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## **Standing Committee on Public Accounts**

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**EVIDENCE**

**Tuesday, January 29, 2019**

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**Chair**

**The Honourable Kevin Sorenson**



## Standing Committee on Public Accounts

Tuesday, January 29, 2019

[Translation]

• (0845)

[English]

**The Chair (Hon. Kevin Sorenson (Battle River—Crowfoot, CPC)):** Good morning, colleagues. This is meeting 125 of the Standing Committee on Public Accounts for Tuesday, January 29, 2019. This is our first meeting back after our holiday break over Christmas. Everyone looks so refreshed even though it's the morning. It's good to have you back. We'll see what you look like in about a week, but I'm sure you'll still keep looking good. It's also good to have Angela back after surgery. We have a new analyst as well, Sara, who has worked with the indigenous file before. We wish André all the best in his new ventures at the Auditor General's Office.

We are here today in consideration of report 5, “Inappropriate Sexual Behaviour—Canadian Armed Forces” of the 2018 fall reports of the Auditor General of Canada. We're honoured to have with us from the Office of the Auditor General Mr. Andrew Hayes, deputy auditor general, and Robyn Roy, director. From the Department of National Defence we have Ms. Jody Thomas, deputy minister; Lieutenant-General Paul Wynnyk, vice chief of the defence staff; Lieutenant-General Charles Lamarre, commander, military personnel command; and Ms. Denise Preston, executive director, sexual misconduct response centre.

We'll go to Mr. Hayes first for the opening statement from the Auditor General and then to Ms. Thomas.

Welcome.

**Mr. Andrew Hayes (Deputy Auditor General, Office of the Auditor General):** Thank you, Mr. Chair. We appreciate this opportunity to discuss our fall 2018 report on inappropriate sexual behaviour in the Canadian Armed Forces. Joining me at the table is Robyn Roy, who was the acting director for this audit. In July 2014, the chief of the defence staff requested an external independent review of the forces' policies, procedures and programs on inappropriate sexual behaviour. Former Supreme Court of Canada Justice Marie Deschamps carried out the review and reported her findings and recommendations in a March 2015 report.

In August 2015, the chief of the defence staff launched Operation Honour, a top-down, institution-wide military operation to eliminate inappropriate sexual behaviour. He informed all forces members that he and senior leaders intended to change the culture in the forces and stop this behaviour.

Our audit focused on whether the Canadian Armed Forces adequately responded to inappropriate sexual behaviour through actions to respond to and support victims and to understand and prevent such behaviour.

The goal of the audit was not to conclude on the success of Operation Honour, but to provide an external review of the forces' progress at a point in time, three years into the operation's implementation.

We found that the Canadian Armed Forces offered or referred members affected by inappropriate sexual behaviour to various victim support services, including the sexual misconduct response centre. However, we found gaps in those services. The forces did not design and implement Operation Honour with a primary focus on victim support, and the services were not well coordinated. Therefore, victims did not always have easy access to the right services at the right time.

We also found that not all support service providers had sufficient training to adequately respond to victims.

In addition, we found that the Canadian Armed Forces did not always resolve reported cases on inappropriate sexual behaviour in a timely, consistent and respectful manner. As a result, some victims did not report or they withdrew their complaints, and they had less confidence that the investigations would produce any tangible results.

●(0850)

[English]

After the implementation of Operation Honour, the number of reported complaints increased from almost 40 in 2015 to about 300 in 2017. The forces believe the increase was a sign that members trusted the organization and that it would effectively respond to inappropriate sexual behaviour; however, we found that some members still did not feel safe and supported. For example, the duty to report all incidents of inappropriate sexual behaviour had unintended consequences. It forced victims to report when they were not ready or did not want to. This discouraged some victims from coming forward. The “duty to report” requirement provided no balance between the legal responsibility to protect the safety of members and the need to support a victim's wish to not proceed with a formal complaint. It also placed commanding officers in an ethical dilemma. They had to choose between abiding by the duty to report and supporting victims' rights.

We also found that education and training on inappropriate sexual behaviour was not adequate. Although the Canadian Armed Forces increased members' awareness of inappropriate sexual behaviour, it did not provide enough information on the causes and effects of such behaviour or how to respond to and support victims. In April 2018, the forces introduced the Respect in the Canadian Armed Forces workshop, which represents a more complete approach and addresses the shortcomings we identified in other training delivered over the audit period.

Finally, we found that the Canadian Armed Forces did not adequately monitor the effectiveness of Operation Honour in eliminating inappropriate sexual behaviour. The forces had no source of independent, objective information to know how well the operation was working. Also, the information the forces collected on incidents of inappropriate sexual behaviour was of poor quality. Furthermore, the forces did not have a performance measurement framework to measure and monitor the results of the operation across the organization.

[Translation]

We concluded that the Canadian Armed Forces had not yet fully accomplished what it intended through its actions to respond to and support victims and to understand and prevent inappropriate sexual behaviour.

We recommended that the forces make victim support a top priority, provide better education and training on the causes and effects of inappropriate sexual behaviour, and incorporate more independent external advice and review to ensure that the forces can achieve the objectives of Operation Honour.

National Defence agreed with all our recommendations and has prepared a detailed action plan.

This concludes my opening remarks.

We would be pleased to answer any questions the committee may have.

Thank you.

[English]

**The Chair:** Thank you, Mr. Hayes.

We'll now move to Ms. Thomas.

**Ms. Jody Thomas (Deputy Minister, Department of National Defence):** Thank you for the invitation to discuss the Auditor General's findings on inappropriate sexual behaviour in the Canadian Armed Forces.

Joining me, as noted by the chair, are Lieutenant-General Paul Wynnyk, the vice chief of the defence staff; Dr. Denise Preston, executive director of the sexual misconduct reporting centre; and Lieutenant-General Charles Lamarre, chief, military personnel.

As the Auditor General said, the goal of this audit was not to determine the success of Operation Honour; the goal was to make it more effective. We thank the Auditor General and his team for helping us to identify areas we can improve. We agree with all of the recommendations and we know they will help guide the evolution of Operation Honour.

Since the launch of this operation we've seen the defence team, military and civilian alike, pull together to stop inappropriate sexual behaviour and to support anyone affected by it.

●(0855)

[Translation]

As the Auditor General acknowledged in his report, Operation Honour's success depends on achieving significant cultural change over the long term.

[English]

We've made progress, but let me be clear: This is an operation that will never end. That is not a reflection of the department or the military; it is a reflection on the society that shapes every one of us. As long as there is inappropriate sexual behaviour in our society, we will remain vigilant against it in National Defence and the Canadian Armed Forces, and our approach will continue to evolve as our society evolves.

[Translation]

When Operation Honour was launched in 2015, it was done with the best of intentions: to eliminate sexual misconduct in the Canadian Armed Forces. In pursuit of that goal, some of the measures we put in place have had unintended consequences. We are correcting that now.

[English]

We're putting our focus on support for people affected by inappropriate sexual behaviour above all else. As the Auditor General recommended, we will put those affected at the centre of our response and ensure their needs guide our actions. Part of that response involves making sure our organization is structured properly and that everyone has a clear understanding of what support is available where.

We are expanding the role and mandate of the sexual misconduct response centre, SMRC, to make it the authoritative voice of victim support and advocacy. The SMRC will lead and coordinate victim support efforts across the Canadian Armed Forces.

[Translation]

Support is accessible 24/7, with one phone call or one email.

However, we recognize that people may also seek support from other avenues and we encourage them to choose the option that best suits their needs.

[English]

We will communicate this widely and clearly so that there is no more confusion about sources of support. To make sure everyone understands the roles and responsibilities, we will establish new terms of reference, by the spring, for SMRC and the strategic response team on sexual misconduct. That clarity will be reflected in an integrated national strategy that will guide our support to people affected by inappropriate sexual behaviour.

Lieutenant-General Wynnyk is responsible for the strategy and his work will be closely supported by the SMRC to ensure it considers those affected first.

[Translation]

We are also introducing a case-management service, paired with a performance measurement framework. The information these tools and services provide will help us monitor and improve our support services.

[English]

That will help us provide consistent support from the time of first disclosure until such time as those affected no longer require support. Collecting that information is important, but we will always remember that we're gathering it in order to support our people. If someone seeks help outside National Defence or the Canadian Armed Forces, we won't necessarily be able to collect the same level of data, but we will always encourage people to seek support from whichever source best suits their needs.

The well-being of our people will always be more important than the integrity of our data, but do not presume that data is not a vital element of our operation, as noted most critically by the Auditor General. It is and the SMRC is working with the defence data analytics team to improve methodology and data structure to ensure what is collected is useful.

