



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

ELIMINATING SEXUAL MISCONDUCT WITHIN THE CANADIAN ARMED FORCES

Report of the Standing Committee on the Status of Women

Marilyn Gladu, Chair

**JUNE 2021
43rd PARLIAMENT, 2nd SESSION**

Published under the authority of the Speaker of the House of Commons

SPEAKER'S PERMISSION

The proceedings of the House of Commons and its Committees are hereby made available to provide greater public access. The parliamentary privilege of the House of Commons to control the publication and broadcast of the proceedings of the House of Commons and its Committees is nonetheless reserved. All copyrights therein are also reserved.

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Standing Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the House of Commons website
at the following address: www.ourcommons.ca

**ELIMINATING SEXUAL MISCONDUCT WITHIN
THE CANADIAN ARMED FORCES**

**Report of the Standing Committee on
the Status of Women**

**Marilyn Gladu
Chair**

JUNE 2021

43rd PARLIAMENT, 2nd SESSION

NOTICE TO READER

Reports from committees presented to the House of Commons

Presenting a report to the House is the way a committee makes public its findings and recommendations on a particular topic. Substantive reports on a subject-matter study usually contain a synopsis of the testimony heard, the recommendations made by the committee, as well as the reasons for those recommendations.

STANDING COMMITTEE ON THE STATUS OF WOMEN

CHAIR

Marilyn Gladu

VICE-CHAIRS

Sonia Sidhu

Andréanne Larouche

MEMBERS

Anju Dhillon

Gudie Huchings

Lindsay Mathysen

Jag Sahota

Marc G. Serré

Nelly Shin

Hon. Alice Wong

Salma Zahid

OTHER MEMBERS OF PARLIAMENT WHO PARTICIPATED

Leona Alleslev

Xavier Barsalou-Duval

James Bezan

Han Dong

Cheryl Gallant

Heather McPherson

Brenda Shanahan

Anita Vandenbeld

CLERK OF THE COMMITTEE

Stephanie Bond

LIBRARY OF PARLIAMENT

Parliamentary Information, Education and Research Services

Clare Annett, Analyst

Dominique Montpetit, Analyst

THE STANDING COMMITTEE ON THE STATUS OF WOMEN

has the honour to present its

TENTH REPORT

Pursuant to its mandate under Standing Order 108(2), the committee has studied sexual misconduct within the Canadian Armed Forces and has agreed to report the following:

TABLE OF CONTENTS

ACKNOWLEDGEMENT.....	1
SUMMARY.....	3
LIST OF RECOMMENDATIONS	5
ELIMINATING SEXUAL MISCONDUCT WITHIN THE CANADIAN ARMED FORCES	11
Introduction.....	11
Creating a Safe and Inclusive Workplace in the Canadian Armed Forces	14
Overview of Operation HONOUR	17
Changing the Culture in the Canadian Armed Forces.....	19
Understanding How the Culture Promotes Sexual Misconduct Incidents	20
Recognizing the Role of Senior Leadership.....	23
Providing Improved Training to Members	25
Increasing Women’s Representation and Retention.....	27
Offering Better Supports for Women and Families.....	29
Addressing Reports of Sexual Misconduct in the Canadian Armed Forces	31
Investigating Sexual Misconduct Incidents	34
Improving the Training of Investigators	37
Ensuring the Confidentiality of Complaints	39
Creating an Independent Reporting Structure	40
Providing Support Services to Survivors of Sexual Misconduct	42
APPENDIX A LIST OF WITNESSES	47
APPENDIX B LIST OF BRIEFS.....	51
REQUEST FOR GOVERNMENT RESPONSE	53

SUPPLEMENTARY OPINION OF THE BLOC QUÉBÉCOIS	55
SUPPLEMENTARY OPINION OF THE NEW DEMOCRATIC PARTY OF CANADA	57

ACKNOWLEDGEMENT

This report has been informed by survivors, expert witnesses, and members of the Canadian Armed Forces. We thank each participant for their testimony and continued advocacy on this important issue. The Committee recognizes your strength, resilience, and your dedication to seeing the culture change within the Canadian Armed Forces.

SUMMARY

Sexual misconduct has been a longstanding issue in the Canadian Armed Forces (CAF). Reports of sexual misconduct in 2014 and 2015 led the CAF to commission an independent review of its procedures and programs related to sexual harassment and assault. The final report of the independent review made recommendations to change the culture in the CAF and to support survivors. Five years later, in early 2021, former and current members of the CAF made new allegations of sexual misconduct. This time, allegations were made against high-ranking officials in the CAF. This situation led the House of Commons Standing Committee on the Status of Women (the Committee) to conduct this study on sexual misconduct in the CAF. Following the Committee's 2019 report, *A Force for Change: Creating a Culture of Equality for Women in the Canadian Armed Forces*, the goal of this study is to make recommendations to the Government of Canada that will accelerate culture change and support the elimination of sexual misconduct in the CAF so that all members benefit from a working environment that is safe and inclusive.

The Committee was informed by expert witnesses, including by survivors, that the working environment in the CAF is hierarchical, male-dominated, based on patriarchal gender norms and highly sexualized. These factors create a toxic work environment where incidents of sexual misconduct can occur and go unchecked. Changing the culture in the CAF and creating a safe, inclusive, and respectful working environment is urgent. To do so, the Committee heard that the CAF needs to:

- understand how its culture and systems promote sexual misconduct incidents;
- recognize the role senior leadership can play to foster change;
- provide improved training to its members;
- increase women's representation and retention; and
- offer better supports for women and families.

Besides issues with the culture in the CAF, the Committee heard that there are problems with the reporting and investigation of sexual misconduct in the CAF. Survivors of sexual misconduct are not always comfortable coming forward and reporting the incidents. Also, many individuals who report incidents are not satisfied with the investigation

processes. Some survivors told the Committee of their negative experiences reporting sexual misconduct to the Military Police because they felt as though they were criminals or because their complaints were not kept confidential. To improve the reporting systems and investigations of sexual misconduct incidents, the Committee learned that there is a need for survivor-centric and trauma-informed training for members of the CAF and employees of the Department of National Defence (DND). It is also essential to create an independent reporting structure to manage reports of sexual misconduct in the CAF. Finally, trauma-informed, gender-sensitive and survivor-centric services must be available for survivors of sexual misconduct in the CAF.

Further to the Committee's 2019 report, *A Force for Change: Creating a Culture of Equality for Women in the Canadian Armed Forces*, this report makes recommendations to foster cultural change and to support survivors of sexual misconduct in the CAF. The recommendations provide guidance to the Government of Canada on measures that could be implemented to help eliminate sexual misconduct in the CAF and increase accountability.

LIST OF RECOMMENDATIONS

As a result of their deliberations committees may make recommendations which they include in their reports for the consideration of the House of Commons or the Government. Recommendations related to this study are listed below.

Recommendation 1—Creating an Office of the Inspector General of the Canadian Armed Forces and the Department of National Defence

That the Government of Canada establish a fully independent Office of the Inspector General of the Canadian Armed Forces and the Department of National Defence, the Director of which is an Officer of Parliament, which reports annually to Parliament, and that the Office of the Inspector General of the Canadian Armed Forces and the Department of National Defence:

- **be resourced and have the authority to ensure future complaints and allegations are made to an external, independent body;**
- **receive complaints from serving members and veterans with no requirement for the member or the veteran to exhaust the internal redress and grievance procedures before filing the complaint;**
- **independently undertake studies and investigations deemed necessary; and**
- **refer matters to the National Security and Intelligence Advisor to the Prime Minister for investigation when warranted..... 23**

Recommendation 2—Implementing Recommendations of the Deschamps Report

That the Government of Canada fully implement all recommendations of Justice Deschamps' 2015 report entitled *External Review into Sexual Misconduct and Sexual Harassment in the Canadian Armed Forces*..... 23

Recommendation 3—Defining Fraternization, Abuse of Authority and Sexual Misconduct

That the Government of Canada enhance the Code of Service Discipline to reflect a clearer, more precise definition of fraternization, abuse of authority, and sexual misconduct. 23

Recommendation 4—Role of Senior Leadership in Creating Culture Change

That the Government of Canada impose a freeze on all General and Flag officer promotions and salary increases until an independent investigation is conducted to ensure their behaviour and conduct is beyond reproach allowing them to lead by example. 24

Recommendation 5—Role of Senior Leadership in Creating Culture Change

That the Government of Canada hold executive level military and civilian Canadian Armed Forces and Department of National Defence positions personally accountable to implement Auditor General report recommendations. 24

Recommendation 6—Role of Senior Leadership in Creating Culture Change

That the Government of Canada ensure succession planning in the Canadian Armed Forces is merit-based and does not provide a means or inducement for protecting individuals from disciplinary measures, especially for sexual misconduct offences..... 25

Recommendation 7—Training to Prevent Sexual Misconduct

That the Government of Canada, with the goal of fostering an inclusive, safe and respectful workplace for all members of the Canadian Armed Forces, provide mandatory comprehensive sexual misconduct training and bystander intervention training with clearly defined performance metrics for members at all levels, including senior leadership, and ensure that this training:

- is delivered by experts and is trauma-informed and survivor-centred;
- is reinforced by regular additional training sessions;
- focuses on the prevention of sexual misconduct;

- increases awareness about the history of and challenges faced by individuals who are lesbian, gay, bisexual, transgender, queer, Two-Spirit or who identify with other gender identities and sexual orientations; and
- encourages all members to reflect on their participation in creating a safe and inclusive culture within the Canadian Armed Forces. 27

Recommendation 8—Increasing Women’s Representation and Retention

That the Government of Canada publish a strategy with clear performance metrics to attract, promote and retain women and other minorities in the Canadian Armed Forces that includes comparative metrics around numbers of women and minorities by trade, classification and rank, length of time in rank, command positions, length of service and rank at release..... 28

Recommendation 9—Increasing Women’s Representation and Retention

That the Government of Canada establish an external Defence Advisory Committee on Women and Minorities in the Canadian Armed Forces that is approved by Parliament and reports to Parliament annually..... 29

Recommendation 10—Gender and Diversity-Sensitive Policies, Supports and Services

That the Government of Canada review the Canadian Armed Forces’ policies, supports and procurement services through a Gender-based Analysis Plus lens to ensure that they do not have negative impacts on members who are women, racialized, Indigenous, live with a disability or are members of the lesbian, gay, bisexual, transgender, queer and Two-Spirit communities or who identify with other gender identities and sexual orientations; close any gaps that might exist in this regard; and provide earmarked funding for the purchase of equipment designed for women and the diversity of the individual. 30

Recommendation 11—Gender and Diversity-Sensitive Policies, Supports and Services

That the Government of Canada take responsibility to ensure that parents who are members of the Canadian Armed Forces have access to childcare services that meet their needs, including the needs of single parents and parents working outside regular work hours or who do shift work, and work in partnership with provinces and territories where possible. 30

Recommendation 12—Duty to Report Sexual Misconduct Incidents

That the Government of Canada implement Recommendation 70 of the *Report of the Third Independent Review Authority to the Minister of National Defence*:

An exception to the duty to report incidents of sexual misconduct should be established for victims, their confidants and the health and support professionals consulted by them.

Their duty to report should be retained, however, where a failure to report would pose a clear and serious risk to an overriding interest, which may include ongoing or imminent harm, harm to children and national security concerns. A working group should be established to properly identify these exceptional cases. The working group should include an independent authority and representatives of the Sexual Misconduct Response Centre, military victims’ organizations and the military justice system.

