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Chair: Mrs. Karen McCrimmon



Standing Committee on National Defence

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• (1200)

[English]

The Chair (Mrs. Karen McCrimmon (Kanata—Carleton, Lib.)): I call this meeting to order.

Welcome to meeting number 19 of the House of Commons Standing Committee on National Defence.

[Translation]

Today's meeting is taking place in a hybrid format, pursuant to the House order of January 25. Committee members will therefore participate in person or through the Zoom application. The proceedings will be posted on the House of Commons website. For your information, the webcast will always show the individual speaking rather than the entire committee.

[English]

For those participating virtually, I would like to outline a few rules to follow. Members may speak in the official language of their choice. Interpretation services are available, but please let me know if we have any challenges with interpretation or technology. Please bring that to my attention.

For members participating in person, proceed as you usually would when the whole committee is meeting in person in a committee room. When speaking, I'll try to follow my own advice to speak slowly and clearly. When you are not speaking, please put your mike on mute.

With regard to a speaking list, the committee clerk and I will do the best we can to maintain a consolidated order of speaking for all members, whether they're participating virtually or in person. Please use the "raise hand" function. That's what the clerks will be using to keep track of whose turn it is to talk next.

Pursuant to Standing Order 106(4) the committee is meeting today to consider a request received by the clerk and submitted by four members of the committee to discuss their request for additional witnesses for the study on addressing sexual misconduct issues in the Canadian Armed Forces, including the allegations against the former chief of the defence staff, Jonathan Vance.

We also have a motion from Mr. Garrison, which has been forwarded to all committee members, for consideration.

I will now open the floor to debate.

Mr. Garrison, you can proceed with your motion.

Mr. James Bezan (Selkirk—Interlake—Eastman, CPC):

Madam Chair, I have a point of order. Since this was a special meeting called by Conservative members, I believe we should get the floor first to explain why we want to have this special meeting under Standing Order 106(4), and then we can proceed to moving motions.

The Chair: I received advice from the clerk, who said it didn't matter one way or the other.

Mr. James Bezan: I believe I suggested earlier, about half an hour ago, that I'd like to have the floor first.

The Chair: I accepted your request, but Mr. Garrison brought his motion, and that motion—

Mr. James Bezan: Our motion has been circulated as well, Madam Chair.

The Chair: —was forwarded to the committee. We need to get it on the floor, and then I'll hand it over to you. I don't think this is going to take very long.

Go ahead, Mr. Garrison.

Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP): I'm at a bit of a loss, Madam Chair. I thought we were going to have a report from the steering committee to the full committee at the beginning of this meeting.

I'm happy to place my motion on the record at this point, and yield the floor to Mr. Bezan.

• (1205)

The Chair: Could you read your motion, Mr. Garrison, please?

Mr. Randall Garrison: I move:

That the Standing Committee on National Defence invite the Minister of National Defence to return to the committee and clarify his previous testimony given during his first appearance as part of the study on the allegations of sexual misconduct against the former Chief of the Defence Staff now that the Committee has heard testimony from former National Defence and Canadian Armed Forces Ombudsman, Mr. Gary Walbourne. As the former Ombudsman's testimony conflicts with what the Minister disclosed about his meeting of March 1, 2018 with Mr. Walbourne, the committee requires clarification from the Minister.

The Chair: The motion is now on the floor.

Mr. Bezan, you can now bring your motion to the floor.

Mr. James Bezan: Thank you, Madam Chair.

The Chair: Wait, please. Do we need to debate this motion?

This motion is open for debate.

Mr. James Bezan: Just for clarification, did he table it or did he actually move the motion? I'm pretty sure he just gave a notice of motion.

The Chair: Mr. Garrison, are you bringing it forward for debate, or did you just want to read it into the record?

Mr. Randall Garrison: Madam Chair, again, without a report out of the steering committee, I'm at a bit of a loss as to how to proceed. I believe we have general agreement that the minister should appear and that the minister is willing to appear.

I will move the motion. I don't think it requires a lot of debate at this point. We can deal with it expeditiously and move on.

The Chair: Does anybody else want to...?

Go ahead, Mr. Bezan.

Mr. James Bezan: Thank you, Madam Chair.

I found it a little suspect how the meeting opened and the way our last meeting closed. You adjourned the meeting without actually having consensus from the committee to adjourn, and Mr. Garrison was trying to raise a point of order.

I will just say this, Madam Chair. I support having the minister come back to committee. I support having him correct his previous testimony, now that we've heard from Mr. Walbourne.

I say to all committee members, though, that I think it would be more beneficial if the minister waited until we got through some more witnesses that we want to call, especially as we hope to expand the scope of the study to include the allegations of sexual misconduct against Admiral McDonald.

If we could have him appear after a few other witnesses have come forward, and we hear that testimony then, Madam Chair, I think we'd be very welcoming of having the minister return.

The Chair: Go ahead, Madam Vandenbeld.

Ms. Anita Vandenbeld (Ottawa West—Nepean, Lib.): This minister has shown throughout the period he's been minister that when he's been asked to come to this committee, he has always been very happy and willing to come and testify and to answer questions. That's something the minister has always done. I have full confidence that he will do that again. There are a number of things I believe the minister would like to get on the record. This is something I would imagine we would want to do as soon as possible.

I also caution, though, that we have ongoing investigations. As the committee has stated, and I know the opposition members agree, we have to be very careful when we're looking at ongoing investigations. We have to make sure we don't do anything that could impact a just and fair outcome for any complainants who are coming forward. The more we're going back and forth and debating about political witnesses, and the more this is politicized, the less likely it becomes that the women we want to come forward will do so, and we want women to come forward—women and men.

I think the minister is very happy to come back. I know he will make himself available whenever this committee would like him to come. I would imagine that sooner rather than later would be appropriate.

Please, everybody, let's just remember that we don't want to jeopardize any ongoing investigations.

Thank you.

• (1210)

The Chair: Mr. Baker, go ahead.

Mr. Yvan Baker (Etobicoke Centre, Lib.): Thanks very much, Chair.

I want to echo what Ms. Vandenbeld said in terms of the minister's willingness to come. I believe he's very willing to come. He's come before, and I think that's important.

I'm not sure if I understood Mr. Bezan's request that we delay the minister from coming. Maybe there's a rationale that Mr. Bezan could share. It sounds as though Mr. Bezan doesn't want him to come right way. Maybe I misunderstood that. I'm not trying to put words in his mouth. I'm just trying to understand what the rationale is there.

I know that after we heard from Mr. Walbourne at our last meeting, there was some interest from members, including the opposition, in hearing from the minister. I'm just wondering if there's a change there and what Mr. Bezan's intention was when he suggested that we delay the minister coming.

The Chair: Can I just interrupt here?

Does anyone have an objection to Mr. Garrison's motion? I don't think anybody's objecting. Is that correct?

(Motion agreed to)

The Chair: Good.

We'll go over to you, Mr. Bezan.

Mr. James Bezan: Thank you, Madam Chair.

Conservative members requested this meeting to ensure that we spent some time talking about the testimony that was given by Gary Walbourne and the developments that have occurred in the past few days in the media—some more details of complaint.

I agree with Mrs. Vandenbeld that we don't want to politically interfere in the investigations. We don't want to taint them, and we want there to be a fair process for all the parties concerned.

However, there are the new allegations that came forward against Admiral McDonald that also need to be looked at, and we need to get down to what processes are in place, what didn't happen and why the minister didn't act back in 2018.

I'm going to move the following motion at committee here, especially as we celebrate International Women's Day. We have a lot of women in the Canadian Armed Forces who have sworn an oath to protect each and every one of us, and it is our duty as this committee to protect them from sexual harassment in the Canadian Armed Forces.

This motion has been circulated to committee, so everybody has it in front of them. I move:

That, the Standing Committee on National Defence, concerning its study on Addressing sexual misconduct issues in the Canadian Armed Forces, including the allegations against former Chief of Defence Staff Jonathan Vance, expand the scope of the study to include the allegations against Admiral Art McDonald, and that the committee invite the Minister of National Defence, alongside the Deputy Minister of National Defence, to testify at his earliest opportunity, for no less than two hours, and that this meeting be held in public and televised, and that should the Minister not agree to appear within fourteen days of the passage of this motion, that the chair be instructed to report to the House requesting that the Committee be empowered to compel the Minister's appearance from time to time; that the Committee summon Lieutenant Commander Raymond Trotter to testify within five days of the passage of this motion, that the meeting take place in public and be televised, that the witness appear for no less than two hours, that the witness appear alone, and that the witness be permitted to appear with counsel; and, that the committee issue a summons to the following witnesses to testify: a) Zita Astravas, b) Michael Wernick, that the witnesses appear no less than two hours, that no more than two witnesses be scheduled for each meeting, that these meetings be held in public and be televised; and, that the witnesses be called to testify within fourteen days of this motion passing; and, that the committee invite the following witnesses to testify: c) Elder Marques, d) Janine Sherman, Assistant Secretary to the Cabinet, Senior Personnel, Privy Council Office, and e) Lieutenant Colonel (retired) Bernard Boland. That the witnesses appear no less than two hours, that no more than two witnesses be scheduled for each meeting, that these meetings be held in public and be televised; and, that the witnesses be called to testify within fourteen days of this motion passing.

Madam Chair, I would speak to the motion.

I realize this motion was tabled before we passed Mr. Garrison's motion, but we do need to hear from Deputy Minister Jody Thomas. The minister and the deputy minister need to appear for a full two hours so that we can have a thorough discussion.

On the summons of Lieutenant-Commander Raymond Trotter, the reason it needs to be a summons is he's still in the chain of command. According to reports and news last night on Global, he's already faced intimidation and threats that his career is over. We want to make sure he feels free to appear without fear of reprimand, and the only way we can ensure that he can appear is to summon him through a subpoena.

We have extended invitations—that is my understanding, Madam Chair—to both Zita Astravas and Michael Wernick, and they have declined those invitations. Since we have invited them in the past, then we should summon them this time, so that we can find out what took place in 2018, from the Privy Council Office down to the minister's office, when Ms. Astravas was the chief of staff to Minister Sajjan.