Unfortunately, we have not always been successful in putting people's needs first. Despite our best efforts and good intentions, the Auditor General has identified an important but entirely unintended consequence of the duty to report. We're addressing this issue so that people affected by inappropriate sexual behaviour have more control over the reporting process and the decisions that will impact them. We recognize that our earlier approach prevented some people from reporting experiences of inappropriate sexual behaviour.

We also recognize that the early focus on "stop and report" did not achieve the desired effect. I will note that at the time Operation Honour was created the Canadian Armed Forces was in crisis mode. We have learned since then.

We know that some people experienced repercussions as the reporting system launched a process that they did not want. The Canadian Armed Forces is currently examining the application of regulations in this area. They will clarify the processes around the

reporting of incidents of inappropriate sexual behaviour so that the victims' concerns are considered and respected first and foremost.

However, we take our responsibility for the safety of our personnel very seriously and the duty to report remains an important aspect of our ability to keep our people safe.

[Translation]

We must act if the reported behaviour could affect the operational effectiveness of the Canadian Armed Forces, or the safety of its members.

● (0900)

[English]

As we continue to implement Operation Honour, we know we do not have all the answers. We are learning and improving with the rest of the world as we go along.

Inappropriate sexual behaviour is a widespread societal problem. We are seeking advice and best practices from experts. In fact, we expect to call on external subject matter expertise more and more to help us identify potential unintended consequences before they impact anyone.

The SMRC reports to me and operates outside the military chain of command. It benefits from the expertise of an external advisory council. The SMRC has made important strides in working with the council, which has agreed to meet in person three or four times per year as needed. We have worked together to develop the terms of reference for the council. The members have identified how they can best advise us and on what subjects.

The members of the council have also reviewed three years' worth of documentation on the SMRC and Operation Honour. They understand where we were, where we are now and how we got there. When they meet in March we will brief them on proposed changes to the SMRC mandate and the DND-CAF policy on sexual misconduct. We look forward to their valuable and constructive advice.

The SMRC also hosted the first forum on preventing and addressing sexual misconduct with our Five Eyes partners in December where we shared with and learned from our allies. The more we learn, the better we will be at preventing sexual misconduct and supporting the people affected by it.

We agree with the Auditor General that we have to do a better job of educating our people. Education will help our people develop the understanding that leads to changing attitudes and beliefs. We are reviewing all our existing training to make sure that it supports victims first. The expertise of the SMRC will be key to ensuring appropriate CAF training and education on this subject. That training will be delivered nationally in a coordinated and measured way, including the Respect in the Canadian Armed Forces workshop.

To be clear, everyone who joins the Canadian Armed Forces completes training that introduces them to Operation Honour. That training clearly explains exactly what constitutes inappropriate behaviour and the consequence of engaging in such behaviour, up to and including dismissal, are made clear.

[Translation]

We know that the kind of change we are seeking to foster takes time. But we are making progress, as the Auditor General has recognized.

[English]

We have more work to do. There is no one more committed to doing it than the leadership at National Defence and in the Canadian Armed Forces.

Thank you.

**The Chair:** Thank you very much to both our witnesses.

We'll now move into the first round of questioning. We remind members that the first round is a seven-minute round.

We'll begin with Ms. Mendès.

**Mrs. Alexandra Mendès (Brossard—Saint-Lambert, Lib.):** Thank you very much, Mr. Chair.

Good morning, everyone. Thank you for being here.

[Translation]

We are going to be dealing with an extremely sensitive report that is important for all our military personnel, but also, I imagine, for the staff at the Department of Defence, because it must affect them too.

Am I wrong in saying that Operation Honour covers both staff and military personnel?

[English]

**Ms. Jody Thomas:** Operation Honour was designed and conceived originally for the Canadian Armed Forces. We are now transitioning all the principles, the teachings and the materials to include the civilian members of the Department of National Defence.

[Translation]

**Mrs. Alexandra Mendès:** Thank you very much. That is what I thought.

Mr. Hayes, a part of your report leads me to ask about the connection that eventually has to be made with the victims who choose a resolution method outside the forces. What are we to make of that?

First, for the victims, is it actually a way to prevent the chain of command becoming aware of those complaints? Is it because the victims are afraid of using the services provided by the forces?

What did you find when you noticed that people were sometimes choosing resources outside the forces?

**Mr. Andrew Hayes:** Thank you for the question. I will ask my colleague to reply.

First, though, I would like to say that there are a number of reasons why victims turn to support services outside the forces. It may be an issue of accessibility. There are also cases where the victims are afraid.

My colleague can give you more details.

● (0905)

[English]

**Ms. Robyn Roy (Director, Office of the Auditor General):** We didn't examine that specifically in the audit in terms of the reasons that they would choose to perhaps use resources or support services outside the Canadian Armed Forces. We heard during the course of our audit, in terms of disclosing incidents within the forces, that there was fear of reprisal, there was fear or a sense that their complaints may not be taken seriously, or they may not be well supported. There was also confusion about the support services available and the accessibility and availability of those services to all members. Those could be some of the reasons that they may have chosen to go outside, but again we did not explicitly examine the reasons that they chose to perhaps disclose or seek support outside of the forces.

**Mrs. Alexandra Mendès:** Thank you.

[Translation]

I think that another remark in your report points to an excessive number of processes that a victim may go through in order to file a complaint.

[English]

Deputy Minister, I'd like to ask you this, because the Auditor General has noted that there were too many streams for possible victims' reports. Is this part of the problem? They don't actually know who they have to complain to when signalling an incident.

**Ms. Jody Thomas:** I would agree that there was confusion in terms of how to report and who to report to. The attempt to make this as broad a field, as broad an opportunity as possible—to go to the military police, your chain of command, clergy within the military, the medical system within the military, or to civilian counterparts—in fact added confusion to the system rather than opportunity. Therefore, clarifying where you can report, how to report and how we will support you once you do report I think is a critical aspect that we will work on. We have already begun to do so as a result of the Auditor General's report.

I think the effort to be broad added confusion, and it was thanks to the Auditor General that we started to see some of the confusion within the system.

**Mrs. Alexandra Mendès:** Can you talk specifically to the actions that you've taken to address that issue? I think that's quite important.

**Ms. Jody Thomas:** I'll ask General Wynnyk to respond to that.

**Lieutenant-General Paul Wynnyk (Vice Chief of the Defence Staff, Department of National Defence):** There's a lot of work under way, and in fact it was under way even as the Auditor General was doing that report. We acknowledge that it has in some instances been confusing. One of the things that I'm responsible for at this time is essentially developing a clear decision tree that we can communicate to the chain of command, and to all members of the Canadian Forces—just simply follow the tree. If you feel that there's been an incident—and I hate to use the word “victim”, because not everybody considers themselves a victim, but somebody who's been affected—it will clarify the way it will go.

We're also in the process of drafting a revised operation manual, essentially how we're going to approach this—a consolidated source document, if you will. That's well under way. A draft has been done, and there have been some revisions with a view to getting that out sometime in the spring. There's also an app available that people can use on their own devices as they go forward.

We're looking for better ways. This is a good start, I think, but we're constantly looking at ways to better communicate a simpler way, a simpler path of reporting incidents of this nature. I will stress, we just want people to report incidents. There are multiple ways to report incidents. Obviously, we have avenues through the Canadian Forces. We want to make sure that people are confident in the chain of command, but above and beyond we want to make sure that those who are affected just feel confident to report an incident in any manner they deem fit.

**The Chair:** You have 15 seconds, so you'll have to come back.

Ms. Harder, please.

**Ms. Rachael Harder (Lethbridge, CPC):** Thank you, Chair.

Thank you so much for being with us today and, of course, welcome.

My first question is going to the deputy minister. In your opening statement you said that there is of course still misconduct that is taking place within the Canadian Armed Forces. You said that will continue to be there basically for all time until society changes. Your words were that it's a reflection of our society—a direct quote. I'm just wondering if you can reflect then on what those root causes are? It would seem to me that in order to properly address them, we need to first identify them. I'm wondering if you can outline what that looks like.

• (0910)

**Ms. Jody Thomas:** That's a very complex question. It's something that we discussed at great length with the Auditor General as we were going through the report. We don't yet know the root causes. We're not sociologists, but we understand that we recruit from society, and there are problems in schools and problems in any number of industries. This problem exists in government. It exists in other parts of uniformed services, and it exists with our allies.

What we have determined is that what we have to do when we do our intake of individuals into the Canadian Armed Forces—and certainly General Lamarre can speak to the efforts we're making to educate—is that the first thing that happens is very intensive training on what the expectations are for members of the Canadian Armed

Forces. We accept that we are not alone in combatting this problem, but the consequences of it in the Canadian Armed Forces are more significant. Therefore, we have to have a zero tolerance policy. We cannot accept any behaviour that is inappropriate, because the conduct of the Canadian Armed Forces and the consequences of lack of trust within the chain of command are so severe and so significant that we have to do something about it as people enter.

