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# Standing Committee on the Status of Women

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Chair: Ms. Marilyn Gladu





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• (1100)

[English]

**The Chair (Ms. Marilyn Gladu (Sarnia—Lambton, CPC)):** I want to welcome everybody today to the 27th meeting of the House of Commons Standing Committee on the Status of Women. Today the committee is resuming our study on sexual misconduct within the Canadian Armed Forces.

The meeting will take place in hybrid format, pursuant to the House order of January 25, 2021, and the proceedings will be made available via the House of Commons website.

The matters we're discussing today are extremely sensitive, so I know that all members of the committee will show great respect—

[Translation]

**Ms. Andréanne Larouche (Shefford, BQ):** A point of order, Madam Chair.

There's no interpretation.

[English]

**The Chair:** Is it better, Madame Larouche? Can you hear it?

[Translation]

**Ms. Andréanne Larouche:** I'm not hearing the interpretation.

**The Chair:** Okay.

[English]

**The Chair:** We'll suspend momentarily while we fix the translation.

• (1100)

(Pause)

• (1105)

**The Chair:** We'll start again.

I want to remind everyone that with the sensitive nature of what we're talking about, and the fact that some of these situations are still under investigation by military police, we want to be very sensitive and respectful in all of our questions, and I know we will be.

I want to take this opportunity to welcome our witnesses today.

From the naval combat systems engineering, we have Lieutenant Heather Macdonald. We have Dawn McIlmoyle, registered nurse; Emily Tulloch, aviation technician; and MJ Batek from the Survivor Perspectives Consulting Group.

Each of you will have five minutes to make your comments. I will hold up my little card when you get close to the end of your time.

We'll begin with Lieutenant Macdonald, for five minutes.

**Lieutenant(N) Heather Macdonald (Officer, Naval Combat Systems Engineering, As an Individual):** Thank you, Madam Chair.

First, I want to say that this issue is too important to get wrong.

For many years, we have been embracing doing more with less, trying to find efficiencies where we could. I feel we've pretty much reached the point where we can't really do much more with much less.

We're starting to burn out our people. People in the military were already stressed, and then we had a pandemic. The pandemic has not helped. I worry that if nothing comes from this issue, which has so much heat and light, people in uniform will lose hope that any other issue can be fixed, and that could trigger more people leaving uniform than our organization can handle.

My second point is that the navy is unique. From the environment we operate in, the way we operate and the training it takes to make it through our junior ranks, we are unique. That means that any solution that is found to help us cement change for the better will need to be capable of customization for the navy or it will not work for the navy.

Getting justice for incidents of sexual assault is generally very difficult for the average female in our Canadian society. It becomes more difficult when you are trying to get justice through the military under the National Defence Act, where there are more options to plead down to an NDA offence that carries little consequences for the perpetrator.

It becomes even more difficult if you are in the navy and the incident happens on a navy ship at sea or in a foreign port. We do not have police officers with us on ship, so if there is a need for an investigation we rely on our coxswains and chiefs to do unit disciplinary investigations. This greatly reduces the chance that there will be admissible evidence gathered and preserved to help the victim find justice in a court of law. Most times, the victims pay a greater price than the perpetrators when they come forward, and that is why most victims are reluctant to come forward.

We need to fix this. We need to make this a better and safer place for females to work. The #MeToo movement very much exposed our societal gender problems. The military somewhat amplifies those issues, because of the fact that females are also a minority. As a minority we stand out, and we end up being more under a constant microscope than the average male sailor or soldier.

Added to that, females of all rank levels have a very fine line that they have to walk. Act with too much empathy or concern and you are labelled as “mothering”, which is not perceived as a positive or sought-after trait. On the other end, be too firm or decisive and you are labelled a different derogatory term.

One area that I also think we need to understand is what I have heard called the old boys' club. For the most part, what I hear is a denial that it even exists. We are in an organization that relies on the most basic trust of your fellow soldier or sailor. When we find ourselves in hazardous conditions, we rely on the people we are working with to have our backs, to keep us alive. This creates relationships that are strong and cohesive. This is what we want for our organization.

The problem happens when those relationships are taken off the battlefield and applied unchecked. They can further pervert the balance of power and make it even less likely for victims to get justice. We want these relationships to happen. We want to encourage that, but we also need to recognize when those relationships need to be checked. We need to put balances in place to make sure they don't end up poisoning our organization. We can't get to that if we don't even acknowledge that they exist.

As well, any reporting system we come up with needs to make the victims feel empowered and engender trust in the system and processes. There needs to be independence from the normal chain of command for that to happen.

We really need to acknowledge this is not a black and white issue. There are many shades of grey here. I have worked with many outstanding individuals over the course of my career, and I think it's very important to understand that generally good people may not see the areas where they are doing or allowing harm to be done to others. We need to accept that good people can and should receive appropriate consequences for their actions, and in some cases, it shouldn't always be career ending.

I'm not sure where we go from here. I don't have the answers, but if I were to fall back on my project management skills, which I learned over the course of my career as an engineer, I would say we need to do some thorough options analysis and present some concrete options with the pros and cons, so that we can choose the option that will best achieve the goals of our organization and best serve the members of the Canadian Armed Forces.

• (1110)

Thank you.

**The Chair:** As a fellow engineer, I thank you.

Now we will go to Ms. McIlmoyle for five minutes.

**Ms. Dawn McIlmoyle (Registered Nurse, As an Individual):** When I left the military I felt betrayed, abandoned, broken and like I was still at fault. I could not comprehend how I got charged for

being raped. They used my statements against me and forced me to stand beside my attacker.

I couldn't understand why I was harassed on ship and then got released straight out of the psych ward, so I kept asking questions.

I got my release changed, and then I kept thinking, “I'm not the only one”. When I found someone else who was like me, we finally went forward. We went public in Maclean's, and we heard other people come forward. We thought that maybe change would happen.

I was optimistic. They started the ombudsman and they talked about it. Then it all got swept under the rug.

I started a 1-800 number and had people call me because I just wanted people to know they weren't alone. Then I nearly went insane because I had two small children at home and a non-supportive husband. When I left him, I went to nursing school to learn how to actually help people, but I wouldn't even tell people who I was because I was embarrassed for having gone public. I was embarrassed for putting my face on that article and for having been raped in the military.

I had people put me down for it, degrade me for it and tell me that it didn't even happen. In every instance, I've been told that it didn't happen, but because I know myself, I've concentrated on my healing journey. I've put myself through nursing school, working full time with two little boys. I thought I was a failure because I only got 65%. No, that's an accomplishment because I did it while working full time with two little boys. I rarely ever slept.

I went into a field that... I cared way too much. I wanted to help people, but I burnt myself out constantly because I didn't know that I was supposed to look after me. I was totally about service. I always wanted to help people. That's why I joined the military.

I had to take a cold, hard look at myself because when I left the military I had no self-respect, no self-worth and no self-value. I instilled those into my boys. Then I had a granddaughter and I had to look and see that I needed to change so that I could make a difference for her and for my boys. The only thing I was going to make a difference with was me.

I have spent the last little while... I have found like-minded people. I started to heal and then I started to see that not everything was a failure. I changed my mindset.

I was also over-therapized because they all knew I had PTSD, so they kept sending me to therapy. It wasn't helping me because I wasn't in a state to hear what they had to say. Plus, they sent me to a child psychologist. They didn't know what to do with me.

I went to Maryam Monsef in 2016, when she was promoted to the minister of the status of women. I laid all of the Maclean's articles out for her and told her that we needed to do something and make a difference. She just said to make another appointment. One of her assistants said to join an organization and write a proposal. I was like...oh, my goodness.

I went back to school and I took indigenous studies because I'm constantly educating myself so that I can see different perspectives. Now I can look back at all of it and I can see the change that has happened. I get people telling me, "Thank you for what you did." It's completely blowing my mind because for 20 years I thought that I was hated and that I did a horrible thing by going public. Now I am starting to see that I am the time-stamp that they can't deny. They can't say that they didn't know it was going on, no matter what.

I have accepted the fact...and I have also seen change happen. I've reached out in very angry ways to high-ranking officials. Instead of being angry with me, they've seen my frustration. They have acknowledged my hurt and my trauma and they've come back with "Thank you for everything you've done and your concern for the military" and "Hold your head high" and stuff like that. It's kept me going.

• (1115)

As bad as a lot of the things were, I hold on to the good of the people I've met along the way. I am still that optimistic person who thinks that change will happen—even though I see it get put down, see it get politicized and see these issues get totally put into an arena that they shouldn't be in.

Now the left takes it too far to the left. The right takes it too far to the right. The actual issue has been forgotten. Every time I see this on the news, I have to remember that I came forward in 1998 and didn't get heard. Many others did too.

There are a lot of people out there who are wanting change. They are wanting to see it happen so badly. They're seeing just little tiny pieces of it, and then they're being disappointed and broken-hearted and devalued because nothing happens. It's empty words. It's broken promises. It's copy-and-paste letters that are all the same to other people. They're just paying lip service.

Thank you.

• (1120)

**The Chair:** I'm sorry. That's the end of your time. We'll get to the rest in the questions. Thank you again.

Now we go to Ms. Tulloch for five minutes.

**Ms. Emily Tulloch (Aviation Technician, As an Individual):** Hi and thank you, Madam Chair, for the opportunity to speak to you today about my own personal experiences with sexual misconduct in the Canadian Armed Forces.

I joined the Canadian Armed Forces in July of 2018. Since then, I feel like I've experienced a lifetime's worth of sexual assault and misconduct. I'm here today to tell you that I was raped only one month—one month—into my basic training in Saint-Jean. I was also sexually assaulted during my training in Borden. I have been groped and kissed unwillingly at crew parties and mess events. These degrading behaviours are more common than you think.

