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# Standing Committee on National Defence

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Chair: Mrs. Karen McCrimmon





## Standing Committee on National Defence

Friday, April 16, 2021

• (1305)

[*English*]

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

[*Translation*]

Good afternoon, everyone.

[*English*]

Welcome to meeting number 25 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, 2021. Members are attending in person or remotely using the Zoom application. The proceedings will be made available via the House of Commons website. For your information, the broadcast will always show the person speaking, rather than the entirety of the committee.

[*English*]

As a reminder, all comments by members should be addressed through the chair. Once again, as a reminder to myself first, please speak slowly and clearly for the benefit of our translators. Thank you very much. They have been very forgiving of us in the past, and we really appreciate the hard work they do.

With regard to a speaking list, the committee clerk and I will do the best we can to maintain a consolidated order of speaking, whether people are participating virtually or in person.

Pursuant to Standing Order 108(2) and the motion adopted by the committee on Tuesday, February 9, 2021, the committee is resuming its study addressing sexual misconduct issues in the Canadian Armed Forces, including the allegations against former chief of the defence staff Jonathan Vance.

Mr. Bezan, you have your hand raised.

**Mr. James Bezan (Selkirk—Interlake—Eastman, CPC):** Thank you, Madam Chair.

First of all, I just want to make sure you have our speaking order. It will be Mr. Benzen, Ms. Alleslev, Ms. Gallant and then myself.

Also, as we have yet to hear from Elder Marques, who I know indicated to the clerk, according to correspondence, that he was willing to appear a matter of couple of weeks ago, I move the following: 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 and Admiral Art McDonald, summon Elder Marques to testify as a witness; that the witness appear individually for no less than two hours; that the meeting be held in public and be televised; and that the witness testify within seven days of this motion passing.

If I may speak to that, we have correspondence from the clerk confirming that Mr. Marques had agreed to appear before the committee, and that as late as March 31, he was willing to appear. That hasn't happened, of course, we know, with the move by the Liberal members of the committee at the last meeting on Monday to shut down the study.

I think it is imperative that we hear from Mr. Marques. As you can see, all the other witnesses who have been called have been very accommodating in appearing, including former chiefs of staff of Conservative ministers and the Conservative prime minister, so I think it would be only fitting that we have Mr. Marques appear to give us more information about what he did with the information that was passed to him by Zita Astravas, as we have learned from testimony from a number of witnesses, including the Minister of National Defence.

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

I believe the committee has already decided. They've already voted to deliver a report on this study, and the idea was to wrap up this study. We've completed our work on this study and we need to get on to other work.

That is my understanding of the will of the committee, and it's the will of the committee that needs to be paramount here.

**Mr. James Bezan:** Madam Chair, I'll just counter that and say that the motion we passed on Monday did not at all end the number of meetings to be held. It didn't put a timeline to end hearing from witnesses, just that draft recommendations had to be in by the end of today, which I'm sure members are going to accommodate. It has a timeline set out as to when draft reports need to be done, considered and tabled. It does not put an end to hearing from witnesses.

In my opinion, this motion definitely is timely and one that we need to consider. I would say that once we hear from Elder Marques, if there aren't other witnesses we need to call, I think we would be in the position to move on.

**The Chair:** Thank you.

Go ahead, Madam Alleslev.

**Ms. Leona Alleslev (Aurora—Oak Ridges—Richmond Hill, CPC):** Additionally, Madam Chair, it was the will of the committee to hear from Elder Marques. This motion is just a reinforcing and reiterating that the will of the committee was that his testimony was critical to the study that we're doing. We would not want to complete this study without hearing his critical testimony to make sure that the thoroughness and responsibility of our report is taken to its full extent.

• (1310)

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

I'm ruling this is out of order. That's because the will of the committee has been to begin the wrap-up of this particular study because we felt it was so important that a report needs to get out in order to support the CAF in their endeavours to go ahead and adjust their requirements.

**Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC):** Madam Chair, I have a point of order.

**The Chair:** Stand by. Next on is Madame Larouche.

**Mrs. Cheryl Gallant:** No, it's a point of order.

**The Chair:** Go ahead.

**Mrs. Cheryl Gallant:** I'd like to challenge the chair's ruling on that decision.

**The Chair:** I have ruled that the motion is out of order in that the committee did decide to wrap up this study and move on to other work. That's the ruling I made, and therefore the motion was out of order. The ruling is being challenged. We need to vote on the chair's decision.

[*Translation*]

**Ms. Andr anne Larouche (Shefford, BQ):** Madam Chair, I had raised my hand to speak to the motion.

[*English*]

**The Chair:** Go ahead, Madame Larouche.

[*Translation*]

**Ms. Andr anne Larouche:** Provided that it doesn't delay the tabling of the report, we agree that Mr. Marques should appear, if he so chooses, especially since he had been invited before the motion was introduced.

[*English*]

**The Chair:** It is non-debatable and non-amendable, and we need to move to the vote, unfortunately, but thank you.

**Ms. Anita Vandenbeld (Ottawa West—Nepean, Lib.):** For clarity, Madam Chair, if we want to uphold the ruling of the chair, do we vote "yes" or do we vote "no"? Which one is it?

**The Clerk of the Committee (Mr. Wassim Bouanani):** If I may, Madam Chair, the question will be, "Should the decision of the chair be sustained?", so it's a "yes" if you would like the decision to remain the same.

**Ms. Anita Vandenbeld:** Okay.

**The Clerk:** The question is this: shall the ruling of the chair be sustained?

(Ruling of the chair overturned: nays 6; yeas 5 [*See Minutes of Proceedings*])

**The Chair:** Okay. I understand that because of the leaks of motions that were sent to this committee over a week ago, there is maybe a resistance, a reluctance, to prepare motions in advance, in the 48 hours.

We're going to suspend until we are comfortable.

• (1310)

(Pause)

• (1425)

**The Chair:** I'm calling this meeting back to order. Thank you very much.

I need to apologize to our witnesses. We really appreciate your being here.

Unfortunately, we have a bit of a challenge in the committee at the present time, because last weekend a confidential motion was leaked to the press. That makes everybody's lives very difficult. It creates a situation or a condition in which people maybe don't want to share their motions in advance.

Routine motions call for 48 hours' notice before being tabled in order for them to be presented to the committee. There are exceptions, but we've gotten into a habit of doing that more often than not. I think that's just something that we have to deal with. It is a bit of a challenge when last-minute motions come to the floor. It actually takes away from a level playing field, because some people know what's coming and some people don't.

I must admit that I wish to discourage this kind of behaviour. I want us to go back to giving 48 hours' notice for motions. I think it's very important to remember that last-minute things are unfair to your colleagues. Even though they might be legal in the strictest sense of the word, they're unfair to your colleagues.

I have to not reward that kind of... If we want to go back and follow our procedure for routine motions, that's what we have to do.

I apologize for the time that we took today. I appreciate your patience with us.

Do we have debate?

Go ahead, Madam Vandenbeld.

• (1430)

**Ms. Anita Vandenbeld:** I believe that Andr anne had her hand up before me.

**The Chair:** I'm sorry. The screen used to go left to right, but now it kind of goes right to left, and sometimes they don't all show up in the correct order.

Madam Larouche, you are up first.

[*Translation*]

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

I'd like to propose an amendment to the motion under debate. To respect the decision made earlier this week, I'd simply like to add, at the very end, "and that the date of the report be not changed." Otherwise, we should find a way to remind people that dates have been confirmed.

[English]

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

Next we have Madam Vandenberg, and then Madam Alleslev.

**Ms. Anita Vandenberg:** Thank you, Madam Chair.

I would like to put a subamendment to that amendment to say that we change the word "summon" to the word "invite". It's just a one-word change.

**Mr. James Bezan:** On a point of order, you can only deal with one amendment at a time, Madam Chair.

**The Chair:** I believe it's a subamendment.

Stand by.

**Mrs. Cheryl Gallant:** I have a point of order. I did not hear the amendment say anything about the word "summon".

**The Chair:** We need to have debate on the amendment that was brought to the floor by Madame Larouche. Who wants to speak to that?

Go ahead, Madam Alleslev.

**Ms. Leona Alleslev:** I absolutely support the amendment.

There was no intent to delay the study. However, of the witnesses that we had agreed as a committee that we needed to hear from, Elder Marques was absolutely one of them. We did invite him and he has yet to appear, so we need to summons him. Certainly we want to maintain the timetable for this report, but we also want to ensure at the same time that it is thorough in its investigation.

Thank you.

**The Chair:** Mr. Garrison, go ahead.

**Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP):** Thank you very much, Madam Chair.

I too support the amendment put forward by Madame Larouche.

I don't think the intent of the original motion was to change any deadlines. It didn't talk about changing any deadlines. I remain disappointed that we have to submit, very shortly, our recommendation without hearing from key witnesses, but the time frame suggested, both in the motion adopted previously and in Mr. Bezan's motion, would allow us to take into consideration that testimony when we're drafting our report.

I am in support of both the amendment and the main motion.

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

Mr. Baker, go ahead, please.

**Mr. Yvan Baker (Etobicoke Centre, Lib.):** I have a couple of comments I want to make in response to what was said.

I think a comment was made by one of the members around the need to summon Mr. Marques. I don't agree with that. I think summoning is a drastic measure and is unnecessary.

Unfortunately, we're debating this issue again. We've been through this on this committee, on this study, before. I do think that summoning is a very drastic measure. It sets a dangerous precedent. It's unfair to the person who is being summoned, unless they've absolutely refused to appear.

I'm wondering if—

**Mr. James Bezan:** On a point of order, Mr. Chair, I believe we're debating the amendment, which has nothing to do with the summons part. We're just talking about Madame Larouche's addition to respect timelines.

• (1435)

**Mr. Yvan Baker:** May I respond to that, Madam Chair?

**The Chair:** Do so very quickly, please, Mr. Baker.

**Mr. Yvan Baker:** Mr. Bezan's colleague raised this issue about the need to summon, and I'm now not being allowed to respond, in Mr. Bezan's opinion.

**Mrs. Cheryl Gallant:** The amendment does not mention the word—

[Translation]

**Ms. Andréanne Larouche:** Madam Chair, I have a point of order.

We have not voted on my amendment and we have not even finished debating it.

[English]

**The Chair:** Madame Larouche, you have not been recognized.

Stand by, everybody. We can't have everyone talking over each other.

[Translation]

**Ms. Andréanne Larouche:** Madam Chair, I would really like to raise a point of order after Mr. Baker's comment. We are currently debating my amendment, not the main motion. I feel that is what the debate must be about, and when the debate is over, we have to vote on the amendment.

[English]

**The Chair:** Copy that. That actually makes a lot of sense.

The debate is on the amendment put forward by Madame Larouche. Does anybody else want to speak to that amendment?

(Amendment agreed to)

**The Chair:** Go ahead, Madam Vandenberg.

**Ms. Anita Vandenberg:** Madam Chair, I would like to move another amendment. I move to change the word "summon" to "invite".

I would actually ask the clerk to please tell us whether Mr. Marques has in fact ever refused to come. Could the clerk explain the correspondence a little? I really believe that a summons is something that should happen only if somebody has actually refused to come and/or has refused to respond to the clerk's invitation. Could the clerk please give us a little background about the discussions with Mr. Marquez?

My amendment would be just to change that word.

**Mrs. Cheryl Gallant:** [*Inaudible—Editor*] speaking order and I had my hand up.

**The Clerk:** Madam Chair, just to clarify, on both occasions Mr. Marques has not declined. He just said that he was not available on those days.

**The Chair:** Okay.

Go ahead, Madam Gallant. You are addressing Madam Vandenberg's amendment, right?

**Mrs. Cheryl Gallant:** Yes. On her amendment to change the word from "summon" to something else, the point also of a summons is to offer protection for the witness. Clearly, he is willing to appear but someone is preventing him from appearing, and we want Mr. Marques to be able to speak freely and with the full protection that being summoned would afford him.

**The Chair:** All right.

Madam Alleslev is next, please.

**Ms. Leona Alleslev:** I would like to further reiterate that we first, I think, put Mr. Marques on the list March 8, so we have been unable, if I understand from the clerk, to find an available date between March 8 and now, April 15. We do need to respect the timelines of the motion that we just voted on, so in order to ensure that we respect those timelines, we now need to summon Mr. Marques to ensure that he can get here in the next couple of days, or a week at the latest, so that it doesn't jeopardize the timeline of our report and we are able to get the critical information that he has.

It's wonderful that he is willing to attend. Now we need to find a way to have him attend shortly, and, as Ms. Gallant also said, we want to offer him protection, so a summons is now our only option to ensure that we hear from this critical witness within the timelines of this report.

Thank you.

• (1440)

**The Chair:** All right.

[*Translation*]

Ms. Larouche, you have the floor.

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

Whether it's an invitation or a summons, I would like to know one thing. The witness in question had been named in the motion even before we moved and passed the other motion earlier this week. So this was a witness the committee was already expecting. I would like to know if the Liberals can make sure that they do not block Mr. Marques from appearing. We're having a debate right now about whether to invite or summon the witness, but as far as

I'm concerned, the important thing is that he appears before the committee. So I would like to know if the Liberals are prepared to commit to not blocking his appearance.

[*English*]

**The Chair:** All right.

[*Translation*]

Thank you very much, Ms. Larouche.

[*English*]

Go ahead, Mr. Bagnell, please.

**Hon. Larry Bagnell (Yukon, Lib.):** I'm sorry; did you call me?

**The Chair:** Yes.

**Hon. Larry Bagnell:** I would like to know from Ms. Gallant how summoning gives more protection. I didn't understand that comment and what evidence she had that someone was preventing him from appearing.

**The Chair:** Mr. Spengemann is next, please.

**Mr. Sven Spengemann (Mississauga—Lakeshore, Lib.):** Madam Chair, there are a couple of things. I think we were getting onto the same page in thinking that the committee really should be focused on the report and the substance of the report, which includes the cases that we have examined with respect to the former chief of the defence staff, but also, equally, the way forward with respect to recommendations for cultural change.

It is really the report that is going to speak to the Canadian public, to the Canadian Forces and to the government, so I am really hopeful that colleagues will invest their energy in this report and come forward with recommendations that will help us move the yardsticks.