We are working with defence scientists to look at what things like root causes are. We don't have that answer right now. What we are trying to do is prevent it in our ranks.

**Ms. Rachael Harder:** Okay. Thank you.

I would draw the committee's attention to the fact that in order to properly address a problem, first the root causes need to be identified in order to be able to put in place the proper protocols, the proper training and the proper response mechanisms with regard to indecency within the Canadian Armed Forces, which brings me to my next question.

That is, in your opinion, do you believe that there's a problem within the Canadian Armed Forces? The Auditor General used this term—a highly “sexualized culture”. Do you agree with that finding? Do you agree with that term? Is there in fact a highly sexualized culture within the Canadian Armed Forces?

**Ms. Jody Thomas:** I'll invite General Wynnyk to speak to that as well. I think the auditor, Madam Deschamps, had given us empirical evidence that there was a problem, yes. Our job is to try to rectify it and ensure that we have a safe and healthy workplace for every single member of the Canadian Armed Forces and, in fact, for the civilian members of the defence team as well.

Examining the root causes needs to be done, yes, but at the same time, we have to take action to protect people who work here now, and I don't think we can wait. Operation Honour was launched really as a result of a glaring report that almost put the forces into “crisis mode”—we've used that term—and we had to respond.

We responded in a way that was not always effective, so we are trying to look at how we respond and what the best responses are. The SMRC is critical to that, but I think things have to be done in parallel.

That's a long answer to your question. We can't wait until we understand the root cause before we do something. We have to act now.

**LGen Paul Wynnyk:** If I could just add to the deputy minister's comments, we absolutely recognize that this is a problem in the Canadian Armed Forces. It certainly doesn't apply to the vast majority. We're talking about a very small minority of the Canadian Forces, but it's corrosive, it's poisonous and it has a negative impact on the operational effectiveness of the Canadian Armed Forces.

As the deputy minister said, this is pervasive in society and I think we all know it, but it's particularly important that we get this right in the Canadian Forces because of the negative impact it could have on operational effectiveness. I can absolutely assure the committee that the leadership of the Canadian Forces takes this very, very seriously. It's our number one institutional priority.

**Ms. Rachael Harder:** That's really good to hear.

Given that it's your number one institutional priority, I think we would anticipate, then, that our next conversation would be very positive in terms of your outcomes and meeting the findings with regard to the Auditor General's reports and recommendations that have been put forth. We look forward to that discussion later.

With regard to responding to inappropriate sexual behaviour, I'm wondering if you can tell me why you feel this is important within the Canadian Armed Forces.

**Ms. Jody Thomas:** Thank you. I'm happy to start, and then certainly my colleagues can jump in.

The conduct of the Canadian Armed Forces in what they do on behalf of this country is critical. If there is a lack of trust in the person you're working beside, and if there is a corrosive and toxic behaviour within the chain of command, it profoundly affects operational effectiveness, as the vice chief of the defence staff just said, so we take this very seriously.

Our armed forces have to be able to operate in any sort of condition anywhere around the world. People have to feel safe within that function so that they can go and do their jobs as we expect them to. While this is a problem in many institutions and in many aspects of society, we feel that the Canadian Armed Forces has to be a healthy and safe workplace. If people are subject to that range of behaviours from inappropriate comments that become degrading and toxic over time to assault, which is a criminal offence, that's not acceptable in the chain of command. It's not acceptable in the workplace. It's not acceptable at National Defence headquarters.

The function of the department and the functioning of the people who work in it are dependent on a safe workplace. Operation Honour is critical to making the workers safe.

• (0915)

**Ms. Rachael Harder:** In an interview, Mr. Vance said that "duty to report and a bunch of other ways" have been implemented in order to respond to this crisis. The phrase "a bunch of other ways" poses a question for me. What is that "bunch of other ways"?

**Ms. Jody Thomas:** As we said, the duty to report means that an individual who has been affected or is at the centre of an incident has a responsibility to report. That's going to continue, but we are going to manage it in a different way. Bystanders have to report.

The other ways include outside the chain of command to the clergy within the military, to a private sector hospital, to a friend, to any way that the individual wants to report and then manage their response. The sexual misconduct response centre is critical to that response. We're expanding their mandate and their capability to respond so that members of the Canadian Armed Forces know that they are there for anonymous professional support for any incident.

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

I'm sorry, Mr. Christopherson. How is it possible that I could have forgotten you?

**Mr. David Christopherson (Hamilton Centre, NDP):** Ten months from now I can understand, but for nine more, I'm still here.

Thank you, Chair.

**The Chair:** We're going to give you seven and a half minutes today.

**Mr. David Christopherson:** You're so kind, sir. Thank you.

Thank you all for being here.

First, I want to thank the Auditor General and just point out how lucky we are to have a system that allows us, almost in mid-flight, to be able to take a look to see how well we're doing on something that's so important to everyone. I liken it to landing on an asteroid. This is a difficult kind of audit, and it needs to be treated differently from the way we normally do. This system serves us very well. Having just visited another continent and another country, I appreciate how well we do things and the difference that makes.

I also want to say very directly to the deputy, the senior officers here and virtually everybody who's here from the department that I have no doubt in my mind that every single person, like every member of this committee and everyone staffing us here, cares about this issue as a priority and would give anything to make this go away, and are prepared to do anything to make it stop.

But clearly, we're still not getting there. Even with all the goodwill and all the power, absolute, raw... I'm not exaggerating. When you're talking about the military of Canada, you're talking absolute, raw power, and we still missed it.

Colleagues, I've spent the better part of four hours going through this report, and I'm sure many of you spent that much, if not more, time. It was at about hour three and a half when suddenly, for me, the shoe dropped. As some of you know, I have a bit of a background in command and control, and I sort of understand these things a little better than I do, say, a lot of other things. Here's the key thing for me, and I'm going to ask the responders to think carefully about where to go on this. The external review is what started all of this. The external review said very clearly, as the Auditor General says on page 7:

The External Review recommended that the Forces establish an independent victim support centre outside the Forces, staffed by experts. The centre would provide confidential support for victims without the obligation to make a formal report and without fear of reprisal. The External Review also recommended that the centre be responsible for preventing inappropriate sexual behaviour, coordinating and monitoring training, monitoring accountability, and conducting research, and that it act as a central authority for data collection.



By the way, there are some good things you're doing. That needs to be said. We kind of gloss over that. There are good things being done, and we appreciate that.

When I look at where the auditor had criticisms, I see they were in the areas of preventing inappropriate sexual behaviour, coordinating and monitoring training, accountability, and acting as the central authority and data collection. So, all the areas that were a problem were the areas that the centre was given responsibility for.

Now, 5.34 on page 8 says:

However, we found that rather than giving the Centre all the responsibilities that the External Review recommended, the Forces gave it responsibility only to provide initial victim support by phone or email, and to give referrals.

The Auditor General goes on to say:

We asked the Forces to explain this assignment of responsibilities, given its acceptance of the External Review recommendations. Senior leaders explained that the Forces' leaders must perform the responsibilities that the External Review recommended; otherwise, it would undermine governance and accountability.

Lo and behold, the whistle gets blown and we find that all the areas that are a problem are the areas that the centre should have been given responsibility for, but wasn't, and the military pats it on the head and said, "No, no, we know best, we'll do it within". Every one of them is screwed up.

• (0920)

When I look at the action plan, I count at least 12 or 13 times where it says the centre or SMRC will ... and it involves activities. When I look at this, Chair, to me the action plan should have said—and this is just my opinion—we screwed up. We didn't implement what we promised to in the first place and now we will.

Am I correct in assuming that one of the big problems with the culture change is that there were recommendations from outside saying go to this external body, load them up with these responsibilities, make sure they've got the advisory committee, connect them to your military leadership and that's how you go about making change?

That's what the review said. The military looked at it and said they were going to do all that, and when everybody went away the first thing they did was say, you're not getting any of that responsibility. Do not kid yourself. They just stripped it away and left them with a little framework and a pat on the head, saying you can just play a role, we'll take care of it. Every one of those areas is screwed up.

I want somebody to tell me where I'm wrong, that one of our challenges isn't that military culture where something from the outside comes in and immediately walls go up about how things are done.

I get it. It is human nature, but the role of leadership at the level in front of us now is to burst through that. Deputy, if you disagree with my assessment, I'm going to hang on every word, and if you agree with me, I'd like to hear what we're going to do to change that. I see you've fixed it here, but what are we going to do going forward to ensure that, when we need to make changes like this in the military, there is no gap between what we promised we're going to do and how we say we're going to do it? This failed right here; to me, that's where the failure was.