The working group should also consider (a) the removal of the duty of witnesses to report incidents of sexual misconduct; and (b) requiring witnesses to report incidents of sexual misconduct to the Sexual Misconduct Response Centre only. 34

Recommendation 13—Ensuring Survivors Do Not Face Consequences for Reporting Sexual Misconduct Incidents

That the Government of Canada ensure survivors of sexual misconduct in the Canadian Armed Forces do not have their training plan interrupted without their consent as a result of coming forward with allegations. 34

Recommendation 14—Investigating Sexual Misconduct Incidents

That the Government of Canada review disciplinary structures for abuse of authority, sexual misconduct, and other offences to ensure the severity of sanctions is in accordance with the offence, is more severe with increased rank and seniority, and is equitably applied across all elements and units. 36

Recommendation 15—Investigating Sexual Misconduct Incidents

That the Government of Canada amend the *National Defence Act* to remove the Chief of the Defence Staff as the review authority on service infractions and Code of Service Discipline violations where the Chief of the Defence Staff is the accused, and establish an independent panel of retired military justices to oversee the summary hearing, or court martial process through the Inspector General. 36

Recommendation 16—Investigating Sexual Misconduct Incidents

That the Government of Canada direct the Canadian Armed Forces to establish a policy under which General and Flag officers must be suspended while under investigation for Code of Service Discipline offences. 37

Recommendation 17—Trauma-Informed and Survivor-Centric Training for Investigators

That the Government of Canada ensure that all individuals who investigate incidents of sexual misconduct receive ongoing training on trauma-informed and survivor-centric investigation approaches as well as on the importance of providing survivor-centric supports to survivors during the investigation process..... 38

Recommendation 18—Referring Sexual Misconduct Investigations to the Royal Canadian Mounted Police

That the Government of Canada amend the *National Defence Act* and direct the Canadian Armed Forces to amend the Defence Administrative Orders and Directives and the Queen’s Regulations and Orders to allow the Office of the Inspector General of the Canadian Armed Forces and the Department of National Defence to refer matters of sexual misconduct to the Royal Canadian Mounted Police for investigation and remove jurisdiction from the Canadian Armed Forces when matters of undue influence from the chain of command are of concern. 41

Recommendation 19—Eliminating the Possibility of Pleading Down to a *Criminal Code* Offence

That the Government of Canada review its processes to ensure that members of the Canadian Armed Forces who are charged with *Criminal Code* offences are not able to “plead down” to less serious charges made pursuant to the *National Defence Act*..... 41

Recommendation 20—Services for Survivors of Sexual Misconduct

That the Government of Canada offer trauma-informed support programs and services for survivors of sexual misconduct, including physical and mental health programs and services, and identify possible gaps in service or in funding, with the goal of offering trauma-informed, gender and diversity-sensitive and survivor-centric services for all survivors of sexual misconduct in the Canadian Armed Forces, including ensuring that specialized mental health services and peer-support for sexual trauma survivors are available. 45

Recommendation 21—Services for Survivors of Sexual Misconduct

That the Government of Canada recognize military sexual trauma among the list of operational injuries for which current Canadian Armed Forces members and veterans can receive appropriate support for..... 45



ELIMINATING SEXUAL MISCONDUCT WITHIN THE CANADIAN ARMED FORCES

INTRODUCTION

In early 2021, allegations of sexual misconduct were made against high-ranking officials in the Canadian Armed Forces (CAF), including former Chief of the Defence Staff General Jonathan Vance (now retired) and Admiral Art McDonald, who succeeded General Vance as Chief of the Defence Staff in January 2021.¹ “Sexual misconduct” is a term used in the CAF to describe a wide range of attitudes, beliefs and actions that create a toxic work environment. Some actions included under this umbrella term can constitute offences under the *Criminal Code*, such as sexual assault or criminal harassment. Demonstrating sexist attitudes, making sexist or sexually charged comments and jokes, and initiating inappropriate work relationships are also behaviours that fall within the sexual misconduct spectrum.²

Reports of sexual misconduct within the CAF are not new nor uncommon: according to the results of a Statistics Canada survey published in 2018, in the 12 months preceding the survey, approximately 900 members of the Regular Force and 600 members of the Primary Reserve reported that they had experienced sexual assault in the military workplace or at the hands of a military member, Department of National Defence civilian or contractor.³ According to the same survey, approximately 8,400 Regular Force members and 4,560 Primary Reserve members reported that they had personally experienced inappropriate sexual behaviour or discrimination in the past 12 months.⁴

In 2015, following reports on the extent of the problem of inappropriate sexual behaviour in the CAF,⁵ the Chief of the Defence Staff commissioned an independent review to “examine CAF policies, procedures and programs in relation to sexual

1 Royal Canadian Navy, [Admiral Art McDonald becomes 20th Chief of the Defence Staff](#), Navy News, 27 January 2021.

2 Government of Canada, [“Chapter 2-Understanding of Sexual Misconduct,”](#) *The Operation HONOUR Manual*.

3 Adam Cotter, [“Sexual misconduct in the Canadian Armed Forces Regular Force, 2018,”](#) *Statistics Canada*, 85-603-X, 22 May 2019; Marta Burczycka, [“Sexual misconduct in the Canadian Armed Forces Primary Reserve, 2018,”](#) *Statistics Canada*, 85-603-X, 22 May 2019.

4 Ibid.

5 Noémi Mercier and Alec Castonguay, [“Crimes sexuels : le cancer qui ronge l’armée canadienne,”](#) *L’actualité*, 25 April 2014 [AVAILABLE IN FRENCH ONLY]; Noémi Mercier and Alec Castonguay, [“Our military’s disgrace,”](#) *Maclean’s*, 16 May 2014.



harassment and sexual assault, including the effectiveness with which these policies are currently being implemented.”⁶ The *External Review into Sexual Misconduct and Sexual Harassment in the Canadian Armed Forces* (the Deschamps Report) found that there “is an underlying sexualized culture in the CAF that is hostile to women and [lesbian, gay, transgender, bisexual and queer] members, and conducive to more serious incidents of sexual harassment and assault.”⁷ In response, the Chief of the Defence Staff launched Operation HONOUR in October 2015.⁸ Despite having some positive effects, Operation HONOUR did not have the results intended and sexual misconduct continues to be a problem for members of the CAF, especially for women.⁹

Understanding the urgency to accelerate culture change and to eliminate all sexual misconduct¹⁰ in the CAF so that all members benefit from a working environment that is safe and inclusive, the House of Commons Standing Committee on the Status of Women (the Committee) agreed on 18 March 2021 to undertake a study on sexual misconduct within the CAF. The Committee adopted the following motion:

That, pursuant to *Standing Order* 108(2), the committee undertake a study of sexual misconduct within the Canadian Armed Forces, including a review of Operation HONOUR; that the evidence and documentation received by the committee during the First Session of the 42nd Parliament in the report titled “*A Force for Change Creating a Culture of Equality for Women in the Canadian Armed Forces*” be taken into consideration by the committee in the current session; that the committee invite the following witnesses before the committee with a one-hour panel dedicated to the Minister of National Defence; a one-hour panel dedicated to the Acting Chief of the Defence Staff and Lieutenant-General Frances J. Allen, Military Representative of Canada to the NATO Military Committee in Brussels, Belgium; a one-hour panel dedicated to the Canadian Armed Forces Ombudsman and the Commander of the Canadian Forces National Investigation Service; a one-hour panel dedicated to retired Supreme Court Justice Marie Deschamps;

6 Marie Deschamps, C.C., Ad. E., External Review Authority, [*External Review into Sexual Misconduct and Sexual Harassment in the Canadian Armed Forces*](#), 27 March 2015, p. i.

7 Ibid.

8 Chief of the Defence Staff, [*CDS OP Order – Op HONOUR*](#), 14 August 2015.

9 See the section about Operation HONOUR for details.

10 During its study, the Committee heard other terms that describe similar behaviours, such as “military sexual trauma,” “sexual violence,” or “sexual trauma.” The Committee uses sexual misconduct in this report because it is the term currently used in the Canadian Armed Forces (CAF) policies.

and invite the following witnesses, It's Just 700; Dawn McIlmoyle-Knott; retired Master Corporal Stéphanie Raymond; LCol Eleanor Taylor; that the committee dedicate four consecutive meetings to this study; and that the study begins the next scheduled sitting of the committee on Tuesday, March 23, 2021.¹¹

During its study, the Committee received testimony from 33 witnesses: 14 who appeared as individuals, four who represented three organizations and 14 who were representatives of the Department of National Defence (DND). The Committee also received testimony from the Minister of National Defence, the Honourable Harjit S. Sajjan. The testimony was received during eight meetings held between 23 March and 11 May 2021. The Committee also received six written briefs. In addition, the Committee took into consideration the evidence and documentation it received during its 2019 study on the treatment of women within DND.¹² Appendix A includes a list of all witnesses. Appendix B includes a list of written briefs received by the Committee.

This report focusses and makes recommendations to the Government of Canada on two main issues:

- creating a safe and inclusive workplace in the CAF, including the importance of changing the culture within the CAF; and
- addressing reports of sexual misconduct in the CAF, in particular with respect to improving the reporting and investigation of sexual misconduct incidents and to providing support services¹³ in the CAF.

This report does not discuss the specific allegations of sexual misconduct made against several leaders of the CAF, including those made against former Chief of the Defence

11 House of Commons, Standing Committee on the Status of Women (FEWO), *Minutes of Proceedings*, 18 March 2021.

12 House of Commons, FEWO, *A Force for Change: Creating a Culture of Equality for Women in the Canadian Armed Forces*, Eighteenth Report, 1st Session, 42nd Parliament, June 2019.

13 While this report focusses on women, the Committee recognizes that all members of the CAF, regardless of their gender identity, can experience sexual misconduct. The Committee's recommendations are intended to help create a safe and inclusive workplace for all CAF members.



Staff Jonathan Vance, in early 2021 since these issues are being examined by the House of Commons Standing Committee on National Defence.¹⁴

This report has been informed by survivors, expert witnesses, and members of the CAF. We thank each participant for their testimony and continued advocacy on this important issue. The Committee recognizes your strength, resilience, and your dedication to seeing the culture change within the CAF.

CREATING A SAFE AND INCLUSIVE WORKPLACE IN THE CANADIAN ARMED FORCES

“Women [in the Canadian Armed Forces] want to be free of an environment where they are questioned or catcalled or mistreated, or looked down upon and seen as prizes and trophies and assaulted. I think I need to explain how it feels to go to work every day with a knot in your stomach, how it shapes the way you walk down a hallway, the way that you then perceive men.”

Maj Kellie Brennan, as an individual
FEWO, *Evidence*, 2nd Session, 43rd Parliament, 22 April 2021, 1930

Witnesses described a working environment in the CAF that is hierarchical, male-dominated, based on patriarchal gender norms and highly sexualized;¹⁵ a toxic work environment where incidents of sexual misconduct can occur and go unchecked. Patriarchal gender norms have created a sexualized and masculine culture in the CAF, sometimes referred to as an “old boys’ club.”¹⁶ There is denial among many CAF members that this culture and boys’ club exists.¹⁷ The Minister of National Defence pointed to “outdated and toxic traditions that valorize toughness and aggression over

14 House of Commons, Standing Committee on National Defence, *Addressing Sexual Misconduct Issues in the Canadian Armed Forces, Including the Allegations Against Former Chief of the Defence Staff Jonathan Vance*.

15 See for example: FEWO, *Evidence*, 1st Session, 42nd Parliament, 7 May 2019, 0850 and 0930 (Danielle Dewitt, as an individual); FEWO, *Evidence*, 1st Session, 42nd Parliament, 28 May 2019, 0845 (Alan Okros, as an individual).

16 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 20 April 2021, 1105 (Lt(N) Heather Macdonald, Officer, Naval Combat Systems Engineering, as an individual).