On top of all that, I have put up with misogynistic and sexist comments all throughout my career. They range from being told that I only got in because I'm a girl to what an instructor in Borden said to me while looking me dead in the eye: If you've had daddy fix everything for you in your cozy little life, let us know so we can give you a hand.

I believe in the importance of the military. I hope to continue my career and to serve my country to the best of my abilities. My experience with our military justice system, however, has been quite negative. It has left me with a lot of questions about how military police should conduct their investigations. I had three interviews with the military police since I first reported misconduct. Two of those interviews were honestly dreadful. These so-called interviews felt more like interrogation. During these interviews, I felt that investigators were not treating me like a human being. I was just another case file to them. There was no empathy or humanity. It was so frustrating that I left early during the second interview. I felt like I wasn't being heard and was being treated like a criminal. No one should be treated like a criminal when they are that vulnerable and in need of help.

The military police need to improve their training for how to conduct interviews of sexual assault victims. There needs to be a specific course made to teach them that victims need understanding and empathy. If there already is a course, then they need to tear it apart and rebuild it from the ground up.

I also believe that an officer of the same sex of the victim should conduct the interview. In my situation, it wasn't offered that I could speak to a female officer until halfway through my interview, when I started crying. Even then the military police said they would have to reschedule for the next week, because there was no female officer available.

In basic training the leadership tries to ingrain the core values of the military in recruits. These values are duty, loyalty, integrity and courage. These values are taught through PowerPoint and workbooks. However, these values are falling through the cracks. That is how we get this toxic culture that we have been dealing with for so long. It has been abundantly clear that military leadership has not been able to uphold the high ethical standards of integrity. If the leadership can't follow basic core values and set a good example, how are the majority of troops supposed to?

In basic training we are shown this cartoon video that oversimplifies the concept of consent. In my view, the video is little more than a joke. It's all fun to watch, but the topic of sexual misconduct isn't fun. It should be uncomfortable enough to realize that this is a real issue that needs to be dealt with.

In regard to Op Honour, I believe it has served its purpose. It is time to end that course of action and start something else. Op Honour certainly got the conversation going and improved resources and education available to CAF members, but the leadership has been wilfully ignorant of the fact that it has been seen as a joke for years. For many of us, Op Honour has aged like rotten milk. It just leaves a sour taste in your mouth. Serving members at the rank-and-file level constantly make fun of it and degrade its message. To make matters worse, in a cruel irony, it's apparent that the man who created the whole operation is now being investigated under the same pretenses that he swore to fix.

I know that the organization has the potential to evolve and that we can end the toxicity surrounding the military, but that starts with changing the way people think. The only way to do that is by having these discussions, by hearing the stories of victims and by ending the stigma of coming forward to try to right this wrong that has been going on for far too long.

I want to say thank you for giving me this opportunity to tell my truth. As anybody knows, this has not been an easy process for me. Thank you for this opportunity and the chance to speak to you today.

• (1125)

**The Chair:** Thank you so much.

Now we will go to Ms. Batek for five minutes.

**Ms. MJ Batek (OCdt, Survivor Perspectives Consulting Group):** Thank you, Madam Chair.

I'm here as a veteran military sexual trauma survivor, a military domestic violence survivor and as a representative of the Survivor Perspectives Consulting Group, also referred to as SPCG.

SPCG was recently created by a small group of military sexual trauma survivors. For decades, we have watched in silence and have now come together to take action, to ensure survivor voices are heard and to create solutions to help combat this crisis.

Just as the Government of Canada uses gender-based analysis plus, which goes beyond sex and gender to other intersecting identity factors, such as race, ethnicity or age, the Canadian Armed Forces should consider the perspective of military sexual trauma survivors at every stage of strategy and policy development.

We at SPCG are willing to work towards the provision of that perspective in a professionally coordinated format. We do not propose to have all of the answers as we are not organizational culture or military justice experts, but we are the unfortunate experts by experience of military sexual trauma.

We can help define this problem, the full extent of which is still unknown. We can point to specific gaps, deficiencies and issues. We know, for example, that the internal reporting mechanism is flawed and that independent oversight is badly needed.

We can help find and develop solutions—immediate, medium and long-term solutions—because we have ideas. We have ideas that can be developed into plans, policies and programs.

For example, we have developed a one-day workshop that can be used in the immediate term to help kick-start the culture shift that is desperately needed throughout the organization. This training package, called the frontline workshop, is survivor born and is based on civilian best practices curated specifically for the Canadian Armed Forces.

The frontline workshop will challenge and confront the social norms and unconscious biases of the attendees. It will shake their foundation and open their minds unlike anything the military has done before. We can provide feedback on and input into strategies, plans and policies every step of the way, during development, implementation and monitoring stages.

Just like any GBA+ analysis of various identity factors, we want to provide the military sexual trauma survivor perspective with potential solutions to the Canadian Armed Forces as a professional voice, as well as to other stakeholders such as Veterans Affairs Canada.

We are currently in the building phase of our organization, but we are aiming to represent multiple identity factors, including men, indigenous, veteran, LGBTQ+ and civilian survivors, among others, as this is not specifically a women's issue. Yes, I did say civilian survivors, because it is important to note that the impact of a sexualized military culture is not limited to members of the military. The impact reaches beyond the perimeter of the workplace and negatively affects the lives of military families, spouses and children as well as the community at large.

A sexualized military culture, in many cases, may lead to military domestic violence, child abuse and civilian sexual assault. Not only does this culture provide a safe place for perpetrators to hide and exist under the protection of a uniform, but it also inadvertently teaches the victims to tolerate the intolerable, which leads to lives plagued with mental health challenges, potential homelessness and future abusive relationships.

The social cost of allowing this toxic culture to survive extends to the Canadian public, and that makes this is a Canadian problem, with real financial and social costs affecting all taxpayers.

In closing, when Lieutenant-General Eyre testified before this committee on March 23, he explained that his approach to changing the sexualized military culture was based on two streams, the second of which included listening and learning. This is exactly where SPCG fits in.

Our team can provide the perspectives needed to ensure that every strategy, every plan, every policy and every program aimed at tackling this crisis is viewed through a survivor-informed lens.

We want to be part of those meaningful consultations as a way to help make the Canadian Armed Forces a better, safer place for those who come behind us.

Thank you, Madam Chair, for this opportunity. I look forward to your questions.

• (1130)

**The Chair:** Thank you very much.

Now we're going to begin our first round of questions. We'll start with Ms. Alleslev for six minutes.

**Ms. Leona Alleslev (Aurora—Oak Ridges—Richmond Hill, CPC):** Thank you very much, Madam Chair.

Thank you to our witnesses.

I would like to take a moment to assure you that many of us on this committee and the defence committee recognize that we are the last line of defence. We are the elected officials, and in a democracy it is our responsibility to ensure that our institutions and those who honourably serve in them are protected and are a reflection of our values. We will do our very best [*Technical difficulty—Editor*] and we have failed. We have known about this, as you so aptly pointed out, for 25 years. When I was a recruit, when I was at military college, we knew. The fact that we haven't done what it takes to fix it is unconscionable.

I thank you nonetheless for still pursuing, coming forward and making sure that we know what we need to know. As you put it, Lieutenant Macdonald, this is far too important to get wrong, and if we don't get it right this time, it will affect everything, our Canadian Forces and our ability to protect the values of our nation and embody them ourselves. It took great courage, and I sincerely thank you.

First, Ms. Tulloch, what bravery, what courage and what an attitude you have to come forward, so right on ya, girl! Don't back down. You deserve this career. Stay with it.

Can you give me some understanding of why it's a joke? Why is sexual harassment not taken seriously? Why do you believe they think it's okay to do what they do?

**Ms. Emily Tulloch:** Honestly, I think people think it's okay because it's been going on for so long and nobody's corrected them. As Lieutenant Macdonald mentioned, there is a boys' club. It is filled with type-A personality jocks who have a pack mentality, who stay together and who want to stick up for each other. What they think is okay may not be okay for the minority of the Canadian Armed Forces.

That is why we need to speak up today, and that is why we need to improve what we're doing now and completely change the way people think, because that's where it starts. That is how we make a difference and make people more comfortable, either reporting and coming forward or just being themselves in their own careers.

**Ms. Leona Alleslev:** Well done.

Lieutenant Macdonald, could you give us a little more information about pleading down and how that happens, and how testimony, evidence and critical information can be lost on ship, which jeopardizes any investigation?

**Lt(N) Heather Macdonald:** If you're prosecuting something under just the Criminal Code of Canada, within our court systems you can plead guilty to a lesser charge. That is increased when you're in a military court system because it's not just criminal codes that you can plead to. You can plead down to a National Defence Act offence, which will not stay on your record beyond the military. There are options of pleading guilty to a lesser charge that is an NDA charge that will not show on any criminal record because it's not under the Criminal Code of Canada.

There are greater options there to.... You can have all the evidence and you're actually going to court, and then it's "Oh, no, we're going to plead down to something that's totally military and isn't going to...". It's a slap on the wrist.

• (1135)

**Ms. Leona Alleslev:** How does that contribute to the lack of severity and the lack of seriousness that you and the rest of us perceive and that this would fit into?

**Lt(N) Heather Macdonald:** The victims wear it a lot more than the perpetrators. Quite often the perpetrators are allowed to continue their careers unhindered, whereas the victims just can't. It's led to many victims not coming forward.

Being on a ship, we have unit disciplinary investigations that happen. That goes to our senior NCMs, so our chiefs are the ones who run that. But our chiefs are not necessarily professional police officers. They don't have a career in that sort of training, so relying on them to collect and preserve evidence that would be admissible to a court of law is, I think, an unfair burden, and it depends on who you get and what level, how much—

**Ms. Leona Alleslev:** Would you happen to know if, on a ship, there is a rape kit?

**Lt(N) Heather Macdonald:** I'm not sure. If it were held, it probably would be held by the medical technicians in the sick bay, but I'm not sure. I don't know.