**The Chair:** Unfortunately, our time is up.

This is the problem when we have a very good point and there's no time left. We're going to come back to it but bear in mind the questions that were posed there and the force with which they were asked. We expect answers on them later.

We'll now move to Ms. Yip, please.

**Ms. Jean Yip (Scarborough—Agincourt, Lib.):** Thank you for coming.

I'm going to follow up on Mr. Christopherson's comments on culture. Operation Honour is in its third year of implementation and a lot of the success depends on the culture change. Do you feel that there has been a significant culture change?

• (0925)

**Ms. Jody Thomas:** There has been culture change and there has been an understanding of what is considered a level of acceptable behaviour and what is not. I'm not sure we can assign the word "significant" to it yet because we don't have the data for that.

One of the problems pointed out by the Auditor General was the data reporting and our data management. Those are things that we are actively addressing.

Culture change takes time. We're talking about an institution that has existed for 150 years, that has had women integrated into it in combat roles for 30 years, and it's slow. It's an improved institution from the one I joined in 1980. Women are far more accepted but it doesn't mean that it's perfect and that things aren't going wrong and that we don't need to continue to work on culture change.

Has there been significant change? I can't say that yet but work is under way.

**The Chair:** Lieutenant-General.

**LGen Paul Wynnyk:** The deputy minister is absolutely right. There has been some cultural change but not enough. We have to examine cultural change but it's far bigger than the Canadian Forces. As we said, this is pervasive in society. We recruit from society. It's going to take time.

When General Vance started Operation Honour, the response was very much almost a disciplinary approach. First of all, acknowledge the problem. When we detect the problem, deal with it, and deal with it quite rightly harshly in many cases. It's unacceptable behaviour but that sort of reaction doesn't necessarily change beliefs and attitudes. That changes the response but when people are away they know they're not being watched; they won't necessarily change their beliefs and attitudes.

That's what we've got to work on through education and training. It will take time. Sociologists will tell you a culture change doesn't take days or weeks. We're talking months and probably years.

We will come up with a cultural change strategy. It is not independent of the Canadian Forces. We will work with experts in society, with Five Eyes allies as we go forward. To get back to your question, a lot more cultural change will be required as we go forward, to once again reinforce the fact that this is completely unacceptable.

I emphasize once again that we're dealing with a very small proportion of folks in uniform.

**Lieutenant-General Charles Lamarre (Commander, Military Personnel Command, Department of National Defence):** Let me add to that as well. There is perhaps a bit of a concern that we're sitting idle while this is taking place. That's not the case. Every year, the Canadian Armed Forces turns over approximately 7.2% to 7.8% of its effective force. That turns out to be approximately 9,000 people who leave the Canadian Armed Forces or come to the Canadian Armed Forces between the regular and reserve force components.

Let me just concentrate on the regular force component. The training does occur for the reserve force as well, but I'll concentrate on the 5,350 young Canadians—sometimes not so young—we bring into our recruit school in Saint-Jean. We have, of course, non-commissioned members and officers going through that training program. For the non-commissioned members it's 10 weeks, and for the officers it's 12 weeks. During that period of time, the non-commissioned members get a grand total, spread out over four different weeks and periods of instruction, of six hours of training specifically related to inappropriate and harmful behaviour, harassment, how to prevent it, what the consequences are, and what the responsibilities are in terms of ethics and requirements to be in the Canadian Armed Forces. The officers get 6.6 hours of training to do this.

At every leadership course we have, when you talk about institutional and cultural change, we also insist that HISB and Operation Honour be trained specifically so that folks understand what's there. We're doing a tremendous amount of bystander training so that people understand that they have a responsibility to intervene and to get involved in the training or any activity that might be occurring.

When you do a combination of all these things, you do get a cumulative effect of people who are familiar with what it is. We have some surveys that we do at a lower level that go with smaller group samples—approximately 3,000 people or fewer—where we reach across to find out what confidence people feel in things like their chain of command. We've found that for the last two years, we get an over 85% rating for trust that the chain of command will do the right thing in terms of what is supposed to occur. This data is available.

The interesting thing about it is that while there is a time for making change, and we have to go forward, we are taking actions right now that are instituting the culture change you're talking about. You'd be hard pressed to find anybody right now in the Canadian Armed Forces who is not familiar with Operation Honour and what the mandates are. You have to remember as well what the vice chief of the defence staff was talking about in terms of how we make sure it's known and not hidden. Every single incident that occurs has to be

reported all the way up to the chief of the defence staff. It's also reported to the supporting centres that we have.

So there are steps and movement under way to change that culture that we're talking about. It's being done through training and the like, which folks recognize the importance of, to make sure that people are aware of what their responsibilities are.

Thank you.

• (0930)

**Ms. Jean Yip:** I'm glad to hear that there is some progress and that some real steps are being taken. I found it rather frustrating that throughout the report there wasn't enough data collection. To me, you can't see results if the data isn't there.

Following on the culture question, has the overall number of women joining the armed forces declined? You also mentioned that about 85% feel supported. Well, how much of the 85% can be attributed to women feeling supported and wanting to remain in the armed forces?

**LGen Charles Lamarre:** For women in the Canadian Armed Forces, we are growing the numbers right now. We have been given a target of 25%. We're changing the processes by which we are recruiting them. If you look at our last ad campaign, "Dare to be Extraordinary", it featured women specifically, and different ethnic backgrounds. It's been successful. Over the last three years, we've increased the number of women from 4,000 to over 5,032. We are right now doing an intake where 18% of all new recruits coming into the Canadian Armed Forces are women. We're exceeding the numbers for both visible minorities and indigenous youth coming into the Canadian Armed Forces, to meet and surpass the targets of the "Strong, Secure, Engaged" defence policy.

As far as retention goes, the retention has gone up overall in numbers. We're at about 15.8% of the total effective Canadian Armed Forces being made up of women right now. When we started this we were at 15.1%. Again, these numbers are the nascent ones. As we change in terms of how we go and do recruiting, and do much more targeted recruiting where we go and seek the talent we want from the Canadian population, we're confident that this will continue to go up.

In terms of the second half of your question, when we're talking about the confidence that we're seeing women have in the chain of command, we do examine both men and women. The sampling size is done to make sure that we understand from that...and from the regular and the reserve. This is where we're finding that both men and women have high confidence in the chain of command to be able to address their issues once they're raised.

That specifically was what I was stating there. We do have that data available.

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

Mr. Kelly, you have five minutes.

**Mr. Pat Kelly (Calgary Rocky Ridge, CPC):** Deputy Minister, in your comments you spoke twice about being in crisis mode. You said, in your opening statement, that in 2015 you were in crisis mode as you created these programs. You mentioned again the crisis of 2015. Would you currently characterize the problem of sexual misconduct as a crisis?

**Ms. Jody Thomas:** I think that any inappropriate behaviour that affects the safety of an individual in the Canadian Armed Forces is serious. It's something taken very seriously. I think we're no longer in crisis mode in terms of how we're responding. We're more measured and more thoughtful, using data and a broader range of experts to advise us as opposed to an immediate response, which was, "stop this behaviour."

We are now trying to educate, train, use experts, give more responsibility to the SMRC, and have a more thoughtful and broader approach in responding.

**Mr. Pat Kelly:** The Auditor General criticized the absence or quality of data, though. So, if we're concerned about the quality and availability of the data, how do we know what the current level of problem is in the forces?

**Ms. Jody Thomas:** Data collection, and the analysis and quality of that data, has been a problem. We have a lot of information. I'm not sure how we can draw conclusions from it as it's currently structured. Dr. Preston, in her role now as the lead for this, is working with our data analytics crew to help build the data models and the collection models. We're putting new systems for data collection into place, which General Wynnyk can speak to you about, that are more integrated.

**Mr. Pat Kelly:** Are members surveyed in a way to gauge attitude? You can measure complaints, or at least complaints that are reported, and you can draw conclusions I suppose in a variety of ways about what it means when complaints go up or down and whether it means that there are more incidents or whether there is just more reporting. But the goal here is to ensure the integrity of the chain of command, and morale, and belief in the system and its integrity.

How do you know whether or not members of the forces believe in the integrity of the system? How have you measured that?

● (0935)

**LGen Paul Wynnyk:** I'll respond first of all on data collection, and then I'll lead into surveys and how we are actually measuring that.

At the time of the Auditor General's report, we were just in the process of developing a bespoke system for tracking sexual misconduct called the Operation Honour tracking and analysis system, OPHTAS. It's now online. It's one of a number of areas, through MP reports and medical reports, where sexual misconduct can be brought to light. It's important—and I underscore this once again—that we protect the confidentiality of the person affected. We're going to be developing this OPHTAS as we go forward, and looking at ways of better integrating where we can, while respecting confidentiality, and cross-referencing the other databases as we go forward.