17 Ibid.

emotional intelligence and co-operation” as elements contributing to the masculine and sexualized culture in the CAF.¹⁸ Discipline, and the expectation that subordinates will follow the orders of their superiors, is expected in the CAF.¹⁹ Allan English, Associate Professor, Department of History, Queen's University, appearing as an individual, pointed to the power of the hierarchy in military culture; the military is the only profession in Canada where “a commanding officer has the legal right to order someone into harm’s way.”²⁰ These power dynamics and hierarchy come with great responsibility²¹ and there must “not be an opportunity for an abuse of power or a perception of a requirement to concede to demands based upon rank.”²²

The Committee heard directly from survivors of sexual misconduct in the CAF who spoke about the treatment they have endured. Witnesses described feeling mistreated and disrespected, as well as experiences of sexual harassment and assault in their work environment. Emily Tulloch, Aviation Technician in the CAF, appearing as an individual, said: “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.”²³ Witnesses described a culture of silence and protection among CAF members that emboldens inappropriate behaviours and sexual misconduct.²⁴ Protection is not extended to CAF members who experience and/or report sexual misconduct or assault: superiors often disregard such allegations, effectively protecting the perpetrators of these behaviours from investigation or career repercussions.²⁵ Stéphanie Raymond, appearing as an individual, explained that, as a result, peers do not report sexual misconduct in order to protect their fellow members from investigation or repercussions, with the understanding that

-
- 18 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 23 March 2021, 1105 (Hon. Harjit S. Sajjan, P.C., M.P., Minister of National Defence).
- 19 Ibid., 1245 (LGen Wayne D. Eyre, Acting Chief of the Defence Staff, Department of National Defence) and 1245 (LGen Frances J. Allen, Military Representative of Canada, NATO Military Committee in Brussels, Belgium, Department of National Defence).
- 20 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 13 April 2021, 1215 (Allan English, Associate Professor, Department of History, Queen's University, as an individual).
- 21 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 23 March 2021, 1210 (LGen Wayne D. Eyre).
- 22 Ibid., 1250 (LGen Frances J. Allen).
- 23 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 20 April 2021, 1120 (Emily Tulloch, Aviation Technician, as an individual).
- 24 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 15 April 2021, 1310 (Dr. Denise Preston, Executive Director, Sexual Misconduct Response Centre, Department of National Defence).
- 25 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 8 April 2021, 1225 (Stéphanie Raymond, as an individual); FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 20 April 2021, 1130 (Emily Tulloch).



their peers will do the same for them.²⁶ She emphasized the importance of accountability for these inappropriate behaviours:

It's difficult to eliminate offences and criminal acts when the people who commit them suffer no consequences, remain unpunished or receive protection. There's no deterrent effect if, at the end of the day, you don't suffer any consequences for your actions. I think that's where the issue really starts.²⁷

Witnesses explained that not only does this culture negatively affect members of the CAF, but that the harm reaches beyond the organization. According to MJ Batek of the Survivor Perspectives Consulting Group, the sexualized culture may lead to cases of military domestic violence, child abuse and civilian assault in the community.²⁸ She noted that:

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.²⁹

Beyond CAF members and their families, the CAF itself suffers because of the persistence of this toxic workplace culture.³⁰ Witnesses agreed that to succeed operationally, the military must create a strong sense of teamwork among all members; however, the current CAF culture does not respect and include all members of the team equally.³¹ For example, Leah West, appearing as an individual, told the Committee that there is a double standard applied to men and women in the CAF regarding sexual misconduct: she highlighted the consequences she suffered after she admitted violating non-fraternization orders and stressed that men do not suffer the same consequences for similar behaviours. She added that the root problem of the culture in the CAF is that

26 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 8 April 2021, 1230 (Stéphanie Raymond).

27 Ibid., 1210.

28 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 20 April 2021, 1125 (MJ Batek, Ocdt (Ret'd), Survivor Perspectives Consulting Group).

29 Ibid.

30 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 15 April 2021, 1200 (MGen Jennie Carignan, Military Personnel Command, Department of National Defence).

31 Ibid.; FEWO, *Evidence*, 2nd Session, 43rd Parliament, 13 April 2021, 1215 (Alan Okros, Professor, Department of Defence Studies, Royal Military College, as an individual).

men and women’s contributions are not valued and respected equally.³² LGen Jennie Carignan acknowledged that there is a gap between the established culture and the professed culture in the CAF. She added that treating CAF members with dignity should not be seen as a trade-off for operational effectiveness.³³ Retired LGen Christine T. Whitecross, appearing as an individual, explained: “[W]e cannot be an effective operation or military force doing some very dangerous work if everyone in the organization doesn't feel as though they are a part of the team and they are being respected.”³⁴ However, fear of being discriminated against or harassed can prevent individuals from entering or staying in the military.³⁵

Overview of Operation HONOUR

To prevent and address sexual misconduct within its organization, the CAF launched Operation HONOUR in 2015; this initiative was established following the publication of the Deschamps report, which made 10 recommendations to address sexual misconduct in the CAF.³⁶ The mission of Operation HONOUR was to “eliminate harmful and inappropriate sexual behaviour within the CAF” and the order establishing the operation identified four lines of effort: understanding the sexual misconduct issue; responding to it by creating cultural change; providing supports for survivors; and, preventing incidents from happening.³⁷ During its 2019 study on the treatment of women within the CAF and DND, witnesses told the Committee that Operation HONOUR was not as effective as it could have been and suggested ways to improve it (additional training, for instance).³⁸ In the fall of 2020, five years after the launch of Operation HONOUR,³⁹ the CAF published

32 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 11 May 2021, 1110 and 1155 (Leah West, Assistant Professor, Carleton University, as an individual).

33 Ibid., 1115 (LGen Jennie Carignan, Chief, Professional Conduct and Culture, Department of National Defence).

34 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 22 April 2021, 2025 (LGen (Ret'd) Christine T. Whitecross, as an individual).

35 FEWO, [Evidence](#), 1st Session, 42nd Parliament, 7 May 2019, 0930 (Martine Roy, President, LGBT Purge Fund); FEWO, [Evidence](#), 1st Session, 42nd Parliament, 28 May 2019, 0850 and 0920 (Kristine St-Pierre, Director, The WPS Group).

36 Government of Canada, [About Operation HONOUR](#).

37 Chief of the Defence Staff, [CDS OP Order – Op HONOUR](#), 14 August 2015.

38 FEWO, [Evidence](#), 1st Session, 42nd Parliament, 14 May 2019, 1540 (Dr. Karen Breeck, Retired Military Physician, as an individual); FEWO, [Evidence](#), 1st Session, 42nd Parliament, 7 May 2019, 0910 (Danielle Dewitt).

39 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 25 March 2021, 1200 (Marie Deschamps, Former Justice, Supreme Court of Canada, as an individual).



The Path to Dignity and Respect: The Canadian Armed Forces Strategy to Address Sexual Misconduct (the Strategy), a “comprehensive, long-term culture change strategy for preventing and addressing sexual misconduct.”⁴⁰ BGen Andrew Atherton stated that, with the introduction of the Strategy, the CAF believes that it has succeeded in implementing all recommendations of the Deschamps report;⁴¹ a statement with which witnesses disagreed.⁴² However, on 24 March 2021, LGen Wayne D. Eyre announced that Operation HONOUR had “culminated” and that it was time to transition to a new approach.⁴³ BGen Andrew Atherton explained that the CAF will evaluate the successes and failures of Operation HONOUR and will develop a “way forward plan” to effect culture change.⁴⁴

Despite having some positive effects, Operation HONOUR did not achieve its goals.⁴⁵ While Operation HONOUR “got the conversation going” about sexual misconduct and helped improve resources and education on the issue within the CAF,⁴⁶ it did not focus on the right targets to effect positive cultural change in the CAF. Witnesses explained that Operation HONOUR focussed on symptoms rather than on the source of the issue⁴⁷ and that the CAF has an incomplete understanding of the problem.⁴⁸ Alan Okros, Professor, Department of Defence Studies, Royal Military College, appearing as an individual, explained the incomplete understanding of the sexual misconduct issue has led to “incomplete solutions, underpinned by an unwillingness to critically analyze

40 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 15 April 2021, 1230 (BGen Andrew Atherton, Director General of Professional Military Conduct, Department of National Defence).

41 Ibid., 1250.

42 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 8 April 2021, 1135 (Christine Wood, Chief, Strategic Engagement, It’s Just 700); FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 20 April 2021, 1215 (Col (Ret’d) Michel W. Drapeau, Professor, Faculty of Law, University of Ottawa, as an individual); Survivor Perspectives Consulting Group, “[Brief for the Committee on the Status of Women’s Study on Sexual Misconduct Within the Canadian Armed Forces](#),” *Written Brief*, 20 April 2021.

43 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 15 April 2021, 1230 (BGen Andrew Atherton).

44 Ibid.

45 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 13 April 2021, 1200 (Alan Okros); FEWO, [Evidence](#), 1st Session, 42nd Parliament, 14 May 2019, 1540 (Dr. Karen Breeck) and 1635 (Cmdre Rebecca Patterson, Director General, Canadian Armed Forces Strategic Response Team – Sexual Misconduct, Department of National Defence).

46 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 20 April 2021, 1120 (Emily Tulloch).

47 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 8 April 2021, 1205 (Stéphanie Raymond).

48 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 13 April 2021, 1200 (Alan Okros).

certain aspects of CAF identity and culture.”⁴⁹ For example, the Strategy did not identify “power and militarized masculinities” as issues to address to create culture change.⁵⁰

Furthermore, retired LGen Christine T. Whitecross argued that the CAF underestimated the efforts required to create culture change and that it would have benefited from bringing in organizational cultural experts to help with the development of initiatives to address sexual misconduct.⁵¹ According to Dr. Maya Eichler, Associate Professor in Political Studies and Women’s Studies and Canada Research Chair in Social Innovation and Community Engagement, appearing as an individual, the development of a comprehensive strategy to effect cultural change “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.”⁵²

Changing the Culture in the Canadian Armed Forces

“You will not eradicate sexual violence, misogyny and other forms of oppression within the military, such as racism, transphobia and homophobia, unless you are willing to be brave. Are CAF members uncomfortable with terms like rape culture, toxic masculinity and survivor-centred? Absolutely, we've seen that, but you cannot change something that you won't even name.”

Julie S. Lalonde, as an individual
FEWO, *Evidence*, 2nd Session, 43rd Parliament, 8 April 2021, 1100

49 Ibid.

50 Ibid.

51 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 22 April 2021, 2000 (LGen (Ret'd) Christine T. Whitecross).

52 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 20 April 2021, 1235 (Dr. Maya Eichler, Associate Professor in Political Studies and Women’s Studies and Canada Research Chair in Social Innovation and Community Engagement, as an individual).



Many witnesses spoke about the importance of creating a culture change in the CAF to build an environment of trust, inclusion, respect and accountability.⁵³ Witnesses' suggestions to achieve this cultural change are detailed in the sections that follow. The Minister of National Defence described that culture change will be achieved "when every member—all Canadians, regardless of gender, skin colour or sexual orientation—can join the Canadian Armed Forces, proudly serve their country and, more importantly, reach their true potential and not be hindered in any way."⁵⁴ Cultural change is urgent: the Committee heard that individuals advocating for meaningful and essential changes in the CAF are burning out and suffering from significant mental health difficulties as a result of the burden of repeating the same messages over many years.⁵⁵

Understanding How the Culture Promotes Sexual Misconduct Incidents

The Committee was told that changing the culture requires more than changing attitudes in the CAF: fundamental structures, policies and systems that underlie the design of the military must also be changed.⁵⁶ Witnesses indicated that the CAF presents various features that increase the risk of workplace harassment.⁵⁷ For example, Alan Okros highlighted factors such as "significant power disparities, encouraging alcohol consumption, a young workforce, use of coarse language, single gender dominated culture and a homogenous workforce."⁵⁸ He explained that to address these factors, the CAF must challenge some "central tenets of the profession," such as "obedience to authority, normative conformity and group loyalty, the use of power and the practice of judging others to see if they measure up."⁵⁹

The Committee heard that the CAF must acknowledge that the problem of sexual misconduct is a systemic issue.⁶⁰ Witnesses explained that unless the culture in the CAF

53 See for example: FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 22 April 2021, 1830 (Kin Choi, Assistant Deputy Minister, Human Resources, Civilian, Department of National Defence) and 1830 (MGen Steven Whelan, Acting Commander Military Personnel Command and Chief Military Personnel, Department of National Defence); FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 15 April 2021, 1115 (BGen Lise Bourgon, Visiting Defence Fellow 2020-21 at Queen's University, and Defence Champion for Women, Peace and Security, Department of National Defence).

54 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 23 March 2021, 1140 (Hon. Harjit S. Sajjan).

55 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 8 April 2021, 1125 (Christine Wood).

56 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 20 April 2021, 1240 (Dr. Maya Eichler).

57 FEWO, [Evidence](#), 1st Session, 42nd Parliament, 7 May 2019, 0905 (Martine Roy).

58 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 13 April 2021, 1200 (Alan Okros).

59 Ibid.

60 See for example: FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 20 April 2021, 1235 (Dr. Maya Eichler).

is changed, individuals who believe in the current culture will continue to progress through the ranks, upholding this culture as they go.⁶¹ Alan Okros explained that a key aspect of culture change is ensuring senior leaders in the CAF acknowledge sexual misconduct and understand the ways that some CAF members, such as women and people with diverse identities are marginalized.⁶² Issues of sexual misconduct, racism and homophobia affect directly or indirectly all members of the CAF; as such, these issues should be looked at through an intersectional lens.⁶³ Also, LGen Wayne D. Eyre recognized that the CAF must improve its understanding of the power dynamics that exist across its rigid military hierarchy and ensure that leadership at all levels has a firm understanding of “what constitutes the use of that power.”⁶⁴

Going forward, the CAF must apply the lessons learned from previous approaches to eliminating sexual misconduct in the CAF to ensure a different outcome.⁶⁵ Witnesses underscored the importance of holding individuals accountable for their behaviour, regardless of their rank,⁶⁶ and of considering the perspectives of survivors in the development of policies to address sexual misconduct; MJ Batek said that survivors can help identify gaps and issues with these policies.⁶⁷ Creating long-term sustainable culture change requires all ranks in the CAF to understand their role in, commit to and engage in this process.⁶⁸

The Committee heard that an independent external oversight body is needed to ensure that initiatives to change the culture and eliminate sexual misconduct are effectively implemented by the CAF.⁶⁹ Allan English explained that “external oversight is the next

61 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 8 April 2021, 1150 (Julie S. Lalonde, as an individual).