Then, it has been brought to light in news media this past week that Elder Marques, who was a senior policy person in the Prime Minister's Office, was also involved in communications back and forth with the Privy Council Office and the minister's office.

We have had Janine Sherman at committee in this study previously. We need to call her back, especially now that there are actually memos going back and forth from her to an unknown person—I'm assuming in the minister's office—as well as a briefing note that was prepared via the Privy Council Office, because they needed to get things in writing. That actually supports the position that former ombudsman Gary Walbourne was not in a position or able to investigate the allegation without the approval of the victim, who wanted it to remain confidential, and without direction from the Minister of National Defence, to whom he reported.

• (1215)

We also want to include retired Lieutenant-Colonel Boland, who also has experienced situations where the chain of command has obstructed the reporting of sexual and other misconduct within the Canadian Armed Forces.

It's important for us to look at the process. We have to look at the cover-up by Minister Sajjan and the PCO when the allegations were brought forward in 2018. We need to look at the timeline from when Commander Trotter first reported on February 3 that there were allegations of sexual misconduct against Admiral McDonald, and at the fact that it then took another three weeks before Admiral McDonald stepped aside. We know calls were made right to the minister's office and to the deputy minister's office, and still it took another three weeks before Admiral McDonald had to step aside so there could be an unobstructed investigation, free of chain-of-command interference.

I'm putting that on the floor. I hope everyone here can support it, so that we can stand up for the brave women who serve in the Canadian Armed Forces and ensure that they have an independent and safe process through which to come forward with complaints of sexual misconduct.

The Chair: Madam Gallant, you're next.

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): I support what Mr. Bezan said, and I'm ready for the question to be called.

The Chair: Madam Vandenbeld.

Ms. Anita Vandenbeld: This is obviously something that matters very much to Canadians. We absolutely have to keep the focus on the fact that there are women in the Canadian Armed Forces who are watching what we're doing, and they need to feel comfortable that they can come forward. We want anybody who has faced anything like this to feel comfortable to come forward and have the right processes.

This committee has a significant role to play when it comes to finding what better processes may be there. I know we have another study coming up on the military justice system, which of course allows for us to make recommendations about how we do things better. It is absolutely clear that we have to do things better.

That said, what has been alleged in the media to be happening to Mr. Trotter is absolutely unacceptable. We cannot condone anybody, especially someone who's a potential witness to this committee, feeling that they are being intimidated in regard to being able to come to Parliament.

On what has been alleged in the House of Commons, I think all members of this committee want to give whatever assurances we can to Mr. Trotter to make sure he knows that he can testify before this committee freely, as can everybody else.

When we have the minister here, I think we will find that this will be a lot clearer. I know the minister is keen to come.

I note that there are a number of people here who are listed. I would like to add two names. We know that General Vance was appointed by the previous government. For most chiefs of the defence staff, from the time they are named publicly to the time the change of command happens is usually just one month. Therefore, I'd like to add—

• (1220)

Mrs. Cheryl Gallant: Madam Chair, on a point of order, we're discussing this motion.

Ms. Anita Vandenberg: I'm amending the motion. I'm doing a preamble to an amendment to the motion.

I would like to amend the motion so that we also include some people who could shed light on what happened, in the sense that there were three months between the time General Vance was named and the time of the change of command. We've seen in the media some allegations that some things were known then. If we're going to be looking at how to fix things, we also need to look at where things went wrong.

I suggest that we also bring Ray Novak, who was chief of staff to then prime minister Stephen Harper; and Gerrit Nieuwoudt, who was chief of staff to then defence minister Jason Kenney.

I would like to make a point, though, about a word in this motion. I think we should change the word “summon” to the word “invite”. I can understand the reasoning behind summoning Mr. Trotter. If that's the case—the clerk could maybe clarify—and if that will give him more ability to speak freely, I would be open to summoning him.

I have checked with the Library of Parliament. In the history of this defence committee, there has been only one witness they could find who has ever been summoned, and that's Mr. Walbourne. In the history of Parliament, in the annotated Standing Orders, you can find only a handful of names of people who have been summoned to come to speak before Parliament.

I was in the ethics committee when one of these instances happened.

Ms. Leona Alleslev (Aurora—Oak Ridges—Richmond Hill, CPC): I have a point of order, Madam Chair.

I believe you can only make one amendment at a time. Which one is the amendment, so that we know what we're amending?

Ms. Anita Vandenberg: I'll make one amendment.

I would like us to remove the word “summons” from the second part. We can keep the word “summons” for Mr. Trotter, but where it says, “The committee issue a summons to the following witnesses to testify”, I would say we would “invite”.

I know that Ms. Astravas was invited. I would say that we put an invitation in written form to Ms. Astravas and that we not include the former clerk of the Privy Council, Michael Wernick, for health reasons. I think we would be able to get the answers we need from having the minister and inviting the other list you have here. I want to make sure we are very cautious about summoning.

As I said, in the history of Parliament, there have been a handful, and usually it's after the invitation was extended five or six times.

In the ethics committee, when it was the Facebook/Cambridge Analytica issue, there was a local Cambridge Analytica company. We sent five letters, if I'm not mistaken, and they sent letters back with reasons. We debated those reasons in camera. We went back and issued new invitations. Then we sent a letter saying that if we invite you, we will then....

I think this is very important to get on the record, that the process for summoning someone is a very serious process in this Parliament.

I'll have another amendment after, about additional witnesses, but the first amendment I have is to delete the word “summons” and say “the committee invites the following to testify”, and that we drop “Michael Wernick” and keep just “Zita Astravas”.

In fact, that could even be in the lower part. I'm seeing that it says, “the committee invite the following witnesses”. I would take that whole part out and add “Zita Astravas” to the second part, so that ultimately what we're doing is inviting. We could say “invite in writing”. I think the next escalation, in this case, is to send a written invitation and ask for a response. It would not include Michael Wernick. If the committee wishes to keep the word “summons” for Mr. Trotter, I would then agree with that.

Madam Chair, I'll have another amendment after that.

• (1225)

The Chair: Mr. Garrison.

Mr. Randall Garrison: Thank you very much, Madam Chair.

I want to speak generally about Mr. Bezan's motion today, before I address the amendment. I don't think it's lost on anyone that this is International Women's Day, and that what we're talking about here is fundamentally the issue of whether women can serve equally in the Canadian Armed Forces. They can do so only if they're assured not only that sexual misconduct is not tolerated in principle, but also that effective action is taken when there are allegations of sexual misconduct.

The events that have recently transpired with two chiefs of defence staff in a row regarding sexual misconduct raise the question of whether the senior leadership in the military, and indeed the defence minister, understand what it means to have effective policies against sexual misconduct, and whether those leaders really understand the problem.

Secondly, it's very clear that effective action was not taken once allegations had been made. To me, the essential task of this committee is to establish the facts of those two things. It's not to intervene in any of the specific allegations or investigations. We've all been quite clear on that.

Having said that in general, I want us to keep our focus there. We have a job to do that requires that we hear from the minister again. I'm glad we have unanimous agreement to do so. I support the motion from Mr. Bezan to include these witnesses.

I'm also inclined to support the amendment from Ms. Vandenberg, which essentially takes out Mr. Wernick for health reasons and makes a written invitation to Ms. Astravas. I think those are good and effective changes to this motion. Therefore, I will support the amendment, and then hope to eventually support the main motion.

Thank you.

The Chair: Mr. Bagnell, please.

Hon. Larry Bagnell (Yukon, Lib.): Thank you.

I agree with Mr. Bezan and the last speaker, that the emphasis needs to be on protecting women in the military so they can feel safe. As I mentioned in the last meeting, we need to work on the systems and the problems. We had a number of academics mention the problems, and procedures were mentioned already today, which was good. People can proceed with various investigative sources and avenues, but when a call comes in to Defence, the exact direction where and how it should go is one thing.

The major thing the academics said was it's the changing of the culture, and I want to make sure we stay on that focus. I'm worried that we're... There are a lot of witnesses. I won't mention them now. I may ask to amend some later, but I think there are a number of witnesses who could offer a lot more on how we answer the suggestions the academics made on how we could protect women better. A lot of it's related to culture, to appointing more women to senior positions in the military. I think that needs to be our focus: how we can fix these systems and make them independent enough that all members of the forces, but particularly women, feel protected.

I think there would be a better witness list or additions to the witness list that would maintain the focus on that. Some of these witnesses are related to a specific case or cases, and I don't have a problem with that, but I think it's far too narrow and we should be incorporating witnesses who can deal with the structural problems, the avenue and procedures, as well as the various legal investigative methods and routes that are available and any improvements that need to be made to them. Obviously it's not working. The culture still hasn't changed, so we need to come up with an avenue to change that. That's going to be my focus during the meetings. I want to make sure we stay on that track to protect the women in the military by working on these systems, the culture and the procedures.

I'll leave it at that for now, but hopefully people will propose some of these other witnesses. If not, I can in a later intervention.

Thank you, Madam Chair.

● (1230)

The Chair: Thank you very much, Mr. Bagnell.

We have four people with their hands raised, in this order: Madam Alleslev, Madam Gallant, Mr. Bezan, and Monsieur Brunelle-Duceppe.

We'll move over to you, Madam Alleslev.

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

This is a very serious situation. If we're going to discuss a serious situation, a summons is a serious response to a serious situation. Perhaps we need to look at sending an invitation, followed by a summons if the invitation is refused. The culture in the Canadian Forces has been the subject of a number of initiatives over the last 30 years, all which have systematically failed. The processes are in place. There are processes that say that this type of behaviour is unacceptable, and that there are consequences for the unacceptable behaviour.

What has happened is that people in very senior key positions have failed to follow those processes. We as the defence committee are responsible for understanding how that failure has occurred and whether there are additional checks and balances in terms of processes that need to be put in place to ensure that senior people cannot fail to provide a harassment-free workplace and cannot again fail the members of the Canadian Forces.