Getting back to measuring how effective we are—and I think it goes back to the point we were talking about earlier—you can't force beliefs and attitudes on someone. Surveys are the way we go forward

and do that. We are very much committed to an evidence-based approach as we go forward. I think you are aware that StatsCan did a survey on sexual misconduct in the Canadian Forces in 2016. We just finished another survey, and I think the results will be published in May of this year. That will be a very important benchmark as we go forward.

**Mr. Pat Kelly:** I would like Ms. Thomas to have a chance to quickly address Mr. Christopherson's question. He asked, "Am I wrong?", at the end of his lengthy intervention.

**The Chair:** Thank you for the thought. We're still going to have to keep pushing that down the road a little bit, but we'll now move on to Mr. Sarai.

**Mr. Randeep Sarai (Surrey Centre, Lib.):** Thank you, Chair.

Sexual misconduct in any workplace, including the Canadian Armed Forces, is obviously very serious in nature. I was relatively pleased with the scope of the report and how it looked at many facets of the force's response to sexual misconduct.

While reading the report, I was very concerned by the fact that training on matters relating to awareness and prevention of sexual harassment was not always mandatory for the Canadian Armed Forces. Now that the armed forces are rolling out more mandatory workshops, I want to know how frequently these are held and how often armed forces members will be required to attend.

I think General Lamarre mentioned that new recruits have about six hours' worth of classes, or mandatory attendance, but studies show that it's extremely important for people to receive a so-called "refresher" in such matters every year or so. Is that the case now?

**LGen Paul Wynnyk:** I'll allow General Lamarre to comment at the end. He discussed the initial training we do for recruits and officer cadets. To address your point, this is training that we hit at every level right from my level on down. I'll very quickly go through some of the training we're doing, and if it's too much detail, please let me know.

With regard to our military police, they now receive special training in investigating sexual misconduct. They've done a lot of cross-training with the United States and they've done a partnership with the Ontario Police College on the sexual assault investigators course.

In all of our career courses, as you progress in rank beyond basic training, at every rank level there's a career course in which you have to qualify. Sexual misconduct and Operation Honour each have a performance objective, so the refresher you refer to is happening constantly at every level as people go through these career courses. Once again, right up to the highest level, we have a course that we run for colonels to prepare them to be general and flag officers; there's a section on that as well. We stress this at our peacekeeping and peace support training centre as well, particularly the applicability of sexual misconduct and sexual violence overseas, how to signal that and how to make sure we're aware of it and make sure that people are prepared to deal with that.

The bystander intervention training, I think, has been largely successful. We've trained 70,000 members of the Canadian Armed Forces, regular and reserve, so the vast majority. We're expanding the Respect in the Canadian Armed Forces workshop, which is very much geared towards leaders; it's a very interactive course in which you have to reflect and you have to contribute as you go forward. We'd like to expand that more. I don't know if we'll get to the point where we will do that for the entire Canadian Forces. Once again, it's geared very much towards that leadership and dialogue role. For every command team going into command, the commanding officer of a unit and the senior NCO who supports that commanding officer must take that workshop as they go in.

General Lamarre, do you want to add anything? I know you've talked about the basic training.

● (0940)

**LGen Charles Lamarre:** That was a pretty thorough answer.

I would just say, also, to put a bit of an emphasis on operations, that as a former director of staff for operations, we also pay special attention to contingents deploying. When you're gathering up a task force to go overseas and they get mandated to undertake specific training, Operation Honour gets there too, along with the requirements for reporting and everything else. That applies to anybody who is going on that task force. Madam Mendès was making her inquiries about public service and everything else. If you have folks who are going with the Canadian Armed Forces deployed operations, including members of the RCMP or other police forces, they're also then subject to these rules and regulations.

**Mr. Randeep Sarai:** On that same note, when you're out in international settings, such as a UN mission or a NATO mission, if there's a claim by somebody about a commander officer or a superior sexually harassing somebody from the Canadian Forces, is there a policy or mechanism to deal with different nations' forces?

**LGen Charles Lamarre:** We apply our rules and regulations so that people are subject to them. All members of the Canadian Armed Forces when they deploy are subject to these. Civilians who deploy with us are then subject to the code of service discipline or it's written into the contracts they have what they can or cannot do. We keep those people responsible.

In an international setting with a UN force or a NATO force or whatever case you might have, at that time we would usually deal with a police force that's established for the overall contingent that would make the necessary arrests and look at things. After that, individuals are turned back over to their contingents. If a Canadian is involved, the Canadian comes back to us, whether they are somebody who has been affected or... So we look after them. If they might have been involved in an incident in which they might be accused of something, then they're entirely subject to everything that is governed under Operation Honour but also to the code of service discipline, so every disciplinary aspect that might be there. If they happen to be a civilian, oftentimes they'll be repatriated back.

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

We'll now move back to the opposition side, and again, to Ms. Harder, please.

**Ms. Rachael Harder:** Thank you, Chair.

Originally, women were brought into the Canadian Armed Forces starting in 1941. Then, in the 1980s, there was an increased push to draw more women into the Canadian Armed Forces. Since about the 1980s, we've continuously had this conversation with regard to the treatment of women in the CAF and how to better bring in more women or how to make the Canadian Armed Forces more attractive to women who might be willing to serve.

Those women who serve within the Canadian Armed Forces have certainly seized the day. They have largely created an opportunity for themselves. They've shown tremendous bravery, and it has taken them tremendous courage to step up and serve our country. It's an incredibly selfless act. It's an incredibly dignified act, and it's an act that deserves the utmost honour.

With that, I do believe that these women should be able to come into the Canadian Armed Forces and expect that the institution that they have signed up with to serve their country should provide an environment where these women are treated with honour, respect and dignity. This is also outlined in the Auditor General's report.

I've had numerous conversations with women who have come out of the Canadian Armed Forces and who have faced unfortunate circumstances of being mistreated within the CAF. Unfortunately, their stories are sad, they're disappointing and they produce concern.

The government lawyers had an opportunity to respond to a couple of cases that were before them with regard to sexual misconduct. The government lawyer filed a statement of defence that said that National Defence "does not owe members of the Canadian Armed Forces any duty to protect them from sexual harassment and assault".

This quote is quite commonly known and understood, but I'm wondering if you would take this opportunity to clarify what is meant by this. I believe that the Canadian Armed Forces does have a responsibility to create an environment where these women are cared for, where they can expect to be treated with dignity, honour and respect. Indeed, that is the type of service that they signed up for. I'm just wondering why that wouldn't be the responsibility of the Canadian Armed Forces. With a statement like that, it's no wonder that we're receiving an Auditor General's report that shows that the department is not efficiently meeting its requirement.

● (0945)

**The Chair:** Ms. Thomas.

**Ms. Jody Thomas:** I am very aware of the quote that you're referencing. We believe, the leadership of the Canadian Armed Forces and the Department of National Defence, and agree with everything you've just said. Absolutely, we have to have a healthy, safe, respectful workplace for everybody who chooses to join the Canadian Armed Forces because it is an honourable profession, and it is one that we expect a lot of from those who serve and their families.

In that particular quote—and it is a legal term—I would offer to respond to you in writing that there is a question of a private law duty of care versus a public law duty of care. We have a public law duty of care which means that we are responsible to provide a healthy and safe workplace for our members and the civilians who serve, absolutely.

As for the legal argument, we can respond in detail to that, but we can't disagree with anything you've just said.

**The Chair:** Mr. Wynnyk, did you want to jump in there?

**LGen Paul Wynnyk:** Yes, if I may.

We agree with everything that you've said, but I did want to emphasize that sexual misconduct is not just an issue that involves women.

**Ms. Rachael Harder:** Right.

**LGen Paul Wynnyk:** I think that has not been raised here, and I think that's an important point to note.

I'd also like to point out—and it is a minor point—that women have honourably been serving in the Canadian Armed Forces in uniform since well before the First World War, so well before 1941. And just to re-emphasize what the deputy minister said, we have a duty to keep everybody safe regardless of gender, as they go through. I just wanted to say, as the senior ranking member of the Canadian Armed Forces, we agree with the points you've made.

**Ms. Rachael Harder:** Great. Thank you.

One of the notices that I would take today is the statement that Ms. Thomas opened up with at the beginning. She said that the SMRC really takes the initiative on this, but my observation today would be that we actually haven't heard from that individual at the table, who is Ms. Preston. I'm curious as to why she hasn't been given the opportunity to answer any questions today.