62 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 13 April 2021, 1200-1205 (Alan Okros).

63 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 8 April 2021, 1140 and 1155 (Julie S. Lalonde).

64 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 23 March 2021, 1205 (LGen Wayne D. Eyre).

65 Ibid., 1215; FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 22 April 2021, 1915 (MGen Steven Whelan); FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 15 April 2021, 1325 (Dr. Denise Preston).

66 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 22 April 2021, 1840 (MGen Steven Whelan); FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 15 April 2021, 1310 (Dr. Denise Preston); Paula MacDonald, “[Briefing](#),” *Written Brief*, 27 April 2021.

67 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 20 April 2021, 1125 (MJ Batek).

68 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 15 April 2021, 1110 (RAdm Rebecca Patterson, Commander, Canadian Forces Health Services, Defence Champion for Women, Department of National Defence) and 1240 (BGen Andrew Atherton); FEWO, [Evidence](#), 1st Session, 42nd Parliament, 28 May 2019, 0855 (Kristine St-Pierre).

69 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 13 April 2021, 1155 (Allan English); FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 20 April 2021, 1235 and 1255 (Dr. Maya Eichler).



logical step to take to confront this issue. Otherwise, the CAF is about to head down the same path to failure it has followed in the past.”⁷⁰ Dr. Maya Eichler indicated that this external oversight body should “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.”⁷¹ Witnesses explained that some countries have an independent inspector general responsible for the oversight of their military; they stated that the federal government could consider this position as an option for creating an independent oversight body for the CAF.⁷² Retired Col Michel W. Drapeau, Professor, Faculty of Law, University of Ottawa, appearing as an individual, argued that such a position could be established by amending section 70 of the *National Defence Act* to “appoint a civilian personality as inspector general of the armed forces.”⁷³

Therefore, the Committee recommends:

Recommendation 1—Creating an Office of the Inspector General of the Canadian Armed Forces and the Department of National Defence

That the Government of Canada establish a fully independent Office of the Inspector General of the Canadian Armed Forces and the Department of National Defence, the Director of which is an Officer of Parliament, which reports annually to Parliament, and that the Office of the Inspector General of the Canadian Armed Forces and the Department of National Defence:

- **be resourced and have the authority to ensure future complaints and allegations are made to an external, independent body;**
- **receive complaints from serving members and veterans with no requirement for the member or the veteran to exhaust the internal redress and grievance procedures before filing the complaint;**
- **independently undertake studies and investigations deemed necessary; and**

70 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 13 April 2021, 1200 (Allan English).

71 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 20 April 2021, 1300 (Dr. Maya Eichler).

72 Ibid., 1155 (Lt(N) Heather Macdonald) and 1230 (Col (Ret'd) Michel W. Drapeau).

73 Ibid., 1220 (Col (Ret'd) Michel W. Drapeau).

- refer matters to the National Security and Intelligence Advisor to the Prime Minister for investigation when warranted.

Recommendation 2—Implementing Recommendations of the Deschamps Report

That the Government of Canada fully implement all recommendations of Justice Deschamps’ 2015 report entitled *External Review into Sexual Misconduct and Sexual Harassment in the Canadian Armed Forces*.

Recommendation 3—Defining Fraternization, Abuse of Authority and Sexual Misconduct

That the Government of Canada enhance the Code of Service Discipline to reflect a clearer, more precise definition of fraternization, abuse of authority, and sexual misconduct.

Recognizing the Role of Senior Leadership

The Committee was told that achieving culture change in the CAF will require engagement from senior leadership.⁷⁴ Witnesses explained that to achieve success and progress through the ranks, leaders in the CAF have typically had to embrace and exhibit behaviours that conform to the organization’s culture; as the culture is misogynistic and sexualized, many leaders are likely to accept or uphold behaviours that align with this culture. Because of the power dynamics that exist in the military, leaders earn admiration and have significant influence over lower-ranking members. When leaders display behaviours that uphold and embrace the misogynistic and sexualized masculine culture, these behaviours can be reproduced by lower-ranking members, and the culture persists.⁷⁵

According to the Honourable Marie Deschamps, Former Justice, Supreme Court of Canada, appearing as an individual, “it is essential that senior leaders, and particularly those with general oversight responsibilities, become directly engaged in cultural reform.”⁷⁶ Emily Tulloch, Aviation Technician in the CAF, appearing as an individual, said that it “has been abundantly clear that military leadership has not been able to uphold the high ethical standards of integrity” that it promotes in its basic training. She

74 See for example: FEWO, *Evidence*, 2nd Session, 43rd Parliament, 25 March 2021, 1200 (Marie Deschamps); FEWO, *Evidence*, 1st Session, 42nd Parliament, 7 May 2019, 0855 and 0930 (Michelle Douglas, Chair, LGBT Purge Fund); FEWO, *Evidence*, 1st Session, 42nd Parliament, 28 May 2019, 0850–0855 and 0910 (Kristine St-Pierre).

75 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 13 April 2021, 1230 (Allan English) and 1245 (Alan Okros).

76 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 25 March 2021, 1200 (Marie Deschamps).



concluded that if the leadership cannot set the example of these core values, it is unlikely that the majority of the troops will uphold these values themselves.⁷⁷ Therefore, senior leaders must be inclusive, act as role models and lead by example.⁷⁸ Christine Wood of It's Just 700 explained that the ethics and professionalism expected of leaders must be re-examined and these leaders must be held accountable for their behaviours and decisions.⁷⁹ As well, Alan Okros noted that a mechanism must be in place so that senior leaders in the CAF can hear from individuals who do not have power in the institution more regularly.⁸⁰ The Committee also heard that cultural change in the CAF can also happen from the bottom of the chain of command and reverberate to the top. Leah West indicated that senior leadership in the CAF needs to empower lower-level leadership to take the steps to eliminate sexual misconduct within their units or subunits.⁸¹

Therefore, the Committee recommends:

Recommendation 4—Role of Senior Leadership in Creating Culture Change

That the Government of Canada impose a freeze on all General and Flag officer promotions and salary increases until an independent investigation is conducted to ensure their behaviour and conduct is beyond reproach allowing them to lead by example.

Recommendation 5—Role of Senior Leadership in Creating Culture Change

That the Government of Canada hold executive level military and civilian Canadian Armed Forces and Department of National Defence positions personally accountable to implement Auditor General report recommendations.

77 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 20 April 2021, 1120 (Emily Tulloch).

78 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 25 March 2021, 1210 (Marie Deschamps); FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 8 April 2021, 1150 (Christine Wood); FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 15 April 2021, 1220 (BGen Lise Bourgon).

79 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 8 April 2021, 1140 (Christine Wood); FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 13 April 2021, 1220 (Alan Okros).

80 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 13 April 2021, 1250 (Alan Okros).

81 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 11 May 2021, 1150 (Leah West).

Recommendation 6—Role of Senior Leadership in Creating Culture Change

That the Government of Canada ensure succession planning in the Canadian Armed Forces is merit-based and does not provide a means or inducement for protecting individuals from disciplinary measures, especially for sexual misconduct offences.

Providing Improved Training to Members

The Committee heard that training related to sexual misconduct and inappropriate behaviour is important in addressing the culture in the CAF.⁸² Witnesses confirmed that training about sexual misconduct is provided annually to CAF members;⁸³ however LGen Wayne D. Eyre noted that it should be provided more frequently and that certain gaps exist, such as abuses of power in a hierarchy such as the CAF.⁸⁴ During her second appearance before the Committee, LGen Jennie Carignan highlighted some actions she intends to take to create culture change in the CAF in her new role as Chief, Professional Conduct and Culture, including reviewing the training on sexual misconduct offered to CAF members because it is not currently achieving its goals. For instance, she stated that the training would be reviewed to ensure that it provides the tools that leaders need to create an inclusive climate within their units.⁸⁵ Witnesses emphasized that training should focus on the principles of equality, diversity and human rights, including the history of marginalized individuals in the CAF, such as members of the lesbian, gay, bisexual, transgender, queer, Two-Spirit and other (LGBTQ2+) communities.⁸⁶

Witnesses told the Committee that training needed to be improved, taken seriously and that women and survivors need to be included in providing training.⁸⁷ Julie S. Lalonde, appearing as an individual, explained that she remains “deeply troubled by the comments cadets made with regard to sexual violence” while she was providing anti-

82 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 15 April 2021, 1220 (BGen Lise Bourgon).

83 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 23 March 2021, 1115 (Hon. Harjit S. Sajjan) and 1115 (LGen Wayne D. Eyre).

84 Ibid., 1115 (LGen Wayne D. Eyre).

85 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 11 May 2021, 1120 (LGen Jennie Carignan).

86 See for example: FEWO, [Evidence](#), 1st Session, 42nd Parliament, 28 May 2019, 0850 and 0925 (Kristine St-Pierre); FEWO, [Evidence](#), 1st Session, 42nd Parliament, 7 May 2019, 0900 (Michelle Douglas).

87 See for example: FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 25 March 2021, 1240 (Marie Deschamps); FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 20 April 2021, 1135 (MJ Batek); Survivor Perspectives Consulting Group, “[Brief for the Committee on the Status of Women’s Study on Sexual Misconduct Within the Canadian Armed Forces](#),” *Written Brief*, 20 April 2021; FEWO, [Evidence](#), 1st Session, 42nd Parliament, 7 May 2019, 0945 (Martine Roy); FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 11 May 2021, 1100 (Leah West).



harassment training at the Royal Military College in 2014.⁸⁸ She added that “we need survivor-directed, survivor-informed bystander intervention mechanisms” with a follow-up training six to eight months after the initial training to maintain the skills learned.⁸⁹ Allan English suggested that training provided in the CAF on inappropriate sexual behaviours has created confusion and “less camaraderie” among members. He noted that some current and former women CAF members have reported that this training was often delivered by “unqualified senior members” and that it was used to undermine and criticize Operation HONOUR and “blame female unit members for causing trouble or undermining unit cohesion.”⁹⁰ In a written brief, Donna Riguidele indicated that the training offered failed because the CAF chain of command “was unwilling to consider that military-style training would not be enough.”⁹¹ For example, Emily Tulloch explained:

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.⁹²

Witnesses indicated that senior leaders in the CAF have a role to play in training, such as leading by example and attending the sessions themselves.⁹³ Leah West explained that training at the Royal Military College is often provided by senior officer cadets who have little experience in the military; she added that serving members of the CAF from diverse backgrounds who possess the qualities the CAF want should be more involved in the training of cadets.⁹⁴ As well, witnesses agreed that while training needs to be provided from the beginning of a member’s entry into the CAF, senior officers still require training to create policies and lead discussions about sexual misconduct in the organization.⁹⁵

88 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 8 April 2021, 1100 and 1140 (Julie S. Lalonde).

89 Ibid., 1135.

90 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 13 April 2021, 1155 (Allan English).

91 Donna Riguidele, [Written Brief](#).

92 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 20 April 2021, 1120 (Emily Tulloch).

93 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 8 April 2021, 1150 (Julie S. Lalonde); FEWO, [Evidence](#), 1st Session, 42nd Parliament, 14 May 2019, 1620 (Dr. Karen Breeck); FEWO, [Evidence](#), 1st Session, 42nd Parliament, 7 May 2019, 0915 (Martine Roy).

94 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 11 May 2021, 1135 (Leah West).

95 See for example: FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 8 April 2021, 1150 (Julie S. Lalonde); FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 13 April 2021, 1240 (Alan Okros); FEWO, [Evidence](#), 1st Session, 42nd Parliament, 28 May 2019, 0850 (Kristine St-Pierre).