On the summons, I have made this point before and I am quite prepared to make it again if necessary: It is a precedent that is heavy. A summons really is a last-resort action, and to summon exempt political staff who really aren't accountable to anybody but the person who hires them—the minister or the former minister—would set a precedent that I don't think under these circumstances should be set. It isn't just ministers or ministerial staff from this government who could potentially then fall under that precedent, but previous governments as well. That practice, in my view, should be avoided, except under the most important and most pressing cases. I don't think we have one of those in front of us, so I would encourage colleagues to consider that and to really preserve this option and not quickly resort to it as a precedent.

It really signals, Madam Chair, an unwillingness on the part of the witness in question, or the potential witness, to appear. There is no evidence in front of us that this is the case. In fact, there have been exchanges of information between Mr. Marques and the clerk's office, none of which indicates an unwillingness to appear.

I really urge my colleagues to consider the proposed amendment to change the word "summon" to the word "invite".

Thank you, Madam Chair.

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

Seeing as there are still more people who wish to talk, I believe that we should allow our witnesses from today to leave us.

I appreciate your being here. I wish that we could have heard your testimony. I know that you had a lot to offer us, but it looks like more people would like to debate, so we're not going to be able to take advantage of the expertise and experience that you offer us today.

We would like to say thank you very much for being with us. My sincerest apologies to you all. We thank you for putting yourselves out and taking the time out of your busy schedules to join us today. I just wish it had ended up being more productive. Thank you very much.

[*Translation*]

We are grateful for all your work.

[*English*]

Thank you very much. The clerk will allow our witnesses to leave. Take good care.

• (1445)

**Mr. James Bezan:** I have a point of order.

I'd just point out that witnesses sat there for over an hour and 20 minutes while we suspended, Madam Chair, so we could have had this debate wrapped up a long time ago.

**The Chair:** And you could have brought your motion forward a long time ago, too, Mr. Bezan, right?

**Mr. James Bezan:** We did six weeks ago, and nothing happened on it. That's why we have to summon.

**The Chair:** Yes, fine.

It looks like it's Mr. Bagnell and then Mr. Baker.

**Hon. Larry Bagnell:** I just want to say, as I have from the beginning, as has Mr. Baker, that we know the problems. We should be getting on with them, whether they're the chain of command, independence, fear of reporting or the culture. I really think we should get on with that.

I'm still waiting to hear from Ms. Gallant. She suggested that a summons provides more protection, so if she could explain that to me.... I just don't understand. The committee protection is here for any witness, whether they're invited or summoned.

The second point is that she suggested someone was preventing the witness from coming, so perhaps she could provide the evidence of that too. I can't really go forward to a vote until I hear the rationale for those two items.

**The Chair:** Do you wish to respond, Madam Gallant?

**Mrs. Cheryl Gallant:** Not at this moment.

**The Chair:** Thank you.

We have Mr. Baker and then Mr. Spengemann.

**Mr. Yvan Baker:** Thanks very much, Chair.

I need to say that I was really disappointed to hear Mr. Bezan say what he just said in his last point of order. If we're serious about working together productively, then I think we bring these motions forward so that every member has a chance to review them and consider them and discuss them. I think Mr. Bezan has been around here long enough to know this. When you continually introduce a motion at the last minute, you're going to have to understand that doing so is going to cause delays. That's the first thing.

The second thing is this. I was earlier making a comment that Mr. Bezan, on a point of order, objected to, so I'll try to make it now. It is about the comment made by a member during the debate on the previous amendment that we must summon Mr. Marques.

I don't believe there is evidence to support that we need to summon Mr. Marques. Mr. Marques, according to what the clerk has told us, has been responsive and appears willing to testify, to come to committee. It has been the case for decades that we don't summon witnesses because we feel like it; we summon witnesses because there is an absolute need to summon them when they refuse to come to present and respond to questions at committee. I don't believe a case has been made that we need to summon Mr. Marques.

In the prior vote, on Madame Larouche's subamendment, we agreed to a timeline for the study. If we have agreed to a timeline for the study, I don't understand the need to summon, based on the argument that Mr. Marques has been responsive and that we have an agreed timeline for completing the report.

Those are the couple of points I wanted to make.

The other point I want to make is that in the heat of politics and the heat of the moment, people sometimes lose track of how important it is that we treat people, whether they have different political views or not, with a certain amount of dignity. I think that summoning someone who has been responsive and willing to testify does unnecessary harm to that person's reputation. I think the summons should be used very judiciously. In this particular case I don't think it would be used judiciously. I think this would be harmful. That's why I support Ms. Vandenberg's suggestion that we amend "summon" to say "invite". I hope my colleagues from all sides will agree with that.

Thanks very much, Chair.

• (1450)

**The Chair:** Thank you.

Mr. Spengemann is next.

**Mr. Sven Spengemann:** Madam Chair, thank you very much. I want to come back in to echo the comments of my colleague Mr. Baker.

The parameters are that we have protected the timeline for the report; we've just passed a motion saying that the report itself, or its timing, shall not be affected by what we're discussing now. We also have no indication that Mr. Marques is unwilling to appear. We have extensively debated and are prepared to continue to debate—and I don't know how effective it would be—the sense or the logic of using a summons, under these circumstances.

I wonder whether there is a potential alternative solution that Mr. Bezan might be willing to consider. We have a subcommittee on agenda and procedure that could meet to probe the actual availability of Mr. Marques in his exchanges with the office of the clerk. If there is an indication that Mr. Marques is able to appear under the timelines that we have just defined with respect to the report, then that may be one other way to get at this, rather than endlessly debating it.

I think the point on the summons is important and needs to be debated and made, and we're prepared to do it, but there is potentially another option to more efficiently look at this issue. The overriding interest in the committee is to finish the report and develop conclusions and recommendations that are apropos and will move the issue forward.

Again, there is another option at your disposal, Madam Chair, along with the will of the committee, if it chooses to use that mechanism.

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

[*Translation*]

The floor is yours, Ms. Larouche.

**Ms. Andréanne Larouche:** Madam Chair, I'm extremely disappointed. We are capable of doing two things at once, like walking and chewing gum. We could have heard from the witnesses today and agreed on Mr. Marques, who was already expected to appear before the committee before the motion was passed at the beginning of the week.

We are currently having a debate on the terms “invite” and “summon” the witness. I repeat that we know the truth: that Mr. Marques did not respond to our request. That is the truth. Since we know that the Minister has already blocked a witness from appearing, it's entirely legitimate for us to demand that the Liberals commit to not blocking Mr. Marques' appearance.

On behalf of Canadians who care about the issue of sexual assault in the Canadian Armed Forces, and for whom it is an important issue, I repeat, we must respect the date we have agreed on for tabling the report. Can we agree that the Liberals will not block Mr. Marques' appearance and that they will respect the timeline for tabling the report?

[*English*]

**The Chair:** Go ahead, Madam Vandenberg.

[*Translation*]

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

I want to assure you that no Liberal will block the testimony of any witness before the committee.

[*English*]

**The Chair:** We are now voting on the amendment to change the word “summons” to the word “invite”.

(Amendment negatived: nays 6; yeas 5 [*See Minutes of Proceedings*])

**The Chair:** Go ahead, Mr. Baker.

• (1455)

**Mr. Yvan Baker:** Are we now on the main motion, Chair?

**The Chair:** We are on the main motion as amended.

**Mr. Yvan Baker:** I have a few things to say, but could I ask you or the clerk to read out the motion as amended?

[*Technical difficulty—Editor*]

[*Translation*]

**The Chair:** Ms. Larouche, could you repeat your amendment? The clerk is not sure if he heard it correctly.

**Ms. Andréanne Larouche:** I simply propose adding “and that the date of the report be not changed” at the end of the motion.

**The Clerk:** The motion as amended is as follows:

That the Standing Committee on National Defence, concerning its study of addressing sexual misconduct issues in the Canadian Armed Forces, including the allegations against former Chief of Defence Staff Jonathan Vance and Admiral Art McDonald, summon Elder Marques to testify as a witness; that the witness appear individually for no less than two hours; that the meeting be held in public and be televised; and that the witness testify within seven days of this motion passing and that the date of the report be not changed.

• (1500)

[*English*]

**Mr. Yvan Baker:** May I continue, Chair?

**The Chair:** Yes, go ahead, Mr. Baker.

**Mr. Yvan Baker:** Thank you.

I just wanted to confirm the motion before we went on with the debate.

I think in this situation we have someone who is co-operating, who is working with the committee, and whose reputation is going to be tarnished if the committee summons him. I'm so disappointed that there are members of the committee who will use this tool of summoning, which is designed for highly unusual, rare circumstances when someone is not co-operating, to impugn the character of an individual.

I don't care whether this individual is of the same political party or a different one; it is just highly inappropriate, number one. Number two, it breaks with precedent that's been set for this very reason, and it's a precedent that's been followed by members of all parties since this Parliament has existed. I think the fact that we're now breaking with that precedent is very dangerous and sets a very dangerous precedent. I'd urge members to consider that if we would use this tool in this way, the tool could be used at any time on others who are upstanding, who are working with the committee, and could be used to imply that they're not co-operating, that a summons is needed to impugn their character. That's the first thing.



The second thing I think I want to point to again is that members on this committee have said in this discussion, in this debate on this motion and on the amendment to this motion, that someone's preventing.... Mr. Bagnell has tried to ask about this and has not received an answer to his questions, and I think they're very good questions. Mr. Bagnell has asked why the member who brought this allegation suggested that Mr. Marques is not being allowed to testify or is being prevented from testifying, and we have not received a response. There's no evidence to suggest that this is the case. There's no evidence to suggest that Mr. Marques doesn't want to testify and there's no evidence to suggest that anyone's preventing him from testifying, yet we're going to go out there and use the equivalent of the committee's nuclear option and impugn the reputation of an upstanding individual who's co-operating with the committee. I urge members to consider the precedent that this sets. It's completely unnecessary.

We've all committed to a timeline—at least, thus far, we've committed to a timeline for this report to be issued. I think that's in the interest of everyone who wants to see this issue resolved. I think we should do that, but I also think we should treat people who have come to our committee, who are co-operating with our committee, who want to present what they have to say, with the due respect that they deserve, and I don't think that this motion does that.

Thanks, Chair.

**The Chair:** Thank you.

Go ahead, Mr. Bagnell, please.

**Hon. Larry Bagnell:** Thank you.

I agree with everything Mr. Baker said, except that he took my questions.

I did want to say that I was very disappointed that.... I had important questions for Commander Patterson on reprisals and on the lack of reporting that was shown in recent reports. Before I could proceed on this, I was still waiting for answers to the questions that I asked. It was suggested someone's preventing the witness from appearing. Who is that? As well, it was suggested the witness would have more protection with a summons than if he just accepted the invitation, which he has not refused, so I need clarification on those items before we could go to this very strong process of a summons.

If committees don't use their powers judiciously, I would worry it could incite a movement to reduce committee powers, so I think we have to be very careful. We have very important abilities and powers and we should use them as required, but only as required.

• (1505)

**The Chair:** Thank you.

Go ahead, Mr. Spengemann.

**Mr. Sven Spengemann:** Thank you very much, Madam Chair, and thank you, colleagues.

I want to echo what Mr. Baker and Mr. Bagnell just said, which really goes to the essence of the committee's power to summon. The committee holds the power. It is a very strong power. In fact, it is one of its strongest, if not the strongest power. We've heard in

previous debate before this committee and multiple times from people the point that just because the committee possesses that power does not mean that it should exercise it. In fact, in some cases, in a number of respects, it retains the power by not exercising it.

On the evidence, that is the case here as well, because we have really no indication that Mr. Marques has indicated any kind of unwillingness to testify. It has been confined to multiple scheduling problems. It has been scheduling problems. If we were to go ahead and vote in favour of this motion and exercise the power to summon, it would set a precedent that is wide sweeping, not just with respect to this Parliament, but also potentially affecting previous governments, previous ministers and staff members of previous ministers who, in similar circumstances, may then also much more easily be subjected to a summons just to keep the precedent.

My view, as I've indicated multiple times, is that it's not a good view forward. The committee in the past—maybe the clerk can just refresh our memory on this subsequently—has not exercised its power, at least not through this committee, and just in very few cases elsewhere, if at all. That needs to be kept in mind.

Again, Madam Chair, I raised the option earlier with respect to the committee having other tools to find the availability of Mr. Marques and to update itself through the vice-chairs and members of the subcommittee on agenda and procedure as to what the latest correspondence is directly from Mr. Marques and to inquire if, within the parameters the committee set earlier today and keeping in mind the timing of the report, there would be an opportunity to bring him before the committee, even though today was not possible for him. There are options available. The committee's power to summons should be very, very judiciously exercised. In my view, this is not one of those cases.

Once again, Madam Chair, I emphatically would like to draw the committee's attention to the pending report and the importance of the points that we are hopefully going to make with respect to changing the culture in the Canadian Forces, giving serving female members of the Canadian Forces the power to come forward, but equally importantly, changing the culture within the Canadian Forces to one of inclusion and ultimately one in which there will be no further victims, not because they're disempowered to come forward but because the culture has changed. That really is the work, and the minister has indicated an openness. He has said that it's time for a total culture change. He has also said that "...the time for patience is now over."

We are at the end of our procedure, in the sense that we're now looking for recommendations for the draft report, and that really is where the heavy lifting needs to take place. I look forward to hearing all my colleagues' recommendations and then spending time in committee business discussing the draft report and putting something forward to Canadians that's constructive and forward-looking and will contribute to changing the culture in the Canadian Forces in a very expeditious and substantive way.

Thank you very much, Madam Chair.

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

Go ahead, Mr. Bagnell.

**Hon. Larry Bagnell:** Thank you.

I think almost everyone who has spoken so far has said how critical this procedure is, how serious this is, and how it needs to be respected, but I haven't heard from a lot of the members. I'd like to hear, as I said, the answers to my two questions that were put in this debate. Most members haven't weighed in on whether they agree on this strong process. We haven't even had a rejection yet.

I note that the Library of Parliament has suggested to us that there are over 30,000 people in the military who we're aware of who are affected by this, and we really have to get on to the strong recommendations related to culture, related to the chain of command and related to having no fear of reprisals for reporting.

I, for one, will be very disappointed if we don't move on quickly with those recommendations, get them done and make this change. Change is never easy, but I'm sure that all members of the committee agree that we have to change those items, and we should do it while it's possible.

• (1510)

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

Go ahead, Mr. Baker.