**The Chair:** Thank you.

**Ms. Leona Alleslev:** Thank you.

**The Chair:** Now we are going to Ms. Sidhu for six minutes.

**Ms. Sonia Sidhu (Brampton South, Lib.):** Thank you, Madam Chair.

Yesterday, in the federal budget, we saw an investment of over \$236 million with the goals of eliminating misconduct and gender-based violence in the military and supporting survivors. This includes peer-to-peer support, independent legal advice, support for community-based organizations, support for military justice systems and oversight. This will go a long way, Madam Chair.

I want to begin by thanking all of our witnesses today for coming forward and sharing their stories with this committee as we work to end sexual violence in our armed forces.

Ms. Batek, my questions are for you. Within your line of work with the Survivor Perspectives Consulting Group, what have you recognized as a recurring support need for survivors?

**Ms. MJ Batek:** We are a group of, actually, five co-founders. Some are retired veterans like me, and we also have serving members. It just came together as a thing that we needed to do as survivors. We are all injured. We all have PTSD diagnoses, so day-to-day volunteering is challenging, but we found that this is a way that we can give back and formally coordinate the perspective of survivors.

There are many peer support groups out there, and we are not a peer support group. That is not our intention. However, obviously, we want to coordinate with as many voices as we can so that, if there's a need for a focus group down the road with a specific identity factor, we can provide that. We can find those people, and we can have those conversations. The people who have come forward to us to talk to us....

Frankly, it's unbelievable. I've connected with classmates from the Royal Military College who I haven't spoken to in 20 years and who are coming to the realization that what we went through was not okay. We weren't allowed to speak at that time or our careers would have been over, and we were pitted against one another. It's incredible that we are now in this situation where we can talk about it and where we can make a change, and that is all we want to do.

Again, we're putting it on survivors who are volunteers at the moment, but we want to do this in a professionally coordinated format. It helps take all of those voices that are angry, that are yelling, that are shouting out there and then strip that down to the bare basics of what the problem is, what the connectors are and where the data is. We don't have that data. We don't know the full extent of this problem. I think that those are things that are very important if we are going to be able to combat this. We need to know how far it goes.

**Ms. Sonia Sidhu:** What do you hope to see in terms of specialized training for officers or policy changes in the CAF?

**Ms. MJ Batek:** We are hoping that the training program we developed, which is based on, as I said, civilian best practices, is completely different from Operation Honour. It had its successes, but it has had, unfortunately, as discussed, so many issues that it's become a joke.

This course is different in that it takes what has already been discovered as best practices within the civilian world and applies them to the military. For example, we talk about real world situations in the workshop. We're not talking about having it led by somebody who has been handed the pamphlet in the morning and starts out by

saying, "Let's get this bleep, bleep, bleep over with," which immediately makes everybody in the course think it's just a joke and that they just have to pay lip service to it and get it done.

No, we need to have professionally trained leaders for these courses, and we want to have survivors accompany those people in the courses so that they can provide that perspective. If you have somebody whom you know has been raped standing in front of you, you are less likely to make a joke and belittle that person, because they're standing in front of you.

We have heard from people who were sitting in these Operation Honour classes, and they said the entire culture was being made fun of. They are sitting there suffering because they are survivors and cannot speak up. They're alienated by everybody around them who is joking about Op Honour and whatnot. It's excruciating for a survivor to be put in this position.

This training course is completely different in how it will work towards changing those unconscious biases and social norms, and we are working on a pilot program for that. We unfortunately can't speak more about it, but it is in the works.

• (1140)

**Ms. Sonia Sidhu:** In the previous meeting, Ms. Batek, we heard from witnesses that the option to submit their complaints online would make it easier for witnesses to come forward.

Do you agree that online tools would make it easier for witnesses to come forward?

**Ms. MJ Batek:** I definitely believe that online tools can be helpful in terms of anonymity. It is extremely difficult for victims to be face to face with a stranger, trying to talk about their situation. However, again, this needs to be outside of the construct of the Canadian Armed Forces and the chain of command, because if you know that the information you are presenting is going to go to your CO, which may be part of the problem in certain cases, then you're not safe.

The only way to make survivors feel safe is to ensure they are able to report to a system that is not bound by the chain of command and is not in the construct of the Canadian Armed Forces. It needs to be in its own area to be perfectly safe.

[Translation]

**The Chair:** Thank you very much.

Ms. Larouche, you have six minutes.

**Ms. Andréanne Larouche:** Thank you very much, Madam Chair.

Lieutenant Macdonald, Ms. McIlmoyle, Ms. Tulloch and Ms. Batek, your testimony sheds light on this sad reality that survivors are going through.



My initial questions will focus on this topic, which is important to me.

Many of you have spoken about post-traumatic stress disorder. We now know that the Canadian Armed Forces has evolved and are supporting soldiers with PTSD.

As survivors, do you feel that PTSD is treated in the same way among victims of sexual assault or misconduct?

Some of you have addressed this question. I invite those who would like to respond to me to do so.

[English]

**Lt(N) Heather Macdonald:** I'll take that a little bit. I would say that it's not taken the same way, and that because you don't get that diagnosis, you don't get the same supports as someone who is diagnosed with PTSD.

As well, there's a reluctance to be diagnosed, because for all that we've made progress and it's "you can still be promoted if you have a permanent medical category," the medical system we have was originally constructed around physical ailments. If you get a broken leg, you get a temporary medical category, and then to come off that, you have a medical doctor say that you're a 100% fine. If you have a mental health issue, it's very hard to ever come off the temporary medical category, because there is no way that a doctor can say that you're a 100% fine. It quite often will lead to a permanent medical category.

There is still a lot of reluctance, if you have a permanent medical category, especially for something like mental health, like PTSD. They don't want to put you in positions that might have a lot of stress or might.... That will cripple your career in some cases. They, first, don't treat it the same as PTSD, so you're closed to a lot of the help that you'd get for PTSD, and second, there's a lot of angst around even getting a permanent medical category with regard to mental health, because our system is set up for physical ailments much better than it is for mental health ailments.

We need to separate those systems so that mental health ailments are treated by mental health professionals and not the same as physical ailments. Sexual assault should also be given the same support systems as PTSD.

• (1145)

**Ms. Dawn McIlmoyle:** May I speak for a second about it outside of the military context and in the veteran world?

I have found that a lot of the programs for PTSD will not accept you if you've had military sexual trauma. There's no funding for it, so even though you have the same diagnosis as some of the other people, you don't qualify for that program.

I meet a lot of the combat vets and what I've also found is that the PTSD is all the same. It's what has happened to us that's different. There needs to be and there is a call for some specialized programs that are more open for people who are abused. I tried to get into OSISS and things like that, and they didn't want me because I didn't conform to what their objective is. I had military sexual trauma, not OSI, and had not been deployed. I find that a lot of pro-

grams will look at me and say, "You didn't get deployed? Okay, we don't want anything to do with you."

There is a call in the environment after you leave the military for some specialized set-up things that would help outside of the PTSD context.

[Translation]

**Ms. Andréanne Larouche:** As you said, there's a difference in PTSD following missions abroad. The consequences are much more severe.

Ms. Batek, I'd like to come back to what you said about the difference in what is experienced abroad. You said that this culture of toxic masculinity had consequences that included child abuse, rape of civilians and domestic violence.

I imagine that the assaults we see in the Canadian Armed Forces can happen again in the case of the rape of civilians in missions abroad.

[English]

**The Chair:** Go ahead.

**Ms. MJ Batek:** I am a military domestic violence survivor. I endured 15 years of violence that did end up with civilian charges against my perpetrator who was retained by the military and was allowed to continue his career despite having a criminal background in domestic violence. I'm not alone. When I finally reached out to other people, I realized that, especially among veterans' spouses, women or men who served and then found themselves in a military relationship or marriage, there was a high incidence of abuse, whether that was emotional abuse, violence or whatnot. It's a problem that I think has been downplayed over the years. It's not something we talk about. We talk about things happening in the workplace or whatnot, but the fact is that those things are coming home.

When you have a group of people who have this mentality and they go out into the community, say they go to the bar. Let's use an example of a group of men coming off a rough deployment or whatnot, they are going to treat the people, the civilians in that bar, the same way they were treating the women in the workplace, if not worse.

• (1150)

**The Chair:** I'm sorry. That's your time.

Now we're going to Ms. Mathyssen for six minutes.

**Ms. Lindsay Mathyssen (London—Fanshawe, NDP):** Thank you, Madam Chair.

I want to echo how much I appreciate all the witnesses coming forward. It's certainly not easy, but I hope the findings of this study ultimately help you and other people.

One of the things we have heard repeatedly, meeting after meeting, is that there seems to be this disconnect. We're hearing from people who had served, are serving, and they have a very different take on what's actually happening on the ground versus what those in leadership positions think. There's an idea that things are changing, that there is a movement towards that change, but I wanted to ask a couple of questions specifically about the treatment of people who do come forward.

We heard from the provost marshal—and SMRC as well—that the confidentiality of people who come forward is held at the highest level.

Can you talk about, potentially, the reality of its being different? How can we change that system to ensure that confidentiality? A lot of people have talked about the independence of it, but as it exists, what would you suggest?

**Ms. Emily Tulloch:** In my personal case, when I reported the incidents that happened to me, on the police reports that they made, where it said who the victim was, all it said was female aviator and my unit. It was confidential in that sense, because that was the same report that the CDS and the commander of the air force read. They had no idea who I was, but in a local sense of who I knew read it, it was not hard to figure out. Because I am in a male-dominated trade, it was not hard to figure out who the female aviator was from my unit.

That's the only thing that I think, confidentiality-wise, could be improved, but any ideas I have about that are quite slim.