Therefore, the Committee recommends:

Recommendation 7—Training to Prevent Sexual Misconduct

That the Government of Canada, with the goal of fostering an inclusive, safe and respectful workplace for all members of the Canadian Armed Forces, provide mandatory comprehensive sexual misconduct training and bystander intervention training with clearly defined performance metrics for members at all levels, including senior leadership, and ensure that this training:

- **is delivered by experts and is trauma-informed and survivor-centred;**
- **is reinforced by regular additional training sessions;**
- **focuses on the prevention of sexual misconduct;**
- **increases awareness about the history of and challenges faced by individuals who are lesbian, gay, bisexual, transgender, queer, Two-Spirit or who identify with other gender identities and sexual orientations; and**
- **encourages all members to reflect on their participation in creating a safe and inclusive culture within the Canadian Armed Forces.**

Increasing Women’s Representation and Retention

As of February 2020, women represented 16% of all Regular Force and Primary Reserve members of the CAF.⁹⁶ The Committee was told that increasing women’s representation in the CAF is one of the ways to effect long-lasting culture change,⁹⁷ but also that culture change is needed to attract people from diverse backgrounds to the military.⁹⁸ A representative from the DND explained that “a defence team that reflects the Canadian population in terms of gender, ethnicity, sexual orientation and all aspects of each of our lived experiences is better positioned to understand its changing security needs and develop winning solutions.”⁹⁹ The Minister of National Defence told the Committee that

96 Government of Canada, *Statistics of women in the Canadian Armed Forces*.

97 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 15 April 2021, 1110 (RAdm Rebecca Patterson).

98 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 23 March 2021, 1215 (LGen Frances J. Allen).

99 FEWO, *Evidence*, 1st Session, 42nd Parliament, 28 May 2019, 1000 (Lisa Vandehei, Director of Gender, Diversity and Inclusion, Department of National Defence).



the CAF is “committed to increasing the number of women that [it] recruit[s], retain[s] and promote[s] in [its] ranks.”¹⁰⁰ The CAF has committed to increasing the representation of women in the military by 1% annually to reach 25% representation by 2026,¹⁰¹ but Allan English told the Committee that “according to the target that was set in 2016, the Canadian Forces should have been up to 19% women” by 2020.¹⁰²

Besides recruiting more women, the Committee heard that retaining women in the CAF, and having better representation of women in senior leadership is necessary.¹⁰³ According to the Honourable Marie Deschamps, women must feel like “they have a future” in the CAF.¹⁰⁴ As well, the Committee heard that gender-specific mentorship programs are important to improve the retention of women in the CAF.¹⁰⁵ Maj Kellie Brennan, appearing as an individual, said that she “would have welcomed a mentor” to teach her how to navigate the CAF environment.¹⁰⁶ MGen Steven Whelan told the Committee that the CAF is developing a retention strategy and that it should be published in the fall of 2021.¹⁰⁷

Therefore, the Committee recommends:

Recommendation 8—Increasing Women’s Representation and Retention

That the Government of Canada publish a strategy with clear performance metrics to attract, promote and retain women and other minorities in the Canadian Armed Forces that includes comparative metrics around numbers of women and minorities by trade, classification and rank, length of time in rank, command positions, length of service and rank at release.

-
- 100 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 23 March 2021, 1105 (Hon. Harjit S. Sajjan).
- 101 FEWO, [Evidence](#), 1st Session, 42nd Parliament, 28 May 2019, 0945 (BGen Virginia Tattersal, Deputy Commander, Military Personnel Generation, Department of National Defence).
- 102 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 13 April 2021, 1225 (Allan English).
- 103 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 23 March 2021, 1155 (Hon. Harjit S. Sajjan).
- 104 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 25 March 2021, 1215 (Marie Deschamps).
- 105 FEWO, [Evidence](#), 1st Session, 42nd Parliament, 14 May 2019, 1720 (Cmdre Rebecca Patterson).
- 106 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 22 April 2021, 2000 (Maj Kellie Brennan, as an individual).
- 107 *Ibid.*, 1925 (MGen Steven Whelan).

Recommendation 9—Increasing Women’s Representation and Retention

That the Government of Canada establish an external Defence Advisory Committee on Women and Minorities in the Canadian Armed Forces that is approved by Parliament and reports to Parliament annually.

Offering Better Supports for Women and Families

The Committee heard that there is a need for improved supports for women and families to increase women’s representation and retention in the CAF, which would help to create culture change. The CAF remains a workplace dominated by men and, in the past, all aspects of the infrastructure and policies were designed for and privileged men. The effects of this design persist today and create barriers and inequities for members of the CAF who are women, members of LGBTQ2+ communities, racialized, Indigenous, and/or live with disabilities.¹⁰⁸ Michelle Douglas of the LGBT Purge Fund asserted that the CAF must provide resources for women who are part of LGBTQ2+ communities at all CAF bases.¹⁰⁹

In particular, witnesses indicated that there is a need for childcare services for CAF members that are widely available and affordable.¹¹⁰ The lack of childcare services is an important issue both for the recruitment and retention of women in the CAF.¹¹¹ According to BGen Lise Bourgon, 30% of women leaving the CAF cite a lack of childcare as one of their main reasons for leaving.¹¹² MGen Steven Whelan told the Committee that the CAF is currently undertaking work to “figure out what it would take to be able to deliver a child care capability” in the CAF.¹¹³ Witnesses explained that childcare services must be military-specific, available outside regular work hours and for emergencies, and must meet the needs of shift workers, single parents or non-traditional families.¹¹⁴

108 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 20 April 2021, 1235 (Dr. Maya Eichler).

109 FEWO, *Evidence*, 1st Session, 42nd Parliament, 7 May 2019, 0900 (Michelle Douglas).

110 FEWO, *Evidence*, 1st Session, 42nd Parliament, 14 May 2019, 0900 (Natalie MacDonald, as an individual) and 0920 (Laura Nash, as an individual).

111 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 20 April 2021, 1240 (Dr. Maya Eichler).

112 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 15 April 2021, 1220 (BGen Lise Bourgon).

113 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 22 April 2021, 1915 (MGen Steven Whelan).

114 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 15 April 2021, 1215 (RAdm Rebecca Patterson) and 1225 (BGen Lise Bourgon); FEWO, *Evidence*, 2nd Session, 43rd Parliament, 20 April 2021, 1240 (Dr. Maya Eichler); FEWO, *Evidence*, 1st Session, 42nd Parliament, 14 May 2019, 0930 (Natalie MacDonald).



More generally, the Committee was told that supports and services in the CAF are not necessarily adapted to women’s needs. For example, the Committee heard that the CAF still has uniforms and equipment that were not designed for women’s bodies, which leads to “women being less effective in operations” and being “in more danger, because they are not properly protected.”¹¹⁵ Christine Wood said: “I feel like women have never had a level playing field in the forces; we were mandated to be included. There was never the funding or the supports or the structures, the infrastructure, that were needed.”¹¹⁶ RAdm Rebecca Patterson told the Committee that the CAF will evaluate its programs using sex and gender-based analysis to identify any gaps in service.¹¹⁷

Therefore, the Committee recommends:

Recommendation 10—Gender and Diversity-Sensitive Policies, Supports and Services

That the Government of Canada review the Canadian Armed Forces’ policies, supports and procurement services through a Gender-based Analysis Plus lens to ensure that they do not have negative impacts on members who are women, racialized, Indigenous, live with a disability or are members of the lesbian, gay, bisexual, transgender, queer and Two-Spirit communities or who identify with other gender identities and sexual orientations; close any gaps that might exist in this regard; and provide earmarked funding for the purchase of equipment designed for women and the diversity of the individual.

Recommendation 11—Gender and Diversity-Sensitive Policies, Supports and Services

That the Government of Canada take responsibility to ensure that parents who are members of the Canadian Armed Forces have access to childcare services that meet their needs, including the needs of single parents and parents working outside regular work hours or who do shift work, and work in partnership with provinces and territories where possible.

115 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 15 April 2021, 1220 (BGen Lise Bourgon).

116 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 8 April 2021, 1130 (Christine Wood).

117 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 15 April 2021, 1150 (RAdm Rebecca Patterson).

ADDRESSING REPORTS OF SEXUAL MISCONDUCT IN THE CANADIAN ARMED FORCES

“Too much responsibility and ownership are placed on victims of discrimination to successfully resolve harmful sexual behaviour and gender-based discrimination in the CAF. Too much authority is given to perpetrators and leaders who fail to act when action is required.”

Paula MacDonald, as an individual
FEWO, *Evidence*, 1st Session, 42nd Parliament, 9 May 2019, 0850

The Committee heard that individuals who experience sexual misconduct in the CAF are not always comfortable coming forward and reporting the incidents. Alan Okros explained that the underreporting of sexual misconduct incidents in the CAF does not stem from members misunderstanding what constitutes misconduct or being unsure where to report; he explained that “[s]trong social factors, which are intentionally created by the CAF, set these conditions.”¹¹⁸ The Committee was told that while it is difficult for women to report sexual misconduct incidents, “[i]t is way more difficult for men to come forward. The stigma and the shame are multiplied by a thousand for them.”¹¹⁹ The Minister of National Defence told the Committee that the CAF is “committed to addressing all allegations, no matter the rank and no matter the position,”¹²⁰ but indicated that more efforts are needed so that CAF members feel safe and supported enough to report the sexual misconduct incidents they experience.¹²¹

Several factors might influence a CAF member’s decision not to report an incident of sexual misconduct. First, some members may fear reprisals from their chain of command or other members of their unit, or fear that their career will suffer consequences from their reporting the incident.¹²² MGen Steven Whelan said that reprisals, and leaders

118 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 13 April 2021, 1200 (Alan Okros).

119 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 8 April 2021, 1120 (Christine Wood).

120 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 23 March 2021, 1100 (Hon. Harjit S. Sajjan).

121 Ibid., 1100 and 1140.

122 See for example: FEWO, *Evidence*, 2nd Session, 43rd Parliament, 25 March 2021, 1215 (Marie Deschamps); FEWO, *Evidence*, 1st Session, 42nd Parliament, 9 May 2019, 0930 (Paula MacDonald, as an individual); FEWO, *Evidence*, 2nd Session, 43rd Parliament, 22 April 2021, 1930 and 1955 (Maj Kellie Brennan); The ZeroNow Campaign, “[RE: Sexual Misconduct Within the Canadian Armed Forces](#),” *Written Brief*.



engaging in reprisals, “have no place” in the CAF.¹²³ Yet, witnesses shared with the Committee examples of consequences they experienced after reporting sexual misconduct incidents. Stéphanie Raymond explained that consequences can “range from intimidation and psychological harassment in the workplace to payroll consequences.”¹²⁴ Retired LCol Bernie Boland, appearing as an individual, shared his experience with the Committee:

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.¹²⁵

He explained that no one followed up on the allegations and he was turned into a “scapegoat” by DND, a situation for which he complained to DND leadership.¹²⁶ In addition to noting that reprisals are incompatible with the CAF and present detrimental consequences to teamwork, MGen Steven Whelan outlined the collective obligation that CAF leadership has towards members of the CAF and their families:

We owe that support and that respect to those who trust us, the families and members who trust us for their own safety. Essentially, reprisals are about the use of power, not the abuse of it. One of the things we need to do is to focus on what leaders understand to be their boundaries and whether they understand their responsibilities. I am an infantry officer and I was brought up to understand that leadership is a privilege that must be curated.¹²⁷

Kin Choi, Assistant Deputy Minister, Human Resources, Civilian, DND, discussed how the DND has been working to make improvements to how it does labour relations and provide trust so that privacy, confidentiality, and procedural fairness are entrusted within the system.¹²⁸

Second, CAF members’ duty to report sexual misconduct is one of the challenges to reporting: witnesses argued that the duty to report removes survivors’ ability to choose

123 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 22 April 2021, 1845 (MGen Steven Whelan).

124 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 8 April 2021, 1220 (Stéphanie Raymond).

125 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 20 April 2021, 1210 (LCol (Ret'd) Bernie Boland, as an individual).

126 Ibid.

127 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 22 April 2021, 1845 (MGen Steven Whelan).

128 Ibid., 1850 and 1900 (Kin Choi).

the option they are most comfortable with to address sexual misconduct incidents.¹²⁹ Christine Wood explained that “[c]onsent is the very most basic component of all of this. We were denied consent when we were assaulted. We should consent. We should have the ability to consent to what happens after.”¹³⁰ According to Dr. Denise Preston, Executive Director of the Sexual Misconduct Response Centre (SMRC), survivors and some professionals, such as health care providers, should be exempt from the duty to report, and if a report of sexual misconduct is made by a third party, the survivor should be informed and be given a choice whether to move forward or not or when to move forward with the case.¹³¹ Witnesses told the Committee that the CAF should look at options to replace the duty to report to a “duty to respond” to better respond to the needs of survivors,¹³² a recommendation Alan Okros made to the Committee in 2019.¹³³ Christine Wood said that implementing a duty to respond “is an important step that gives agency and choice back to the individual.”¹³⁴

Therefore, the Committee recommends:

Recommendation 12—Duty to Report Sexual Misconduct Incidents

That the Government of Canada implement Recommendation 70 of the *Report of the Third Independent Review Authority to the Minister of National Defence*:

An exception to the duty to report incidents of sexual misconduct should be established for victims, their confidants and the health and support professionals consulted by them.