[*Translation*]

**Mr. Yvan Baker:** Thank you very much, Madam Chair.

I wanted to talk a little about why I disagree with this motion. I feel it is important that we remind ourselves why we are here: we are here to solve a problem in the Canadian Armed Forces. That is why, at the last meeting, as a committee, we decided together to stop meeting so that we could write a report and recommend appropriate measures to the government in order to solve this problem in the Canadian Armed Forces.

I am very disappointed to see what is happening today. I am disappointed that, once again, a motion was brought to the committee at the last minute. It's really not respectful of the other committee members, and it's not efficient either. As we found out, we had to suspend the committee for about an hour so that members could evaluate and discuss the motion.

First, I am very disappointed that, several times during this study, that has been the approach advocated by some members of the committee. In my view, it is something that we should neither tolerate nor accept.

Second, with respect to the motion before us at this time, I would point to the fact that Mr. Marques has indicated several times that he is willing to testify. Mr. Marques has made contact with our clerk on several occasions. Therefore, there is no evidence or reason to believe that he is not ready, willing and able to testify.

Third, if passed by the committee, this motion will suggest that Mr. Marques is not willing to testify or work with the committee, which will have a very significant impact on his reputation, even though he is working with the clerk to be able to testify.

At our most recent meeting, we discussed the need to move on to writing the report. I think it's a shame that, despite that, Mr. Bezan is playing politics with this motion. I think it's a great shame that, in doing so, he is trying to damage the reputation of someone who is working with us.

Thank you, Madam Chair.

[*English*]

**The Chair:** Thank you.

Go ahead, Mr. Bagnell, please.

Sorry. That's Madam Vandenberg, and then Mr. Bagnell and Madame Alleslev.

**Ms. Anita Vandenberg:** Thank you very much, Madam Chair. I think it's because I'm in the room that you don't get the little hand-up signal.

I just want to compare today's committee meeting to yesterday's. Yesterday, we had three female generals and flag officers speaking for two hours before the status of women committee with real questions, with actual discussion and with recommendations, and the focus was on survivors. The focus was on the women in the Canadian Armed Forces, on veterans, and on how we move forward and make it better.

On this committee, we had the same witnesses. We had Rear-Admiral Rebecca Patterson, who is the CAF champion for women. She has an inordinate amount of experience and an inordinate number of recommendations that she could have shared with us. This is the second meeting at which, rather than focusing on how we improve things for the Canadian Armed Forces, rather than focusing on what we do to make an environment where survivors feel that they can come forward and feel that they are protected, everything for the last number of weeks in this committee has been pointing fingers and trying to say it's this person's fault or that person's fault. Frankly, we're still talking about the men. When we're still talking about whether Minister Sajjan was at fault, whether Gary Walbourne was at fault or whether Erin O'Toole was at fault, we're still talking about the men.

I'm hearing from a lot of women I have been talking to. I'm not trying to speak for them and I'm not trying to suggest that they're a homogeneous group, because I know there are many different people with many different experiences who are very traumatized. However, I have had women describe this process as just motion after motion. You throw a motion on the table just as a committee meeting is about to start, and you know that you can't just do that. We have to talk to each other. We have to talk among ourselves to discuss whether it is a good motion and whether it is something that we want to support, and we have discussions with other parties about whether there are better ways. When you just throw out a motion like that when we have witnesses waiting.... It's not just in this meeting and it's not just in the meeting before.

Madam Chair, I commend you for suspending the meeting so that we would know that if we're going to play those games and just throw a motion, we're not going to just sit here and try to talk things out and waste time but are actually going to try to be productive on this committee.

I am very disappointed in regard to this study. I was very pleased about this study when we started. I know I had conversations with some of you, from all parties, about how this was an opportunity for us. Yes, it was a terrible thing that led to this issue being front of mind for the public and being in the media as something that has a tremendous amount of attention. We know the things that have happened and the people who have come forward so incredibly bravely. We know that this is difficult, but the fact is that we do have people coming forward. We do have processes right now whereby we have open military police investigations, NIS investigations. We have people being listened to. We have discussions happening at every level to find a way to move forward, to find a way to do better.

This committee has heard from the minister on this study for more than six hours. The minister appeared three times just for this study. We have heard from the former clerk of the Privy Council. We have heard from the deputy minister. We have heard—

● (1515)

**Ms. Leona Alleslev:** Madam Chair, I have a point of order on relevance.

**Ms. Anita Vandenberg:** The relevance is the fact that we're going to be summoning someone, and I was just about to get to my point, which is that we have heard from all the people at the top who know. We've heard from everyone at the top, including the acting chief of the defence staff. We know what happened. We had a situation of somebody not wanting to come forward and there was not enough evidence to move forward. We've heard that. Every single witness has repeated that, yet what the opposition is doing with this particular motion.... It won't end with this, even though.... Thank you very much to our colleague who tried to say we have to maintain the timelines to make sure a real report comes forward.

What we have here is just digging further and further down to see if we can keep on calling people. You've heard from a minister, and then you start going down the line to try to hear from different staff to see if maybe you can, frankly, keep the story alive or try to find something in testimony that might not be exactly the same so you can say, "Aha. There's a cover-up."

You know what? There is no cover-up here. We don't need to hear from more people who then name names, as I heard a member opposite say. We had a witness here, and she actually said to name names. Well, this is not McCarthy. This is not that kind of thing. We don't want to have people come before this committee and then say to them that they spoke to these 10 people, so these 10 people are going to be called, and then we call them and ask for more names. This is not what this committee is supposed to be doing.

We have our next study on military justice. Frankly, this study is incredibly timely and important. We need to hear from experts to see how we make a military justice system that provides the kind of environment that allows for justice for the people who are impacted by military sexual misconduct and also makes sure that there's accountability. This committee could be focused on that.

I just compare again to yesterday, when we had the same rear admiral. This committee could be looking at what comes next and what we do to fix it. Frankly, I think that Mr. Wernick was right when he said that everyone acted in good faith, but at the end of the

day, the system wasn't set up for this. Let's fix the system. Let's make sure it's set up for this.

As for the innuendo that has happened here today, with opposition members openly suggesting that there are government members trying to prevent a witness from coming, there is zero factual basis. It is pure innuendo, and there's been a lot of innuendo in this committee. A lot of accusations have been made that have absolutely no foundation in fact. I really think, Madam Chair, that as honourable members—as people who have been elected to represent Canadians in this House of Commons—we can't just throw out accusations like that, accusations that have absolutely no basis.

We need to be focusing on what we do for the women of the Canadian Armed Forces, for veterans and for the people who are thinking about maybe signing up. Young women are thinking that maybe they want to serve their country in the military. We have to make sure that our focus is on those young women and those diverse young people, including young LGBTQ people and others who feel that there is a Canadian Armed Forces that makes them welcome and included, that creates an environment where the behaviour that we have heard described in the testimony from some of the women who have courageously come forward never happen again. First we need to find out how we make an environment where we can actually make it safe for women to come forward, and then we have to work on making sure we prevent those kinds of behaviour..

I don't think the way to do that, Madam Chair, is to continuously call witnesses when we've already heard what happened. The minister came and spoke on behalf of his staff member because, frankly, I think it is a very bad practice to be bringing political staff to this committee. They are not decision-makers. Political staff are not the ones who make a decision and are accountable for it. The minister makes the decisions and the minister was here for almost six hours.

They keep asking, "What do you have to hide?" The fact is that if there was anything to hide, in 30 witnesses and 29 hours of testimony, there would have been some indication of that. We haven't seen it. All we have seen in all of the testimony is the same thing that every single witness has said and has reinforced. At the point we're at now, we're hearing the same thing over and over again, which is that you had a terrible situation, and somebody had said—or maybe didn't, but had some evidence—that there was some impropriety.

● (1520)

The person who was impacted did not give permission for that to go forward. You had people who wanted to investigate that and were ready to do so, but at the end of the day, we have to make sure we are respecting the women. We have to give an environment in which women can come forward safely, but at the end of the day.... We could have witnesses for the next 10 years, and I don't think we'd have any information that is newer than what we already have. What we would be losing is the opportunity to really hear from people who can tell us how we can fix this. To have heard today from Rear-Admiral Patterson, to have heard from witnesses on military justice on our next study....

We could really make a difference in this committee. Frankly, there has not just been innuendo against members; there has been a leak of a motion that I put forward last week. When I, at two o'clock on a Sunday afternoon, get calls from Global News and others saying, "Your motion has been leaked. Can you comment?"—

• (1525)

**Mrs. Cheryl Gallant:** I have a point of order, Madam Chair. She's repeating what she said before—

**Ms. Anita Vandenberg:** No, I said that the other day. Madam Chair—

**Mrs. Cheryl Gallant:** This is more like a filibuster than something new. I believe that orders do require new information to be presented.

**The Chair:** Thank you, Madam Gallant.

**Ms. Anita Vandenberg:** Madam Chair—

**The Chair:** Carry on.

**Ms. Anita Vandenberg:** I am simply pointing out that I believe we would not be in this position if we had members who gave each other the courtesy of putting motions in advance—not leaking them—and letting us have discussions before meetings start so we can then have real discussions on real topics here.

As far as summoning people, this individual has not refused to come to this committee. I think this is a very bad precedent. I mentioned—

**Mrs. Cheryl Gallant:** Madam Chair, again she is repeating things that have already been put on the record.

**Ms. Anita Vandenberg:** Madam Chair, I have not said that previously.

**Mrs. Cheryl Gallant:** She is just wasting time—

**Ms. Anita Vandenberg:** I would like to put on the record—

**Mrs. Cheryl Gallant:** Let's get on with this so we can get on with the study.

**Ms. Anita Vandenberg:** Madam Chair, I would like to put on the record that if you look at the annotated standing orders, you will see that there are a handful of people in the history of this Parliament—it's in a footnote at the bottom of the page—who have been summoned to Parliament. This committee alone is adding almost half of that number. In the history of this committee, we hadn't summoned anyone until this study. Now it seems to be routine that we're going to summon someone who has not said "no".

That's the main point I wanted to make, Madam Chair. I will allow other colleagues to speak, but I may have a lot more to say later on.

Thank you.

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

I'm going to suspend the meeting for 10 minutes.

• (1525)

(Pause)

• (1545)

**The Chair:** I'm calling this meeting back to order.

I think Mr. Bagnell is up next.

Before we carry on, I just wanted to let you know that the plan was to do the mental health report on Monday, but it looks like there were some missing recommendations that weren't included in the report. They've been sent off for translation. I'm just proposing that we do CAF and COVID on Monday instead; then we'll do mental health on Friday, when we get those recommendations translated and into the final report.

Does anybody have an objection to that? No? Okay, thank you very much.

Mr. Bagnell, go ahead.

**Hon. Larry Bagnell:** Thank you very much, and thank you for the health break. I needed it.

I had a longer intervention, but I—

**The Chair:** I'm afraid, Mr. Bagnell, you'll need to put your head-set on. Thank you.

**Hon. Larry Bagnell:** Sorry.

I'll be brief this time. I had a longer intervention. One of the things I asked about the last time was to hear the opinion of some others on making this serious change and precedent. I'm not sure how many times a witness has been co-operative in these calls with the clerk and did not refuse to attend, and when that's ever occurred, if they've actually dropped the hammer and summoned such a person.

I appreciate that Ms. Alleslev and Mr. Garrison are going to give their views on that, so I'll save the rest of my intervention until I've heard those.

**The Chair:** All right. Thank you.

We have Madam Alleslev, please.

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

There's no question that we're all obligated to the members of the Canadian Forces, past and present, and to all Canadians, to get to the bottom of this. We cannot fix a system if we don't understand how it was broken and what went wrong. Therefore, we need to understand if it was the process that was wrong or if it was people not following the process. At no time during this study have we heard from someone in the Prime Minister's Office, which is why this one witness is so critically important. It's the one witness, in one of the highest offices in the land, who can provide us with critical information to understand exactly where the system or where individuals may have failed to ensure that the Canadian Forces is an environment free from sexual misconduct.

Not all motions are created equal. To have a motion that says we need to summon someone, when we have had that person on our witness list for six weeks or longer, is not necessarily a surprise, and therefore does not require an 80-minute suspension of a critical meeting to be able to determine exactly what we would want to do on that.

We're hearing from the same Liberal members making the same points over and over again when we're supposed to, in a debate, have new information. I'm sure that's not an indication—or at least I hope that that's not an indication—that the Liberals are filibustering and trying to ensure that we don't get to a vote on this critical witness, because this witness will make a significant difference. If there is no cover-up, then I'm sure there's no need for the Liberals to continue this debate, which could be viewed as working to prevent us from getting to a vote to bring this critical witness to this important study in a timely fashion.

Thank you, Madam Chair.

• (1550)

**The Chair:** Thank you, Madam Alleslev.

We have Mr. Spengemann, please.

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

I have a couple of points. I think the fundamental points that I'm building in various ways—and I'm quite prepared to spend more time expanding on them, if necessary—are twofold. One, this is not an appropriate instance for the committee to exercise its power to summon a witness. Again, it maybe worth circling back to the clerk or to you, Madam Chair, to get us some information on the historical use of that tool. I think colleagues have already pointed out at this committee that it's not been used, but under what circumstances committees may have contemplated issuing a summons and may have decided wisely against it may also be worth a thought.

I say this in part because of the historical deference to not using the tool, the weight of the tool, the implication that this tool has a pejorative impact on the witness as being summoned in a sense that it implicitly and very openly—

**Mrs. Cheryl Gallant:** I have a point of order.

The member is rehashing comments, statements and arguments that he's already stated before a number of times. If he has new testimony or new arguments to make, we'd listen to them, but they're just repeating themselves to run out the clock.

**Mr. Sven Spengemann:** I appreciate the comment. I was just about to extend my argument into a secondary argument that, with your indulgence, Madam Chair, I'm going to make now.

It is that it's not just the historical precedent of not using the summons; it's also the potential chilling effects that such a summons could have on witnesses, especially in an area as sensitive as this, with respect to the inquiry that we are conducting into sexual misconduct, harassment and, in worst-case scenarios, assault within the Canadian Armed Forces. The exercise of a summons here would open the door to summoning, potentially, ministerial staff of other administrations, of other governments, but it may also lead to a much easier decision to summon somebody who may stand in a more proximate relationship, individually or as an organization, to victims. Victims may receive the impression that this committee is quick to fire summonses if they don't sort out their scheduling quickly enough, and that witnesses essentially would be forced to appear, rather than wanting to appear with the confidence that they can come forward on their own accord.