**Ms. Jody Thomas:** No questions have been directed to her, but certainly Dr. Preston knows that she can speak up at any moment.

**The Chair:** Thank you.

We'll now move to Mr. Chen, please, for five minutes.

**Mr. Shaun Chen (Scarborough North, Lib.):** Thank you, Mr. Chair.

I want to get back to what Mr. Christopherson was trying to address. On page 25 of the Auditor General's report, 5.111 states:

The 2015 External Review recommended creating an independent body outside of the Canadian Armed Forces that would be responsible for receiving reports of inappropriate sexual behaviour and act as a central authority for collecting information.

It goes on to say that the department created a sexual misconduct response centre and then it says, "the Centre was not given responsibility for receiving reports or collecting information", which is exactly what the external report had recommended.

Can we hear what the rationale was for not implementing what the review had suggested, given the further comments made by the Auditor General that there is a lack of internal oversight, that the data collection was not being done in a systematic way, that there was inconsistency because information was collected in different databases and that reports of incidents were sometimes duplicated because of those multiple systems? Can we get an answer to why that was set up in that way?

● (0950)

**Ms. Jody Thomas:** Certainly Dr. Preston is welcome to respond. Maybe I'll start with addressing Mr. Christopherson's question, which will lead into answering yours.

You are not wrong. There were certainly growing pains. It is fair to say that there was tension between the entities that were responsible and created to respond to Operation Honour and to respond to the Deschamps report. We hired Dr. Preston in June of 2017 as a professional psychologist who is an expert in this field, and that changed the nature of the SMRC almost instantly. We learned that a capable senior bureaucrat was not what we needed. We needed a functional expert. That was the first step to developing the SMRC to meet the intent and vision of Madame Deschamps.

We did have some growing pains and it was difficult. But in retrospect, it was better that the centre walked before it ran. There has been time to develop the team, who are all professionals, to develop their 24-7 response capacity, because when they began they did not work evenings. They now work worldwide 24-7. We are expanding the responsibilities in response to what has been pointed out to us by the Auditor General. But I would say that we were on our way there equally on our own in expanding the mandate of the SMRC. It was difficult at the beginning. There is absolutely no doubt.

Dr. Preston can probably speak to some of that difficulty. I think we're on the right path now.

**Ms. Denise Preston (Executive Director, Sexual Misconduct Response Centre, Department of National Defence):** The deputy is correct that there were growing pains from the outset, and certainly I inherited a lot of that when I started in May of 2017. You know, a lot of it was systemic in terms of the division of roles and responsibilities of the two organizations. Some of it is also due to a lack of clarity in terms of what independence means and if this really is an independent organization. We've been dancing around that issue for a long time, so there have been a number of challenges.

The deputy is right that, prior to my arrival, there had been three separate executives who had performed corporate functions and leadership for the centre, but they weren't experts. When I came in, I obviously had a different lens to look at not only the functioning of the centre but also the Operation Honour response more broadly. Certainly since I've started, I worked to really focus on the services of the centre, expanding them; making them evidence-based; making sure the staff were appropriately trained, supervised and monitored; and also attempting to build relationships and exert influence across the Canadian Armed Forces to help shape the response a bit differently.

**The Chair:** Thank you.

Very quickly, Mr. Chen.

**Mr. Shaun Chen:** Does the centre have responsibility for receiving reports and collecting information? If not, will we get there?

**Ms. Denise Preston:** At present, collecting a report is an official function. There are specific legal requirements for what needs to be in the report, how they need to be safeguarded and things like that. The mechanism we've set up is that we have a military police officer embedded within our centre, and so if people who contact the centre wish to speak to the police and wish to pursue making a report, we can facilitate access to our military police officer. This is not a small measure—it's not simply our giving them a phone number to call any MP. This is a specialized and national investigator.

The other very important aspect is that callers can speak to him anonymously. They can talk about what has happened to them, and he can do two things. First, he can give them an idea as to whether or not what they've experienced might meet the threshold for a Criminal Code offence, so that knowing they wouldn't meet the threshold, they wouldn't embark on a long and difficult process. Second, if they choose to make a report, he can explain the process very thoroughly so they can go into it with that information. We find that when people choose to speak to the MP anonymously, in the majority of cases they will call back later on to identify themselves and make an official report.

• (0955)

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

We'll now move back to Mr. Christopherson, please.

**Mr. David Christopherson:** I appreciate that very much, Deputy, because it saves me going down a whole road that would have gotten us here anyway, I believe.

We're mostly concerned about making sure that the lessons we learn from the past inform us going forward, but there are points of accountability. All of us here are accountable. My colleagues are about to be held accountable in a few months, big time; everybody there who works for you is accountable; and now you're accountable to Parliament here.

I'd like to know from you, General. The Auditor General stated, when he asked why you split the responsibilities and gave the centre so little, the answer was, "Senior leaders explained that the Forces' leaders must perform the responsibilities that the External Review recommended; otherwise, it would undermine governance and accountability". I point out that your action plan and the 12 or 13 items I've referenced all do exactly what supposedly couldn't happen in the first place.

What was that response? What was it based on? How did it get eliminated so quickly when you got in trouble and needed to put together a game plan?

**LGen Paul Wynnyk:** I'm not sure I agree with the premise that we've done so poorly. There's a lot of work to be done in the future, there's no doubt about that, but a lot of ground has been covered in the last three years.

If I could get back to your question specifically, to me, once again, it involves addressing something broader, which is cultural change. That's what I've talked about before. That can only be done through the chain of command; we cannot have an external agency come in.

We can certainly take advice, and Dr. Preston is providing excellent independent advice. She's the authority. She's at arm's

length. She will have the authority—and she has it now—to write a report on us, to assess us as we go forward. Essentially she becomes our own auditor, independent of the Canadian Forces, but to effect the change we're talking about in the broad sense can only be driven through the Canadian Forces and the chain of command.

**Mr. David Christopherson:** That's why I made some reference to having some experience with command and control. I understand that, I respect it and I understand its necessity, but there was still an interface where the external review said, thou shalt set up an external body that will have these responsibilities: boom, boom, boom, boom. The military said no. Now when the Auditor General's report comes out, you're back to yes. I'm trying to determine what part of what you said no to disappeared so quickly once you got into some trouble.

By the way, I didn't say everything was horrible, and if I left that impression, I'm sorry. I want to go out of my way, and I think I did, to say that you're doing some things very well and we're impressed with that, but this isn't a cheerleading meeting. This is a meeting about fixing things. Tell me about that interface. How was it that what you just said held, and left them out of the loop, and then all the problems the AG found came from the areas you didn't give them the responsibility for, which you said you would do when you accepted the external review, I might add?

I'm sorry, you're still not giving me exactly the answer I'm looking for, sir.

**LGen Paul Wynnyk:** Could you elaborate, Mr. Christopherson, on specifically which areas you're talking about? I don't have them at the tip of my tongue here.

**Mr. David Christopherson:** Well, you know what? I'll come back to them if we need to because I have time, but I want to point out that it was treated as so unimportant that there wasn't even a meeting at the steering committee for all that time.... The fact of the matter is that you accepted something and then you used the excuse about how your structure works to say, no, we can't do it. Why didn't you say that from the get-go? This is the part that troubles me.

Why was it that you made the commitment that you accepted the recommendations, then when it came time to do it, you said no? When your way didn't work and it came time to fix it...the deputy is here saying that the centre is back in control. Somewhere between what happened in the past and what's happening now, there was a problem. I'm trying to get at that problem and, sir, you're not giving me the kinds of answers I'm looking for. You're being very—pardon the pun—defensive.

I'm looking for an understanding that at the top levels this didn't work. Who, for instance, knew that there weren't any steering committees and didn't care? I'm still not hearing the answers, sir, that I'm looking for.

•(1000)

**LGen Paul Wynnyk:** I would have to take that on notice and get back to you, but I certainly disagree with the assertion that nobody cared. I can assure you, Mr. Christopherson, that we care about this very deeply.

**Mr. David Christopherson:** It was a poor choice of words.

**LGen Paul Wynnyk:** As we go forward, once again, though, I think that many of the issues we're talking about—and I stress this once again—can only be driven by the chain of command. We do have under the SMRC, under Dr. Preston, an independent authority, independent of the Canadian Armed Forces, which once again can provide that oversight and input, hold us to account as we go forward and verify things as we go forward.

I'm quite satisfied that the division of responsibilities is very clear now, but once again, to effect the change that we seek to change, it has to be driven by the institution itself, by the chain of command.

**The Chair:** Thank you very much, General Wynnyk.

We'll now move to Monsieur Massé.