My understanding, Madam Chair, is that Mr. Wernick is not the one with a health problem. Perhaps we could have more information on that, because we can't find any record publicly that there is a health issue with Mr. Wernick that would in any way preclude him from appearing. We need to understand if in fact there is a serious enough health issue, because as the former Clerk of the Privy Council, he is an absolutely key person this committee needs to hear from to understand how the processes were not followed and how this failure was allowed to occur.

We need to understand whether there is a health issue with Mr. Wernick, because we believe that if there is not, he needs to appear as a witness. Second, the summons should occur if the invitation to these people we need to hear from to do our job is refused.

Thank you.

The Chair: Madam Gallant, go ahead, please.

Mrs. Cheryl Gallant: Madam Chair, I was surprised at the comments of Ms. Vandenberg that she was quite confident that we could get the answers to our questions from the other witnesses. How would she know what they know? Is she contributing to this whole cover-up? With respect to Mr. Wernick, is she confusing Mr. Shugart with Mr. Wernick?

Again, we're unfamiliar with any situation with respect to health regarding Mr. Wernick, and he was most helpful during the SNC-Lavalin issue as well.

Thank you.

● (1235)

The Chair: All right.

Mr. Bezan.

Mr. James Bezan: Thank you, Madam Chair.

I too want to be sure whether or not Mr. Wernick is feeling unwell and whether that's a legitimate excuse for him not to appear, and also to make sure we're not confusing him with the current Clerk of the Privy Council, Mr. Ian Shugart, who we know is facing some major health challenges. Of course we wish him well in his recovery and hope he gets well soon.

I don't have a problem with adding a couple of names. I don't think they will be able to shed a lot of light, but they arose from the parliamentary secretary at the time, when we appointed General Vance as CDS.

It would be good to compare the screening processes for General Vance and Admiral McDonald. Where are the flaws, and how do we improve this so that we can get down to appointing commanders of the Canadian Armed Forces who will ultimately be able to inspire their troops when it comes to issues like operation audit. We can talk about that appointment process. I think it's good on all fronts that we do that, because it is important.

Madam Chair, weren't both Mr. Wernick and Ms. Astravas called to committee via a written invitation, or did you pick up the phone and call them? That's the other option. If there was an actual email or letter that came under your signature or from the clerk on your behalf, there has already been a written invitation, and they declined it. That's why it's important to have a summons. Time is of the essence. The women who serve to protect all of us deserve our protection, and we need to get the appropriate witnesses in front of this committee as quickly as possible.

The Chair: Thank you.

[*Translation*]

Mr. Brunelle-Duceppe, you have the floor.

Mr. Alexis Brunelle-Duceppe (Lac-Saint-Jean, BQ): Thank you, Madam Chair.

I agree on the addition of the two witnesses that Ms. Vandenberg suggested to the committee.

In my opinion, Ms. Alleslev is showing common sense in suggesting that we issue a written invitation first. If the invitation is declined, we will issue a summons to appear to these people. If that will solve the problem for everyone and build consensus in the committee, so much the better.

Now we should clarify the situation with Mr. Wernick. Is he ill or not? I don't know how we can confirm if he is able to come in and testify because right now it is unclear. If he is able to, he absolutely must come, because he is a very important witness and the committee wants to hear what he has to say.

For obvious reasons, as Mr. Bezan explained, we need to issue a summons to appear in Mr. Trotter's case. We would not want his superiors to prevent him from coming to testify. So he needs to be completely free to do so, and a summons to appear seems to me to be the right way to give him that freedom.

As for Ms. Astravas and Mr. Wernick, I am of the opinion that we should first send them an invitation in writing. If they refuse it, then we will summon them to appear.

[*English*]

The Chair: I don't see any further hands raised to comment. We've had a bit of a discussion over that, so I'll ask Ms. Vandenberg to go ahead and repeat her amendment, to make sure it is clear.

Mr. Bezan.

Mr. James Bezan: Madam Chair, I did have a question for you, as to how the invitation was issued to both Mr. Wernick and Ms. Astravas in the past. Was it by email? Was it a letter sent to them, or was it a phone call?

• (1240)

The Chair: With Mr. Wernick, we tried to get a message to him. Since he's a private citizen now, it was difficult to find a contact. We didn't actually get a formal response.

When it came to Ms. Astravas, we had a hard time finding.... With the information that was given to us, we couldn't find her. We eventually found her, but only less than 24 hours before the meeting, so it was too late. That's why it didn't end up being a complete invitation more than 24 hours in advance. I can understand why that might have been difficult for someone to agree to, with less than 24 hours' notice.

You can invite them again. We have found ways now that we didn't have available to us before.

Go ahead, Ms. Alleslev.

Ms. Leona Alleslev: I believe that Zita Astravas is in the government directory, and Mr. Wernick is at MNP. That's the information I've been given.

The Chair: Thank you very much. We didn't have that.

Mr. James Bezan: I'm sure if you talked to the Minister of Public Safety you'd find Ms. Astravas.

The Chair: Eventually, we did find her, but not with much notice.

Ms. Vandenberg, do you want to read out the amendment, to make sure we're all clear?

Ms. Anita Vandenberg: At the end of the first paragraph, where it says, "the committee issue a summons to the following witnesses to testify", it would now say, "the committee issue a written invitation to the following". Zita Astravas would be a), and b) would be deleted.

The Chair: Go ahead, Mr. Bezan.

Mr. James Bezan: I have a question for Ms. Vandenberg. You're saying that Mr. Wernick is ill. Are you positive of that, or do you have Mr. Shugart confused with Mr. Wernick?

Ms. Anita Vandenberg: I'm not confused. I'm not positive of that, but I stand by the amendment I put forward.

Mrs. Cheryl Gallant: On a point of order, Madam Chair, I don't understand how the parliamentary secretary would know that Mr. Wernick is ill if the committee can't even find him to get an invitation to him. She knew how to reach him, because she found out he was ill.

The Chair: We did eventually find him, but it was at the very last moment. Again, it's very difficult when we want to invite witnesses with 24 or 48 hours' notice. That's often the challenge.

Mrs. Cheryl Gallant: We weren't inviting them for today, Madam Chair. We were just putting them on notice that we're inviting them.

Ms. Anita Vandenberg: We were calling the question. I had asked to call the question.

The Chair: Yes. Let's have a recorded division.

(Amendment agreed to: yeas 7; nays 4 [*See Minutes of Proceedings*])

The Chair: Go ahead, Madam Vandenberg.

Ms. Anita Vandenberg: Thank you very much, Madam Chair.

As I mentioned earlier, I think that for a full study on this we need to look at what happened previously, when General Vance was appointed. There have been a number of news articles, including on February 5, and I know that the former chief of staff to Prime Minister Harper, Ray Novak, declined to comment on that media interview, even though there was some suggestion in the media that perhaps some of this was known at that time.

Having said that, and also in wondering why it took three months—when the norm is about one month—before the change of command happened after General Vance was first named as chief of the defence staff, I would move a motion that, in addition to the names that are listed, under that, the committee invite the following witnesses: that we also add e) and f), and that would be Ray Novak, chief of staff to Stephen Harper when he was prime minister; and Gerrit Nieuwoudt, chief of staff to Jason Kenney when he was minister of defence.

• (1245)

The Chair: Is there anyone who wants to offer comment on this new amendment?

Mr. Garrison.

Mr. Randall Garrison: Thank you very much, Madam Chair.

We previously issued an invitation to the former defence minister, Jason Kenney, to appear. I wonder whether we could have a report on whether we received any response to that invitation.

Otherwise, I believe we have so many allegations here, stretching across so many years, that it's useful for us to understand what the real commitment was to tackling sexual misconduct within the Canadian military by those who were in charge. The two witnesses suggested in this amendment could be useful.

Thank you very much.

The Chair: Thank you very much, Mr. Garrison.

We did get in contact with Mr. Kenney, and he said that due to schedules and demands he would not be available, in answer to your question.

Mr. Bezan.

Mr. James Bezan: I would just say that I think in Premier Kenney's case he has a pandemic that he's fighting and he has his hands

quite full doing COVID vaccine rollout, so I don't think we should expect him to come.

Perhaps having former chiefs of staff appear who were working for Mr. Harper and Mr. Kenney at that time may shed some light. However, we know that there was an investigation, and it may raise more questions about the investigative service, as well as the PCO vetting. I think that is critical information that we should look into—how some of these things slid through.

The same can be said about the employment of Admiral McDonald, because it seems that it was quite well known within the armed forces about the incident that occurred over a decade ago, and yet that never seemed to come to light within the PCO or in the minister's office. Maybe it did, though, and we didn't know what happened there.

I think there are a lot of questions around the employment process that we ought to look at.

The Chair: Thank you, Mr. Bezan.

Is there anyone else who wishes to speak to this second amendment?

Let's do a recorded division.

(Amendment agreed to: yeas 11; nays 0)

The Chair: The amendment to the motion passes.

Now we will go to the main motion, unless there's some reason not to. We will do the recorded division on the main motion, which has had two amendments.

(Motion as amended agreed to: yeas 11; nays 0 [*See Minutes of Proceedings*])

The Chair: Thank you.

Go ahead, Mr. Bezan.

• (1250)

Mr. James Bezan: I have a second motion to present that has also been circulated to all members. I'll read it into the record and then I'll speak to that motion, Madam Chair.

The Chair: Just a minute, Mr. Bezan.

Mr. James Bezan: Both motions were sent to you.

I'm going to read it into the record as we're dealing with business, and I'll make sure it gets forwarded in.

It's just been sent to you for confirmation, Mr. Clerk.