That, in my submission, Madam Chair, is not a constructive direction for this committee to take.

The minister himself has been here. The minister accountable for this issue is very open to finding solutions. He's said it many times. He's been in front of this committee for six hours and has said what there is to say on the issue. He's the person to whom staff are accountable.

The other thing I would say in this instance, Madam Chair, and I only say it because Ms. Alleslev just used the term, is that the Conservatives started with the conclusion that there was a cover-up. That of course puts you on a track of wanting to summon just about everybody to substantiate the cover-up. In the hours that have been spent in front of this committee so far, there has not been a shred of evidence put forward that there is a cover-up.

The Conservatives, then, in my submission are locked onto a track such that they have no option but to fire off summonses in order to attempt to prove the cover-up that will not exist.

Madam Chair, I suggested earlier—and I really would be interested in hearing views of colleagues on this suggestion—exploring the mechanism of using the Subcommittee on Agenda and Procedure to determine the actual availability of Mr. Marques. If, as Ms. Alleslev said, it is so important that he appear, let's find out whether he can appear within the parameters the committee has just agreed upon this afternoon.

Instead of talking about this, we could be spending the afternoon talking about potential recommendations, which I understand are due to our clerk this afternoon. It would have been great to hear colleagues in an exchange of constructive views on what recommendations they might consider appropriate and in fact necessary in the report we are going to put forward to the Canadian public, to the government and to members of the Canadian Forces.

Thank you, Madam Chair.

• (1555)

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

Go ahead, Mr. Garrison, please.

**Mr. Randall Garrison:** Madam Chair, I'll start by saying that I respect all members of this committee and I believe they're all doing their job in the way that they see is best to do it. I do not appreciate comments from the parliamentary secretary that accuse people of playing petty politics or having some other agendas. They're not helpful when she talks about us working together.

What is the issue before us? I think my Liberal colleagues missed the point. We had the minister here. We've had tons of other witnesses here. What we know at this point is that the minister came to us and said it wasn't his job and he wasn't responsible, and he referred it to others. Therefore, the committee has to speak to those others to find out what actually happened.

We spoke to the Privy Council Office and we would very much like to hear from someone in the Prime Minister's Office. When the parliamentary secretary says that no one has blocked witnesses, she knows that's patently false. The government House leader said they would not allow political staff from the Prime Minister's Office or from the minister's office to appear before this committee, so when she asked for evidence, it's right there on the record from her government House leader.

Do I want to get to recommendations about how to solve the problem of sexual misconduct in the Canadian military? Absolutely, I do. That is the most important thing, but what I've said all along in this inquiry is that if there's no confidence that sexual misconduct is understood at the highest levels and taken seriously, there will be no confidence in any of the reforms that come forward, so we must answer these questions and we must assign responsibility.

In the testimony we heard from Mr. Wernick, he was very clear. In the Westminster system, there is always a minister responsible. If there was no investigation into serious charges of sexual misconduct against the sitting chief of the defence staff, who is the minister responsible for that failure?

If the sitting chief of the defence staff was allowed to remain in office for three years while he was under a cloud of accusations of sexual misconduct—and in hindsight, we know there are multiple allegations—who is responsible for his staying on and becoming the longest-serving chief of the defence staff? Who is responsible for giving him a positive performance evaluation that resulted in a pay raise?

We do have issues here that we still haven't grappled with in this committee, and we need to hear from Elder Marques in order to do so. When members say we don't need to summon him, I would point out that if someone has been on our witness list for six weeks and we've had nine meetings of the committee, by my count, no matter how much someone says they're co-operating, I have just a bit of doubt about that, although I don't wish to cast aspersions. The way we solve that is by issuing a summons so that he will appear during a time period that fits the one set by the majority of the members of this committee, no matter how much others of us might have believed we should finish the inquiry first.

Thus I look forward to hearing from Elder Marques. I look forward to his letting me know whether this failure on the part of the government is the responsibility of the minister, or is it the responsibility and failure of the Prime Minister? Those are the issues we're getting at here, and that's how we restore confidence in those who serve in the Canadian Forces. We have to know who allowed this to happen and why they allowed it to happen—why they allowed this cloud to remain for three years over someone who was supposed to be in charge of rooting out sexual misconduct in the Canadian military.

I'm not playing petty politics here. Once again, I will have to say to the parliamentary secretary directly that I resent those kinds of allegations. What I'm doing here is trying to make sure that we can make progress on rooting sexual misconduct out of the Canadian military once and for all. It will be a long road and it will be a hard road, but that's my goal.

**The Chair:** All right.

Mr. Baker is next, please.

**Mr. Yvan Baker:** Thanks very much, Chair.

We've heard from a number of members since I last had the chance to have the floor. I'll start with what Ms. Alleslev just said a few moments ago.

One of the things I'm a little bit frustrated by in this debate is that a number of the members [*Technical difficulty—Editor*] the motivations of some of the members in supporting this motion and in understanding the motion better itself, and how they feel about some of the trade-offs of this motion. He hasn't received a response, and others have asked as well. Ms. Alleslev complained during her intervention about the fact that the members of the government on this committee have a lot to say, but she didn't actually take the time to address any of the things we have said. I think it would be constructive if we could hear some of the answers to the questions we've been asking and to the objections that have been raised.

I don't agree with Mr. Garrison, but I will say that Mr. Garrison, in part of his intervention prior to mine, tried to do that. I respect that and I appreciate Mr. Garrison's efforts to do it.

One of the things Mr. Garrison talked about was the need to hear from Elder Marques to answer questions, and Mr. Garrison listed some of the questions he is seeking answers to through this study and through the testimony of the various witnesses. From my perspective, we have obtained the answers to those questions.

I think Mr. Garrison is correct that we've had nine meetings—this may be the tenth one now—and we've had, by my count at least, as of the last meeting, 30 witnesses. This includes the Minister of National Defence three times; Mr. Wernick, former clerk of the Privy Council; the acting chief of the defence staff; a number of leaders in the Canadian Armed Forces; people who are experts on the issue of sexual harassment; and a number of others. I think we've had the opportunity to try to answer, and I think we've gotten the answers to the questions that Mr. Garrison just listed. We've heard from the minister. We've heard from the former ombudsman about the meeting that took place between the two of them. We've heard from the minister on three different occasions, and he responded to questions about what actions he—

• (1600)

**Mrs. Cheryl Gallant:** Madam Chair, he is going over statements the Liberals have already made. He's repeating—

**Mr. Yvan Baker:** Excuse me; I have not made these points before and I'm entitled to make my point.

**Mrs. Cheryl Gallant:** —and repeating just for the sake of using up time.

**Mr. Yvan Baker:** Excuse me; Chair, I have not made these points before.

**The Chair:** He has the right to make his own statements, Madam Gallant.

**Mrs. Cheryl Gallant:** And repeat.

**Ms. Leona Alleslev:** And provide new information. He must provide new information.

**Mr. Sven Spengemann:** Madam Chair, on that point of order...

**The Chair:** Go ahead, Mr. Spengemann.

**Mr. Sven Spengemann:** Madam Chair, I think if you canvass members of the committee, you will see that repetition is being made all over the place, including by Ms. Alleslev, who just in her previous intervention referred to the cover-up and the allegations behind that, which are unsubstantiated. She's repetitive, and I would just ask for your discretion to allow members to make their points.

Thank you.

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

Carry on, Mr. Baker.

**Mr. Yvan Baker:** Thanks very much.

I need to say for the record I have not made these points before, so I resent the allegation that I'm repeating myself.

I'm going to go back just to make sure my thought wasn't lost in all this.

We've heard from the minister three times, and a number of others. I believe that during the minister's testimony, for example, we heard about the steps that were taken by the minister and why he took them. Just to remind members, he explained how he was trying to make sure the process is one that's unbiased and handled professionally. [*Technical difficulty—Editor*] I would say that we've heard in response to what Mr. Garrison just said about some of the questions he wanted answered and why he is arguing for the summoning of Elder Marques. I'm making the point that I believe we've obtained the answers to those questions because we've heard from all of those folks I just listed, in some cases multiple times. That's the first point.

I think when we think about Mr. Elder Marques, we're talking about somebody who, as I think has been made clear by others, has been working well with the committee. I would just ask the members to think about, and maybe answer the question if they would, why they feel that summoning Mr. Marques is necessary when he has been working with the clerk and is apparently willing to testify.

Anyway, thank you, Madam Chair.

• (1605)

**The Chair:** All right. Thank you.

Go ahead, Mr. Spengemann, please.

**Mr. Sven Spengemann:** Madam Chair, thank you very much, and I'll be brief on this intervention.

I want to follow up on the intervention made by my friend and colleague Mr. Garrison, with whom I've served on this committee in the previous Parliament and again in this Parliament. He's somebody I respect and hold a great degree of appreciation for. He said that he has one goal, which is to root out sexual misconduct in the armed forces, and I think every member of this committee, in their own interpretation, is working towards that goal.

What I want to explore is the idea that the summons power—and I've made the point previously—is a heavy power, if not the com-

mittee's heaviest power, and has been infrequently, very judiciously and very rarely exercised, and never by this committee. It should be a power of last resort. There have been statements made by members in terms of the interaction that happened with Mr. Marques, the clerk's office and the chair's office, and something to the effect that Mr. Marques has been invited a number of times over the course of six weeks.

I'm not sure, Madam Chair, if the subcommittee on agenda and procedure has gotten together, looked at this and potentially made a joint statement to Mr. Marques as an invitation, if you will, explicitly from the vice-chairs and you to amplify the interest of the committee in hearing from him. If that step has not been taken, then I would submit to you, Madam Chair, that the summons power at this point is not a measure of last resort and that the committee still has other options with respect to the interaction with Mr. Marques.

Perhaps I could ask through you if the clerk would bring us up to date again on what the last interaction was and whether such an effort has been made by the subcommittee, by the vice-chairs of this committee, to really signal the interest of the committee and the priority that he would have as somebody who, in the words of Ms. Alleslev, would be very important to hear from. Even though the minister has already testified himself for six hours on this issue, it is not yet at a stage where the summons power could even conceivably be looked at as a measure of last resort.

Thank you, Madam Chair.

**The Clerk:** To answer your question, Mr. Spengemann, the words used by Mr. Marques are, "Thank you very much for your note. Unfortunately, I'm not available to attend."

**Mr. Sven Spengemann:** Okay, and if I may respond briefly, Madam Chair, that option I think is very much on the table. I don't know how often the subcommittee has met, but it includes the vice-chairs and it includes you. Not to in any way diminish the previous invitation that was sent through you by the clerk, perhaps there is a way to signal a higher sense of attention and importance by that subcommittee's coming together and corresponding with Mr. Marques in reply.

This discussion was fruitful and illuminating, but we come to the conclusion this afternoon that we are not yet at a stage where we would consider the exercise of a summons power as a measure of last resort.

**The Chair:** Go ahead, Mr. Bagnell.

**Hon. Larry Bagnell:** Thank you.

As per my last request, I appreciate that Mr. Garrison and Ms. Alleslev made some comments, but I don't think they commented on my question, which was about breaking the precedent when someone has not refused and going to a summons, which is a very serious invocation of one of our powers. I never thought of what Mr. Spengemann said about having the subcommittee hash this out, but I certainly would be supportive of that. You can always achieve more in a small group. I think it's easier, and that might work.

There was a suggestion by one of the committee members that the witness would provide some important new information. I'm not sure we should be prejudging what a witness will provide. If we knew what they were providing, we wouldn't have to call them, so I can't agree with that.

I appreciate Mr. Garrison's intent. Particularly, he emphasized what I said. He said it would be a long and hard road, so we agree. I think that's why we have to start right away working on the recommendations. I think a witness in FEWO said that it had been asking for these for years. We know what they are, and they want us to get on with it.

I'm not sure why there would be lack of confidence in the leadership. Do you know this leadership has put in more changes to try to work on this in recent years than ever before? There was particularly the change of the administrative DAOD 5019-5, which was updated and superseded by DAOD 9005-1. You can see with what the Library of Parliament sent that it has some very important suggested changes.

When there was a rumour, it was given within, I think, 24 hours to the PCO. That's not ignoring a possibility. It actually went to investigation, and as all the witnesses that I remember said, there wasn't more that could have been done with the information they had to investigate.

I think we have far extended the number of meetings and witnesses and time from the first motion on this, so I'll just keep up my quest to get, as Mr. Garrison said, onto a hard road and get to some very important recommendations.

● (1610)

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

We will go to Mr. Spengemann, and then Mr. Baker.

Sorry, it's Madam Vandenberg. You're right; please go ahead.

**Ms. Anita Vandenberg:** Thank you, Madam Chair.

When I'm not in the order, you tend to overlook me. Do you know what I'll do? Instead of waving at you, I'll wave at the clerk and make sure that you know that I might be on the list.

**The Chair:** That might work.

**Ms. Anita Vandenberg:** All right. Thank you, Madam Chair.

I think one of the key things here is the fact that we have been saying that we have recommendations that we need to get to the clerk so the analysts can draft them and then have these recommendations translated and tabled in the House on time so that we can have a very good report that we can put to the government as soon as possible.

I find it really interesting that there has been talk from the other side that "It's okay; we'll put in the recommendations this afternoon, so that's not a problem", but then we're going to hear more witnesses. What then is the purpose of hearing from more witnesses if it is not to have recommendations? To me, it seems that it's just political. It isn't about trying to get recommendations to the government.

Speaking of the recommendations, this committee has heard a lot of very good recommendations. I think this goes to the heart of the motion that we're debating today, which is that rather than continuing and hearing more and more witnesses.... As I'd remind the members, it has been constantly this way. This isn't just one person who has not come; this is every time. We were supposed to have two or three meetings on this, and then all of a sudden there's a motion that says we need these four witnesses within 14 days, and they have to come for two hours each. They only have two people at a time, which means you have to, of course, have emergency meetings. You have to have only two, then you have another one, so it's an hour per witness. Every time we get to the end of that, all of a sudden more motions come forward for more witnesses.

It isn't that we've just suddenly at this point tried to somehow cut it off, and this is why I'm glad that the motion that passed actually says that we won't continue, because we do have good recommendations. Frankly, I'd like to talk about some of the recommendations that have been discussed by the witnesses on this particular study.