**Mr. Rémi Massé (Avignon—La Mitis—Matane—Matapédia, Lib.):** I had a quick question.

[*Translation*]

Correct me if I am wrong, but, as I understand it, under the Privacy Act, the chain of command will sometimes not inform victims whether administrative measures have been taken, which can lead some members in uniform to believe that nothing has happened.

How do those responsible have to go about making sure that victims' needs are met in terms of follow-up, resources and services?

[*English*]

**Ms. Jody Thomas:** There are a number of aspects to privacy and anonymity in this process. We're not because of privacy protecting perpetrators or people who have behaved inappropriately. Where we're focused on privacy is actually on the anonymity of person reporting the problem, generally at their request. We always protect their anonymity if they've asked us to do so. That's where the SMRC.... Denise can certainly speak to this in great detail. When that's the anonymity process and that conversation goes back and forth to the determination that the person affected wants to make a formal report, at that point the chain of command is made aware, but one of the key things about the SMRC is protecting the anonymity of the person who calls in.

**Ms. Denise Preston:** Yes, that's absolutely true. When callers contact the centre, we essentially leave it up to them in terms of how much or how little they want to tell us about their circumstance and their personal information. Sometimes people choose not to give us names. Quite frequently, they choose not to give us locations or what environment or base they belong to, because they're trying to protect themselves. We certainly respect that, so nothing is recorded in our database. The other thing is that our database is completely protected within the centre. There is no one outside the centre who would have access to the database.

With respect to your original point, which is the fact that people who have made complaints don't actually get informed about administrative actions taken, you're absolutely right. We hear this

from callers. There is a significant frustration about the lack of closure for them. Certainly, it's recognized within the victim world more generally, not just in the CAF but in Canadian society, that the need for information is critical and in fact is a right. According to the Victims Bill of Rights, they have a right to a certain amount of information. Information is power for people. It's powerful to let them feel heard, validated and safe.

[*Translation*]

**LGen Charles Lamarre:** I would also like to answer Mr. Massé's question.

As for the necessary processes, we can take disciplinary measures against anyone who has broken the rules, either by a summary trial or by taking the case to a court martial. Then, certain steps would have to be followed. If a person is found guilty, disciplinary measures would be possible. The process is open.

Administratively, we can take various measures in order to react to unacceptable situations. For example, we can review the career of the individuals in question, or decide to discharge them for doing things that are not acceptable in the Canadian Armed Forces.

The process already considers the frustration of victims that Mrs. Preston has just told us about. Only the Chief of the Defence Staff is able to discharge from the Canadian Forces those who say that have been assaulted in one way or the other. That is important for them. If individuals have been sexually assaulted in any way whatsoever, before their careers come to an end or they are discharged, only the Chief of the Defence Staff himself is in a position to discharge them from the Canadian Forces. It must be certain that those individuals have received all the medical care and support they need and, before their discharge, they must be made aware of the disciplinary and administrative measures that have been taken against their abusers.

•(1005)

**Mr. Rémi Massé:** Thank you.

Clearly, this is a matter of trust. Before they can report their abusers, victims or potential victims have to have trust in the process.

My last question goes to Mrs. Preston.

Do you think that the new processes in place will encourage more victims to report their abusers?

[*English*]

**Ms. Denise Preston:** I think it's absolutely true that the more affected people, the complainants, are included in the process, allowed to participate, to receive information and to provide information to have their views taken into consideration, the better it is for them, the more empowering it is, the more safe they feel and the more healing it is for them.

The other thing that I would add is that one of the service enhancements that we're doing—it was recommended by the OAG, but it was also an enhancement that we had started developing already—is to institute what we're calling a case management process. What that would mean is that one of our counsellors would be assigned to a member from the time that a first report or disclosure is made. They would have a consistent point of contact that would help them navigate the process from beginning to end, whether that means helping with filling out forms, accompanying them to appointments, providing information, or whatever their needs are. That's the role that this person would play. I think that will go a long way to helping as well, because they will then not be left in the dark. When people are in the dark, they always make negative assumptions that are not necessarily factual.

**The Chair:** Thank you.

I would also remind our committee that we do have committee business, so we'll be in camera.

Mr. Kelly.

**Mr. Pat Kelly:** I'll be quick so that maybe I can help my colleagues. I'm so generous this morning that I'm happy to do that.

I have a couple of quick questions. Hopefully we can get concise answers.

We've already heard about the problems about data collection. I'd like to ask Ms. Thomas clearly: Do you agree with Mr. Hayes' observation that the forces did not have a performance measurement or framework to measure and that the information the forces collected on incidents is of poor quality?

**Ms. Jody Thomas:** Yes, I absolutely agree. We had a lot of numbers, but they didn't give a lot of information. It wasn't data, and it wasn't information; it was just numbers. The ability to delve into the numbers, the number of incidents in this space over the course of the year, was not then being used to understand what the root causes were in that location.

• (1010)

**Mr. Pat Kelly:** Okay. Why was that?

**Ms. Jody Thomas:** I think that it was due to a lack of understanding of what was required of the team looking at this issue. I think the information was incomplete, and so there was a desire not to draw the wrong conclusions, but instead it left a gap.

**Mr. Pat Kelly:** What can you do to ensure that five years from now we don't have another Auditor General's report before this committee, and a future deputy minister in your place throws their hands up and says something similar in terms of an answer?

**Ms. Jody Thomas:** We certainly have you to report to on how we are doing with our data collection and our management action plan. We have a data problem in Defence. We've been in front of this committee before—

**Mr. Pat Kelly:** Yes, and other departments, not just Defence.

**Ms. Jody Thomas:** —and we have taken this very seriously. I have invested in a data analytics group that is going to oversee, develop and direct how we manage data in the Department of National Defence. It will be done consistently. It will be done across every senior, major branch. Dr. Preston is already working with that

group to build its datasets, to understand what we need to collect and what it means when we collect something.

**The Chair:** Thank you, Mr. Kelly. I'll steal some of your time.

Ms. Thomas, you just mentioned some of the bases, and that word jumped out at me. I'm wondering, in the whole study of sexual assault within the defence forces, do you have the data? Is it that you may have dictated the importance of this protocol, but certain bases maybe just didn't see it as strong a directive as other bases saw it, while some bases took it as a higher priority? Was there a division in those bases where there was more?

The second question I would ask is, do you have the data with ages? Is a lot of this right in the field? How much of it is at headquarters? How much is on those military bases?

**Ms. Jody Thomas:** I'll ask General Wynnyk to jump in as well. We do have the data. We can provide it to you.

Certainly, when Madame Deschamps did her report, she was very clear that the disparity between rank and authority and power was one core problem within the organization. Senior leaders with more junior, younger members was where the inappropriate behaviour—whether comments, etc., harassment, up to assault—was taking place.

Recent data—and again, we'll provide it to you—is showing that it's more peer-to-peer. It's still a problem, absolutely. I'm not diminishing it, but it's a different problem we have to deal with.

**LGen Paul Wynnyk:** With regard to your question on bases, I don't think there's been a perceptible difference in reporting at bases. Once again, there's absolute buy-in from the senior leadership level; it's just how it trickles down over time. We don't have any evidence, with the data we do have, to suggest that some areas have under-reported.

**The Chair:** Thank you.

Ms. Preston.

**Ms. Denise Preston:** Yes, I could just speak a little bit about the data. I don't have the numbers in front of me, but I'm aware of some of the trends in the data. To respond to your question, what we do find is that the primary age group that's being targeted is that 19- to 25-year-old group, and that's also the primary group where the accused or the perpetrators are. We know that it is a phenomenon in the younger population.



What we do know in terms of looking at some of the gender differences—these come from the StatsCan survey—is that women are more likely to be assaulted or harassed by someone in the chain of command, someone senior to them, whereas for male victims it's more likely to be peer-on-peer.

**The Chair:** Interesting. Thank you.

Mr. Arya.

**Mr. Chandra Arya (Nepean, Lib.):** Thank you, Mr. Chair.

Mr. Chair, when you asked my colleague Mr. Massé to ask his questions, he appeared a bit unprepared. We have to excuse him because he is ready to leave the committee and act as parliamentary secretary to the Minister of Innovation. I think he already took one step out.

I would like to recognize the remarks made by Ms. Thomas. I listened to her. It was very refreshing, quite open and frank. For example, she said they have not always been successful in putting people's needs first. Despite their best efforts and good intentions, as the Auditor General has identified, there was an important but entirely unintended consequence of the duty to report.

She also admitted that they have learned since then and they know that some people experienced repercussions as the reporting system launched a process they did not want. Along the same lines, she said that the more they learn, the better they will be at preventing sexual misconduct and supporting people affected by it.

I think this gives me assurance that going forward, this particular subject will be handled very diligently and in a very speedy way.