That, in respect of the committee's study regarding the allegations of sexual misconduct against former Chief of Defence Staff General Jonathan Vance, the committee send for all electronic and paper correspondence including, but not limited to, emails, text messages, memos, and briefing notes, concerning the allegations against General Vance in March 2018 and the period of April 1-May 31 2019 inclusive between; a) Gary Walbourne and the Privy Council Office b) Zita Astravas and Gary Walbourne c) the Minister of National Defence or Deputy Minister and the Privy Council Office d) Zita Astravas and the Privy Council Office, e) Elder Marques and the Privy Council Office, f) Zita Astravas and Elder Marques and (g) Elder Marques and Gary Walbourne; that the Parliamentary Law Clerk remove any information that could identify the person or persons making an allegation or who may have been the subject of misconduct by General Vance, and that these documents be tabled at committee no later than ten days following the adoption of this motion; should these records not be turned over within ten days to the Parliamentary Law Clerk in an unredacted form, that the Chair, at the earliest opportunity report to the House the following report: Your Committee, having requested and not received certain documents from the Department of National Defence and the Privy Council Office, therefore recommends that should this report be concurred in, that an Order of the House do issue for the unredacted version of all documents produced by the government in response to the March 1, 2018 order of the Standing Committee on National Defence, and that these documents shall be turned over to the Parliamentary Law Clerk within one sitting day of the adoption of this Order, and that the Parliamentary Law Clerk remove any information that could identify the person or persons making an allegation against or who may have been the subject of misconduct by General Vance before turning the documents over to the Standing Committee on National Defence.

Madam Chair, I'll speak to that, and we'll make sure the motion is received and circulated as quickly as possible to everyone. That's my error. I apologize for that.

We are seeing a lot of documentation that has been released already in the media through ATIP requests.

Ms. Anita Vandenberg: I have a point of order. I would request that, until we get a copy of that motion—because it was very long and I didn't quite catch it—we suspend until the motion is distributed.

The Chair: All right. We're going to suspend, and then we'll get that out there.

• (1250) _____ (Pause) _____

• (1305)

The Chair: Let's call this meeting back to order.

Go ahead, Mr. Bezan.

Mr. James Bezan: Thank you, Madam Chair.

One of the responsibilities of dealing with work here at committee is the power of the committee to demand the production of papers from government departments. We know a number of memos and briefing notes have been accessed by the media through access to information requests, and those have now been published. I believe most committee members would agree that there is probably a paper trail in the minister's office, the deputy minister's office, the PMO, and the PCO over the report that Gary Walbourne gave to the minister back in March 2018. I think it's pertinent to the study to look at the exchange of information and to find out why no action was taken on the report of sexual misconduct allegations against General Vance.

You'll also notice that the motion mentions a time from April to May 2019. We need to look at those documents as well. As we all know, General Vance received a significant boost in salary at that

time. We should find out why and look at his performance review that was submitted from the minister's office to the PCO for consideration as a Governor in Council appointment. We should look at whether or not that reflects the issue of the allegations that the former defence ombudsman brought to the attention of the minister. From all the communications, we know that others in the minister's office and the deputy minister's office were aware of the allegations. I think it is pertinent to all this to know what happened.

The critical information is correspondence and communications. As Gary Walbourne pointed out, he was summoned to the PCO. We need to know how that took place. All the paper and electronic communications are critical to the study, especially as we look at process and ensuring a transparent and fair process free of interference for sexual misconduct allegations that are brought forward. We also want to make sure they are being respected within the chain of command, including at the political level, within the minister's office and the PMO. That's why Elder Marques is part of the correspondence.

With that I would like to make sure that everybody can support this, because I think it's germane to our study on sexual misconduct and improving the system to protect our women in the Canadian Armed Forces.

The Chair: Thank you very much, Mr. Bezan.

We have six people on the list. Messrs. Bagnell, Spengemann, Baker, Garrison and Brunelle-Duceppe.

Go ahead, Mr. Bagnell.

Hon. Larry Bagnell: Thank you, Madam Chair.

I would have preferred to have this a little in advance. As was said, this is fairly complicated. It would have been nice to have some time to look at it in more detail. Do these documents include the ones that were available during the appointment of General Vance?

My main point is that I want to go back to what I said previously today and at the last meeting. Maybe I'm the only one, but I want to make sure our study is on the things that can most help the women in our military feel protected, and that's changing the systems so the various investigative systems are open and independent and available and women feel protected. I want to make sure we have witnesses and information that will help them. The experts who have testified so far say it's a change in culture, so those witnesses will be suggesting mechanisms to change the culture. I'm going to continue to lobby for that throughout this study.

Thank you.

The Chair: We'll move to Mr. Spengemann, please.

Mr. Sven Spengemann (Mississauga—Lakeshore, Lib.): Madam Chair, thank you very much.

I appreciate the motion. I, too, did not get it ahead of time. It is complicated and probably requires some thought. However, I want to raise a couple of general issues that I think have been echoed by colleagues across all sides of the aisle. Mr. Bezan himself said that it's International Women's Day. I think Mr. Garrison referred to the fact that it's important to put the rights and wishes of victims and serving members and their families front and centre in our consideration.

This is really an inquiry that goes, yes, to two particular incidents with respect to former chiefs of the defence staff. Most importantly, it goes to a challenge of system change that's required. This is not just an issue that involves a couple of bad incidents; it's an issue that involves a system that is defective. The minister was quite clear. The minister called for a complete and total culture change. He put the notion of trust front and centre in our considerations. I just want to echo that and to encourage all members of the committee to keep that in the forefront of their minds as we go forward.

How do we protect the wishes of the victims if we now go into an inquiry that goes into emails, texts and very particular correspondence, some of which at least may well be subject to an ongoing investigation? I appreciate Mr. Bezan's comment that these can be edited out or redacted or withheld, but what does it do with respect to the idea of trust in the system if, from the political track, we get an inquiry that really puts out everything that forms part of these discussions?

There is another thing to consider. We just passed a motion by Mr. Bezan, as amended by colleagues, that introduced additional witnesses, many of whom will be able to comment on the basis of documentary evidence or emails or texts that they've sent. A lot of the information that will be required will come forward that way. I'm questioning the usefulness of going to that level of detail when there is a risk of eroding further trust in the process, particularly as it relates to the rights and wishes of the victims and the question of system change.

Yes, we need to inquire about these two incidents, but we also need to turn our minds to what we need to do to transform the system as a whole across individual incidents to make sure they don't happen again. We need to ask how past, present and future personnel of the armed forces, women and men, are going to regain trust in this institution as an inclusive, diverse workplace that is based upon respect, tolerance and recognition of the service and contributions of all members, no matter their gender, no matter their background.

Once again, my call is for the committee to really put the system challenge front and centre, to put the rights of victims front and centre, and to look forward to a way to actually change the system and make it what it should be: an inclusive workplace that all Canadians can aspire to and want to aspire to.

Thank you, Madam Chair.

• (1310)

The Chair: Thank you, Mr. Spengemann.

Mr. Baker, please.

Mr. Yvan Baker: Thank you, Madam Chair.

I have a couple of concerns with this motion. We've heard from witnesses who have appeared before this committee on this topic in the last several meetings, including Mr. Walbourne, that people are reluctant to come forward for a variety of reasons. One of those reasons is the perception that their name might be disclosed and there might be retribution in some form.

On all sides, all members of this committee have commented on the importance of protecting those who wish to come forward. I'm very concerned about this. I know there's language in the motion suggesting that the law clerk remove anything that could help identify a person, but to be frank... I don't know what would be within these documents. I can only imagine I would find it incredibly... I'm having trouble understanding what information from these documents that would be useful to this committee the law clerk could leave in without risking a breach of the confidentiality we've talked about preserving for those who are coming forward.

I guess what I'm saying is that I don't know if that's practical. It's not just about names of people, it's about dates, locations and what-ever is being discussed. All those things have the potential to allow someone to be identified so that they face exactly what they don't want to face and exactly what we've all talked about, which is protecting their anonymity, if they wish it, and protecting them from any kind of potential retribution.

I'm very concerned, very practically, because this information would come through a number of people's hands. As I said, it's impractical for someone to completely eliminate any information that could possibly be used to identify the people concerned. That's my first concern.

The second concern I have is along the lines of what Mr. Spengemann spoke to, irrespective of what I just said, although the two issues are linked. The signal we are sending here is that if someone comes forward with an allegation, now or in the future, there's a risk that a parliamentary committee could request documents that may lead to [*Technical difficulty—Editor*] public or known to people and therefore being made public after the fact. I would think that would have a very chilling effect on those who want to come forward.

From my vantage point, I really want to make sure we come out of this process focused on solving the problem. This motion would not help to solve that. It would contribute to part of the problem that we've heard about from Mr. Walbourne and others, which is the importance of protecting the people who have come forward or who want to come forward in the future.

Those are my two concerns, and I would urge us not to go down this path for those reasons. I think that if we're serious about protecting the people who are coming forward, we should start by hearing from the witnesses we've all agreed should be invited to the committee. Let's hear from them. I think this would be incredibly risky and do potential harm to serving people who want to come forward in the future.

Thank you, Chair.

• (1315)

The Chair: Okay.

Mr. Garrison, please.

Mr. Randall Garrison: Thank you very much, Madam Chair.

I want to start by suggesting that it's problematic to frame this question as protecting women. I don't believe that's intentional on the part of members of the committee. What we're talking about here.... If we talk about protection, we're talking about trying to design protections against something that is inevitable. I think we have to frame this question around the right of women to serve equally in the Canadian Forces. What the committee needs to be investigating is how that went wrong at the highest levels.

For six years now, we've had a minister and a government telling us they have zero tolerance for sexual misconduct. As I've always said, zero tolerance is an aspiration, not a policy. The documents we're asking for here are not looking at individual cases or the truth or falsity of those accusations. Rather, they look at how those serving at the highest levels of the Canadian Forces and how the minister, frankly, dealt with allegations. Were they dealt with in a way that was effective and resulted in effective investigations and action? Clearly the most recent incidents indicate they were not.

I believe these documents may be helpful—and probably will be helpful—in allowing us to see why that happened. For that reason, I am supporting this motion.

[*Translation*]

The Chair: Mr. Brunelle-Duceppe, you have the floor.

Mr. Alexis Brunelle-Duceppe: My comments are somewhat along the same lines as Mr. Garrison's. We're talking about trust here. In fact, it's been talked about since the beginning of this study: we're talking about trust or lack of trust. At this point, it is clear that there is none.