● (1615)

**Mrs. Cheryl Gallant:** Madam Chair, I have a point of order.

**Ms. Anita Vandenberg:** For instance, the first recommendation—

**Mrs. Cheryl Gallant:** Was there something that was passed that said we were not going to hear from more witnesses?

**Ms. Anita Vandenberg:** Madam Chair, the motion we just passed—

**Mrs. Cheryl Gallant:** The parliamentary secretary just said that we weren't going to hear from any more witnesses.

**Ms. Anita Vandenberg:** Madam Chair, I'm referring to the amendment that Madam Larouche put to the motion—

**Mrs. Cheryl Gallant:** No, she did not say we weren't going to hear from any more witnesses, Madam Chair.

**The Chair:** That's not—

**Mr. Yan Baker:** I have a point of order, Madam Chair.

**Mrs. Cheryl Gallant:** She said we need to finish our report on time. It did not say anything about not hearing from any more witnesses.

**The Chair:** Madam Gallant, when it's your turn, you'll be able to speak.

**Ms. Anita Vandenberg:** That actually reinforces my point, Madam Chair. I stand corrected about the text of the actual amendment, and I would note that we haven't passed the motion that the amendment was amending.

Having said that, this is exactly the point. We have recommendations, and the time to present recommendations was four o'clock this afternoon. Essentially, everything we're doing now is not going to be included in the report. It's not going to be included in the recommendations, because we've already passed the time. That was the piece we confirmed earlier in the amendment that we voted in favour of, that we are going to follow the timeline. The timeline was four o'clock today. We want to make sure these recommendations get in.



Madam Chair, let me talk a little bit about the recommendations that we have heard. I have a few of them here that we've heard during this study. The reason this is relevant is that this is the reason we're here. It's not to call witnesses after these recommendations have already been submitted.

For instance, we've heard a lot of recommendations to this committee on barriers to reporting sexual violence and sexual misconduct. The first one is a recommendation to address barriers to reporting sexual violence within the Canadian Armed Forces, including fear of retaliation and reprisal in response to reporting sexual violence.

Another recommendation was to recommend building awareness of the avenues that sexual violence survivors have at their disposal for bringing issues forward and ensuring that survivors have access to various recourse mechanisms. This is an incredibly important recommendation, because we know that, often, survivors don't know where to go, particularly if something really terrible has happened. We have the SMRCs, we have a number of places. We know that they can go to the military police. We know that there are many different mechanisms.

Often when something happens, members don't know that these resources are available. They don't know that they can get counselling. Frankly, we need to have more counselling available, more peer support for members. This is something we've all heard at this committee. I think that recommendation might be one of the most important ones.

The next one is recommending adjusting the design of existing structures and systems to adequately address barriers to reporting sexual violence, reflecting on past failures. This is also important, because we heard that the systemic barriers that survivors face are extremely difficult. There have been past failures.

The system has failed women. The system has failed the men who are victims. The system has failed the people of the Canadian Armed Forces who are experiencing sexual violence or outright assault, but also the day-to-day things that are done in order to minimize and diminish people. Reviewing and adjusting the structures and systems is very important.

The fourth recommendation that has come up through this study is the reaffirmation of sexual violence survivors' control over the reporting process to build trust and rapport in the organizational structure. We heard that the people who are impacted have to be in control of what happens. If somebody feels the minute they come forward... What they are looking for, perhaps, at that moment is counselling, but they find that they're suddenly swept into an investigation, that everybody knows about it and that it's no longer in their control. They don't get to decide when, to whom and how they wish to report.

This is a key factor in the recommendations. I think that giving the victims, the survivors, the impacted persons, their control back within the system is going to be a key part of whatever we come out with after this.

The next one, the fifth recommendation, is relieving the obligation to report, which places a problematic strain on victims and sur-

vivors, and instead, reaffirming a survivor's right to control the reporting process.

• (1620)

**Mrs. Cheryl Gallant:** I have a point of order, Madam Chair.

**Ms. Anita Vandenberg:** Madam Chair, may I continue?

**Mrs. Cheryl Gallant:** Madam Chair, I have a point of order.

I know that it was suggested that recommendations be tabled by 4 p.m. today. I did not realize that they were required to be presented orally.

**The Chair:** You can, if you wish, Madam Gallant.

**Ms. Anita Vandenberg:** I'm simply getting the recommendations on the record.

**Mrs. Cheryl Gallant:** Are they made public? We wouldn't want to have anything that the committee had not seen ahead of time be made public before members of the committee saw it first.

**The Chair:** These are not formal recommendations.

**Ms. Anita Vandenberg:** These are not my recommendations, just to be clear. These are recommendations that we've heard, which I'm commenting on in order to make the point that the motion we have today is unnecessary, because we've already heard the recommendations and, therefore, do not need to call further witnesses and don't have to call Mr. Elder Marques. This is in direct relation to the motion we are debating today.

We've had so much testimony—30 hours of testimony. In fact, I have a lot of recommendations to discuss here. I have almost 100.

**Mrs. Cheryl Gallant:** On a point of order, Madam Chair, the parliamentary secretary said herself that she is repeating what the witnesses have already told this committee, so repetition is—

**The Chair:** More than one person can say the same thing. It's not repetition, if it's more than one person saying it.

Go ahead, Madam Vandenberg.

**Ms. Anita Vandenberg:** Madam Chair, I'm not repeating myself. I'm amplifying the voices of the experts, the advocates, the survivors—people who have come to this committee and given their voices. I'm amplifying those voices and I am pulling from the testimony the things that are most relevant.

Having a discussion today about the kinds of recommendations we want to have in the report is perfectly relevant, because the whole point of today's motion is that, after these recommendations are in, we're supposed to keep on hearing witnesses.

What I'm trying to prove with this is that we've heard enough witnesses. In fact, there is evidence right here, because we have a lot of recommendations.

Madam Chair, I'm on number five, but I have more than 90 recommendations that I can discuss today and there are probably more than that other members have.

**Ms. Leona Alleslev:** On a point of order, Madam Chair, I'm wondering whether the parliamentary secretary has the recommendations from Elder Marques, so that she can therefore predetermine that these recommendations are—

**Ms. Anita Vandenberg:** Madam Chair, I don't think that's a point of order.

**Mr. Yvan Baker:** On a point of order....

**Mr. Sven Spengemann:** That's not a point of order, Madam Chair.

**The Chair:** We get the little bit of humour. That's fine, but it's not a point of order.

Go ahead, Madam Vandenberg. Are you almost done?

**Ms. Anita Vandenberg:** No, I'm not, actually, Madam Chair.

**The Chair:** Carry on.

**Ms. Anita Vandenberg:** What I will do, though, is stop at a certain point so that other members can speak. Then I'd like to carry on afterwards with some of the others, because, Madam Chair, we've had so many hours of testimony that there are many recommendations.

**Mrs. Cheryl Gallant:** On a point of order, Madam Chair, just to clarify, are we still debating Mr. Bezan's motion?

**The Chair:** Yes, absolutely.

**Ms. Anita Vandenberg:** I think I have been very clear that Mr. Bezan's motion would suggest that, after the recommendations are in, we still need to hear witnesses.

I am providing evidence that we've heard enough witnesses because I am providing what evidence those witnesses have brought and, frankly, showing that we have had enough recommendations and that we don't need to hear from more witnesses. It's directly related to the motion.

If I may, Madam Chair, I am only on number five, and I have many more, so I'd really like to continue.

Number five—before I was so rudely interrupted—is probably one of the most important ones. It is that we recommend relieving the obligation to report, which places a problematic strain on victims and survivors, and instead reaffirm a survivor's right to control the reporting process.

This obligation to report is something that we've heard from many witnesses is very problematic. We know that when we put forward different proposals—and we've put forward different solutions, like Operation Honour—there can sometimes be unintended consequences. These processes were put in place with good intent, and the obligation to report was to solve a problem that existed, which was that many times people looked the other way. They may have seen something happening, but they didn't report it. Sometimes the person impacted has to have the right to be able to decide if it gets reported.

What this did was force people to report on something that happened to a third person. As a result, that third person lost their control and their power over the process. I think that this duty to report should actually be a duty to respond. I think we heard that from the acting chief of the defence staff himself, that the duty to report needs to be looked at, needs to be changed, and that there needs to be at least a duty to respond, or something like that.

Number six is a recommendation to establish victims' agency by adapting the duty to report principles and introducing new, indepen-

dent reporting mechanisms for survivors. This is really important because the new reporting mechanisms mean that when somebody goes through something.... It's very rare that they immediately want to.... Some people will decide, but not everyone will say, "I want to go to the police. I want an investigation, and my objective is to make sure that the person is punished."

That's not always the first thing that a person goes through. Sometimes the first thing they need might be counselling. The first thing they need might be just to be walked through what the options are so that they can envision for themselves what they can do and what the consequences of different mechanisms and different avenues are, and find out what's available to them.

Often what they need is peer support, and I can assure you that the message women have delivered, the message of It's Just 700 and others who have talked to us about peer support and the need to provide that kind of service, has been heard.

Sometimes, yes, they do want a police investigation, and they want the person to be held accountable, so we need different avenues that people can enter into at different times, and when they choose to. Somebody might start with counselling and then become strong enough that they want to report, so that's a very important recommendation.

Number seven is a recommendation to take stock of all existing sexual misconduct reports and assess the timelines, compassion and effectiveness of the report's lifespan. Again, we don't have to reinvent the wheel. There are so many reports. There are so many things that.... We know what needs to be done, so I think what we need to do is recommend, as a committee and as we've heard, that we review all of the reports that have already been done, so that we can look at whether or not they're still relevant.

Number eight recommends reiterating the primacy of re-establishing survivors' trust and confidence in the system. Frankly, Madam Chair, I think that as hard as it is right now, women are courageously coming forward, some of them very publicly. As hard as it is for the Canadian Armed Forces to be seeing senior leaders under various allegations, I think there is a very important thing here, which is holding people accountable.

Once people see that, no matter what your rank is, if you do something wrong you will be held accountable, once people start to see that happen, that's when we'll really see the change. That's when we'll really see people feel that if they come forward, it's going to make a difference.

• (1625)

I have heard people say, "I don't want to come forward because, you know what, nothing is going to happen anyway. Nobody is going to be held accountable." Putting systems in place that allow for that kind of trust is going to be vitally important.

Number nine recommends establishing professional, trained, investigative bodies to examine allegations of sexual misconduct where the corroboration of witnesses is not available.

This goes to what we were saying earlier about the investigations and making sure that the investigative process is fulsome. That was one of the key things in this study. What happens if it's one person versus another? We need to make sure that we have the ability to investigate with trained investigators when you can't have other witnesses, for instance, when there is no one else there to witness it.

Number 10 recommends analyzing the design principles of sexual violence reporting systems, including the discretion given to examining bodies as to whether they shall or may conduct investigations once a report has been received.

I'm not saying, Madam Chair, that these are things that we have to do. I'm saying that these are recommendations that came through this study. Obviously, we've had so many of them that I don't think we need more witnesses.

Number 11 recommends addressing survivors' lack of confidence in the sexual misconduct reporting system. This is very similar to the one I mentioned earlier, and it is about building trust so that the survivors and those impacted feel that they can trust the system again.

Number 12 recommends addressing and rectifying a key issue in the reporting process, which is lack of information on the reporting process or how to proceed with a sexual misconduct complaint.

Actually, we heard from the minister when he was here and I asked him a question about this. He said that, in fact, there is now a website where it is centralized—the deputy minister provided, actually, the beta version of that website to this committee so that we could look at it—that will say exactly what the available resources are, exactly what the system is and what the process is. Before somebody wants to start an investigation, it is very helpful if they actually know what the different steps are in the process and what to expect at each one of those steps. That, I think, is one of the key things that we have heard from the witnesses, and it is something we are already working on.

Then, Madam Chair, I think I was on number 13. I may have skipped number 12. Number 13 is a recommendation to consolidate reporting structure process information and to make such information public and easily available for access by survivors of sexual misconduct.

Madam Chair, I think I am going to leave it there for now because I see that there are other members with their hands up. I think that some of those members might have some points as well about some of the recommendations we've been hearing, so I'll let them speak on this as well.

• (1630)

**The Chair:** Thank you very much, Madam Vandenberg.

Next will be Mr. Spengemann and then Madam Larouche.

Go ahead, Mr. Spengemann.

**Mr. Sven Spengemann:** Madam Chair, thank you very much. I really appreciate the focus on the important work the committee is going to do through its report.

I made the point earlier that there are still other options available with respect to a potential invitation to Mr. Marques. We're not at a

stage where, as a last resort, we are issuing a summons. I've expressed my reservations about the mechanism of issuing a summons given historical precedence.

With respect to these recommendations, they are now what the current context would basically be confined to given that we had a deadline today for the initial set of recommendations with respect to the draft report, and any additional witnesses we may or may not hear from would be heard through the lens of these recommendations. I think the recommendations really are what will draw the interest of the Canadian public and, in particular, serving, former and aspiring members of the Canadian Forces.

With my thanks to my colleague Ms. Vandenberg, who has outlined an initial set of recommendations, I would like to build on that and talk about a group of recommendations aimed at bolstering existing services and support structures.

Again, the word “trust” came up a lot in testimony before the committee across our study. It is vitally important to restore trust in the Canadian Forces, and I believe this set of recommendations will do that. I look forward to hearing the views of colleagues on these recommendations as we take the discussion forward.

Recommendation 14 in this respect talks about adjusting, adapting and providing relevant structures and systems that adequately and accurately support sexual violence survivors. Systemic change is really what's front and centre here.

There was talk about culture and the fact that it takes time to change a culture, but there was also a very strong statement from the minister that the time for patience is over. We simply cannot have a project that will extend the subsequent victimization of women in the Canadian Forces or anybody serving in the Canadian Forces. The time for change is now, and this recommendation talks about the systemic change that is required within the Canadian Forces to restore trust, but also to make it an environment that is inclusive, safe and rewarding, as it should be.

Recommendation 15 talks about setting out to improve the experiences of sexual violence survivors who utilize the existing CAF sexual violence support structures, following a user experience satisfaction-style approach. These mechanisms are crucially important on the side of reporting accountability, taking disciplinary action and empowering women and all members of the Canadian Forces to come forward.

The other component of that is recommendations that colleagues and I will talk about later on, which are forward looking with respect to policy changes in the Canadian Forces aimed not at individual incidents but at changing the culture overall.