**Ms. Lindsay Mathysen:** It's reported to your direct commander and that's the problem. It's not maybe that it needs to be removed entirely and not reported to your direct COs. Is that what you're saying?

**Ms. Emily Tulloch:** Not really because I think it's important that the COs understand what's going on in their squadrons and their bases. If they don't know, then they can't fix anything and they can't bring anything up to their own higher-ups in leadership.

What I'm saying is maybe to just not include somebody's squadron or something, because I think the statistics are still important. It's still important to know what's going on in each base, but maybe the only person who really needs to know the squadron is the CO of said squadron, if that makes sense.

**Ms. Lindsay Mathysen:** Yes.

Did anybody else want to add to that confidentiality piece?

**Lt(N) Heather Macdonald:** I would say that females are a minority, and especially when you narrow it down to a certain trade and certain unit, it's going to be very obvious who it is. If it's something that's happening on a ship, as soon as we try to have confidentiality and we start closed-door sessions to only talk to the people who need to be talked to, everybody on the ship knows. They know something's going on. We're in a tin can if you're at sea. There's no real space. There are only certain areas where you can get confidentiality, where you actually can close the door.

As soon as the higher-ups start having those sorts of closed-door sessions, the entire ship will know that something's up. Sailors gossip, so it's very difficult to maintain confidentiality and not have

people figure it out. If there are any little clues, on a ship they will figure it out because we're just too close for it to really take strong effect.

• (1155)

**Ms. Lindsay Mathysen:** Lieutenant Macdonald, you also talked about medical officers. We heard before from one survivor about a complete dismissal, especially around mental health issues. Can you talk about their training? You mentioned there are medical techs? Are they trained sufficiently? Is that something that needs to be looked at as well? There's a lot of training that needs to happen in leadership and so on, but in that medical sense, what do you think needs to happen there?

**Lt(N) Heather Macdonald:** We have a petty officer who is a physician assistant, and then we'll have a medical tech as the assistant to him. The highest rank in the medical is generally a petty officer. I think they're looking at maybe making them officers, but.... For mental health, I think that if you're deployed we have our padre, and I think that people will go to the padre a little bit first before they go to the actual doctor, if you will. I don't think there's a whole.... You talk to your buddies a little bit more.

We can only take so many people on ship, and the people we take on ship have to do multiple things. When you're doing multiple things, you don't become deep experts in that one thing. You have to be more of a generalist. We are very limited on the bunk space we have to get the job done that we have to do, so we have to choose where it's going to be most effective, I guess.

**The Chair:** Now we're going to Ms. Wong in our second round for five minutes.

**Hon. Alice Wong (Richmond Centre, CPC):** Thank you, Madam Chair.

I'd also like to thank all of you, the witnesses, for telling us such powerful stories about your experiences, which actually have such long-term impacts not only on you but on your families and also on the rest of our society. I thank all of you for doing that, especially those who came out to tell their stories for the first time.

The following question is for Lieutenant Macdonald.

Lieutenant, you mentioned that we need to conduct an options analysis, and while I recognize that you may not feel comfortable in giving us official recommendations, could you give us some of the options that you think should be considered?

**Lt(N) Heather Macdonald:** As for just me personally, not me as a member of the Canadian Armed Forces or in.... There are other countries that have inspectors general, which are completely aside from the minister of defence. We could put the sexual misconduct response centre under there. We could put our ombudsman under there. We could take the CFNIS and put them under there so that they actually have a trained police force that can investigate and a trained police force that is actually independent from military police and from the military. These are options we could choose that are completely separate.

For the actual CFNIS, it is like you're being interrogated and you're a criminal. I know that on civilian sides.... I shouldn't have to be depending on the person I'm talking to who's asking me questions to give me emotional support. When you're answering questions about this, there are going to be emotional side effects. Why couldn't I bring a service dog or something in there to provide the emotional support that I needed without having to rely on the person asking me questions for that? Why does that pervert justice? I don't think it does.

We should be thinking about these sorts of things in our processes, and we should also be making sure that they're all independent. These are just some of the things that I think could be options. I'm not sure.

• (1200)

**Hon. Alice Wong:** Thank you very much.

Also, can I ask Aviator Tulloch that as well? Can you shed some light on this question? What options would you recommend?

**Ms. Emily Tulloch:** I'm sorry. Could you repeat the first part of the question, please?

**Hon. Alice Wong:** It's been mentioned that we need to conduct an options analysis. I recognize that you may not feel comfortable giving official recommendations, but since you are still serving, could you at least give us some of the options you think should be considered?

I applaud you for coming out for the first time to tell us your experience. I was really angry to hear that as early as your first month in serving it occurred and that you already had that terrible experience.

**Ms. Emily Tulloch:** It was quite a bad welcome to the military.

I think the options we have to really look at are training and recruitment.

In regard to the NIS, that was one of the interviews that did not go well for me. That was a person who.... I felt I wasn't being heard. I think we really have to take a step back and retrain these people who are supposed to be taking our stories, dealing with them and investigating them.

We really need to retrain them in how to be a people person. I know they have to be non-partisan, but it gets to the point that when a victim is telling you that they were raped or sexually assaulted, as much as you want to be non-biased, you still have to treat them like a person and not a case file.

When it comes to mental health, the military has to outsource a lot of the time. For example, I'm seeing a civilian therapist. I think the military should honestly take a step back and look at recruiting officers or other people into service who are therapists and psychologists who are actually professionally trained and have a degree to handle the aspects that sexual assault and sexual misconduct envelops.

**The Chair:** The final round of questions goes to Ms. Dhillon.

**Ms. Anju Dhillon (Dorval—Lachine—LaSalle, Lib.):** Thank you, Madam Chair.

I would like to start by saying thank you so very much to our witnesses for being here today and for sharing these shocking and painful stories. It's very hurtful to hear that this can be happening in the Canadian Armed Forces. It's very true what you say, which is that it affects all of us as Canadians—every single one of us. All of us on this committee are thankful to you wholeheartedly. It takes a lot of courage and wisdom to come and share your experiences, despite being treated the way you were and shunned. Whatever you went through, you are here today. You are strong women. You are an inspiration to all of us.

I see how you went through these experiences and you continue to fight. You have undefeatable spirits. Thank you so much for your service to our country.

I'm sorry. I'm getting emotional. We all feel it. I see all my colleagues' faces on the screens. Thank you so much. Please never ever give up. We are here for you. One of my colleagues said that as politicians, but also as community we are here for you.

Ms. Tulloch, I'd like to start with you, please.

Can you please tell us a little bit about what you think is important for people to know? Especially women and those marginalized who are coming into the armed forces and who are in the armed forces, what message would you like to give them?

**Ms. Emily Tulloch:** When I was in basic, one of the master corporals told me this and it stuck with me. She said that when you put on this uniform, you feel like you have something to prove.

I just want to tell all these women, like my fellow servicewomen and people who are thinking of or have joined up, that you have nothing to prove to anybody. You have this uniform and you're wearing it because you chose to. The only person you have to make happy in this uniform is yourself. You have nothing to prove to anybody.

• (1205)

**Ms. Anju Dhillon:** How has this experience impacted you in your family life, your personal life and professionally—those aspects of your life? Do you continue to experience PTSD?

Please, could you share with us? If anybody doesn't feel comfortable answering any questions, please feel free not to.

Thank you.

**Ms. Emily Tulloch:** In that sense, things have been rough. I have definitely, since coming forward.... It has been a wild roller coaster, and one that I did not want to be on.

In all honesty, as hard as it was, I am glad I went through it. I am, obviously, still going through it. I'm still seeing a therapist. I saw a psychiatrist a few weeks ago. It is something I have learned not to deal with, but just.... I have learned to put my emotions and my strengths into something else, which is doing this. Letting my story and my voice be heard is super helpful.

Everybody in my life—my family, everyone like that—has been super supportive. It's been so nice to know that when I call my dad at 2 a.m. crying, he's not going to judge me. He's going to let me complain for a little bit, and then give his dad advice. That's the nice part of it.

**Ms. Anju Dhillon:** It's beautiful when you can have family supporting you. My dad and I are very close, too. We're like friends. We can talk to each other about anything. I'm so happy you have this support. I pray to God that everybody can have this kind of support.

When they don't, is there anything that the victims or complainants can do to navigate this process better, the reporting process, and not be intimidated by it? Could you please share some best practices, some of your recommendations?

**Ms. Emily Tulloch:** There is a sexual misconduct response line. You can find the number online somewhere. It has tons of resources that can help. I wish I had known about this line. I only found out about it a couple of weeks after I reported. It has its own military police that can help. It has an option to have a third person, so you don't have to be in direct contact with the police.

Overall, it's a 24-hour helpline full of trained and registered nurses who can help you. I did it once, and she just listened to me cry for an hour and complain. It was so nice.

If you don't have that familial support, just reach out. Look at those little posters on the wall that nobody really looks at.

**The Chair:** That is excellent advice.

Thank you again to all of the witnesses. You've done a tremendous job today.

We are going to suspend briefly while we do the sound checks for panel two.

• (1205) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (1205)

**The Chair:** We'll commence our second panel.

Welcome to meeting number 27.

Each of our witnesses will have five minutes for opening remarks.

We have Lieutenant-Colonel, retired, Bernie Boland; and Colonel, retired, Michel Drapeau, who is also a professor with the faculty of law at the University of Ottawa.

We'll start with you, Mr. Boland, for five minutes.

• (1210)

**Lieutenant-Colonel (Retired) Bernie Boland (As an Individual):** Madam Chair, thank you.

I'm Bernie Boland, retired lieutenant-colonel, who served honourably in the Canadian Armed Forces for over 30 years. For the past 12 years, I was an engineer in the public service. I retired in December 2020.