For my part, I think these documents will help us shed light on several things. What we want to know is how this was handled at the top, and these documents are going to help us determine that. It says in the motion that it would be impossible to identify the individuals involved. I think the wording of the motion expresses that well.

So I will support the motion. The more evidence we have, the easier our job will be. That is indeed the purpose of this committee.

• (1320)

[*English*]

The Chair: Mr. Bezan is next, please.

Mr. James Bezan: Thank you, Madam Chair. I appreciate the interventions from my colleagues.

If we want to inspire confidence in women serving in the Canadian Armed Forces, we need to make sure we fix this process. When we have a failure at the highest levels of government in ensuring that their concerns and allegations are dealt with in a timely manner, we need to get down to the bottom of what happened here.

Again, the committee has the power to demand the production of papers. We're asking the law clerk to redact anything in there that would hurt those investigations or the names and incidents as they have come about. We also know that most of this has already been reported in the media, so there aren't a whole lot of secrets. What is a secret is how this was handled within the minister's office, within the PCO and within the PMO, so that's why we need these documents to get down to the bottom of it.

I can see why Liberal members are scared to have that coming forward, because they've been participating in a bit of a cover-up of their own to protect the minister, but we need to find out what was actually said, what was written, what was done and what wasn't done when we're trying to deal with these very serious allegations of misconduct, by General Vance in particular. We're now also going to want to look at everything on the McDonald file as well, but this is specific to General Vance and what we have seen already released publicly. We as committee members should be able to get more information than the media.

Again, I encourage my colleagues that we have an opportunity here to do some very serious work and have a great outcome that will improve the processes, as well as inspiring women to sign up for the Canadian Armed Forces with a lot more confidence that they will be in a safe and healthy work environment.

The Chair: Thank you, Mr. Bezan.

[*Translation*]

Mr. Robillard, you have the floor.

Mr. Yves Robillard (Marc-Aurèle-Fortin, Lib.): Madam Chair, I think we should refocus the debate a bit. Right now, it's the victims first and foremost that we need to be thinking about.

How can we ensure that their wishes are respected? How can we better support them? How can we make sure they are at the heart of the process? How can we change the system so that they, the victims, are truly at the centre of the process?

[*English*]

The Chair: Thank you very much, Mr. Robillard.

Mr. Baker is next, please.

Mr. Yvan Baker: Thank you, Madam Chair.

This is the second time at this committee meeting today that one of the Conservative members has alleged that one or more of the Liberal members are engaged in a cover-up. I resent that allegation.

I don't know, Madam Chair, if there's an opportunity or a mechanism to ask a member to withdraw, but I would like the record to show that I resent that allegation. There is no evidence to support any kind of cover-up going on. To allege that other members of this committee are participating in a cover-up, I think, is reprehensible.

On the issue at hand, in terms of the motion, we're aligned in our desire to ensure the military is a safe place for people of all backgrounds, men and women alike. We want to eliminate sexual harassment and other inappropriate behaviour. We're all aligned on that. I don't, however, think that requesting documents that pose a risk of someone being identified helps to achieve that goal.

I'm concerned about the signal we're sending. I'm concerned about the practical elements of this. I'm concerned that someone could be identified through this process. I'm also concerned that it's sending a signal to men and women who may want to come forward—who have come forward—that their information could potentially be shared in a much broader setting by the defence committee.

What we've heard from witness after witness who has come to this committee, including Mr. Walbourne, is the importance—in instances like this, when allegations are brought forward—that there be an independent investigation outside of the chain of command.

Any information that's relevant to these investigations should be handled by independent professionals, and not by us at this committee. That this information could be presented to a committee in a public forum, to me, is not the way in which we make this a safe place for people to come forward. I'm concerned that if we pass such a motion, we're not doing right by those folks about whom the other members have said they want to ensure they feel safe in the military. I'm concerned about that.

Information like this belongs with an investigative body only, and if we risk or even create a perception that there's a risk that confidential, sensitive information could be shared—information that's been shared with an ombudsman or shared in a setting that is designed to be safe—that's a very dangerous thing. It sets a dangerous precedent, and it sends a signal to people who want to come forward that their information could be shared.

● (1325)

The Chair: I have Mr. Spengemann, followed by Mr. Bagnell.

Mr. Sven Spengemann: Madam Chair, thank you very much.

I wanted to revert to my earlier comments, but before I do that, I want to echo the concern that was raised by my colleague Mr. Baker. This is the second time at this committee session that there's been a reference from a Conservative member to a “cover-up”, most recently by Mr. Bezan. It was a general reference. There was a much more specific reference earlier in the meeting against a colleague of ours at the table, that she was engaged in a cover-up. It was put in the form of a question, so it wasn't a direct allegation, but the member who raised this tried to do indirectly what she knows she can't do directly.

That puts a different lens on the way I'm thinking about the Conservative position on this. This is not necessarily now, in my mind, an exercise to actually get to the facts. This is an exercise to prove

that there's a cover-up. It has a political lens, a political taint, and I don't think a victim of sexual misconduct, or worse, in the Canadian Forces should become an instrument for these kinds of tactics. We have a victim in this particular case who we know expressed a very clear preference not to go forward.

Now I'll speak to the motion more generally. As the very next thing, without even having read an email, and under the lens of proving a cover-up, the motion is to go forward and ask for every bit of correspondence that potentially could prove that, carefully extracting her name, perhaps, from every single email, report, document or text. In aggregate, however, it could still pose, as Mr. Baker suggested, a very high risk that the identity of this particular complainant is exposed in the course of these proceedings.

We agreed previously today, Madam Chair, to a motion to bring additional witnesses, including asking the minister to return. This information can come out through conversation with these officials. If there are reports that are referenced in conversation, the committee has the discretion to request an undertaking for that report to be brought to the committee, subject to confidentiality redactions. However, to now ask for absolutely every email, text and report in the context of, essentially, a fishing expedition to prove a cover-up, I don't think does justice for this victim.

Much more profoundly, it doesn't do an inch of good to advance the real issue, which is the systemic culture change that's required in the Canadian Forces. I have yet to hear a constructive thought from my Conservative colleagues on how to achieve that. I'm very open to hearing them. I'm hoping that in the context of our work, going forward, that will be the focus of our discussion.

Thank you, Madam Chair.

The Chair: Thank you, Mr. Spengemann.

Mr. Bagnell is next, please.

Hon. Larry Bagnell: Thank you very much, Madam Chair.

Of course, I agree with what Mr. Spengemann just said. That's the point I've been making, that this should be the focus of our committee.

When I put my hand up, it was to make the point that Mr. Baker has now made very well. That is, there are two problems. One is the culture. We should be trying to come up with solutions to that. We haven't gotten very far on that, and that's what the experts say is the problem. The second issue is that people are afraid to come forward. They don't want it to be public, etc. A lot of protections have been put into the system now to protect anonymity, to allow people to feel comfortable to come forward, to not go into a formal investigation but to come forward and air their concerns or have consultations or have counselling. They should have the choice to be anonymous as long as it fits natural justice.

Then, all of a sudden, we have a defence committee that will override their ability to remain anonymous. As Mr. Bezan said, a lot of this is in the media. That would make it much easier to identify a person to whom a document refers in some of the ones that were being brought forward under this broad umbrella of documents. Because of what's in the media already, where the documents came from could be easily perused, even though their name is not in it.

All committee members should think about that. Are we overriding the protection that we're trying to give individuals to come forward confidentially and air their concerns?

Thank you.

• (1330)

The Chair: Thank you.

Mr. Baker is next, please.

Mr. Yvan Baker: Thank you, Chair.

We should consider something Mr. Spengemann mentioned earlier, which is that we have access to witnesses that we've passed motions to invite to this committee. They are largely the ones who are mentioned in the motion we're debating right now. We could certainly learn a lot from them, I suspect. Why not do that rather than taking the risk of exposing someone who has come forward? To me, that would be the rationale for not passing this motion. I think we'd be taking a great risk.

We have investigative bodies whose role is to look into these cases of allegations of sexual harassment and assault. I think we should be focusing on how we make the system better for victims. We've heard from witnesses who have come forward about a range of things that can be done. I think those are the things this committee should be tasked with. That's our mandate.

I also agree with something Mr. Spengemann mentioned earlier, which is that now that a couple of Conservative committee members have alleged that there is a cover-up without evidence to support that, it clearly shows that this is about politics. I struggle with the signal it sends to people who want to come forward, which is that politics will potentially trump their safety, their security and the protection we should be helping to afford and provide to them.

I wanted to add those points, Madam Chair.

The Chair: Thank you.

Mr. Robillard, you are next, please.

[*Translation*]

Mr. Yves Robillard: Madam Chair, since the beginning of this case, media reports have revealed that the meeting between the minister and the ombudsman was about an inappropriate email from 2012. So it had no bearing on Maj. Brennan's recent statements. Therefore, I would like to know the status of the investigation regarding Maj. Brennan's statements.

Can we obtain any information regarding this investigation? What was the process followed in conducting it? What led to its initiation and who is overseeing it?

[*English*]

The Chair: That's a good question.

We have to be very careful. We don't want to prejudice an ongoing investigation, but there may be a witness we could find who could speak to that in general terms, rather than specifics.

We'll take that under advisement and see if we can find an answer to your question.

We'll go to Mr. Bagnell, then Mr. Spengemann and then Mr. Baker.

• (1335)

Hon. Larry Bagnell: Thank you.

Following up on my previous comment, I'd like to hear from those who are in favour of the motion on whether they're convinced that all these documents would really protect the anonymity of those who want to be anonymous. Some of them would be fine, but considering the information that's out there now, it might be pretty obvious as to what document refers to what person.

The Chair: We will move on to Mr. Spengemann, please.

Mr. Sven Spengemann: Madam Chair, I'll just briefly circle back to my earlier comments. The Canadian Armed Forces set up institutions specifically to protect the anonymity of victims who want to come forward, and to empower and enable them to do so. An example is the sexual misconduct response centre.