Recommendation 16 recommends the collection and analysis of sexual misconduct reporting data, facts and figures to enable better organizational understanding, response and accountability. Knowing what the problem is, as the committee has heard extensively over the course of its study, is step number one. Crystalizing that problem into datasets that can be acted upon at the policy level is very important. This recommendation speaks to that.

Recommendation 17 is about collating sexual violence data in a consistent way by establishing communications between the several existing sexual violence information collection databases and departments. Making sure this is done in an integral, reliable and trustworthy way is again very important with respect to the collection of data and a cogent, responsive, efficient and quick response at the policy level.

Recommendation 18 recommends improvements to Operation Honour training by pulling data from Statistics Canada surveys to tailor and personalize content to those receiving the training. Training is one of the components of the forward-looking approach to addressing the problem—training with respect to people who enter the Canadian Forces but equally importantly, as the committee has heard, the fact that there are challenges with respect to senior ranks, as has been described by some witnesses as a generational problem. Really, it is training across the board within the Canadian Forces and also for civilian employees.

Recommendation 19 is about improvements in informal reporting processes and procedures for amicable situation resolutions at low organizational levels. Not everything ends up in the context of a criminal investigation. Culture change needs to be forward looking and integrated, but there are also processes to resolve things at lower levels, again within a constructive culture that is aimed at building and raising trust.

Recommendation 20 is about addressing Operation Honour's culmination through a transition to a deliberate plan that addresses existing identified shortfalls.

• (1635)

There's been much discussion about Operation Honour and its shortfalls. Acknowledging the problem, again, is important, but so is drilling into the details and following the minister's direction, making sure that we take action expeditiously and not let this linger over extensive periods of time. The time for change is now.

In the same vein, recommendation 21 is adjusting Operation Honour's frame of reference to address sexual misconduct in the long term as well as the short term.

Recommendation 22 is about bolstering existing medical supports for women, as well as increasing the spectrum of care provided, such as introducing bereavement leave for miscarriages. This is a comprehensive approach that looks at strengthening support for female members of the Canadian Forces along a number of different axes. Again, trust levels can erode at one front of the challenge, but they need to be acted upon across the system and across issues. Miscarriages and bereavement leave were raised by witnesses as important considerations in this respect.

Recommendation 23 is about proceeding to address this issue through all-party legislation, all-party amendments and the tabling of white papers. That is why this committee's report is so important, and that is why a cross-party discussion of these recommendations is so important. This is very much the crux, in addition to the cases involving the former chief of the defence staff. It's why it is so important for this committee to be engaged actively on these policy recommendations that really will change the culture. We're faced with both challenges. We need to move them forward in parallel.

I'm very appreciative of the attention the investigations have been given in our debate, including this afternoon. Equally important, as we now turn our attention to the report, are these recommendations and the expediency with which we have to approach them and put them forward, with a very open door from the Minister of National Defence.

Finally, recommendation 24 is about refraining from creating more independent bodies and enhancing bureaucracy. The witnesses have said that additional layers of oversight aren't necessarily the solution. Independence, in itself, is a very important consideration, as well as bureaucratic efficiency, data collection, policy response and ultimately accountability across all ranks of the Canadian Forces, irrespective of the gender by which that rank is being held.

Madam Chair, I will leave it there. I look forward to hearing comments from colleagues on these recommendations.

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

[*Translation*]

Ms. Larouche, you have the floor.

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

What I am seeing here right now is far from uplifting. Really, I have been holding back from speaking until now, because the motion introduced today should have been voted on long ago. Instead, we are seeing all kinds of attempts to avoid the vote. Really, this is not uplifting, given the importance of this cause to women in the Canadian Armed Forces. The message we want to send is that we are concerned about their situation.

Having more witnesses will not stop us from writing the report. Today, we are trying to come to a proposed compromise between what was decided by the committee on Monday, which was to set a date for us to finally table a report with concrete proposals, and the ability to go out and get additional information so that we don't botch the report.

I repeat: hearing from additional witnesses will not prevent us from writing the report. On the contrary, perhaps it will allow us to add to it. It's not true that we will be unable to include other recommendations. We will be able to start the work by building on what has already been said. We have a very tight schedule before the summer. That's why we can start drafting the report now, but that does not prevent us from continuing to hear witnesses. I have found a compromise between the report completion date and the appearance of a key witness, obviously Mr. Marques, whose appearance was decided on before the motion was introduced earlier this week. If we are to avoid botching the report, we need to hear this key testimony.

First, the motion doesn't say that we must stop having witnesses appear before this committee after 4 p.m. today. It seems to me that committees are sovereign. We have every right to ask for and receive a witness after 4 p.m. today, especially since we have been expecting him for six weeks and he still hasn't been heard by the committee.

Second, the committee wants to hear quickly from a witness who has not made himself available, I repeat, for this important study, although he has already been invited. I had simply asked the Liberals to assure me that they would not block this witness from coming. I have received no confirmation that they will not block this witness from appearing.

That's why I simply have not spoken until now. What I would have liked is for us to vote on the motion and agree on the way forward, to send an important message to women in the Canadian Armed Forces that we are willing to see this study through.

My goal today is not to prolong the process. We have a date. I even proposed an amendment to make sure that we stick to what the committee decided at the beginning of the week. I made sure of that. Hearing from a witness who was called before the motion was introduced is the least we can do.

The motion says: "that the committee complete its consideration of the draft report and adopt the report by no later than Friday, May 28, 2021". That was the wording of the motion on Monday, which I repeated today. I have hammered home the message that it's important to submit the report, but never have we voted in committee to limit ourselves as to what happens next.

As I think about the women in the Canadian Armed Forces, I really don't find it uplifting to see what I am seeing today. We all could have voted much more quickly for the motion to hear this additional witness. It would have allowed us to hear the witnesses who were here today. We wasted time. Fortunately, the Standing Committee on the Status of Women has already heard from Ms. Patterson, but I would have very much liked to hear from her as well, along with the other witnesses who were here today. Instead, we weren't even able to agree on this motion calling for the appearance of a witness as important as Mr. Marques.

That's why I had not spoken until now. I think it's terrible that we could not agree on the motion, that we did not move to a vote earlier, and that we did not get to hear the witnesses today.

I will stop there for now.

• (1640)

[*English*]

**The Chair:** All right.

[*Translation*]

Thank you very much, Ms. Larouche.

[*English*]

We have Mr. Bagnell, please.

**Hon. Larry Bagnell:** Thank you, Madam Chair.

I agree with Ms. Larouche that it would be great to hear from Commander Patterson. I certainly had a number of questions for her.

As you know, there are several senior members under investigation. Those are independent investigations, and they will be taken care of. As the Library of Parliament said, though, there was a survey in 2018 of 55,300 active members, and more than 30,000 had experienced or witnessed inappropriate behaviour. Those are the ones we have to deal with, not the few.

Trust is important—that has been brought up—and I think that if we have a trust to get these changes made, it will be under a minister who has already made a number of changes to try to deal with this. Obviously, more needs to be done. We've heard it. I look forward to hearing from Ms. Vandembeld later concerning more of those recommendations.

I don't think, however, that any of the serving members would be against the fact that we have to.... The main things we've heard of in these recommendations that we should be discussing are related to the independence of the processes; the role of the chain of command in the process; the culture change, which the witnesses have said will not be done all at once—there's a lot that needs to be done that we could be working on now—and the fear of reporting.

One thing I wanted to ask Commander Patterson is whether there's a reprisal in the code of service discipline related to providing a negative reaction to someone who's reporting, or whether there's an offence in the code of service discipline or the code of values and ethics.

There should certainly be disciplinary measures, when there are more than 30,000 people who are affected or aware. The reporting was only done the next year. Out of 30,000, there were only 84 reports of sexual assault, 34 of harassment and 80 of inappropriate behaviour. Obviously, then, there are things that are inhibiting the reporting. We've heard that from witnesses.

That's the recommendation. It's what we should be talking about at this time. That's what we should be getting on with quickly, so that we can get these changes made while there's time.

Thank you, Madam Chair.

• (1645)

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

Mr. Spengemann, go ahead please.

**Mr. Sven Spengemann:** Thank you very much, Madam Chair.

I am grateful for my colleague Mr. Bagnell's comments, which I echo. I would like to continue in the vein of the previous intervention by Ms. Vandebeld and add a few more recommendations for the consideration of my colleagues. I would be grateful if we could have an exchange on these recommendations.

This is the context now, in the sense that they are the recommendations we've heard from witnesses. We leave open the question of whether additional witnesses, within the time frame that the committee has now decided, will or will not appear, and repeat the point that we still have options with respect to Elder Marques before considering a summons.

I would like to shift gears briefly to the issue of culture change. We've heard a lot about culture change from some witnesses, who have given this a lot of thought over the course of the committee's study. They are recommendations that I think the committee should consider very seriously with respect to doing the heavy lifting of what's required to change the culture within the Canadian Forces.

The numbered recommendations now take us to 25, which is a recommendation on the appointment of non-CAF members to conduct inquiries into sexual misconduct in the Canadian Armed Forces and make recommendations. We've heard a lot about the internal culture, about the chain of command and the command culture that's present. We've had a lot of discussion on hypermasculinity and part of the major problem being the command, especially the command of senior members of the Canadian Forces. The recommendation is for non-CAF members to conduct inquiries and to make recommendations.

Recommendation 26 is approaching the issue of behavioural change in the Canadian Forces with a top-to-bottom approach: examining individuals, culture, values and attitudes. Culture, in this context, is not something that's independent of human beings. It's the aggregate behaviour, and in the case of our study the aggregate bad behaviour or blameworthy behaviour, and in many cases harmful behaviour is not removed from the actions of individual human beings. This recommendation talks about being inclusive of individuals, cultural values and attitudes.

Recommendation 27 is approaching the issue of behavioural change in the Canadian Forces with a beginning-to-end approach: examining new Canadian Forces members, indoctrination, course-of-career events, leadership development, incentives and career advancement. We may add to that list even prerecruitment conversations with respect to young women and young men who aspire to become serving members of the Canadian Forces. The Canadian Armed Forces remains a very interesting and, in many respects, attractive option for employment. We want to make sure that it is inclusive and that, reflexively, there are no barriers to consideration by Canadians who wish to serve in uniform.

Recommendation 28 is setting a goal of consistent, timely, compassionate and effective sexual misconduct resolution in the Canadian Forces in order to achieve culture change. There are two components: One is to eradicate still-lingering culture, or misconduct or condoned conduct. The other is to proactively prevent things from happening, at a policy level, so that in time—hopefully in a short

frame of time—right through the ranks, there will be no cases because there's no misconduct, not because there's a fear of reporting.

Recommendation 29 is about the failure of Operation Honour to link sexual misconduct and military culture, notably the lack of reference to the role of gender and masculinity in the Canadian Forces. There was a lot of discussion about culture. There was a lot of discussion about about good elements of culture: the culture of service, of discipline, of looking out for one's peers within the Canadian Forces and leaving nobody behind, whether it's on the battlefield or in the halls of defence headquarters. However, there was also discussion about the bad elements, the harmful elements that need to change.

Recommendation 30 is about the unstated, but institutionally assumed white heterosexual male norm culture in the Canadian Forces. This was heard about from witnesses. This is one of those recommendations that I would invite colleagues to discuss and to tackle head-on. That's what it's about. That's where the problems are. It's not necessarily easy to call that out, but witnesses have done it for us and put it into our laps for constructive engagement and formulation in the context of our report.

Recommendation 31 reflects on CAF's history of legally sanctioned sex and gender discrimination against members who do not align with preconceived norms. I think that speaks for itself.

• (1650)

Recommendation 32 is addressing the generalized lack of expertise on sexual misconduct, culture change or gender issues in the CAF. Again, this could be one of those negative feedback loops or reinforcement loops, because when there is no expertise within the system, the system perpetuates itself in a negative sense. This might be one recommendation where colleagues could potentially zoom in and reach an agreement across party lines on very effective and timely change.

Finally, Madam Chair, recommendation 33 is acknowledging that the Canadian Armed Forces' current approach of self-monitoring is too reactive, inconsistent, linear and simplistic to be effective and successful against the complex problem of sexual violence. This is a powerful recommendation that's really zoomed in on some of the very precise reasons for which change has not happened, even after a substantial amount of attention has been directed to the problem from current and former members.

Madam Chair, I'll leave it there.

Again, I look forward to hearing comments and reflections on these recommendations. I'm very happy to have them on the record this afternoon for consideration by the committee, but also to assure Canadians that we are taking this issue seriously. This report will contain recommendations to the Government of Canada to achieve change within the Canadian Forces.

Thank you, Madam Chair.

**The Chair:** Thank you very much, Mr. Spengemann.

[*Translation*]

Mr. Robillard, you have the floor.

**Mr. Yves Robillard (Marc-Aurèle-Fortin, Lib.):** Thank you, Madam Chair.

I think we need to respect the victims' wishes. Indeed, if this committee can't find the time to produce a report on this important subject, it seems to me that we won't be able to find solutions to this problem within the Canadian Armed Forces.

We also need to think of today's witnesses. Once before, last Monday, we could not give them the time they deserved. Despite that, they made the effort to come back today. It seems to me that we could at very least have had the courtesy to hear them and therefore make use of their experiences in connection with this important subject.

Again, I feel we need to focus on the victims and the members of the Canadian Armed Forces, because they should be our priority at this time.

Now I would like to continue in the same vein as my colleagues. Since the committee was not willing to hear from the women's champions, I will attempt to echo their words.

Rear Admiral Rebecca Patterson and Major General Jennie Carignan presented recommendations and raised important points, from which our committee could have greatly benefited. But it chose to go in a different direction instead.

I will summarize Brigadier-General Lise Bourgon's presentation to the Standing Committee on the Status of Women yesterday.

She began her military career over 33 years ago as a cadet at the Royal Military College Saint-Jean. Since then, as an officer and helicopter pilot in the Royal Canadian Air Force, she has seen the many obstacles to women in the Royal Canadian Air Force. Nevertheless, she believes in the importance of the Canadian Armed Forces, its missions, and the institution's ability to learn and adapt.

When she joined in the late 1990s, women had to change to enter the all-male environment. As one of the first women on a Royal Canadian Navy ship, she had to force her way in. She was even thrown off a ship because she was a woman.

Attitudes are slowly changing and women are taking their rightful place. They have demonstrated that they have the skills and can make a contribution. Once, women were barely tolerated; now that the Canadian Armed Forces have evolved, they are accepted and welcomed.