At the March 23, 2021, committee hearing, Minister Sajjan stated, "I take any allegation, regardless of rank or position, very seri-

ously", "We are committed to addressing all allegations, no matter the rank and no matter the position", and "Sexual misconduct, harassment and inappropriate behaviour are not acceptable. We must call them out for what they are: an abuse of power."

My testimony will present a concrete example of the difference between what DND practises and what it purports in addressing misconduct.

My case is comprehensively documented. The committee clerk has over 30 documents that chronicle the systemic and aberrant manner that senior executives who are commissioned to stamp out misconduct do not.

In the pursuit of justice, I followed the prescribed process. The defence officials assigned to assure that justice prevails robbed me of my right to advocate and denied me the opportunity to confront the offender in a balanced and equal justice for all, adversarial-based legal system.

In 2016, I reported wrongdoing and misconduct when an employee I had the privilege of supervising requested that I report the harassment and human rights violations perpetrated upon her by a senior engineering manager. I reported it. He was promoted. We faced reprisal and retaliation.

Her case is now at the Canadian Human Rights Tribunal awaiting adjudication on discrimination and deferential treatment due to age, gender, ethnicity and being a Muslim.

Once I reported the misconduct, I became an organizational threat. In retaliation, and to exonerate those responsible and culpable for the misconduct and human rights violations I reported, DND, in a formal departmental submission to the Canadian Human Rights Commission, secretly made me the scapegoat for the misconduct. I was made aware of DND's surreptitious actions by the woman harassed.

DND secretly making me a scapegoat was reprehensible, and I vehemently protested. On January 13, 2021, I formally submitted a complaint to Mr. Sajjan against the deputy minister, Jody Thomas, for condoning, as proper departmental conduct, DND's secret scapegoating of me.

Minister Sajjan's chief of staff acknowledged receipt of my complaint and assured me that it would be handled according to the applicable law. Jody Thomas is a Governor in Council appointee. No one from the Privy Council contacted me.

To ensure that my complaint against Jody Thomas did not drop off the radar, or more correctly wasn't institutionally ignored, I sent a February 7, 2021, registered letter containing my complaint against the deputy minister to Prime Minister Trudeau, with info copies to Katie Telford and the Clerk of the Privy Council, Ian Shugart. The letter's subject is "Defence Leadership Corrupts the Harassment Resolution Process to Protect the Harasser".

No one from the PMO or Privy Council contacted me. However, Minister Sajjan's seriousness and commitment to addressing all allegations, regardless of rank or position, against the deputy minister, a Governor in Council appointee, was summarily and arbitrarily dismissed without investigation by Mr. Kin Choi, a subordinate of the deputy minister.

Though assured that the applicable law would be followed, Mr. Choi's expedient exculpation of his boss, Jody Thomas, broke the law. Specifically, Mr. Choi violated Bill C-65's workplace harassment and violence prevention regulations. Mr. Choi is responsible for the coordination and implementation of Bill C-65 in DND. He is also DND's functional authority for harassment prevention and resolution. Mr. Choi's conduct is rife with conflict of interest and bias.

After Mr. Troy Crosby, assistant deputy minister, materiel, deemed that DND secretly making me a scapegoat to the CHRC was proper conduct, I formally complained to Minister Sajjan, because the deputy minister did not take timely action on my complaint against her subordinate, Mr. Crosby.

Mr. Choi, a peer of Mr. Crosby's, summarily and arbitrarily dismissed, without investigating, these allegations. Mr. Choi also summarily and arbitrarily dismissed my grievance against Mr. Crosby for Mr. Crosby's failure to follow procedural fairness. The director general who made the submission to the CHRC secretly making me the scapegoat reports directly to Mr. Choi.

- (1215)

Notwithstanding the above, the most sinister aspect of this departmental behaviour, which must not be overlooked, is that DND overtly sanctions a covert program of secretly making scapegoats to the Canadian Human Rights Commission to exonerate those responsible and culpable for harassment and human rights violations. This is appalling. It must end immediately. The CHRC and the human rights tribunal must be made aware of it.

There is a cultural problem in the defence department, but there is institutional reluctance to distinguish between the approximate and ultimate cause of this problem. From my perspective, the ultimate cause is a breakdown and failure in leadership to act in an ethical, morally appropriate, determined and deliberate manner to arrest and eliminate misconduct. Instead, they too often conduct it and condone it.

Thank you, Madam Chair.

[Translation]

**The Chair:** Thank you very much.

Mr. Drapeau, you have five minutes.

[English]

**Colonel (Retired) Michel Drapeau (Professor, Faculty of Law, University of Ottawa, As an Individual):** Thank you, Madam Chair.

The Canadian Armed Forces is in a crisis. Disappointingly, it is a long-standing crisis that extends back more than 20 years. In four cover stories published in 1998, Maclean's magazine alerted the Canadian public of a deep-seated crisis of rampant sexual misconduct in the Canadian military. Since that time, sadly, little has changed. In response to the 1998 sexual misconduct stories, Parliament, in its wisdom, transferred the powers of investigation and prosecution of sexual assault to the military. Parliament left it to the military to solve their problem internally. This was a huge mistake.

Given the recent revelations, which include the current and former chiefs of the defence staff as well as the commander of military personnel command being investigated for sexual misconduct, it goes without saying that instead of getting better, things got worse—much worse. There have been signs of this current crisis for decades, which should not have gone unnoticed.

In 2010, Colonel Russell Williams confessed to sexual assault of at least four women, the murder of two women—one civilian and one master corporal serving under his authority—and to having illegally invaded the homes and bedrooms of over 80 of his neighbours. In 2014, Maclean's and L'actualité magazines published the results of their investigation into sexual violence within our military, with Stéphanie Raymond, the victim of sexual misconduct by one of her male superiors, on its front cover. In 2015, retired Justice Marie Deschamps published a devastating exposé concerning the sexualized culture of the military. Her report made a number of recommendations, a number of which would be ignored and remain ignored by DND.

There is more. According to a survey by Statistics Canada in 2018, approximately 900 regular forces members were victims of sexual assault the previous year. Just let that sink in.

The following year, the 2019 Statistics Canada survey showed that 68% of Royal Military College students witnessed or experienced unwanted sexualized behaviours in 2018. Also, it reported that more than one in seven female students experienced sexual assaults in 2018, many of which were not reported.

In response to this long-standing crisis, the current senior management team at National Defence, led by the current minister, the current deputy minister and the since-departed CDS General Vance, joined ranks to put into place a program under the exaggerated title of Operation Honour as a means to bring discipline and fundamental respect and safety for women in the military. Truth be told, Operation Honour has proven to be based on conjecture and to be mostly an exercise in hyperbole. It is not working. Since the announcement of Operation Honour, our military's crisis has worsened.

Given my long-standing interest in this matter, over the past decades I have often appeared before parliamentary committees. I have co-authored several legal texts, and I have provided commentary on this subject in which I have proposed reforms to the military justice system.

Following my appearance before the Standing Committee on National Defence on February 22 of this year, in answer to the comments made by the Minister of National Defence before the same committee, and in the absence of any demonstrated proactivity from any of the leaders of our five political parties to deal with this crisis, I felt compelled to co-author a book titled *Canada's Military Justice System Is in a Meltdown: Will Government Act?* This book proposed some specific legislative reforms to address this crisis. It is produced in bilingual format and is available for free download at [www.mdlo.ca](http://www.mdlo.ca).

At its core, this book recommends two things.

First, given the clear and compelling evidence that DND is unable to effectively deal with the enduring crisis of sexual misconduct and the deepening loss of public trust in the military high command, which has been decimated by allegations of sexual misconduct, and in the absence of substantive government leadership and action, Parliament should amend the National Defence Act to return jurisdiction for sexual assaults to civilian courts. This can be done simply and most quickly by amending section 70 of the National Defence Act.

• (1220)

Second, Parliament should appoint a civilian personality as inspector general of the armed forces—who will report to Parliament.

Ladies, I look forward to answering any questions that you may have. Thank you.

**The Chair:** Thank you very much.

Now we'll begin our first round of questions with Ms. Alleslev for six minutes.

**Ms. Leona Alleslev:** Thank you very much, Madam Chair.

Colonel Boland, if I might... It's a complicated case. Thank you for laying it out for us, but I want to make sure that I have it right.

A woman who worked for you brought a complaint about the person you worked for to your attention, and you submitted that complaint on her behalf. In return, you were harassed, and she continued to be harassed. Then she escalated it to the Canadian Human Rights Commission. Do I have that right?

**LCol (Ret'd) Bernie Boland:** At its essence, yes, that's correct.

**Ms. Leona Alleslev:** Then, when she took it to the Human Rights Commission, DND had to respond, and its response was not to highlight the conduct of the person she was accusing, whom she was making allegations against, but rather to blame you for the harassment when that, categorically, was not the case.

**LCol (Ret'd) Bernie Boland:** Again, at its essence, that's absolutely correct.

**Ms. Leona Alleslev:** Without your knowledge, DND sent an official weighted response on its letterhead, as if it had the backing of the Canadian Armed Forces, to an outside organization, accusing you or stating that you had behaved inappropriately.

**LCol (Ret'd) Bernie Boland:** Yes, I provided that submission to the members. Hopefully they have a chance to look at it.

**Ms. Leona Alleslev:** Yes, we provided it, and the committee has it in both official languages if anybody wants to read it. So, obviously—

**LCol (Ret'd) Bernie Boland:** Yes, they blamed me. That's what they did. They blamed me.

**Ms. Leona Alleslev:** You felt that your reputation had been impugned, and you said, "That's just not true. You can't say this stuff about me that's not true." Then you moved it up the chain of command for them to fix that statement and to still deal with the harassment complaint that you had submitted. Is that correct?

**LCol (Ret'd) Bernie Boland:** Yes, there was a harassment complaint because of the retaliation when I first reported her harassment and human rights violations. Then when they made me a scapegoat for it, as I said, that was reprehensible and I wasn't going to stand for it, so, yes, I definitely put in a complaint. The more they avoided it...I wasn't going to back down, and I pushed it all the way up, as I said in my testimony.