Their duty to report should be retained, however, where a failure to report would pose a clear and serious risk to an overriding interest, which may include ongoing or imminent harm, harm to children and national security concerns. A working group should be established to properly identify these exceptional cases. The working group should

129 See for example: FEWO, *Evidence*, 2nd Session, 43rd Parliament, 8 April 2021, 1145 (Julie S. Lalonde); FEWO, *Evidence*, 2nd Session, 43rd Parliament, 15 April 2021, 1305 (Dr. Denise Preston); FEWO, *Evidence*, 1st Session, 42nd Parliament, 14 May 2019, 1605 (Marie-Claude Gagnon, Founder, It’s Just 700).

130 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 8 April 2021, 1145 (Christine Wood).

131 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 15 April 2021, 1305 (Dr. Denise Preston).

132 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 23 March 2021, 1235 (LGen Wayne D. Eyre); FEWO, *Evidence*, 2nd Session, 43rd Parliament, 11 May 2021, 1255 (MGen Guy Chapdelaine, Canadian Armed Forces Chaplain General, Department of National Defence).

133 FEWO, *Evidence*, 1st Session, 42nd Parliament, 28 May 2019, 0910 (Alan Okros).

134 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 8 April 2021, 1145 (Christine Wood).



include an independent authority and representatives of the Sexual Misconduct Response Centre, military victims' organizations and the military justice system.

The working group should also consider (a) the removal of the duty of witnesses to report incidents of sexual misconduct; and (b) requiring witnesses to report incidents of sexual misconduct to the Sexual Misconduct Response Centre only.

Recommendation 13—Ensuring Survivors Do Not Face Consequences for Reporting Sexual Misconduct Incidents

That the Government of Canada ensure survivors of sexual misconduct in the Canadian Armed Forces do not have their training plan interrupted without their consent as a result of coming forward with allegations.

Investigating Sexual Misconduct Incidents

Survivors who choose to report sexual misconduct can do so to their chain of command, to the Military Police, including to the Canadian Forces National Investigation Service (CFNIS), or to civilian police forces. Generally, allegations of sexual harassment are treated within the CAF's administrative system, and allegations of sexual assault are treated within the military justice system.¹³⁵ However, witnesses also told the Committee that there should be a recourse for those who do not wish to go ahead with a formal complaint and a legal process, but would like to go forward with restorative justice options.¹³⁶

Survivors can also choose to report incidents of sexual misconduct to the National Defence and Canadian Armed Forces Ombudsman,¹³⁷ but this organization does not have the authority to conduct investigations on criminal sexual assault offences or on sexual misconduct that would result in charges under the Code of Service Discipline.¹³⁸ The Minister of National Defence stated that the Ombudsman has the power to go to

135 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 25 March 2021, 1235 (Marie Deschamps); FEWO, *Evidence*, 2nd Session, 43rd Parliament, 22 April 2021, 1855 (MGen Steven Whelan).

136 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 23 March 2021, 1210 (LGen Wayne D. Eyre) and 1235 (LGen Frances J. Allen); FEWO, *Evidence*, 1st Session, 42nd Parliament, 14 May 2019, 1620 (Dr. Karen Breeck).

137 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 25 March 2021, 1125 (Gregory Lick, Ombudsman, National Defence and Canadian Armed Forces Ombudsman).

138 *Ibid.*, 1110.

the CFNIS, the Military Police, the Canadian Forces Provost Marshal or the Judge-Advocate General and that investigations can be launched even if survivors' identities stay anonymous.¹³⁹ The Ombudsman clarified this statement saying he could not report a case of sexual misconduct without the survivor's consent.¹⁴⁰

The CFNIS investigates "serious and sensitive criminal and services offences" against DND property and employees as well as CAF members.¹⁴¹ The Committee was told that if an allegation or complaint meets the CFNIS benchmarks for a sexual criminal offence, an investigation is launched,¹⁴² and if an allegation or complaint does not meet the benchmarks, it can be "handed over to another military police unit or perhaps even a [CAF] unit investigation."¹⁴³ The CFNIS employs a full-time civilian employee for its victim services program, which provides assistance to victims and makes referrals to appropriate services.¹⁴⁴ As well, a liaison officer is available to provide information about the investigation processes and help with filing a complaint.¹⁴⁵ The Committee was told that more outreach could be done to ensure that the Military Police's mandate and services are better understood across the CAF.¹⁴⁶

The Committee heard that all allegations of sexual misconduct deserve a full investigation; LGen Wayne D. Eyre shared the CAF's commitment that "[e]very allegation that comes forward will be investigated and will follow due process."¹⁴⁷ However, the Committee heard that "most people" who choose to report the incidents they experienced "are dissatisfied with the response and the process that happens after."¹⁴⁸ For example, Maj Kellie Brennan told the Committee: "I definitely feel that there will not

139 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 23 March 2021, 1145 and 1150 (Hon. Harjit S. Sajjan).

140 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 25 March 2021, 1110 (Gregory Lick).

141 Ibid., 1105 (LCol Eric Leblanc, Commander, Canadian Forces National Investigation Service, Department of National Defence).

142 Ibid.; FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 11 May 2021, 1220 (BGen Simon Trudeau, Canadian Forces Provost Marshal and Commander Canadian Forces Military Police Group, Department of National Defence).

143 Ibid., 1120.

144 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 13 April 2021, 1100 (BGen Simon Trudeau, Canadian Forces Provost Marshal, Department of National Defence).

145 Ibid., 1120.

146 Ibid., 1115 and 1135.

147 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 23 March 2021, 1205 (LGen Wayne D. Eyre).

148 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 8 April 2021, 1115 (Christine Wood).



be justice for me.”¹⁴⁹ Besides experiencing reprisals for reporting sexual misconduct incidents, witnesses described situations in which their reports were mishandled by their chain of command, there were perceived conflicts of interest, or the alleged perpetrators were involved in the investigation or resolution process of their complaints.¹⁵⁰ Paula MacDonald, appearing as an individual, told the Committee that, in her case, the “chain of command where the abuse took place maintained administrative authority over resolution methods, allowing the members who were directly involved in alleged human rights violations to decide how these matters would be addressed.”¹⁵¹ When asked, LCol Eric Leblanc indicated that there were instances in the past where testimony and evidence collected for investigations of sexual misconduct had been lost.¹⁵² During his second appearance before the Committee, BGen Simon Trudeau acknowledged that trust in the military justice system needs to be rebuilt.¹⁵³ Witnesses suggested ways to improve investigations of sexual misconduct incidents in the CAF; they are described in the sections that follow.

Therefore, the Committee recommends:

Recommendation 14—Investigating Sexual Misconduct Incidents

That the Government of Canada review disciplinary structures for abuse of authority, sexual misconduct, and other offences to ensure the severity of sanctions is in accordance with the offence, is more severe with increased rank and seniority, and is equitably applied across all elements and units.

Recommendation 15—Investigating Sexual Misconduct Incidents

That the Government of Canada amend the *National Defence Act* to remove the Chief of the Defence Staff as the review authority on service infractions and Code of Service Discipline violations where the Chief of the Defence Staff is the accused, and establish an independent panel of retired military justices to oversee the summary hearing, or court martial process through the Inspector General.

149 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 22 April 2021, 1940 (Maj Kellie Brennan).

150 FEWO, [Evidence](#), 1st Session, 42nd Parliament, 9 May 2019, 0850, 0910 and 0930 (Paula MacDonald); FEWO, [Evidence](#), 1st Session, 42nd Parliament, 7 May 2019, 0850, 0910 and 0925 (Danielle Dewitt).

151 FEWO, [Evidence](#), 1st Session, 42nd Parliament, 9 May 2019, 0850 (Paula MacDonald).

152 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 25 March 2021, 1120 (LCol Eric Leblanc).

153 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 11 May 2021, 1205 (BGen Simon Trudeau).

Recommendation 16—Investigating Sexual Misconduct Incidents

That the Government of Canada direct the Canadian Armed Forces to establish a policy under which General and Flag officers must be suspended while under investigation for Code of Service Discipline offences.

Improving the Training of Investigators

To improve the reporting and investigation processes of sexual misconduct incidents, the Committee heard that more specialized training must be delivered to individuals who conduct investigations and interview survivors. The Committee was told that all six permanent CFNIS detachments in Canada have a sexual offence response team (SORT); according to LCol Eric Leblanc, SORT investigators “have specialized training in sexual assault investigations, including training on employing a trauma-informed approach.”¹⁵⁴ The Committee heard that CFNIS investigators receive training similar to that civilian police officers receive, including on trauma-informed approaches, forensic experiential trauma-informed interviewing and privacy.¹⁵⁵ However, survivors indicated that their experiences reporting sexual misconduct to the Military Police were not positive; some individuals said they felt terrified, not supported and not heard, while others said they felt like they were the ones being interrogated for a crime.¹⁵⁶ Emily Tulloch shared her experience:

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.¹⁵⁷

Maj Kellie Brennan stated that for women reporting a sexual misconduct incident for the first time, talking about it to the Military Police is not ideal.¹⁵⁸ During his second appearance before the Committee, BGen Simon Trudeau indicated that he had directed his team to incorporate training on trauma-informed approaches in the training offered at the Canadian Forces Military Police Academy and to develop a plan to provide ongoing training on trauma-informed approaches to all Military Police personnel

154 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 25 March 2021, 1105 (LCol Eric Leblanc).

155 Ibid., 1105, 1135, 1145 and 1150.

156 See for example: FEWO, *Evidence*, 2nd Session, 43rd Parliament, 20 April 2021, 1155 (Lt(N) Heather Macdonald) and 1120 (Emily Tulloch); FEWO, *Evidence*, 1st Session, 42nd Parliament, 7 May 2019, 0855 (Michelle Douglas).

157 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 20 April 2021, 1120 (Emily Tulloch).

158 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 22 April 2021, 1955 (Maj Kellie Brennan).



regardless of their ranks.¹⁵⁹ He also stated that the Military Police was moving towards a more victim-centric approach by moving toward the “professionalization of its victim services,” including by hiring civilian personnel, and by improving the Military Police’s interaction with survivors.¹⁶⁰

As well, Lt(N) Heather Macdonald, appearing as an individual, talked about the uniqueness of investigations on Royal Canadian Navy ships: she explained that they rely on coxswains and chiefs to do unit disciplinary investigations on ships and, as they are not professional police officers, it “reduces the chance that there will be admissible evidence gathered and preserved to help the victim find justice in a court of law.”¹⁶¹ For example, when asked, Lt(N) Heather Macdonald noted that she did not know if a kit for gathering and preserving physical evidence following an allegation of sexual assault was available on ships.¹⁶² She stressed the need to customize solutions to the unique situation members of the Royal Canadian Navy face.¹⁶³

Overall, witnesses called for improved training for investigators who conduct interviews with sexual assault survivors and more trauma-informed and survivor-centric supports during interviews,¹⁶⁴ including having an “officer of the same sex of the victim” conducting interviews.¹⁶⁵ Maj Kellie Brennan emphasized the importance of ensuring that “the people who are entrusted with an investigation are the people who can effect the change.”¹⁶⁶

Therefore, the Committee recommends:

Recommendation 17—Trauma-Informed and Survivor-Centric Training for Investigators

That the Government of Canada ensure that all individuals who investigate incidents of sexual misconduct receive ongoing training on trauma-informed and survivor-centric

159 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 11 May 2021, 1205, 1245 and 1250 (BGen Simon Trudeau).

160 Ibid., 1205 and 1220.

161 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 20 April 2021, 1105 (Lt(N) Heather Macdonald).

162 Ibid., 1135.

163 Ibid., 1105.

164 Ibid., 1155; 1120 and 1200 (Emily Tulloch); Paula MacDonald, “[Briefing](#),” *Written Brief*, 27 April 2021.

165 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 20 April 2021, 1120 (Emily Tulloch); FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 22 April 2021, 2000 (Maj Kellie Brennan)

166 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 22 April 2021, 1930 (Maj Kellie Brennan).

investigation approaches as well as on the importance of providing survivor-centric supports to survivors during the investigation process.