It is individual documents, records, emails and texts—all the things that are mentioned in the motion—that create a risk. The real risk, Madam Chair, is the aggregate effect of all these documents being out there in the public realm. The aggregate effect, to my knowledge, is not being assessed by those people who are checking the confidentiality of this.

Once they're all out there, the cross-linkage of these various documents—even though none of them may have the name of the complainant or victim in them—could still, in fairly clear terms, point in the direction of the complainant. Further, Madam Chair, they could be used by members of the public who will see them to speculate as to who the complainant might be. That is beyond the control of the committee, so the committee, in that sense, will have failed to do its part to protect the wishes and identity of the victim.

I just wanted to stress that once again for the consideration of all members.

The Chair: Mr. Baker, go ahead, please.

Mr. Yvan Baker: Thank you, Madam Chair.

One of the things we have to think about—we've heard from witnesses not just during the study of this particular issue, but in the study of past issues—is that, in looking at our process, especially now, we need to attract people who have a much broader array of skills than perhaps has been required in the past. Examples of this that we've heard about at this committee are things like expertise in cyber-technology and communications, and so on and so forth, that require us to be able to attract the best and a diversity of people with that array of backgrounds.

Again, I want to come back to this motion. Speaking to this motion, I want to say that I'm a little concerned, and not just about what I've said earlier, which is the chilling impact that this would have on people who want to come forward with allegations in the future. I am, of course, concerned about the impact it could have on the people who have come forward. In at least one of the cases, Mr. Walbourne asked that their identity be protected, and we need to respect that. I'm concerned about those things.

I'm also concerned about what this does to our ability to attract the best and brightest to the forces, with that diverse set of skills that I just talked about. I really think we need to put Canadians and how they're impacted by the armed forces first, and we need to put the people who want to come forward first in our deliberations here, when they want to come forward with allegations of any wrongdoing, including sexual harassment or assault.

When I think about those groups of people, to me, this motion would have the impact of not doing either of those things. That is partly because of what I said earlier in terms of the signal it would send to those who might want to come forward and who have come forward, but also because it sends a signal to others who may be considering joining the forces or who are in the forces and are considering their options. They expect that information to remain confidential and their interests to be looked after and put first. I'm a little nervous that this motion, for the reasons I and others have stated, would not do that.

• (1340)

[*Translation*]

The Chair: Mr. Brunelle-Duceppe, you have the floor.

Mr. Alexis Brunelle-Duceppe: Thank you, Madam Chair.

It is clearly stated in the motion that in the documents that will be sent out, it will be impossible to identify anyone—no complainants. The motion is very clear on that.

We've heard the Liberals' arguments and I understand them, but I don't agree with them. I think we've exhausted the subject. We are prepared to put the motion to a vote because these are the same arguments that our Liberal colleagues have been repeating for the last 10 minutes. I think most members of the committee are ready to vote on the motion.

[*English*]

The Chair: Go ahead, Madame Alleslev, please.

Ms. Leona Alleslev: First, I would like to agree with my colleague from the Bloc that the same arguments are being repeated, so I think it is probably time to put the question.

However, I would like to just add that the testimony of the ombudsman and the ATIP documents that have been reported on in the public by the media suggest that perhaps senior officials did not follow the rules around protecting confidences and protecting victims and the information they were given.

I think that is a critical aspect that we need to understand more about, because it would show that those who knew the rules were apparently not following those rules, which perhaps compromised the identity of the victims and the process of the investigation. That may in itself be another process that's broken that we need to understand by seeing these documents.

Thank you.

The Chair: Go ahead, Madam Vandenberg, and then Mr. Bagnell, please.

Ms. Anita Vandenberg: Once our other colleagues who were ahead of me have a chance to speak, then I may have an amendment, so I don't think we can call the question yet.

The Chair: We'll go to Mr. Bagnell, please.

Hon. Larry Bagnell: Thank you. I appreciate Madam Alleslev and Mr. Brunelle-Duceppe's responding to my request that they are confident that this would not impinge on people who wanted the information that they submitted to be in confidence. I would just like to hear from anyone else who's in favour of the motion.

It's obvious that some of these documents are related to specific things that, as Mr. Bezan said, were already in the media, so the technical, personal details that someone may not have wanted to be public could now be made public. I just wanted to make sure that committee members don't think that this is really offering the wrong sense to people that they can come forward in confidence if they wish to.

The Chair: Mr. Spengemann, please.

Mr. Sven Spengemann: Madam Chair, thank you. I'll be brief.

I would just reiterate that we're dealing with two things. We're dealing with the investigation of the conduct of two former chiefs of the defence staff. These are important issues and important questions.

We're also dealing with the overriding question, which is how to change the system. Again, the minister was very clear. He called for a complete and total culture change to restore trust in the Canadian Forces. I do not see in the motion as it's reflected even a reference to potential documents within the public service or elsewhere that have explored questions of culture change or how to achieve it within the Canadian Forces in the context of Operation Honour.

We're having a one-sided conversation. We're looking at one side of the problem. It's the side that's riskiest to the victim in this particular case—and to future victims—because of the perception that the minute an allegation is raised, there will be a scramble to score political points. The victim's safety and wishes are subordinated to the wishes of what I perceive to be the Conservative position at least.

We need to keep our eyes on that second, and in my view equally important, question, which is how we achieve culture change in the Canadian Forces. It would be great to have some ideas on how the committee could integrate the current state of knowledge in the civil service on that question and get some information from the witnesses who have been invited to address that.

• (1345)

The Chair: Thank you.

We now go to Mr. Baker, please.

Mr. Yvan Baker: Thank you, Madam Chair.

I wanted to respond to what Ms. Alleslev just said and what some other members have also said at this meeting today, which is the big point that appropriate steps weren't followed. We've heard from witnesses who have come forward, including Mr. Walbourne, how important it is that investigations of allegations be handled appropriately and professionally.

Appropriately includes things like protecting the people who have come forward, which might mean protecting their identity and ensuring that they don't face negative consequences, but certainly means respecting their wishes throughout the process.

I don't think we have sought out that consent from the people who have come forward to make allegations in this case. It concerns me that on the one hand we are speaking about how we want to protect victims and those who come forward—to do what's right by them—but at the same time we are willing to make public some documents that pose the risk of not respecting their wishes.

That is not appropriate. It's not fair to those people who come forward. I urge my colleagues to consider this point before voting on this motion.

The other point that has been made—by Ms. Alleslev, I believe, but certainly by others—is that appropriate steps weren't followed. Appropriate steps, I think we have heard from many of our witnesses, are to have that investigation handled in a professional and independent way outside the chain of command.

From what has been presented to us, we know that when the Minister of National Defence was made aware of allegations, he sought out the body whose role it is to lead such investigations in the cases of people such as the Chief of the Defence Staff, because

that is a Governor in Council appointment. We have a situation in which that investigation was approached in what appears to be and I believe is the appropriate way, given the circumstances—given the need to make sure that investigation is handled professionally and independently and competently by people who are not within the chain of command. In this case, the minister is within the chain of command.

Those are some of the reasons, Chair, that I think we have.... We have witnesses we have agreed to invite. Those folks can come forward and speak to some of these issues. We don't, however, need to take the risk of exposing victims or people who come forward with allegations.

Let's refocus our energy on fixing the problem rather than on the desire, as Mr. Spengemann highlighted earlier, to find a way to insinuate that there's some sort of cover-up. That's unfair to the victims. Let's put the victims first, and let's not allow politics to put them at risk.

The Chair: Thank you.

Mr. Robillard, please.

[*Translation*]

Mr. Yves Robillard: Thank you, Madam Chair.

Here are some of the short- and long-term repercussions of sexual misconduct that are mentioned in the Operation Honour manual:

- a) **Fear** Feeling afraid to leave home or go to work or fearing people in general. The process of restoring self-confidence is particularly difficult if the victim was targeted by someone they trusted, respected, or loved. In this case, their faith and trust in others, in the world and in their own judgment may also be threatened.
- b) **Guilt.** Feelings of guilt and self-blame may affect the decision to seek help. Some people may feel that the victim is to blame for being targeted, and that they provoked the incident(s) through their appearance or behaviour. Victims may also feel responsible for “not knowing any better” or not paying attention to “gut instincts” they may have had. They may not even identify what was happening as sexual misconduct.
- c) **Shame.** The destruction of self-respect, the deliberate efforts by the attacker to humiliate them, or make them do things against their will, may make the victim feel dirty, disgusted by the assault, and ashamed. That they “allowed” the incident(s) to happen at all may also make them feel ashamed. Feelings of shame may make them reluctant to report the crime to the police or to reach out for help. Because of their own actions [...], they may believe others will blame them. They may also believe their previous sexual experiences will be scrutinized.

So we have to be very careful and protect the anonymity of victims, because such repercussions can be extremely damaging in terms of their mental health. I've presented three of them to you, but there are a lot of them. We absolutely have to make them a priority in our process. They need to be our top priority.

• (1350)

[*English*]

The Chair: Thank you.

Mr. Bagnell is next, please.

Hon. Larry Bagnell: Thank you.

Right at the very beginning of this debate, I asked if this included documents related to General Vance's appointment. My question is, does it? If not, has anyone proposed an amendment to include those?

My second question is this. I don't know if the clerk would be able to answer this, or who would, but is the government allowed to unredact information that has been given to the government in confidence under systems that allow confidential input? Could they actually, in good conscience, redact that information, even though at the time it was given, it was given under a system of confidential information?

Thank you.

The Chair: Thank you.

Mr. Spengemann, please.

Mr. Sven Spengemann: Madam Chair, thank you very much.

I have just a brief point in addition to my earlier points with respect to what we heard from the former ombudsperson and the wishes of the complainant. The complainant very clearly expressed a wish that this not be brought forward as a complaint, that her identity be protected and that any conversations happen on the basis of strict anonymity.