**Ms. Leona Alleslev:** You are all within the processes and procedures as stated in all the Canadian Armed Forces regulations.

**LCol (Ret'd) Bernie Boland:** Yes, that's exactly what I used. I used the process mechanisms that were available to me. Additionally, though, I did have my member of Parliament write a letter to Minister Sajjan three years ago to address it when, fundamentally, DND just said, "It's closed. We're not going to look at this anymore."

Then I had the opportunity, because of that dismissal by the deputy minister and her human resources staff, to address it internally further.

**Ms. Leona Alleslev:** You escalated it to the deputy minister. Then you made the Clerk of the Privy Council aware, and you made the Minister of National Defence aware. Is that correct?

• (1225)

**LCol (Ret'd) Bernie Boland:** Yes, I escalated it to the deputy minister on Mr. Crosby's case. It was brushed off and dismissed by Mr. Choi, as I said. Then I raised that up to the minister. In fact, I sent several letters to the minister on various aspects of my particular case and the woman's case as well. When those weren't addressed, I sent a letter, as I said—a registered letter—to the Prime Minister and an info copy to the Privy Council.

**Ms. Leona Alleslev:** Did you receive a letter back with the Minister of National Defence's signature?

**LCol (Ret'd) Bernie Boland:** No, the only response I got on my issues related to scapegoating was, as I said, Mr. Choi's outright dismissal of it.

**Ms. Leona Alleslev:** He was subordinate to the deputy minister, so essentially he responded on behalf of his boss to absolve his boss of any wrongdoing. Is that correct?

**LCol (Ret'd) Bernie Boland:** That's absolutely correct.

**Ms. Leona Alleslev:** Is that typically how things would work according to the process and procedures manual?

**LCol (Ret'd) Bernie Boland:** No, but listening to some of the media reports, it seems to be the standard approach when I heard what the navy was doing on their red room issue. They get somebody of lower rank to absolve the boss of their bad behaviour.

It's very convenient for them and very inconvenient for those of us who are looking for justice or supporting those who deserve justice, women in these cases.

**Ms. Leona Alleslev:** Is it totally against Canadian Forces' policies, procedures and rules?

**LCol (Ret'd) Bernie Boland:** Yes, to my understanding, Mr. Choi, given the policy that he's responsible for... It says conducting what is called a situational assessment cannot be delegated.

**Ms. Leona Alleslev:** Thank you very much.

**The Chair:** That's the end of your time.

I understand that Dr. Maya Eichler, who is an associate professor in political studies and women's studies, and a Canada research chair in social innovation and community engagement, has joined us.

I think she may be having a little bit of trouble with the sound.

Clerk, can you clarify?

**The Clerk of the Committee (Ms. Stephanie Bond):** We'll have to wait a few more moments, yes, but we can continue our questioning.

**The Chair:** I understand that the Liberals have a number of questions for the doctor, so I will go instead to Madam Larouche for six minutes.

[*Translation*]

**Ms. Andr anne Larouche:** Thank you, Madam Chair.

I'd also like to thank both of our witnesses.

You have shown us another perspective on the problem of sexual assault cases in the Canadian Armed Forces. Thank you very much, Lieutenant-Colonel Boland and Colonel Drapeau.

I will begin my questions with Colonel Drapeau.

You said that Mr. Sajjan had been informed of the situation and that he should even resign. Your comments were quite clear.

Could you elaborate further on your views on Mr. Sajjan's role?

**Col (Ret'd) Michel Drapeau:** He is the head of the institution in question and has been in office for five years. The media has been very generous in reporting cases of sexual misconduct in the Canadian Armed Forces. Close to him, some of his immediate subordinates are themselves the subject of allegations. I heard the minister testify that because the ombudsman did not disclose the identity of the person who made the complaint, he could do nothing in those circumstances.

What he said goes against all my knowledge and interpretation of the role of a leader, be it military, political or otherwise. Certainly, people of a certain age or profession receive complaints from time to time that are made anonymously. Police officers, courts, and lawyers receive them, as do, certainly, public servants here and there in the public service. An anonymous complaint doesn't mean that it's unfounded. It doesn't mean that we should look the other way and ignore it. There is a certain natural justice that needs to be established, because the person who is the subject of the complaint needs to know about it and perhaps even respond to it. There is something we need to do rather than sit back and do nothing.

It left me wanting more when I heard the minister say that he couldn't do anything about such a complaint. To date, I have yet to hear from the minister, despite the rosary of complaints that we've received against a number of senior members of the Canadian Armed Forces, complaints that are damaging the morale, reputation—both at home and abroad—and the effectiveness of the Canadian Armed Forces.

I haven't heard the minister say what he's going to do to fix the situation and put measures in place to give victims confidence. I've heard absolutely nothing so far. We're waiting to see what will happen, what will be decided, either by him or his government.

I never said I was asking for his dismissal or resignation. I asked him to take note of these complaints, because that's his primary role. By law, he is responsible for the direction and control of the Canadian Armed Forces.

• (1230)

**Ms. Andr anne Larouche:** You said that this dated back to the transfer between Parliament and the military. Then, you spoke at length about the fact that many developed countries have external investigative bodies, in other words, that are not part of the military.

Could you tell us how such a system is different from ours?

You mentioned Germany in particular. What are the consequences of having a system like ours?

**Col (Ret'd) Michel Drapeau:** In our case, it is a society within a society. We have to tell it like it is. The military organization has its own system of policing, health, justice, and so on. It's completely hidden from scrutiny and accountability. Only two small, powerless committees play a bit of a watchdog role. They are the Military Grievances External Review Committee and the Military Police Complaints Commission.

Otherwise, the Department of National Defence is basically untouchable. Ultimately, it's not accountable to anyone in Parliament. As I said before, the whole situation around sexual misconduct has been going on for 30 years. In 1998, Parliament decided to transfer jurisdiction from the civilian courts to military, and things have gone from bad to worse since then.

A number of countries, including the United States, Germany, the Netherlands, Australia and several others, have established an "inspector general" position, which is a civilian who reports to Parliament and who has investigative powers, oversight and the power to hold the military to account. This person has the necessary staff to conduct investigations, and make judgments and recommendations. The inspector general's primary role is to act as an agent of Parliament, to provide briefings, advice and accountability to parliamentarians who are on these committees.

Right now, it's another way to assure victims that their complaints will be received, investigated, and not interfered with. Retired Lieutenant-Colonel Boland gave an example. This is one way of doing things. It's about increasing accountability and responsibility and, in those circumstances, giving victims confidence. The majority of victims don't report the crime, don't trust the military justice system and fear reprisals.

That's something that we can and should do. It was recommended by Justice Létourneau in 1997, when he wrote his report as part of the Commission of Inquiry into the Deployment of Canadian Forces to Somalia.

**The Chair:** Thank you very much.

[*English*]

Now we have with us Dr. Maya Eichler.

We're very glad you're here. If you could raise your microphone between your mouth and nose, I will let you have your five minutes to give opening remarks.

Go ahead.

• (1235)

**Dr. Maya Eichler (Associate Professor in Political Studies and Women's Studies, Canada Research Chair in Social Innovation and Community Engagement, Mount Saint Vincent University, As an Individual):** Thank you, Madam Chair and members of the committee. I apologize for the connectivity issues I've been having today.

My name is Dr. Maya Eichler. I'm an associate professor and Canada research chair at Mount Saint Vincent University in Halifax.

For the past decade my research has focused on gender integration and sexual violence in the Canadian Armed Forces. I take this

opportunity today to share with you my two main recommendations for how your committee can best help address military sexual misconduct.

The first is to focus your efforts on developing an inclusive military culture. The second is to focus your efforts on setting up an external oversight mechanism to bring about and sustain this new inclusive military culture.

I recommend a focus on military culture change because it is the only way to address the larger root causes of sexual misconduct in the military workplace. The mere fact that we are still here today talking about these same issues that have been brought before numerous parliamentary committees for many years shows us how much resistance there remains to creating a more inclusive military institution and culture. The present situation is not a new crisis, nor is it solely about sexual misconduct. This crisis is an outcome of the historical institutional design of the military as a quintessential masculinized workplace.

Until 30 years ago, all combat-related roles and positions were open only to men. The very infrastructure and policies of the military were designed for men. Bathrooms, accommodations, equipment, uniform design, vehicle size, airplane cockpits and medical care norms were based on the average male height, weight, strength, shape and physiology. The same is true for military personnel policies that were also designed to support men's lives, needs and leadership styles.

As a result, the military institution and its culture privilege male service members, specifically white, heterosexual male service members, and this has created systemic legacy barriers and inequities for women and for others who fall outside the presumed "ideal" or "norm" such as LGBTQ+ members, racialized and indigenous members, or members with a disability. It is up to them to expend the extra time and energy required to figure out how to fit into a system that was not built with them in mind.

Previous attempts to address military sexual misconduct have focused on superficial and simple solutions, such as lifting legal barriers, increasing the number of female recruits or ordering members to stop engaging in sexual misconduct. To date, there has never been an attempt to develop and apply a comprehensive strategy of military culture change. This would require a redesign of the military workplace to allow for a more inclusive understanding of what it means to be a member of the Canadian Armed Forces.



This brings me to my second point. The past 30 years have shown that the military cannot be expected to achieve the necessary culture change and institutional redesign on its own. I therefore strongly recommend the establishment of a permanent, independent external oversight mechanism not just to ensure the military institutional culture redesigned but also to ensure that that redesign is sustained in the long term.