Ensuring the Confidentiality of Complaints

The Committee was told that the confidentiality of complaints is not always respected, either because information is shared or because there are elements in the complaint report that make it possible to identify the complainant. Stéphanie Raymond said that she “was not kept up to date on the progress of [her] assault complaint with the military police, but [she] was hearing discussions in the hallway between [her] superior and his superior about [her] complaint and the details of what had happened.”¹⁶⁷ As well, Emily Tulloch explained that, in her case, the police report was confidential, but still contained information on her unit; since women are underrepresented in her type of employment, that information made it easy to identify her.¹⁶⁸

In addition, the Committee heard that confidentiality is harder to keep for those working on ships. Lt(N) Heather Macdonald explained that the tight living and working situation on a ship mean that “[a]s soon as the higher-ups start having those sorts of closed-door sessions, the entire ship will know that something's up.”¹⁶⁹ Alan Okros told the Committee that the culture in the CAF needs to evolve to a culture of “respect for confidentiality.”¹⁷⁰

LCol Eric Leblanc indicated that a complainant’s chain of command might be advised of an ongoing investigation, but won’t be informed of the specifics of the case.¹⁷¹ He added that the CFNIS needs to “balance the right of the victim to have privacy with the right of a chain of command to know.”¹⁷² Emily Tulloch stated that it is important commanding officers be informed of complaints, without identifying the complainant, so that they are aware of what is going on in their bases.¹⁷³

167 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 8 April 2021, 1225 (Stéphanie Raymond).

168 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 20 April 2021, 1150 (Emily Tulloch).

169 Ibid., 1150 (Lt(N) Heather Macdonald).

170 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 13 April 2021, 1225 (Alan Okros).

171 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 25 March 2021, 1125 (LCol Eric Leblanc).

172 Ibid., 1115.

173 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 20 April 2021, 1150 (Emily Tulloch).



Creating an Independent Reporting Structure

The Committee was told that it is essential that an independent reporting structure be created to manage reports of sexual misconduct in the CAF so that survivors feel protected and supported to come forward with their complaints.¹⁷⁴ Stéphanie Raymond explained: “I did not believe that the military court was truly independent. I didn't trust the military judge or that so-called jury made up of military men selected by the Canadian Armed Forces.”¹⁷⁵ MJ Batek told the Committee that “[t]he 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.”¹⁷⁶ As well, Leah West explained that having a confidential investigation done outside the CAF chain of command would benefit both the survivor and the accused person.¹⁷⁷ According to Dr. Denise Preston, being able to report sexual misconduct outside their chain of command and to an independent investigative body it is one of the main demands of survivors using Sexual Misconduct and Resource Centre (SMRC) services.¹⁷⁸

The Minister of National Defence indicated that the Government of Canada is “moving forward with an independent reporting structure to look at all allegations” of sexual misconduct in the CAF.¹⁷⁹ On 29 April 2021, the Government of Canada announced the launch of an independent external comprehensive review of the DND and the CAF. The review’s mandate is to provide “concrete recommendations on how the Canadian Armed Forces and the Department of National Defence can set up an independent, external reporting system for Defence Team members.”¹⁸⁰ Witnesses recommended that this new body be independent from the CAF chain of command and from the DND

174 See for example: FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 13 April 2021, 1235 (Allan English); FEWO, [Evidence](#), 1st Session, 42nd Parliament, 14 May 2019, 0955 (Julie S. Lalonde, as an individual); FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 8 April 2021, 1115 (Christine Wood); FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 22 April 2021, 2015 (Maj Kellie Brennan); Paula MacDonald, “[Briefing](#),” *Written Brief*, 27 April 2021; The ZeroNow Campaign, “[RE: Sexual Misconduct Within the Canadian Armed Forces](#),” *Written Brief*; FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 11 May 2021, 1100 (Leah West).

175 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 8 April 2021, 1230 (Stéphanie Raymond).

176 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 20 April 2021, 1140 (MJ Batek).

177 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 11 May 2021, 1125 (Leah West).

178 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 15 April 2021, 1320 (Dr. Denise Preston).

179 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 23 March 2021, 1100 (Hon. Harjit S. Sajjan).

180 National Defence, [Launch of an Independent External Comprehensive Review of the Department of National Defence and the Canadian Armed Forces](#), Backgrounder, 29 April 2021.

leadership;¹⁸¹ have a legislated mandate and report directly to Parliament;¹⁸² and be separate from the entity providing services to survivors.¹⁸³

Also, the Committee heard that criminal offences should be tried outside the military system, particularly in cases of sexual assault.¹⁸⁴ Stéphanie Raymond told the Committee that “[m]ilitary members who commit sexual assault aren't tried under the same laws as other Canadians who commit sexual assault. In the military justice system, the rights of both the victims and the accused are different from the rights in the criminal justice system.”¹⁸⁵ As well, the Committee heard that it is more difficult for survivors to get justice through the military justice system than through the civilian justice system. Lt(N) Heather Macdonald explained: “You can plead down to a *National Defence Act* offence, which will not stay on your record beyond the military.”¹⁸⁶

Therefore, the Committee recommends:

Recommendation 18—Referring Sexual Misconduct Investigations to the Royal Canadian Mounted Police

That the Government of Canada amend the *National Defence Act* and direct the Canadian Armed Forces to amend the Defence Administrative Orders and Directives and the Queen’s Regulations and Orders to allow the Office of the Inspector General of the Canadian Armed Forces and the Department of National Defence to refer matters of sexual misconduct to the Royal Canadian Mounted Police for investigation and remove jurisdiction from the Canadian Armed Forces when matters of undue influence from the chain of command are of concern.

Recommendation 19—Eliminating the Possibility of Pleading Down to a *Criminal Code* Offence

That the Government of Canada review its processes to ensure that members of the Canadian Armed Forces who are charged with *Criminal Code* offences are not able to “plead down” to less serious charges made pursuant to the *National Defence Act*.

181 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 25 March 2021, 1110 (Gregory Lick).

182 Ibid.

183 Ibid., 1225 (Marie Deschamps).

184 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 20 April 2021, 1215 and 1305 (Col (Ret'd) Michel W. Drapeau).

185 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 8 April 2021, 1205 (Stéphanie Raymond).

186 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 20 April 2021, 1130 (Lt(N) Heather Macdonald).



Providing Support Services to Survivors of Sexual Misconduct

“There are more and more coming forward and there is still no safety net there to catch them. These individuals are not coming forward to report a simple discrepancy that they saw in paperwork. They are coming forward with their experiences of terror, debilitating anxiety and shredded self-confidence. They are broken. It is simply unethical to continue to ask them to come forward without having a plan in place to support them.”

Christine Wood, Chief, Strategic Engagement, It’s Just 700 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 8 April 2021, 1105

The Committee was told that military life places “exceptional roadblocks” to health care access because of the way postings and long-term training are organized as well as the frequent moving and the distance separating CAF members from their support systems.¹⁸⁷ Witnesses emphasized the importance of ensuring that trauma-informed, gender-sensitive and survivor-centric services are available for survivors of sexual misconduct in the CAF.¹⁸⁸ Christine Wood stated:

There are more and more coming forward and there is still no safety net there to catch them. These individuals are not coming forward to report a simple discrepancy that they saw in paperwork. They are coming forward with their experiences of terror, debilitating anxiety and shredded self-confidence. They are broken. It is simply unethical to continue to ask them to come forward without having a plan in place to support them.¹⁸⁹

Members of the CAF who experience sexual misconduct can contact the SMRC for support. The SMRC provides centralized, bilingual and confidential support and counselling services 24 hours a day and can help members with the reporting process for incidents of sexual misconduct.¹⁹⁰ Dr. Denise Preston told the Committee that in 2019 the SMRC added a response and support coordination program that provides a “single

187 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 8 April 2021, 1105 (Christine Wood).

188 See for example: Ibid., 1130; FEWO, *Evidence*, 2nd Session, 43rd Parliament, 15 April 2021, 1150 (RAdm Rebecca Patterson); FEWO, *Evidence*, 1st Session, 42nd Parliament, 9 May 2019, 0930 (Paula MacDonald).

189 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 8 April 2021, 1105 (Christine Wood).

190 FEWO, *Evidence*, 2nd Session, 43rd Parliament, 23 March 2021, 1100 (Hon. Harjit S. Sajjan); FEWO, *Evidence*, 2nd Session, 43rd Parliament, 15 April 2021, 1320 (Dr. Denise Preston).

point of contact” for CAF members.¹⁹¹ As well, the SMRC created a contribution program that provides funding to nine sexual assault centres providing services to the CAF community.¹⁹² The SMRC is making plans to expand its services into regional centres¹⁹³ and is developing a national survivor support strategy.¹⁹⁴ The Committee was told that the demand for services offered by the SMRC has increased in recent years, including during the first months of 2021.¹⁹⁵ However, not all CAF members are aware of the SMRC’s services. For example, Emily Tulloch stated that she “only found out about [the services] a couple of weeks” after she reported her assault.¹⁹⁶ Members of the CAF can also use the services of the Royal Canadian Chaplain Service to receive spiritual or religious care and support; chaplains can refer survivors of sexual misconduct to the SMRC and the Military Police or to other CAF resources.¹⁹⁷

The Committee heard that services offered by the CAF and Veterans Affairs Canada do not always meet the needs of survivors of sexual misconduct. For instance, witnesses explained that post-traumatic stress disorder-related services (PTSD) are either not available to survivors of sexual trauma¹⁹⁸ or do not always recognize that sexual trauma is different than other types of trauma members of the CAF can experience.¹⁹⁹ It is often presumed that trauma for CAF members stems from the requirements of being a soldier, but witnesses explained that trauma stemming from sexual misconduct in the military workplace must be taken as seriously as any other type of trauma CAF members might experience.²⁰⁰ Stéphanie Raymond stated that a medical professional minimized her trauma and told her “that, as long as I hadn't bought the rope to hang myself or the tube to attach to my car's exhaust pipe, I hadn't suffered anything really serious.”²⁰¹ The Committee was told that sexual trauma experienced by CAF members should be

191 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 23 March 2021, 1120 (Dr. Denise Preston).

192 Ibid.

193 Ibid., 1245.

194 Ibid., 1100 (Hon. Harjit S. Sajjan).

195 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 15 April 2021, 1245 (Dr. Denise Preston).

196 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 20 April 2021, 1205 (Emily Tulloch).

197 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 11 May 2021, 1205 and 1230 (MGen Guy Chapdelaine).

198 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 20 April 2021, 1145 (Dawn McIlmoyle, Registered Nurse, as an individual).

199 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 8 April 2021, 1105 (Christine Wood).

200 Ibid., 1125 and 1130 (Julie S. Lalonde); FEWO, [Evidence](#), 1st Session, 42nd Parliament, 14 May 2019, 0930 (Natalie MacDonald).

201 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 8 April 2021, 1230 (Stéphanie Raymond).



recognized as an operational stress injury for them to access relevant supports and services.²⁰²

In addition, Lt(N) Heather Macdonald told the Committee that there is a “reluctance to be diagnosed” for mental health disorders, such as PTSD, among CAF members because it might lead to receiving a “Permanent Health Category,” which can have long-lasting negative effects on a member’s career because their leadership will hesitate to put them in positions that carry a lot of stress.²⁰³ She argued that the Permanent and Temporary Medical Categories are set up for health issues that are physical, not mental and emphasized the necessity to separate the mental and physical health systems so that members receive the appropriate professional help.²⁰⁴

MGen Steven Whelan told the Committee that the CAF is assessing how services for survivors of sexual misconduct can be improved.²⁰⁵ Witnesses highlighted a number of ways support services for survivors could be improved, including by ensuring that survivors can have a person accompany them to all meetings regarding sexual misconduct incidents for support,²⁰⁶ these services are readily available in French,²⁰⁷ ensuring better collaboration between the CAF and Veterans Affairs Canada,²⁰⁸ expanding the SMRC to offer services to veterans,²⁰⁹ looking at best practices in other military medical care systems,²¹⁰ and increasing research on the impacts of sexual trauma on survivors.²¹¹ In addition, Christine Wood recommended that a professionally moderated national online peer-support platform be created and that sexual trauma-informed group therapy, inpatient and outpatient psychiatric care be available to CAF members.²¹²

202 Ibid., 1125 (Christine Wood).

203 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 20 April 2021, 1140 (Lt(N) Heather Macdonald).

204 Ibid.

205 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 22 April 2021, 1910 (MGen Steven Whelan).