The ombudsperson also made reference to the fact that he was going to the minister to “obtain top cover” for whatever his next steps would be. Defective as that system may be in retrospect as a whole, in the sense that we have to focus on independent institutions—institutions outside of the chain of command that protect the identity of the victim, such as the sexual misconduct response centre and other institutions that the committee may turn its mind to—it would also be disillusioning to the complainant and to other complainants to know that, in this particular case, even that step of obtaining top cover, as it was intended by the ombudsperson, would not be protected, because any and all emails, texts, reports and correspondence would be brought forward, redacted as they may be.

As I said earlier, the aggregate effect of that exercise could be—and with high risk levels may be—to ultimately lead to the identity of the victim and complainant being exposed, which is not at all what this committee should endorse or stand for.

Thank you, Madam Chair.

The Chair: Mr. Baker, you're next.

Mr. Yvan Baker: Thank you, Madam Chair.

I want to go back to something I was speaking about a few moments ago in the context of the protection of people who have come forward with allegations. One of the things that I think are really important is that we avoid the substance of or the perception of political interference in any kind of process that is meant to be arm's length, whether that be the military justice system or in the case of investigations of allegations like the ones we've heard about.

That speaks a little to why the Privy Council Office is the body that is responsible for initiating investigations of GIC-appointed individuals like the Chief of the Defence Staff, like Mr. Vance. It's

important to keep that in mind as we talk a lot about this issue and there are allegations of a cover-up. It's helpful to understand that when allegations are brought forward, there's a reason we have police, investigative bodies, ombudsmen and other bodies that have been created to help address this issue. They help to investigate but also to protect those coming forward with allegations. If you bring it to a political body, you risk politicization, and that speaks to why the Privy Council Office is, currently at least, responsible for investigating those allegations against Governor in Council appointees like General Vance.

In that same spirit, I think what's happening here in this committee on this motion is something similar. The politics are getting in the way of potentially protecting the people coming forward. They are certainly getting in the way of our doing what we're elected to do, which is to fix the problems in the system and to make it better. This motion is more about politics, and it's not so much about the substance. Not only that, but it poses a massive risk to people we need to protect.

I'd urge my colleagues to think about some of the testimony we've heard from the various folks who've come forward. I'd urge us to think about some of the reports that have been written by our former Supreme Court justice and others who have talked about how we need to address allegations, how they can be brought forward in a way that's safe for members of the forces, and what kind of support needs to be provided to them and to their families. We've heard from people who have brought forward allegations themselves and about how important it is that they and their families have support. We've heard about some of the resources that need to be provided to members of CAF, not just to counsel them through this process if they make an allegation, but to help ensure they are protected.

We've heard about a number of other issues as well, and suggestions as to how we can make the system work better. We've talked about culture; my colleague Mr. Bagnell raises that regularly. We heard, I think it was two meetings ago, from a number of witnesses who spoke about the role of culture, particularly in the Canadian Armed Forces, and how that's one of the driving factors of the problem we face today.

Let's do right by the people who are being impacted by this, and let's focus on solving the problem, instead of politicizing this issue. I urge my colleagues to focus on the matter at hand. Let's help those folks; let's fix this problem going forward. That's what we're elected to do. This motion, as I said, doesn't help us to do that, but it does pose great danger to members of the forces.

Thank you.

● (1355)

The Chair: Madam Gallant, please.

Mrs. Cheryl Gallant: Thank you for allowing me to interject during this filibuster.

When the military ombudsman came forward with the allegations, he did so in the greatest of... He held the confidence of the victims. He did not provide anything to the minister, because the minister pushed it away and didn't want to see it. He kept his confidence as well when the Privy Council officers interrogated him the next day.

It perplexes me as to why the Liberal members of this committee think the names of these victims are being bandied about amongst members of the public service and the Prime Minister's Office and his department. As far as we know, Mr. Walbourne kept the names of the victims confidential, which would lead us to another question if we don't get these documents as requested.

Thank you.

• (1400)

The Chair: Mr. Bagnell, please.

Hon. Larry Bagnell: Thank you.

To be consistent, as I've said from the beginning, I think the most important thing is to look at ways to improve the culture so that this doesn't happen again. It's a long effort that will need a number of provisions, and we haven't done that.

The second thing that I said we need to look at is the procedures when a complaint comes into the department. Does it go to the right investigative bodies and everything? We need to make sure that is clear.

However, now it seems—related to this motion—that we also need to look at the methods of protecting the anonymity of people coming forth. It can't just be overridden and their information made public. Obviously, as Mr. Bezan said, a number of these items are already public, so it might be easy to identify which person is being referred to.

I still want an answer to my question about redaction and whether a government is allowed to redact something that's been provided to it in confidence. It's pretty hard to be comfortable without an answer to that question. I'm not sure which technical expert can provide that.

The Chair: Mr. Spengemann, please.

Mr. Sven Spengemann: Madam Chair, thank you once again.

Just sitting back and reflecting on comments over the course of the last hour, my question at this point is this: What would Canadians want us to do, and what does this problem mean to them? Yes, they are concerned. They're concerned because there are misconduct allegations against two former chiefs of the defence staff. Yes, they're concerned, because they realize there's a systemic issue with respect to gender equality, sexual harassment, potentially sexual assault and also diversity and inclusion more broadly within the Canadian Forces. They also have respect for the Canadian Forces—their deployments overseas, their service at home and their service during the pandemic. They believe in the Canadian Forces as something that's quintessentially Canadian, but where systemic and serious problems persist.

Over the course of the last hour, we've basically been told in no uncertain terms by two members of the Conservative Party that

they believe there's a cover-up, without having introduced any evidence to that effect. The only way to read this motion now is as a dragnet or a fishing expedition that is to consolidate the conclusion of a cover-up. This is after we had just agreed to have a number of witnesses appear or reappear who have the information—in the follow-up to the session we had with the former ombudsperson—to give additional testimony and to give their version of the story. Hopefully they would also give their views of how the Canadian Forces can and should be changed to eliminate this culture of systemic sexual harassment and, more disturbingly, data that supports the prevalence of sexual assault in large percentages within the Canadian Forces.

There's serious work to be done. There's work to be done that, yes, needs to focus on the investigation of these two cases. That work needs to protect the victim and the complainants in this case, but also to be forward looking and ask, especially now that it's happened for the second time, how we can make sure we can change the system to preserve this extremely valuable institution called the Canadian Forces. They have done tremendous historical service and tremendous current service at home and abroad, as I've said. They also represent a very distinct and by many accounts valuable and necessary employment opportunity for Canadians. Canadians should be able to aspire to a role in the Canadian Forces without any trepidation or fear of being harassed or otherwise mistreated.

That's really where the committee should direct its attention. For the last hour, we've debated something that is much more political in nature than what we should be looking at as a committee, I think, across party lines. We should try to move forward and develop solutions.

Thank you, Madam Chair.

• (1405)

The Chair: Thank you, Mr. Spengemann.

[*Translation*]

Mr. Robillard, you have the floor.

Mr. Yves Robillard: Thank you, Madam Chair.

My comments will be along the same lines as Mr. Baker's.

Prime Minister Harper appointed General Vance in the summer of 2015. I can't help but imagine what our colleagues would have said if a Liberal defence minister had sanctioned or investigated a Conservative appointment; it would have been totally legitimate to believe a baseless political attack.

It is, of course, logical that before making a decision that could lead to an investigation, the facts must be verified. Indeed, the Privy Council attempted to obtain information regarding this complaint from the ombudsman, who declined to provide any information.

I think we need to change the system so that victims can testify without fear of reprisal. Can we work towards that?

The Chair: Thank you, Mr. Robillard.

Mr. Paul-Hus, the floor is yours.

Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC): Thank you, Madam Chair.

I hear it said that we are playing politics. Yet the reason we are here is because a political operation has been set up and we have a problem.

It reminds me eerily of the SNC-Lavalin scandal three years ago. It was the same kind of operation, coordinated to cover up and prevent the information from becoming public knowledge. Say what you will, that is exactly what is happening now. It should also be noted that some of the actors involved in the situation that concerns us today were also involved in the SNC-Lavalin affair. It's a funny coincidence, in my opinion.

What is important right now is that one of our institutions, the Canadian Armed Forces, is being shaken. Canadian Armed Forces personnel are doing what they can to uphold the military code and Operation Honour. Personnel receive training on a regular basis. My son has been a member of the Canadian Armed Forces for a few months, and the first courses he received were on Operation Honour. People at all levels are doing what they can.

In this case, the chiefs of staff and the Minister of Defence are involved. For his part, the ombudsman serves as an advisor and intermediary since military members do not always have access to their superiors. That's the role the ombudsman played in 2018. The problem was that the minister refused to hear what the ombudsman reported to him. Subsequently—and this is where the political operation started—the Privy Council arranged for the information not to fall into the public domain and for no investigation to be launched. This is very serious.

We are not playing politics. We are here to advocate for citizens and for the Canadian Armed Forces. This is a very large institution, in which I served for 22 years. I know what it's like because I've experienced it first hand. I also know that attitudes have changed over time. I joined the Canadian Forces in 1987, over 30 years ago. I know that the institution has evolved tremendously since that time.

Members of the Canadian Armed Forces want things to work well. However, if we learn that the Minister of Defence does not want to be informed of a serious situation, that is a concern. If a member of the Canadian Armed Forces reports a superior because he or she thinks something doesn't make sense, but receives threats, that's serious.

We can't ignore this and not make it a political issue. Everything is political, the appointments of the joint chiefs of staff are political, they are government decisions. Mr. Robillard is trying to blame the Conservatives by saying that the appointment took place in 2015. We know that very well and the public knows that an investigation was done at the time and no information was deemed sufficient to reject General Vance's appointment.

Three years later, the chief of staff was in office. In 2018, the ombudsman approached the minister on behalf of the military, but the minister would not listen. In my opinion, this is unacceptable and very serious. It is the duty of the Minister of Defence to protect his army. When someone is the Minister of Defence, his responsibilities are very different from those of other ministries, because 60,000 people look up to him. The military follows the minister, that is, the chief of staff and all the people in the chain of command. That's how it works.