I have suggested three key principles for what this oversight should look like in a recent Policy Options piece from March 12, which I co-wrote with military veteran Dr. Karen Breeck. We suggested that the new agency should have a broad mandate. Ideally it will look something like the civilian inspector general's office. This new agency needs to report directly to Parliament and should be informed by the voices of lived experience, of those most impacted by the military's problematic culture. Effective oversight is no guarantee that military culture change will happen, but I believe it is its most important precondition.

I would like to see us move beyond quick fixes and investigations, beyond a narrow focus on sexual misconduct in individuals. True, systemic military culture change will require long-term efforts at redesigning the military institution. It will require public and political engagement, and most importantly, it will require an oversight agency with a mandate to report to Parliament. I see no other pathway to ensuring accountability for a military workplace that is safe and inclusive for all, and I see no other pathway to ensuring that we're not here five years from now having these same conversations again.

For the sake of all Canadians, in uniform and not, I urge you to seize this opportunity to bring about true, systemic change in the military.

• (1240)

Thank you.

**The Chair:** Excellent. Thanks very much.

Now we'll go back to Ms. Zahid for six minutes.

**Mrs. Salma Zahid (Scarborough Centre, Lib.):** Thank you, Madam Chair, and thanks to all the witnesses for appearing before the committee today.

My first question is for Dr. Eichler. Thank you for appearing before the committee today.

You have written a lot about militarized masculinity and cultural norms within militaries. We talk a lot about the need for cultural change in the Canadian Armed Forces. While it is easy to say, it is much harder to do, particularly in a hierarchical organization where the leaders have been steeped in that culture for all of their careers.

Are there any international examples we can draw on that show there have been successes in changing military culture? Would you like to throw some light on that?

**Dr. Maya Eichler:** This is a problem that a lot of militaries internationally struggle with. We can learn from other countries, but I think this is a real opportunity for Canada to lead and to develop new ways to move forward. We've heard, for example, of better oversight mechanisms in other countries, like the U.S., as my col-

league just mentioned, but I wouldn't say that there is a clear path to follow, necessarily. I think we have to find our own solutions.

We have a lot of the domestic subject matter expertise to move forward. Subject matter experts across Canada agree on the need for independent external oversight, and we all agree on the need for culture change.

The one thing that I'm contributing today is that changing the culture is not just about changing ideas and attitudes. It's also about changing some very fundamental structures in how the military has been built. The ideas we have about what makes up the "ideal soldier" are actually grounded in a long history of policies and systems that have been set up in a certain way. I think we need to change the material foundation, the very design, of the military and the ideas that go along with that.

**Mrs. Salma Zahid:** Thank you, Dr. Eichler. My next question is also for you.

One challenge that women in any workforce face is balancing the challenges of a family and career. The child care burden disproportionately falls on women, and their careers often suffer because of it. The challenges are even greater in a military career, with its long and varied hours, frequent moves and sudden deployments.

Can you discuss how these stresses impact a woman already working hard to try to succeed in a very masculine and hierarchical culture? How important is helping with the family in changing the culture and helping women succeed in the Canadian Armed Forces?

**Dr. Maya Eichler:** Balancing both family and military work is a huge challenge from what I have heard from the many women veterans I have interviewed for my research. I think the fact that the military does so little to accommodate having a family is certainly a disincentive for women to join. It is certainly a reason that many women leave. That has been established by outside research as well as DND and CAF research. The challenge of balancing family and military work is the reason that women leave, so it's a retention issue as well.

We know that having available child care is a big challenge, especially when you are reposted, because you often have to join a wait-list again. Another challenge is having 24-7 child care. Military work is a 24-7 job, so you need military-specific child care in order to be able to do the job.

The final thing I would say is that personnel policies are an example of policies that have been designed with men in mind. The norm is the male heterosexual service member who has a civilian spouse who can sort of pick up the slack. Of course, if we want women to join, we need to find ways for them to be able to be parents and be “good soldiers”. However we redesign family policies, it will also be to the benefit of all the men in the Canadian Armed Forces. This is a burden that falls primarily on women, but finding good solutions here will benefit all members of the Canadian Armed Forces.

One final point is that a lot of women in the Canadian Armed Forces are single, but a lot of them are part of a dual-service couple, with both a male service member and a female service member. It creates additional burdens when two people in the family are expected to be available 24-7 for the military. That is an additional burden that I would like to point out. Being a female service member and a female military spouse is a dual burden that I would like to draw your attention to.

• (1245)

**The Chair:** All right.

Ms. McPherson, welcome back to FEWO. You have six minutes.

**Ms. Heather McPherson (Edmonton Strathcona, NDP):** Thank you, Madam Chair. It's lovely to be back here. Of course, it would be better if we had a different topic that was not so difficult to hear.

I want to thank all of the witnesses for being on this call today, for joining us and for sharing their stories and their insight. It's a very important conversation. I'm glad I get the chance to hear some of this testimony.

I'd like to start with retired Lieutenant-Colonel Boland, if I may, and ask a series of questions.

Mr. Boland, you note in your testimony that you took several approaches to try to seek justice. That included submitting to the Federal Court of Canada an application for a judicial review of DND's grievance dismissal. You gave notice to the registrar of the Canadian Human Rights Tribunal to be a party to the tribunal hearing. You filed a complaint with the Minister of Labour on DND's breach of your Bill C-65 rights.

We are told that there are processes and policies in place. However, the people involved in upholding these processes are not following them. What oversight measures would you recommend so that these processes are indeed followed?

**LCol (Ret'd) Bernie Boland:** Thank you very much for that particular question. Certainly, for me, I have been persistent. There is no doubt, from my perspective, that one of the basic approaches of the government is to ignore when they get something.

You identified that I raised a complaint based upon Bill C-65. I'm fundamentally waiting for the Minister of Labour to acknowledge receipt of my correspondence. She hasn't, so I am pursuing that.

As my co-panellists have said, there has to be an independent and autonomous opportunity for anybody who has the need to or requirement to make a complaint to advocate for it and to approach it in a suitable legal adversarial fashion, so that you can confront

and address the individual who has perpetrated misconduct—harassment, human rights violations, racism and particularly sexual misconduct—and to address those, and those you are dealing with, in a system of accountability.

All three of those things are being denied to me. I'm capable of advocating. I've been denied that right to do it. I'm prepared to confront my respondent. I'm being denied that. There is no accountability for that. It needs to be separate and independent.

Thank you.

**Ms. Heather McPherson:** Throughout the study, we found large gaps between the policies, the practices and the culture of these workplaces. We have to go beyond the policies and change the culture of protection of those in power.

From your experience, over the last five years, where are the holes and how can we change them?

**LCol (Ret'd) Bernie Boland:** The process in and of itself on a single event is adequate, but the overall approach does not have what I would call a programmatic approach to it, so they dealt with it individually. Each one is separate.

There isn't a program around it. There's no compliance checking. There's no quality assurance. There's no verification that the execution of the process is compatible with its promulgated means and mechanisms. There's no feedback from those who are affected by that. As a complainer, was I satisfied that the process satisfied what it was supposed to do in a fashion that satisfied the pursuit of justice?

Definitely, you can't have those who are responsible for putting something in place to be policing whether they actually conduct what they are supposed to do, because as soon as you raise a complaint, it's effectively complaining against those who are supposed to be doing that.

There's no independence, and very few have the capacity to weigh things in a balanced fashion between complaining about the process or complaining about me. They all take it too personal and do not really do what they are supposed to, which is what they are paid to do in the positions they are put in.

• (1250)

**Ms. Heather McPherson:** From your past testimony, you noted that Prime Minister you brought the complaint all the way to the defence minister's office and the 's Office. It seems there was a failure of leadership all the way through the system, including the political leadership.

Did you receive—and I know you spoke of this during your testimony—any follow-up from the minister's office or the Prime Minister's Office? In your case, is this another example of the defence minister and his office ignoring complaints?

**LCol (Ret'd) Bernie Boland:** The only response I got throughout this was from Mr. Choi, the assistant deputy minister. Remember, I'm dealing with things over a five-year program.

Three years ago, or thereabouts, he basically either dismissed what I was bringing forward or thereafter ignored it. Because of that, I engaged the minister. In my correspondence to him, through his chief of staff, I was not asking him to investigate things. I was asking him to have things investigated.

The manner in which that was done, to have a subordinate, who worked for the deputy minister, absolve peers, subordinates, himself and everything else, was certainly deficient in the rendering of a just, legal and equitable approach to things.

**The Chair:** We will now go to Ms. Alleslev, for five minutes in the second round.

**Ms. Leona Alleslev:** Thank you, Madam Chair. I would like to continue on that.

We heard testimony, at another committee meeting, from the Clerk of the Privy Council and the assistant clerk of the Privy Council. They talked about the importance of procedural fairness and how we needed to follow the process, and all of that.

From your experience, could you comment on whether the process and procedural fairness was, in fact, protected? Did anyone from the Clerk of the Privy Council Office or Governor in Council contact you about the deputy minister? To your understanding, was there an investigation or inquiry in any way, shape or form done with respect to your complaint about the deputy minister?

**LCol (Ret'd) Bernie Boland:** To my knowledge, absolutely nothing was done. I was never contacted by anybody. My point of view was never solicited. Procedural fairness, the right to that due process, the ability to advocate on my own behalf, suitable witnesses, all of that was outrightly denied to me.

**Ms. Leona Alleslev:** Actions speak louder than words.

Regardless of rank and position, here are the words this committee has heard repeatedly from the minister and senior officials, including the Prime Minister's Office and the clerk's office. They've said that abuse of authority, misconduct, is treated "extremely seriously" and "procedural fairness" is protected. They have said they will stop at nothing to get to the bottom of this.

Was that your experience?

**LCol (Ret'd) Bernie Boland:** Absolutely not. I sat as a witness at the defence committee when some of that was being said. I just wish I had had the opportunity to ask that witness a question.

That was absolutely not the case in my experience and for my particular case, no.