206 Survivor Perspectives Consulting Group, [“Brief for the Committee on the Status of Women’s Study on Sexual Misconduct Within the Canadian Armed Forces,”](#) *Written Brief*, 20 April 2021.

207 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 8 April 2021, 1215 (Stéphanie Raymond).

208 Ibid., 1245; 1155 (Julie S. Lalonde).

209 Ibid., 1140 (Christine Wood).

210 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 20 April 2021, 1305 (Dr. Maya Eichler).

211 FEWO, [Evidence](#), 2nd Session, 43rd Parliament, 8 April 2021, 1150 (Christine Wood).

212 Ibid., 1105 and 1200.

Therefore, the Committee recommends:

Recommendation 20—Services for Survivors of Sexual Misconduct

That the Government of Canada offer trauma-informed support programs and services for survivors of sexual misconduct, including physical and mental health programs and services, and identify possible gaps in service or in funding, with the goal of offering trauma-informed, gender and diversity-sensitive and survivor-centric services for all survivors of sexual misconduct in the Canadian Armed Forces, including ensuring that specialized mental health services and peer-support for sexual trauma survivors are available.

Recommendation 21—Services for Survivors of Sexual Misconduct

That the Government of Canada recognize military sexual trauma among the list of operational injuries for which current Canadian Armed Forces members and veterans can receive appropriate support for.

APPENDIX A LIST OF WITNESSES

The following table lists the witnesses who appeared before the committee at its meetings related to this report. Transcripts of all public meetings related to this report are available on the committee’s [webpage for this study](#).

Organizations and Individuals	Date	Meeting
Department of National Defence LGen Frances J. Allen, Military Representative of Canada NATO Military Committee in Brussels, Belgium RAdm Geneviève Bernatchez, Judge Advocate General Canadian Armed Forces LGen Wayne D. Eyre, Acting Chief of the Defence Staff Dr. Denise Preston, Executive Director Sexual Misconduct Response Centre Hon. Harjit S. Sajjan, C.P., M.P., Minister of National Defence Jody Thomas, Deputy Minister	2021/03/23	22
As an individual Marie Deschamps, Former Justice Supreme Court of Canada	2021/03/25	23
Department of National Defence LCol Eric Leblanc, Commander Canadian Forces National Investigation Service	2021/03/25	23
National Defence and Canadian Armed Forces Ombudsman Robyn Hynes, Director General of Operations Gregory Lick, Ombudsman	2021/03/25	23
As an individual Julie S. Lalonde Stéphanie Raymond	2021/04/08	24

Organizations and Individuals	Date	Meeting
It's Just 700 Christine Wood, Chief Strategic Engagement	2021/04/08	24
As an individual Allan English, Associate Professor Department of History, Queen's University Alan Okros, Professor Department of Defence Studies, Royal Military College	2021/04/13	25
Department of National Defence BGen Simon Trudeau, Canadian Forces Provost Marshal	2021/04/13	25
Department of National Defence BGen Andrew Atherton, Director General of Professional Military Conduct BGen Lise Bourgon, Visiting Defence Fellow 2020-21 at Queen's University, and Defence Champion for Women Peace and Security MGen Jennie Carignan, Military Personnel Command RAdm Rebecca Patterson, Commander, Canadian Forces Health Services Defence Champion for Women Dr. Denise Preston, Executive Director Sexual Misconduct Response Centre	2021/04/15	26
As an individual LCol (Ret'd) Bernie Boland Col (Ret'd) Michel W. Drapeau, Professor Faculty of Law, University of Ottawa 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 Lt(N) Heather Macdonald, Officer Naval Combat Systems Engineering Dawn McIlmoyle, Registered Nurse Emily Tulloch, Aviation Technician	2021/04/20	27
Survivor Perspectives Consulting Group MJ Batek, OCdt	2021/04/20	27

Organizations and Individuals	Date	Meeting
As an individual Maj Kellie Brennan LGen (Ret'd) Christine T. Whitecross	2021/04/22	28
Department of National Defence Kin Choi, Assistant Deputy Minister Human Resources, Civilian MGen Steven Whelan, Acting Commander Military Personnel Command and Chief Military Personnel	2021/04/22	28
As an individual Dr. Leah West, Assistant Professor Carleton University	2021/05/11	34
Department of National Defence LGen Jennie Carignan, Chief Professional Conduct and Culture MGen Guy Chapdelaine, Canadian Armed Forces Chaplain General BGen Simon Trudeau, Canadian Forces Provost Marshal and Commander Canadian Forces Military Police Group	2021/05/11	34

APPENDIX B LIST OF BRIEFS

The following is an alphabetical list of organizations and individuals who submitted briefs to the committee related to this report. For more information, please consult the committee's [webpage for this study](#).

Anonymous Author

MacDonald, Paula

Riguidel, Donna

Solo, Ashu M. G.

Survivor Perspectives Consulting Group

The Zero Now Campaign

REQUEST FOR GOVERNMENT RESPONSE

Pursuant to Standing Order 109, the committee requests that the government table a comprehensive response to this Report.

A copy of the relevant *Minutes of Proceedings* ([Meetings Nos. 22 to 28, 34, 37, 39, 40 and 41](#)) is tabled.

Respectfully submitted,

Marilyn Gladu
Chair

BLOC QUÉBÉCOIS SUPPLEMENTARY REPORT TO THE STUDY ON SEXUAL MISCONDUCT WITHIN THE CANADIAN ARMED FORCES - FEWO

First, the Bloc Québécois would like to thank all of the women who appeared before the committee to share their painful experiences with sexual misconduct within the Canadian Armed Forces. We heard several victims give powerful testimonies that illustrated just how necessary this study is. The Bloc Québécois is deeply concerned about the many cases of sexual misconduct involving senior officers of the Canadian Armed Forces. Not only were the generals unable to protect personnel under their command from a culture of harassment targeting women, but by all accounts, some leaders participated in it by abusing their authority. The allegations against General Vance are extremely troubling, and the many stories of the women who appeared before the status of women committee support the view that military justice protects senior officers, not their victims.

Unfortunately, this is not the only federal government department implicated in such allegations: the Royal Canadian Mounted Police, the Canada Border Services Agency and the Correctional Service of Canada, just to name a few, have all been the target of various allegations of misconduct known to the authorities and obviously tolerated by the hierarchy. This is likely just the tip of the iceberg, and a complete overhaul of the system is urgently needed. While military members such as Stéphanie Raymond have long been sounding the alarm about the problem prevalent in the armed forces, it was not until 2015 – following the external review by former justice Marie Deschamps – that we realized just how widespread the issue was and that there are serious institutional problems. Madam Justice Deschamps made ten recommendations to address the problems. Yet, here we are in 2021 and virtually nothing has been done. The federal government has turned a blind eye, costing us valuable time to correct the situation. However, beyond this admission of failure, now is the time to act. The Bloc Québécois supports the committee report, although it wishes to clarify some of the recommendations.

Recommendation 4

“That the Government of Canada impose a freeze on all General and Flag officer promotions and salary increases until an independent investigation is conducted to ensure their behaviour and conduct is beyond reproach allowing them to lead by example”

We believe it would be appropriate to make this type of investigation automatic prior to any promotions to the General ranks. Just as a security screening is needed to receive various security clearances, this type of investigation would screen out candidates who would be inappropriate to lead the Canadian Armed Forces. Subordinate personnel must have exemplary leaders, otherwise any efforts to stamp out sexual misconduct and harassment will be doomed to failure.

Recommendation 5

“That the Government of Canada hold executive level military and civilian Canadian Armed Forces and Department of National Defence positions personally accountable to implement Auditor General report recommendations”

The Bloc Québécois believes that this recommendation as worded could violate the principle of ministerial accountability. Accountability ultimately must always lie with the elected government. Any systematic failure of the Canadian Armed Forces leadership to address sexual misconduct is due in part to the government turning a blind eye to allegations against senior officers, as well as to the ability of the military justice system to treat all members of the Canadian Armed Forces equally. For example, the allegations against General Vance have been known since 2018 and the government have still not implemented Madam Justice Deschamps’s recommendations, which include creating an independent centre for accountability for sexual abuse and harassment. Major Kellie Brennan told the committee during her appearance that General Vance considered himself “untouchable” since he was in charge of the entire Department of Defence, which shows just how untenable the current situation is.

The Bloc Québécois is troubled to see that at a time when the federal government is increasingly interfering in provincial jurisdiction, it is ironically unable to deal with the many cases of misconduct in its government departments and agencies. We hope that the evidence heard and the resulting report by the status of women committee will finally lead to the necessary charges to the military structure. The victims have suffered enough—it is time for the government to take the situation seriously and act now.

SUPPLEMENTARY OPINION NEW DEMOCRATIC PARTY OF CANADA

On behalf of the New Democratic Party we would first like to thank the women and witnesses who appeared before the committee. Since the launch of this study people from across Canada have reached out through letters, emails, and phone calls. The issues discussed in this report are large and complex and action is needed now. We also would like to thank the Library of Parliament analysts for putting together an excellent report and the clerk and interpreters for their work.

Women in the armed forces should expect their accusations of harassment to be taken seriously however the more we learn, the more we realize that allegations of sexual misconduct towards the most senior members of the Canadian Forces were not taken seriously and outright ignored. All women, including women who serve, deserve much better than that from their government. We need to ensure women who serve can do so equally.

Over the last few months, the Standing Committee on the Status of Women heard powerful testimony from many survivors on their experiences within the Canadian Armed Forces. Sadly, we also heard from those in positions of power that the systems that have let so many women down, are in place and working. Earlier this year after hearing brave service women share their stories in public, New Democrats felt compelled to bring forward the motion that started the study of Sexual Misconduct in the Canadian Armed Forces. We wanted to ensure that while the Defence committee heard the specifics of what happened regarding the Minister of Defence's refusal to act on the allegations against General Vance and what went wrong with the process, that we at Standing Committee on the Status of Women would focus on the women; we would hear their voices and work to put together a report they needed.

Through this study we have heard some heartbreaking evidence. We have learned some gut-wrenching details. We have had witnesses openly contradict each other. We have seen people in leadership deny there is a problem and also heard from some actually willing to work for change.

The issue of sexual misconduct in the Canadian Forces is fundamentally about equality. As long as the sexualized culture which tolerates sexual misconduct remains in place, no one can serve equally. Trust in the leadership of the Canadian Forces and this government is broken and without restoring that trust, women in the Forces cannot have confidence that true change will occur. Political leaders must show that they understand sexual misconduct and will take action against it.

The government failed to implement the key recommendations of Justice Deschamps' 2015 report. They failed to listen to the report from the Auditor General in 2018 and they did nothing with the report on this same issue from the Standing Committee on the Status of Women in 2019.

So, the question is now – will this government listen to and implement the recommendations from a second review of sexual misconduct?

This government has brought forward task force after working group, after committee and now a review. This Liberal government has never seen a problem they can't fix with a report. They believe one more study and the problem is solved. Only action will solve the problem.

Including the recommendations presented in this report, New Democrats are calling on the Government of Canada to implement the following:

Recommendation 1 – That the Government of Canada create a special program within the Canadian Armed Forces aimed at the recruitment of women and under-represented groups as recommended by the Auditor General in 2016.

Recommendation 2 – That the Government of Canada strengthen the federal Employment Equity Act to attach employment equity measures to all Canadian Armed Forces recruitment and retention programs.

Recommendation 3 – That the Government of Canada create an independent centre for accountability for sexual assault and harassment entirely outside of the CAF with the responsibility for receiving reports of inappropriate sexual conduct, as well as prevention, coordination and monitoring of training, victim support, monitoring of accountability, and research, and to act as a central authority for the collection of data.

Recommendation 4 – That the Government of Canada ensure that parents who are members of the Canadian Armed Forces have access to affordable childcare services that meet their needs, including the needs of single parents and parents working outside regular work hours or who do shift work.

Recommendation 5 – That the Government of Canada create, with the goal of fostering an inclusive, safe and respectful workplace for all members of the Canadian Armed Forces, provide mandatory comprehensive, trauma-informed, survivor-centred sexual misconduct training for members at all levels, including senior leadership, delivered by expert regularly and applied with a GBA+ lens.

Recommendation 6 – That the Government of Canada reverse the privatization of our military services, as they have negative impacts on all members, but also on those who are women, racialized, Indigenous, live with a disability or are members of the lesbian, gay, bisexual, transgender, queer and two-spirit communities or who identify with other gender identities and sexual orientations.