Much progress has certainly been made over the past 35 years and many barriers have come down, but many challenges still lie ahead. To this day, sexual misconduct remains an issue for women and men in the Canadian Armed Forces. Any form of sexual misconduct within the ranks is unacceptable.

I will stop there for now and turn the floor over to other members of the committee.

• (1655)

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

[*English*]

Madam Vandenbeld, you're next. Go ahead.

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

As I'm continuing through these recommendations, I'd also like to add some other things we have heard, including something very important that we heard in the status of women committee, and I think it behooves us to put it on the record here.

Military sexual trauma as an occupational stress injury is something that is very important, but we have to define "military sexual trauma". We heard witnesses say that it's not currently defined. Once it's defined, it means they can get the supports they need. For instance, PTSD that comes from sexual trauma is different from PTSD that comes from combat trauma. We heard a witness say that when she went for support in a peer-support group. She was there to talk about her sexual trauma with nine men who had combat trauma. That can't happen. There needs to be very specific supports, particularly for military sexual trauma, so it's a matter of making that an occupational stress injury but also providing MST-specific group therapy treatments, outpatient programs and in-patient psychiatric care when that is needed. What we need is trauma-informed care.

The second thing is rape as a war crime. This is very important, because we use don't use the term right. We don't use the term "assault". We don't say "violence". If we say "misconduct", that actually whitewashes some of the things we're talking about, and rape is a war crime. Ever since the Yugoslavia tribunal, we know that rape is a war crime. If you're raped in the military, I think that it's very important that it be treated very seriously. Frankly there should be standardized rape kits on all international operations. My understanding is that there are different rape kits, and they don't always hold up in different courts of law and different jurisdictions.

We also need to re-evaluate the code of ethics and values and the oath of service. There are a number of other things that we're hearing, and I'll continue with some of those recommendations.

I'm going to continue where Mr. Spengemann left off, on culture change in the Canadian Armed Forces.

One of the other recommendations we've heard is about addressing the use of sexually and racially coded language that supports and accentuates social hierarchies in the Canadian Armed Forces. We heard this from Professor Okros, who gave us some very tangible examples of how people learn power structures—who is the most important, who is the least important—and how that language is used. There are ways in which these things are indicated, and they really need to end. Finding ways to make sure we identify and call out this kind of coded language is going to be very important.

Number 35 recommends updating “The Path to Dignity and Respect” to identify and reflect factors that increase the risk of workplace harassment. If I may, “The Path to Dignity and Respect” was brought forward some months ago because we understood that Operation Honour and the processes in place could not function if we didn't have culture change. This is an evergreen document that has been brought forward, but I have heard from some survivors and advocates that it doesn't go far enough and it isn't necessarily in the form that we need it to be in to really address these concerns.

We're getting recommendations that, I think, will really assist in that sense, but we need to make sure that “The Path to Dignity and Respect” is evergreen and that we are constantly evolving with it. One of the problems with Operation Honour was that it had a finite period. This is not something you can say you will go on an operation for and then it will be finished. It doesn't end. “The Path to Dignity and Respect” is something that really allows for continuous work on culture change. I also think that when we look at culture, we have to look at culture as a system, because system changes will lead to culture changes. If you build it, they will come. That's very important.

Number 36 recommends addressing social factors that inhibit sexual violence reporting and challenging central tenets of the CAF, such as obedience to authority, normative conformity and group loyalty. We did hear from a number of witnesses that the culture of CAF is very important.

• (1700)

I think we need to make it clear. We are not attacking the culture of the military, of the Canadian Armed Forces, in the areas where there are very good aspects. There are aspects that really build team. They build loyalty. They build a sense of service. These things are very important, but we did hear from the professor that this also creates normative conformity—in other words, the thing that causes what you probably would hear in the term “brotherhood”.

The very fact that we call it “brotherhood” suggests that it is within the normative, so it's making sure that we keep the good parts of the culture—of honour, of respect—and that when we're doing the culture change we get rid of the things that sometimes people are blind to and don't even realize they are doing, because they are part of that normative culture and don't even realize that it is excluding others. I think that was, in fact, the testimony from Professor Okros, which was probably some of the most important testimony that we had.

In number 37, we're recommending providing clarity in Operation Honour on which aspects of Canadian Forces culture must change and which are allowed to remain the same. I'd like to clarify this one a bit and say that I think we know that the acting chief of the defence staff has said that Operation Honour “has culminated” and that we need to look at what comes next.

At the same time, there were good things. We need to identify what were the good aspects, continue those and not throw out the baby with the bathwater, making sure that we are identifying those things but also realizing and really assessing why it didn't work. What was it—with all the good intentions—and why is it that Oper-

ation Honour did not achieve the results that we wanted it to achieve?

It's only in reflecting on that and reflecting on the failures that we're able to look forward and say, “Here are the things we need to do in order to make it better, and you know what? We will put forward other programs, other institutional changes and process changes, and then we'll probably at some point realize that some of those aren't working. It has to continuously evolve, and we have to be self-reflective all the time and listen to the people who are speaking out, who are impacted by this.

The next thing would be number 38, which is re-engaging military leaders with the Deschamps report. We have heard the Deschamps report. We all know that these answers are there, that the solutions are there. There were many things put in place as a result of the Deschamps report, but I really think that we need to re-engage and make sure that we, at the highest levels, really implement those things, but also, are not frozen in time. I mean, we have learned a lot through this very committee study, which is exactly why it is so important that we get these recommendations, so that we can get the report and so we can table it in the House and make sure that we are in a position to provide these recommendations to government.

Number 39 is about examining how sexual misconduct interacts with consent in asymmetric professional relations. We've heard a lot about chain of command, about the hierarchy. We've heard a lot about how hard it is if you want to report that the person who perpetrated the aggression is a superior. That's something you see everywhere, but it is amplified in the Canadian Armed Forces because of the chain of command, because it's such a hierarchical structure that it becomes very difficult to talk about consent when you have this very hierarchical obedience to authority. I mean, how do you consent when you are junior to somebody who then...? We heard some of the witnesses say that when they decide when you can shower, when they can decide on minute things in your life, it is really hard, then, to even say that consent can exist in that environment.

I would continue, then, with number 41, which is emphasizing that non-reporting does not entail providing consent to sexual misconduct, a sexually unwanted interaction or a sexually asymmetric relationship. I think what the witness was trying to say in this was that just because you don't complain does not mean you are consenting. Just because you don't go to an authority and say, “My superior officer has done this and this and this,” does not mean that you're okay with it. I think that needs to be very well understood.

Number 42 is recommending through “The Path to Dignity and Respect”, that the CAF clarify, redefine and describe the problem at hand, which is sexual misconduct and how it ties to culture and climate within the Canadian Armed Forces.



• (1705)

Number 43 recommends encouraging representation and participation at all levels, both civilian and military, to give women in leadership positions place and visibility. I think we sometimes forget that this impacts the civilian employees of the Department of National Defence and those who work alongside our women and men in uniform. It's very important that everybody be included in this discussion.

Number 44 recommends addressing the need to change the CAF incentive structure so that abuses of power are not “explained away” or “covered up” by CAF members.

I'll reiterate something that I said yesterday in the status of women committee with regard to the concept of “the good soldier”. You can imagine that people say, “Well, you know, he might be a womanizer, but he's a good soldier” or “a good aviator” or “a good sailor”. Well, you can't be. You can't be a good soldier and be doing these kinds of behaviours. It is exclusive. You cannot be both things.

What this recommendation is getting to is that, when you are doing incentives and rewards and performance evaluations, what is considered relevant and what is not? Someone might say, “Well, you know, that's their personal life; that's not relative to whether they should be promoted.” How you lead and you interact with people—the characteristics and your own character—are not things to be seen as peripheral. These are things that have to be seen as core, particularly when you are advancing through the ranks into leadership positions. This idea that something is considered to be, in the way it says here, just sort of “explained away” has to stop.

Number 45—and I'll end it at this one—is to examine the CAF promotional structure and review career advancement incentive structures in order to create a more supportive environment. Frankly, we have been hearing that in the performance evaluations, there needs to be, as I said, this way of evaluating that is going to be inclusive of this, so that people who perpetrate these things don't get promoted up the ranks. That way you don't end up in the situation we are in now.

Madam Chair, I have more, but I'll leave it there, because I see some other hands up and I want to make sure other committee members have a chance to speak.

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

Next is Mr. Bagnell, followed by Mr. Spengemann.

Go ahead, Mr. Bagnell.

• (1710)

**Hon. Larry Bagnell:** I know a number of the recommendations are related to better support for the victims, and certainly that support has to be outside the chain of command. How would anyone feel about reporting inside the chain of command? You would obviously be very hesitant. It adds to my earlier point that it should be a serious offence to have any repercussions from reporting.

More important than support for the victims, for me, is that we shouldn't have victims. We should really take the recommendations seriously to reduce or eliminate the number of victims from, as I

said earlier, the 30,000 people who were either aware or actually were victims. That wasn't in their lifetime or in their service in the military, that was in a 12-month period. It's absolutely shocking, and a reason all efforts should be made to make sure that we make changes.

There are suggestions that the evidence from the witness we're talking about is important, but that's a bit of prejudging, because we don't know what the person is going to say. We have had a number of witnesses say there was not enough evidence to proceed with an investigation or the willingness of the person involved. Any independent investigative body needs sufficient evidence, sufficient information, to undertake an investigation. If it wasn't there, I'm not sure what more evidence could be provided.

The last thing is related to recommendations. Obviously, and I don't think anyone refutes this fact, in recent years the government has made a lot of very important changes, including the directive DAOD 9005-1. The problem is that sometimes we can make recommendations and they don't work. I'm sure in the process somewhere along the way there were recommendations related to training, yet I heard input from a member that people took it as a joke and there were no repercussions for not taking it seriously.

The recommendation was followed, but obviously it didn't work. It didn't have the desired effect. I'm hoping there are recommendations on how to make sure the recommendations are taken seriously and that the previous recommendations, which may have been good, are followed up on.

There is a famous saying about complex problems that for every complex problem there's a simple solution, and it's wrong. Obviously, it's going to be complex. I think one of the complexities is to figure out why recommendations and processes that are already in place, which in theory are the right thing to do, are not having the desired effect. We have some very thoughtful people from all parties on the committee, and hopefully they will go into depth on that very intellectual point about how things that are recommended, that are there and are right and are even in place, are not working. I look forward to that part of the report.

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

Mr. Spengemann, I hope you don't mind, but I think we'll suspend now for a few minutes for a health break.

• (1710)

(Pause)

• (1735)

**The Chair:** We're reconvening.

Right now on the speaking list, I have Mr. Spengemann, Mr. Baker and then Ms. Vandenberg.

Go ahead, Mr. Spengemann.

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

I think it was just before we took our health break that our colleague Mr. Bagnell made reference to the commitment of this committee to the issue. He made reference to the work that colleagues have done in the past and their capability as parliamentarians to really get behind this issue and make progress. We have members of the committee with whom I've had the privilege of serving in the 42nd Parliament. There are members of the committee who have served in uniform. There are members of the committee who have been in the field. There are members of the committee who have served at the executive level in the capacity of parliamentary secretary. There's a lot of passion, commitment and brain power within this group, and if we put that collectively behind the issues and recommendations, I think that we should be able to do some very important and constructive work.

My colleague Ms. Vandenbeld and I were in the process of outlining a number of recommendations that we've heard from witnesses. They're coming as a run-on set of recommendations grouped into some subcategories, but this is really the work, I think, that will help us solve the second issue that's before the committee in addition to the accountability and investigation of the conduct of the former chief of the defence staff: the issue of culture change and progress. As Mr. Garrison has said, we will not let up until this issue is solved, and I really appreciate that commitment.

Madam Chair, let me continue to outline a number of additional recommendations, and these fall under the category of new programs, training and focuses. One of the challenges with government is that when there's a problem, there's often a criticism that it's just easy to throw money at the problem and hope that it will go away.

When we talk about new programs and new training, that has to be looked at carefully to see if it adds value and how it adds value, instead of just replicating existing processes and perhaps not doing the work that needs to be done. Shifting the focus on the right formulation of the problem is equally important. That's where parliamentarians come in. That's why we invite witnesses. That's why we get the expert analyses that we get, including the reports from the Library of Parliament and other experts who have written to us and spoken to us.

With that, Madam Chair, there are a number of recommendations that I would like to put before the committee for consideration under that category of new programs and training and shifting the focus. We received a recommendation on the implementation of alternatives to reporting sexual violence that exist outside of the CAF chain of command, including through the sexual misconduct response centre. That's the recommendation that's been echoed in a number of respects because it is, in the views of many witnesses, the chain of command that is the issue. The ability to report misconduct, harassment, assaults and harmful behaviour outside of the chain of command is something that the committee should look at very seriously and develop recommendations on, in my submission.

We also heard about the importance of the development of a restorative engagement program that will provide opportunities for class members to share experiences of sexual misconduct with senior defence representatives and that will restore the relationship between class members and the Canadian Armed Forces. Again, it goes back to the fundamental issue of trust in the system, trust as an

aspirant, a recruit, a junior member, an NCO, an officer, a senior officer or a senior NCO across gender and across ages and ranks.

Witnesses have said we should look at the practice of providing independent legal advice for victims. Madam Chair, this is a very important recommendation that goes back to the overall structure of supporting victims at a human level, at a personal level, but also at a process level with respect to procedures that the victims may or may not choose to follow, that they have the confidence to follow—those procedures available to them. Legal advice is one of those aspects—and that it be independent, that it not be legal advice provided by a Canadian Forces official but be outside of the structure.

There's a recommendation on the establishment of an independent oversight body to defend members' rights or support work-related concerns. That's a recommendation that taps into the broader issue of independence of oversight, and we can take it as such. In addition to that, there's a recommendation on implementing the recommendations of the external review authority, ERA, report of 2015 that we know as the Deschamps report by establishing the recommended long-term, independent, external oversight and accountability centre.

- (1740)

Perhaps one of the aspects to elaborate on briefly is the long-term nature of this, that this be a centre that is not there to temporarily fix a problem, but that it continues into the culture change phase of the transition to make sure that the negative aspects of the culture don't resurge, that there is predictability and certainty in the perception of victims and the practice of the Canadian Forces that will assure that those mechanisms are there in an assisting way and will be available to victims and to all members of the Canadian Forces as they are needed.