Now, my question is about one of the recommendations of the Auditor General, that the members have access to a consistent level of service and specialized support, regardless of where they are serving. My question to Ms. Thomas—and maybe Dr. Preston—is about disclosure and handling of complaints. Will this be more difficult when the victim is serving abroad, or in a place like a ship or a submarine?

• (1015)

**Ms. Jody Thomas:** Thank you for your kind remarks.

There are problems reporting, depending on where you are. Dr. Preston is working on that with the environmental chiefs as we speak.

If you're on a ship, making a report to the centre can be difficult if you don't have connectivity and if you're not comfortable reporting to your chain of command. So, how do we effect that? That affects the functioning of the armed forces, absolutely, so we have to find ways, and we are working on ways to do that.

I believe we've fixed the problem with those who are serving abroad. They have access to the centre. Generally it is when they're at sea that we have the largest problems and that has to do with data and bandwidth and getting access, and we're working on those things.

At the same time, the chain of command has to understand that they have a responsibility to protect people who've been affected, and so yes, MRC is there to provide independent advice and an independent ear and voice for people who have been affected by

inappropriate behaviour. The chain of command also has to be part of that.

**The Chair:** Dr. Preston, are you in on that, or not?

**Ms. Denise Preston:** I'll let you know.

**The Chair:** General?

**LGen Charles Lamarre:** Perhaps I could just add a bit there to re-emphasize what the deputy minister just said. Not only does the chain of command have a responsibility to do this, they have a great interest and a passion to do so, and that point can't be forgotten.

When it comes down to it, whether you're on a ship or you're deployed anywhere around the world, or if you're in Canada, the effectiveness of your unit depends on the ability of each member of your team to feel like they're part of the team. So you can bet that every member of the chain of command wants to make sure that's addressed properly. If you have miscreants in there, they'll be rooted out and taken out. I think that's an important aspect of it.

Even when you're deployed, if for some reason you're not there, it's not only your chain of command that's going to be able to help you, but you have the multiple levels that we spoke about earlier on, multiple chains. There are your chaplains, your physicians' assistants, your medical officers. You often have the MPs who are deployed as part of any task force.

There are numerous ways in which a person who has been affected can seek that assistance. If, by chance, they were not able to immediately get to Dr. Preston's organization, again, with the connectivity we have in deployed operations now, folks have the ability to do that. Interestingly enough, it's not only potential victims or those who have been affected, but many members of the chain of command also call in to Dr. Preston's organization to get advice from our specialists. I've done so myself on two occasions since the centre came into existence and I found it to be useful in both incidents. There was one case specifically, a long-standing event, that resulted in correcting something that had occurred over 25 years ago, and that individual now is wearing the rank of colonel in the regular force.

So, we do use this centre as a resource. It's available to the people here, and it's available to people all around the world.

**The Chair:** Thank you, Mr. Arya. It was a good question.

This will be our final question, and then we will ask everyone to exit fairly soon so that we can have an in camera meeting after.

Mr. Christopherson.

• (1020)

**Mr. David Christopherson:** Thank you, Chair.

The first thing I want to do—and I already had it down before he started—is to echo Mr. Arya. I think it's important that the deputy hear from, not just government members, who could be said to be self-serving in terms of supporting their own appointees, but also from the third party over here, which is about as far from real power right now as you can possibly get.

I want to say that, Deputy, I have found your accountability to Parliament, which is what this is about.... It's not us. This is the premier oversight committee of Parliament, and when people are brought here to be accountable, you're accountable to Parliament. Deputy, you have a very difficult file and have had difficult files previously, and I have always found you to be very forthright. You don't play games. When you're put on the spot, you respond honestly and with commitment, and you follow up. Your comment about taking data seriously is music to our ears.

What you have said here today is good, and I'm satisfied that you've made enough personal commitments in this action plan that I think it's going to happen. I want to join Mr. Arya and thank you, Deputy. You're doing an excellent job. You're getting close to the gold standard in terms of what I look for from a deputy, and, as you know, that's not an easy ladder to climb. My faith is in your personal commitment to making this happen. I believe you.

General, not so much, sir. Now, I mean this sincerely. You said you weren't sure which criticisms I was talking about. A quick read of the report shows you that there were data problems. The gaps in services were the same. The training is not being done in a coordinated way. The duty to report has caused a problem that wouldn't have been there if it had gone through the original recommendations. That's just the beginning of it. If you want to drill down, you'll maybe understand why the deputy approaches this committee the way she does.

Page 25, 5.109, "What we examined", and this is the AG.

I'll leave you, sir, to answer or not. I'll leave it rhetorical, if you wish not to answer, and if you want to answer, I'll be keenly interested in what it is.

It states:

What we examined. We examined whether the Canadian Armed Forces adequately oversaw Operation HONOUR to know whether it was working as intended, and whether it was being improved continuously.

Then 5.110, page 25:

Independent, external oversight. In 2016, the Chief of the Defence Staff—

That's your boss, right?

**LGen Paul Wynnyk:** You know it is, Mr. Christopherson.

**Mr. David Christopherson:** —committed to receiving independent oversight and advice for Operation HONOUR by creating a steering committee and an external advisory council.

You asked me what it was that I was having a problem with. The next sentence:

However, we found that the advisory council had met for the first time only in June 2018, and at the time of the audit, the steering committee had never met.

Did the chief of the defence staff know that the council had not met? The steering committee didn't meet until 2018 and the department.... I got it wrong. The advisory council met for the first

time only in June 2018, and at the time of the audit, the steering committee had never met. Given that the chief of the defence staff, the top of the house, said that he was creating those two bodies to ensure that Operation Honour was being implemented effectively, did the chief of the defence staff know that the advisory council hadn't met until June 2018 and that the steering committee had never met? If he did, it tells me that it wasn't too darn important. If he didn't know, there's some incompetency in terms of accountability back to the top of the house.

**LGen Paul Wynnyk:** First of all, I cannot say what the chief of defence staff knew and didn't know. I want to take it on notice that there could be multiple reasons why that committee met when it did. We'll check into this. Perhaps the members had not been convened. I'll follow up on that.

Mr. Christopherson, I want to get back to the points that you mentioned. I think it's the nub of the issue. I appreciate your passion on this, and I want to emphasize, if I haven't appeared to be taking this seriously, that I am taking it very seriously.

**Mr. David Christopherson:** It's not a lack of seriousness, General. I'd like to hear a little more accountability.

• (1025)

**LGen Paul Wynnyk:** On the data, training and duty to report, which are the points that you mentioned, I can assure you we're doing a lot in that regard. I mentioned that the new data analysis system, the Operation Honour tracking and analysis system, is well under way. It was under way at the time the Auditor General did the report. It's a bespoke system. It's the first among the Five Eyes countries in the world.

**Mr. David Christopherson:** If you want to go back and forth on this, General, I can go into detail too. I read this report very carefully and the problem was that the external review committee recommended that the centre take responsibility. They had informal ways of deciding whether to go on or not. Within the military, the duty to report required that someone has to go ahead. In fact, it noted that some of your decision-makers took it upon themselves not to follow the letter, which is really serious in your business, but they did the right thing. I hope they were commended for it.

**LGen Paul Wynnyk:** The duty to report is an important aspect that we've looked at. There will always be a duty to report. Anything that's wrong in the Canadian Forces under the code of service discipline, we're going to report.

We have learned as we've gone along how we respond to that and the involvement of the victim. How we respond to that is very important.

**Ms. Jody Thomas:** If I could just have one final word on the external advisory committee, thank you.

Part of the reason it didn't meet frequently and only had its first meeting as noted in June 2018 was my fault. The members who were originally nominated, I didn't think answered the question. We wanted experts. Dr. Preston of course has contacts around the country, people who are experts in this field whether victim support, data experts, psychologists or sociologists who understand the root causes, all the things we need to look at within the Canadian Armed Forces and the Department of National Defence.

We revamped the EAC from scratch before the first meeting. I think that while we were slow in getting it moving, we have a better committee for that. It is an adviser to Dr. Preston. She then gives advice to the chain of command based on the EAC. They've met multiple times since, and I think are doing very good work.

You can hold me accountable for why they didn't meet. Dr. Preston had a better idea for it.

**The Chair:** I want to thank all of you. I have one other thing to add. We talked about meeting recommendations, whether or not timelines will be met. We have looked at the timelines, and in speaking to our analysts, they seem very reasonable. I hope we are on a good track as far as being able to keep up on those recommendations in the time allotted to them.

I can guarantee you that if we find that those timelines are not being met or are being postponed, we will look forward to seeing you appear here before our committee again. I hope these recommendations and the action plan will be kept.

Thank you very much for your attendance here today. We are going to suspend our meeting and we then will go in camera.

*[Proceedings continue in camera]*

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