrators of gendered violence. External oversight is required to stop this practice.
  - b. Allegations of sexual misconduct are evaluated by unit led commanders before they are referred to Canadian Forces National Investigation Services, which allows commanders to define the scope of allegations being investigated by police. An independent authority should evaluate the allegations and define the scope of the complaint not the unit where the abuse occurs.
  - c. Members of the Strategic Response Team to address Sexual Misconduct failed to interview victims and only sought information about sexual misconduct allegations from unit leadership.
  - d. The liaison to the Sexual Misconduct Centre position must be reevaluated as counsellors claim this military personnel is only responsible for relaying results of investigations back to the victim/complainant. The liaison's feel their role is to report the results of investigations into sexual misconduct allegations back to victims. The liaison position does not contribute to procedural fairness as liaisons do not accept allegations of misconduct by adjudication authorities towards the victim.
  - e. Failures to collect the allegations of sexual misconduct by an independent authority allows superiors who abused subordinates to mislead investigations and corrupt due process.

## Analysis

Throughout unit led investigations of sexual misconduct superiors who subjected subordinates to human right violations suppressed evidence of their abuse. Superiors were able to easily suppress evidence because they controlled the flow of information from the victim or complainant. These superiors were supported by their colleagues who allowed this behaviour. The next authority within the chain of command supported the individuals who previously abused the subordinate. Forcing complainants to submit their grievances caused by a superior's actions directly to the superior allows the superior to abuse the subordinate without consequences.

Resources provided to victims through the Strategic Response Team to address Sexual Misconduct did not support victims. Resources were applied in a manner that resulted in covering up previous attempts by perpetrators of sexual misconduct and human rights violations to continue their cover up. For example, Rear Admiral J.J. Bennett relied on the interpretation of the individuals I accused of misconduct as she did not interview me to clarify what my allegations are. Failing to interview me is

procedurally biased towards supporting perpetrators of this abuse. Liaisons to the Sexual Misconduct Centre would not accept my allegations of sexual misconduct regarding unit superiors at the rank of Colonel. A member of the Canadian Armed Forces National Investigative Services screamed and yelled at me to stop reporting superiors and failed to ask me what my allegations against superiors are.

I have been informed that I should have availed myself of the internal grievance procedure to grieve administrative retaliation applied to my career during my service. I allege that superiors at the Canadian forces leadership in recruit school physically postured at me like they were going to beat me up after I brought to the leadership's attention incidents of sexual misconduct. The internal grievance procedure was not available to me as the leadership physically threatened my safety and stopped me from accessing these processes. In previous attempts to use the internal grievance processes superiors who violated my human rights failed to properly apply procedures that are meant to create procedural fairness and allowed themselves to investigate my allegations.

Please stop these individuals from engaging in these activities and hold them accountable for their past abuse.

Regards

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