We are asking to get this basic information in order to do our job. I think Canadians are asking for the same thing.

• (1410)

The Chair: Thank you very much.

Mr. Baker, you have the floor.

[*English*]

Mr. Yvan Baker: Thank you, Madam Chair.

[*Translation*]

I would like to follow up on a few comments made by my colleagues.

Mr. Paul-Hus was talking about members of the Canadian Armed Forces following their leader or the minister.

I agree. In my view, members of the Canadian Armed Forces understand that the minister respects the institutions and procedures, which are there to protect them. The minister can launch an investigation, which will be conducted in a professional manner with the goal of protecting the victims. I think we all agree that this is incredibly important. Also, it is the Privy Council Office employees who take on this task, and they have the tools to do it, if necessary.

If a politician or any individual outside of this independent process were to conduct investigations, it could pose a great risk to confidentiality. We've talked about this a lot today and in other meetings. It could lead members of the Canadian Forces to believe that the process is not independent. That is my concern.

[*English*]

I want to come back to something Mrs. Gallant was talking about, which is the testimony of Mr. Walbourne. Mr. Walbourne indicated that he didn't have the permission of the person bringing forward the allegations to share his or her identity with the minister when he indicated that he met with the minister.

In that particular case, we all agree that we need to respect people who are coming forward with allegations. We all believe that. We have heard that from witnesses who have come forward and who are experts in this area. Mr. Walbourne, as Mrs. Gallant said, indicated that he didn't have the permission of the person coming forward to reveal his or her identity, even to the minister. On that basis, when the minister immediately went to the Privy Council Office and asked it to look into the matter in an arm's-length way, the ombudsman indicated, when contacted by the Privy Council Office, that he couldn't share the evidence needed to initiate an investigation.

If we believe the wishes of the person coming forward need to be respected, and we cite Mr. Walbourne as an example of respecting the wishes of someone coming forward, we also need to do that. My concern is that this is part of the problem with this motion. We haven't made sure we have the permission of the people who have made allegations. They have not given us their consent.

• (1415)

If we're on the one hand going to say that if Mr. Walbourne wasn't given consent by the person bringing allegations, he should not share the identity of that individual, then I think we have to live by that same principle. We don't know what's in this mass of documents that would be pulled together through this motion. Ms. Gallant indicated that the Liberals on this committee believe, based on our arguments, that the names of people who come forward are being shared in these communications. I have no idea what's in those communications, but we do know that the identity of a person can be ascertained many different ways. It doesn't require that their name be written as first name and last name on a piece of paper. It could be done through a whole range of information put together. We have to be very sensitive to that.

Any communication that involves any information about these cases—specific allegations especially, and the timing and context and all those sorts of things—puts people who come forward at risk for those reasons. That's why I think this particular motion poses a tremendous amount of risk to the people who brought forward allegations. It's also dangerous for people in the future who may want to bring forward allegations. It signals that their information could be discovered through a process like a motion, if passed, like the one we have before us here today.

I wanted to respond to those points, but I also wanted to make that case. It's exactly because of that respect for the wishes of the person coming forward—as cited by Ms. Gallant, citing Mr. Walbourne—that we should also do the same. Therefore, I think these documents risk exposing those individuals who have bravely come forward. We shouldn't take that risk.

Thank you, Madam Chair.

The Chair: Thank you, Mr. Baker.

Mr. Spengemann, please.

Mr. Sven Spengemann: Madam Chair, thank you once again.

I think this bears repeating. A number of my colleagues have made the point, but just to put a sharper point on it, the ombudsperson really made a choice. He made the choice to bring confidential and unactionable information to a political office instead of sending it to the sexual misconduct response centre or the provost marshal. He had the procedures available to him. He chose not to use them and instead brought it to the minister. He himself told us that he was looking for political top cover. Taking it to the minister made it political, and the minister knew that it should not be political and was very clear on that. He also knew that he could not make a decision based on unsubstantiated and non-existent claims.

I've made reference to the minister's position a couple of times in previous interventions. The committee has asked him to come back, and he has agreed to come back. I just want to put before the com-

mittee once again the position of openness he took in his remarks before the committee last time, a position with which he comes to us whenever we hear from him next.

The minister said:

I'm deeply troubled that members of the Canadian Armed Forces have felt trust has been broken and that people believe they could not come forward. No matter the rank, no matter the position, sexual misconduct and harassment is not acceptable. We want it reported. We want it investigated. We want to support those impacted.

Eliminating sexual misconduct and creating a safe work environment for everyone on the defence team has been one of my top priorities as the Minister of National Defence. We have more work to do to ensure that any member of the Canadian Armed Forces or civilian in the Department of National Defence feels able to come forward with complaints without fear of any sort of reprisal.

I also want to recognize the women who have come forward with these allegations. We're offering all available resources to them to help support them through this difficult time. Ensuring their well-being must be our focus.

We recognize how difficult it can be to bring forward allegations, and we must do more to eliminate the barriers that prevent people from reporting. I treat all allegations of inappropriate behaviour, harassment or sexual misconduct with the utmost seriousness. I can assure this committee and all Canadians that any allegations that were brought forward were aggressively and very quickly put forward to the proper authorities. All the proper processes were followed.

Along with the defence team, I will continue ensuring the recent allegations are addressed through the proper authorities. We will have a thorough and deep independent investigation separate from the chain of command.

You want answers, Canadians want answers and I want answers, but most importantly those who have stepped forward with allegations deserve answers.

That is the mindset with which the Minister of National Defence spoke to us when he appeared before the committee. That is the mindset with which he will reappear to answer questions—questions that matter to all members of this committee and questions that matter to Canadians.

In my view, that is the right direction forward. It is not to engage in conjecture of a cover-up and in a massive fishing expedition on all kinds of documents, emails, texts and reports, none of which at the moment are grounded in facts. It is not to engage in pure speculation, jeopardizing the risk of this particular complainant's name being disclosed directly or indirectly, when we actually have the minister in front of us, who can give us directions, and when we have officials and witnesses in front of us who can give us direction. That would be the right time to ask specific questions, to ask for documents, if relevant, and to come to conclusions. Hopefully, once again that will take the committee forward in a constructive direction, at the end of which Canadians can regain trust in the Canadian Armed Forces.

Thank you, Madam Chair.

• (1420)

The Chair: We have Mr. Robillard and then Madam Vandenberg.

[*Translation*]

Mr. Yves Robillard: Thank you, Madam Chair.

If the Privy Council Office reviewed the matter, decided that no further action could be taken due to confidentiality requirements—
[English]

The Chair: Mr. Robillard, your microphone doesn't seem to be working well.

Mr. Yves Robillard: I'm sorry. Is that better?

[Translation]

The Chair: Yes. You may proceed, Mr. Robillard.

Mr. Yves Robillard: Thank you, Madam Chair.

I apologize to committee members.

If the Privy Council Office reviewed the matter, decided that no further action could be taken because of confidentiality requirements with respect to the complainant's testimony, then the ombudsman was simply following the recommendations of the Privy Council Office, whose responsibility it is to review these types of matters.

Why would the minister not have complied with this decision?

[English]

The Chair: Thank you.

I think we're over to Madam Vandenbeld now, and then Mr. Bag-nell.

Ms. Anita Vandenbeld: Thank you very much, Madam Chair.

I would like to put an amendment to the motion that we are debating right now. There are about four lines in the first sentence, and then, when it says “allegations against General Vance in March 2018 and the period of April 1—May 31 2019 inclusive”, I would add the words “and 2015”.

Then you have a) through g). I would add h) Ray Novak and PCO, i) Gerrit Nieuwoudt and PCO, j) Gerrit Nieuwoudt and Ray Novak, and k) former minister of national defence Jason Kenney or his deputy minister and the Privy Council Office. The rest of the motion would remain the same.

The Chair: The meeting is suspended.

• (1420) _____ (Pause) _____

• (1449)

The Chair: [Technical difficulty—Editor] to you, please.

Ms. Anita Vandenbeld: Thank you very much, Madam Chair.

It was pointed out to me that there was no timeline in terms of months when I said “2015”.

With the committee's permission, I would like to withdraw the motion and resubmit the same motion with “and January to August

2015, inclusive”. Just to be clear, the only change is that instead of saying “in 2015”, which would presumably be the whole year, I am saying “January to August 2015”.

• (1450)

The Chair: It seems nobody is disagreeing with that.

Thank you very much for the co-operation; we have a finalized amendment now.

Go ahead, Mr. Bezan.

Mr. James Bezan: Thank you, Madam Chair.

On the amendment, I think it's important for the idea of process and what was used for vetting. I know the Liberals are trying to say this should have been discovered beforehand, but we know these allegations never came to light until 2018. To try to go back to 2015 and look at the vetting process at that point in time over allegations that weren't even known back in 2015, is a wild goose chase. I don't think you're going to find anything there. At the same time, we don't have anything to hide. We're expecting this.

Unlike what we've seen in the filibuster and people concerned about cover-ups and things like that, I would just say that we want to get this motion passed and the papers produced. It's interesting to hear Liberals at committee say we're going to expose the victims here. That is not true at all. Producing these papers and going through the law clerk to preserve the integrity of those investigations and protect those victims is the way we are going to be able to ensure that this is a respectful process and that all of us can have confidence, Madam Chair, that it provides the information we need to make the changes that are required.

It goes to the very top. It goes right to the minister and the minister's office on how these allegations were handled when they were brought before him. We all know that Gary Walbourne, the former ombudsman, had not provided the hard evidence to the minister in a physical or electronic manner. All we're talking about are conversations that happened between officials. Ultimately, at the end of the day, we'll be able to have a better picture of what went wrong.

The Chair: Thank you, Mr. Bezan.

There probably is not unanimous consent, so let's take a recorded vote on the amendment, please.

(Amendment agreed to: yeas 11; nays 0)

(Motion as amended agreed to: yeas 11; nays 0 [See Minutes of Proceedings])

The Chair: Thank you, everyone.

Is there any further business, or can we adjourn?

Thank you, everyone. We'll talk soon.

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