• (1255)

**Ms. Leona Alleslev:** Could you share with us the toll that this has taken on you personally? We think that this really only applies

in many instances to women and to those who have the initial complaint, but it seems to be more universal than that.

Could you give us your sense of the toll that it has taken on you?

**LCol (Ret'd) Bernie Boland:** It's long, lonely and damn difficult, but I'm only partway through this. The real issue is what it is doing to, in this particular case, the woman who was directly the victim here and how she was made powerless even though she tried.

The entire institutional weight, influence, power, intellect and knowledge is directed against her rather than what it's purportedly supposed to be, and that's supporting her and her case. Equal justice for all is not being applied here at all. It's protecting—particularly if the individual is of a more senior position or higher rank.

I don't know what other characteristics are at play, but it's not based upon parity.

**Ms. Leona Alleslev:** Would you say that those in senior leadership positions have the full...? You've said there's a breakdown and a failure of leaders to arrest and eliminate. Rather, they're protecting and condoning, and it feels like they have the power to wait you out.

Not only are they not behaving in accordance with their role and responsibility, they're also ensuring that the weight of the system is in their favour to defeat anyone who might come forward to get justice. Is that a fair statement?

**LCol (Ret'd) Bernie Boland:** Yes, it is. They have a clear strategy: fatigue, frustrate or bankrupt you. They can act with impunity and without accountability.

**Ms. Leona Alleslev:** Those who may not have as much strength and the wherewithal to be able to pursue this would not be in as good a position—not that you're in a good position.

**LCol (Ret'd) Bernie Boland:** Absolutely. Maybe it's my disposition, but I write it down, record it, stamp it and send it, you know.

**Ms. Leona Alleslev:** Thank you very much.

**The Chair:** Now we'll go to Ms. Vandenberg for five minutes.

**Ms. Anita Vandenberg (Ottawa West—Nepean, Lib.):** Thank you very much.

I'm very pleased that we have Professor Eichler on the line. I know there were technical issues.

I really want to ask some questions, Dr. Eichler, about your research, because you are one of the few researchers whose work is directly with veterans, with survivors and those who have lived experience.

Could you explain how important it is that, when we start looking at changes to processes and institutions and when we start looking at ways in which we can improve the systems that are in place, we bring in the lived experience of people who have been there?

**Dr. Maya Eichler:** Yes, absolutely.

I have a research partnership with It's Just 700 that is looking specifically at identifying some of the barriers to veterans benefits and services. Together, we did a study where we looked at 10 years of Veterans Review and Appeal Board decisions in cases related to military sexual assault. We have seen some very good changes at the Veterans Review and Appeal Board over the last two years. Those came about really in response to the advocacy of MST survivors and, in particular, the work of It's Just 700 and Marie-Claude Gagnon, and also very much in response to the class action lawsuit and the final settlement agreement.

To me, that shows how important that external pressure has been and how important the advocacy voice of survivors has been. We want to really ensure that, however we move forward in finding solutions, the voices are also included of MST survivors, male and female, but also of other military members and veterans who have suffered discrimination and have been long defined as “the other” in the military institutions. I think it's really imperative as we move forward.

I hope we move forward with a strong independent external oversight mechanism. I recognize that it will take some time to develop and to figure out the details, but I hope that even in the initial phase of discussing what the options are and how we move forward on what has been suggested by a lot of subject matter experts, we ensure that we have consultations with MST survivors, as well as women veterans, advocacy groups and LGBTQ veterans groups such as the Rainbow Veterans of Canada, but also the indigenous and racialized veterans advocacy groups.

• (1300)

**Ms. Anita Vandenberg:** Thank you so much.

You did mention the independent oversight mechanism. What might something like that look like?

Also, as you mentioned, that can take time, but there is urgency in the interim. What do you think could be done in the interim in order to be able to deal with the urgent issues, and then how would that kind of mechanism look in the long run?

**Dr. Maya Eichler:** Yes. There have been a lot of different ideas floated over the last couple of months, or two months, I guess—from a watchdog agency to a civilian inspector general office. Personally, based on my research, I am really advocating for a broad mandate here, for a sort of civilian inspector general office. I would like to see some of the existing functions of the CAF ombudsman and the sexual misconduct response centre integrated into that new structure. What is important to me is that the new agency not only focus on investigations, but that it can also take some initiative in guiding what the culture change is going to look like in the military

and in offering some accountability over those culture change initiatives.

I think it's really important that it is focused not just on military sexual misconduct but on broader culture change issues, and that the agency really looks at these issues as interlocking: sexism, homophobia, gender-based violence, misogyny and ableism, all of those interlocking systems that have produced a problematic military culture. We need to address them not in silos but together. I think an agency like that could do that, hopefully.

Now, you asked me about the short term. I think the very first step would be to assemble a group of subject matter experts, as well as survivors and other veterans advocacy groups, to begin developing a proposal for what this needs to look like. I think we can start small very quickly and then, hopefully, build up to a really robust external oversight mechanism.

**The Chair:** Very good.

**Ms. Anita Vandenberg:** Mr. Drapeau—

**The Chair:** That's the end of your time.

Here's what I would like, though, because we did get started a bit late. If the committee is okay with it, I'd like to give the Bloc and the NDP one final question each.

[*Translation*]

Ms. Larouche, you can ask a question.

**Ms. Andr anne Larouche:** Thank you very much, Madam Chair.

My questions will be for Dr. Eichler, who had some very interesting things to say about the culture change that needs to take place within the Canadian Armed Forces.

Dr. Eichler, could you tell us more about this issue? You've already said a lot about the importance of an independent tribunal and independent bodies. Earlier, a survivor told us that she didn't know if there were rape kits on board the ship.

What can you tell us about the culture of sexual assaults and the shortcomings of the sexual misconduct reporting process within the Canadian Armed Forces?

How could these shortcomings be addressed? You talked about independent bodies, but are there any other ideas that you haven't had a chance to present yet?

[English]

**Dr. Maya Eichler:** I'm sorry. I didn't catch the full translation. What was the other aspect? Can you repeat that for me?

• (1305)

[Translation]

**Ms. Andr anne Larouche:** As I said, I was struck when I heard that one survivor didn't know if there were rape kits on board the ship.

You've talked a lot about independent bodies, and you've suggested some solutions. I'd like to know if you've identified any other gaps in the sexual misconduct reporting process in the Canadian Armed Forces.

Do you have any other ideas for correcting these shortcomings?

[English]

**Dr. Maya Eichler:** I have it now. Thanks for explaining.

One important aspect, I think, is first to also look at the military medical care system, because this is a point where we can learn from other countries. For example, in the U.S. military medical system, anyone who goes to see a military physician is regularly asked about military sexual trauma and is screened for that. It is a regular screening question that is included in a routine way during a medical check-up.

**The Chair:** Now we'll go to a final question.

Ms. McPherson.

**Ms. Heather McPherson:** Thank you, Madam Chair.

It's clear from witness testimony from this study that Operation Honour only addressed the symptoms of the problem. They did not deal with the main causes of sexual misconduct, and that our Canadian Armed Forces is in need of a large-scale cultural reform.

In fact, Mr. Drapeau, you stated that the crisis around sexual misconduct in the military has worsened during Operation Honour. In your work, have you seen examples of what that could look like, how it could be achieved and how we could do that large-scale cultural reform?

**Col (Ret'd) Michel Drapeau:** One of the problems we have not discussed here at all is that, in addition to the problem of sexual misconduct, parallel to it, we have a significant breakdown in the military justice system. The court martial system simply doesn't work. Three of the four military judges have self-declared not to be independent, which is a crucial element for anybody acting in a judicial function, so they don't.... I've seen it. I've represented a number of victims of sexual assault. I can relate a case that perhaps make the points clearer.

She was a victim of a sexual assault by one of her colleagues at the military college. In accordance with the Canadian Forces tradition, a court martial takes place within the unit lines of the accused. If you are a victim—in this case, a cadet from the military college—and you lay a complaint against one of your fellow cadets, the court martial would take place in open court at the military college. Guess who the audience is going to be. It's going to be 60 to 70 to 80 cadets. She will be sitting in the witness chair for four or five days going into intimate details as to how she was dressed,

where he put his hand, how she responded and so on and so forth, looking at 60 pairs of eyeballs of her colleagues—first-, second- and third-year cadets—who she will be living and serving with for the rest of her career. If she does this, this particular lady who's in the forces will never go through that again.

I've represented another person who had been assaulted in a unit in western Canada. The court martial took place within the unit line, which was within the canteen. All of her former subordinates—all of the non-commissioned officers and so on—were there. She was a health professional. She testified for three days. She didn't know where to look.

This is a military justice system where, in fact, justice is about to be made with a conviction system that is far below what we have in civilian court. The system doesn't work.

That's why, among other things, we need to take sexual assault out of the military. The military are trained to conduct warfare. They're managers of violence. That's what their trade is. They're not there to settle sexual assaults, to investigate sexual assault and to pursue it.

To ensure the safety, dignity and integrity of our women soldiers—I married one of them—we want to make sure that, in fact, they have a place where they can report the crime and the crime can be investigated fully by an independent police force that is trained and experienced in doing so in a court of law that does this on an ongoing basis. This is not taking place. Until this changes, victims will not have confidence in the military justice system. They won't report the crime and the problem will continue.

• (1310)

**The Chair:** I think that is an excellent final comment.

I want to thank the witnesses for their testimony today and for helping us as we move forward.

I want to remind committee members that our meeting on Thursday is actually 6:30 to 8:30 in the evening, so don't forget about that.

**Ms. Leona Alleslev:** Madam Chair, is it not 5:30?

I just want to clarify.

**The Chair:** I just saw the notice of meeting. It looks like it's 6:30 to 8:30.

Is it the pleasure of the committee to adjourn?

Seeing that it is, I will see you Thursday night.

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