I'm going to group the last three into one bracket.

There is a recommendation on addressing the resentment of male Canadian Forces members who feel unfairly targeted by Operation Honour, as it then was, by refocusing training efforts away from the focus on the perpetrator and towards engaging with military culture, militarized masculinity, survivors' needs and bystander empowerment.

There is a recommendation that the Canadian Armed Forces host small interactive training sessions, led by authentic experts—as that witness formulated—on the prevention of sexual violence, using external experts to peer-review training materials.

There is a recommendation that the Canadian Forces host practice intervention scenarios to enable members to become effective, proactive, informed bystanders.

This last set of three recommendations, Madam Chair, goes to the importance of male allyship. This cannot and must not under any circumstances be seen as an issue that falls onto the shoulders of female Canadian Forces officers, past, present or aspirants. It is an issue that requires male allyship, in large part and the majority part, as does every other issue of gender equality.

Often there is a moral and an instrumental component to that. The moral component manifests and obviously needs little elaboration. It is wrong to condone this kind of behaviour and it is wrong to condone it as a bystander. It is a moral imperative that requires us to achieve change.

The instrumental component of that is that with change we have a better Canadian Forces. We have a healthier, more inclusive work environment. We have greater efficiencies in all the salutary aspects of Canadian Forces culture, be it training, discipline, camaraderie, excellence, reputation in the world. Not only is it the right thing to do, but through male allyship the Canadian Forces will be the better organization and a better place.

That's why it's so important, Madam Chair, that when we focus these recommendations on bystanders—and we've had military officers in uniform testify to us, and in a very courageous way—those male allies need to be supported organizationally. They need to be empowered and encouraged to continue to work in that direction.

We have some recommendations on the last three sets that have some granularity. They have some specificity to them that this committee of parliamentarians can put itself behind and can prioritize with respect to how government, in the months and years to come, can achieve the required change.

I am really grateful to the witnesses for having given us that level of precision, and it's a very useful set of recommendations.

Madam Chair, I'll leave it there for the moment. I may have some additional thoughts, but again, I'm very curious to hear colleagues' views on any of these recommendations. Normally, the committee will meet in camera to discuss the draft report, and we will, but if there are some early indications from colleagues as to whether any of these recommendations should be prioritized in the sense of now providing the setting for the remainder of the committee's work, that would probably be helpful and appreciated by all members.

Thank you, Madam Chair.

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

We will move on to Mr. Baker, please.

**Mr. Yvan Baker:** Thank you very much, Chair.

I want to continue along the theme that Mr. Spengemann was speaking to.

I believe the recommendations that have been made by many of the witnesses [*Technical difficulty—Editor*]. When we hear what those recommendations are, we have a better understanding as to why we don't need to summon Mr. Elder Marques to this committee. What I want to do is speak to some of the recommendations that I think are really important, so I'm going to talk a bit about a few that stood out for me.

One of them is that the Canadian Armed Forces should convey shared responsibility for sexual misconduct and place emphasis on collective responsibility in all sexual violence prevention training materials. They should not only convey shared responsibility, but also place an emphasis on collective responsibility. It's not just about the communications, but about taking on that responsibility. I think that's really important when we think about large organizations, whether they be in government or outside of it.

My background is in business. Prior to coming to elected office, I used to work for a consulting company that advised companies on a range of problems. Many of them were related to culture, leadership and performance management. From my personal experience, I know that when an organization needs to change its culture or change its practices, it's not enough for the leader of that organization, whether that be a CEO, a president, a board or whatever the case may be, to simply direct change. A number of steps need to be taken to make sure there's buy-in and to make sure that people within the organization know that change is a priority to leadership.

The recommendation that the Canadian Armed Forces convey shared responsibility is a big part of that. It's signalling that the forces would be, in my view, conveying that they are taking on responsibility for this problem, for the misconduct, and then placing emphasis on collective responsibility. That really helps to make sure that people on a team in an organization are all pulling in the same direction. One of the ways you can change culture and incent a change of behaviour in an organization is by signalling that everyone together is responsible for outcomes that you want to see, so I thought this recommendation was really important to highlight and underline.

Another important one is establishing a reporting line for victims of sexual violence which exists outside of the chain of command. One thing we heard a tremendous amount about during deliberations at our committee hearings for this study was the fact that victims of sexual violence don't feel comfortable reporting what has happened to them. There was a range of reasons for that. Some [*Technical difficulty—Editor*]. Some talked about the fear of intimidation or actual intimidation. Some said they were concerned about being penalized in some way in their career progression for doing that. Some talked about the fact that they didn't have confidence—or some victims don't have confidence, I should say—in the processes that would be followed within the chain of command to follow up on their complaint or concerns. This, I think, flows from that.

This reporting line outside of the chain of command would do two things. One is it could ensure greater objectivity. I think that helps a lot in making sure that an investigation and the processes that are followed afterwards are appropriate. What's also important about this—and I think we heard this from some of the folks who presented—is that it also helps to build confidence in the process. That confidence is important if incidents of sexual misconduct are going to be reported.

● (1745)

I think that recommendation is important for those two reasons.

The third recommendation I want to highlight is the recommendation to establish a mechanism for monitoring the retention and application of training around Operation Honour, which goes further than the current monitoring system does.

I think what the folks who recommended this are saying is that we need to make sure we have an ability to measure our performance when it comes to training within, in this case, Operation Honour, but within any program within the armed forces that is designed to train members of the forces on sexual misconduct and how we make sure we stop it.

Some of my colleagues have heard me say this in other contexts. I'm a big believer that you measure what you treasure. One of the things I think we have to treasure here is the appropriate training for members of the forces to prevent sexual misconduct. I think this is a recommendation that would allow us to do that.

Another recommendation is to address asymmetric professional relationships and consent. This is, I think, really important and, obviously, this will vary from situation to situation. Asymmetry is something we have heard about a lot, and it needs to be focused on and addressed.

Then there was a recommendation to adapt and diversify the demographics of the forces by adding more female service members and by adding greater diversity. I think we've heard this before. I think we all probably know that this is a meaningful recommendation, so I hope this is something that we talk about in our report.

There are two things: the armed forces members are Canadians, so we want to make sure, in my view, that it represents Canada as much as possible, but also that we're attracting the best and the brightest.

I'll go back to my time in business when some of the firms that I was working for—I'm thinking specifically of one of the consulting firms I worked for—realized that they were not attracting a representative group of people to the firm, for a range of reasons, cultural and otherwise, and so they invested a tremendous amount of effort in trying to make sure that they were doing that. Some would say that is the right thing to do. I think it was, but I think it was also important because what they were trying to do was to make sure that they were able to attract the best talent to the firm, and if you're not able to attract women, for example, then you don't have the opportunity to attract the best and the brightest, because obviously some of the best and the brightest are women.

That's one of the things. I think this recommendation is important. It would also help to shape and change the culture of the armed forces going forward.

Those are some of the recommendations, I think, that are really important. I am going to leave it there, Chair, because I know that others have things they want to add.

Thank you.

• (1750)

**The Chair:** All right. Thank you very much, Mr. Baker.

We'll go to Madam Vandenbeld and then to Mr. Bagnell.

Go ahead, Madam Vandenbeld.

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

I'd just like to say that it's really becoming evident to me how these recommendations and how much we've done in this study, how much we've actually done in this committee in these 29 hours that we've had.... It's becoming more and more evident that we really probably don't need to hear from more witnesses, because, as we're going through this, it's really very comprehensive.

I'd like to talk about 10 themes that I think are coming through the recommendations we have as the most important things.

First of all, we've heard a lot from witnesses about culture change. This is going beyond gender integration to gender inclusion, including the pre- and post-Canadian Armed Forces experience in service, acknowledging differences between the sexes as strengths versus weaknesses and working toward respectful, diverse, inclusive work environments for all, with enabled teams. Again, this is about that really core piece, which is the culture change that, as we know, has been the focus and will continue to be.

The other big theme is being survivor-centric and informed. The wants and needs of the survivors should always be paramount. We've heard from witnesses who have really expressed around these themes. "Nothing about us without us" should be the guiding principle for research, policy, programs and services. These consultations need to be respectful, meaningful and representative of the diversity of needs of military sexual trauma survivors. We heard from witnesses that it must include recent victims with experiences in the reporting process for a wide range of sexual misconduct experiences, including sexual assaults from various ranks, gender and language.

I would add here, Madam Chair, that we did hear.... It was more in the FEWO committee, but we did hear in the testimony that sometimes language can be a barrier as well, that francophone women.... By the way, I'd like to acknowledge that many of these strong, brave women who have come forward are francophone women. The services are not always there for francophones, and this is something that I really believe we need to take incredibly seriously, so I think language is another key one.

The other thing we heard from witnesses in the testimony was a theme around independent external oversight mechanisms—this is something that came up over and over, in fact, in the testimony—with responsibilities of quality assurance and accountability to complete both formal and informal complaints in an evidence-based, survivor-centric and trauma-informed way.

We also heard a lot about data from various witnesses. We need to pull data, disaggregated data by gender and rank, from Statistics Canada surveys. We need to make sure that it's intersectional—also the junior and senior ranks—and that feedback mechanisms be in place to analyze the training provided, inclusive of completing a review of the SMRC and its mandate. Further on data, because I do think this was something that we did hear witnesses talk about, is data coordination inclusive of the provision of definitions for military sexual trauma during and after service. It needs to be officially recognized as a full operational stress injury. MST needs to be consistently researched, resourced and funded to other service-related injuries.

Then, the really key thing—and by the way, this, if anything, is probably the most immediate need that we heard from the witnesses in the testimony—is a national bilingual peer support network. Those who testified, particularly the survivors, asked for this. MST survivors of all genders, during and after service, and their support persons must have access across Canada and on deployment, in person and online, to a national military sexual trauma peer support network available in both French and English. The network must be staffed with trauma-informed trained personnel knowledgeable in the unique needs of the CAF members and veterans dealing with MST and able to speak to the needs of MST survivors and their families independently. This support should also provide information about transition, care options and internal and external opportunities for CAF and veterans and their families dealing with MST.

I note that we didn't hear much about veterans, but I know that other committees might be taking that up. Certainly, we've heard for CAF members how important this is.

• (1755)

One thing has come up in FEWO and only really peripherally in this committee, but I'd like to draw from that testimony. Child care access doesn't sound like it's directly related to military sexual trauma, but in fact child care access is one of the key reasons women leave the Canadian Armed Forces.

A safe and bilingual child care option is an equalizer. It needs to be available to all military women and men and their spouses 24-7, including for prolonged periods of time and sudden and inconsistent schedules.

In addition, one of the things we heard in the themes is that there be a single access point for sexual misconduct information and reporting. This is something we have put out now: a single, public-facing web portal for information on all support, care, recourses, processes for sexual misconduct for CAF members, civilians and veterans impacted by sexual misconduct in the Canadian Armed Forces.

The final theme we have pulled out of the testimony is to provide CAF the tools for military women's integration, so ensuring an even playing field for women in non-traditional roles from recruitment onward: equitable access to accommodation, equipment, policy, research, health care, health promotion, diagnosis, care and treatment, including for sexual and reproductive health.

Madam Chair, I know we've heard a tremendous amount of testimony and I think they are among the recommendations we urgently

need to get the analysts working on so we can then get this tabled in the House, get these recommendations to government, because what people are looking for right now, Madam Chair, is action.

Thank you.

• (1800)

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

It will be Mr. Bagnell, then Mr. Fragiskatos.

Go ahead, Mr. Bagnell.

**Hon. Larry Bagnell:** Thank you, Madam Chair.

A number of committee members have mentioned what potential evidence might come from another witness, but few have spoken yet about the process. That's about the serious ramifications of inviting someone who has not refused to come and, as a number of members have mentioned, what the serious ramifications of abusing that process could be. I look forward to hearing that from members who haven't spoken about that process.

There's a saying in government that there's not much use in doing it if you can't measure the results. I'm hoping that there are certainly ways of measuring the results of the recommendations we're talking about. As we've seen in the past, some things have been done, but they haven't necessarily worked.

First of all, I want to commend all the committee members for taking this so seriously and thinking about these many recommendations that Ms. Vandenbeld has mentioned. Know that everyone is really dedicated to doing what we can to fix this, and as soon as possible.

I've been taking the philosophy that I'm not getting into the details of recommendations but rather talking about the context. However, I'm going to break that for one small point. I heard—and I can't remember if it was in committee or it was directly—that a woman required a piece of equipment that had a different design or that was personally made because she was a woman. The commander told all the people in that division, group or base, whatever it was, that they couldn't do a lot of other things because that woman's piece of equipment took up all the money, which was obviously ridiculous. I'm hoping it's in the recommendations that we've heard so far or are going to hear that anything like that, anything that's to help gender inclusivity, be in a totally different budget. It doesn't detract from someone's budget. It can't be used as an excuse. That's an absolutely ridiculous situation.

To get back to my philosophy of talking about just the overall context, I want people to think about it. Someone chooses a career, and a very honourable career. The military is not just any career. It's very honourable. They put their life at risk for a country they really believe in. They're already investing a lot more than they would normally need to invest in some other careers. Then a situation occurs that could harm them physically or devastate them mentally or emotionally. Under normal circumstances, they would report that and have it dealt with, but if they're in a situation where reporting that could devastate that whole career and could set them back from the reason they were there in the first place and could negate all the years of dedication that they have given and their chance to move forward and make even more contributions, what an awful position to be in.

It's heartbreaking. I'm not sure how many of us could take that, psychologically. That's the thing that I think what we've been discussing this afternoon has to fix. I'm confident with the positive view of all members of the committee that we will certainly make great strides towards that.

I'll leave it at that. Thank you, Madam Chair.

• (1805)

**The Chair:** All right.

Thank you, Mr. Bagnell.

Mr. Fragiskatos, go ahead, please.

**Mr. Peter Fragiskatos (London North Centre, Lib.):** Thank you, Madam Chair.

I appreciate the opportunity to join the committee. I've been following its work closely as an associate member, as I'm substituting tonight.

I want to thank colleagues for the work they've done. This is not an easy issue to address. The recommendations I'm looking at here reflect the testimony all of you have heard over the past many weeks and leave an impression on me for a number of reasons. I have many constituents who are veterans. I've had the chance to get to know their families over the years. We have a large detachment of reservists in land forces, but also with a naval focus here in London.

Madam Chair, I want to read some of these recommendations and comment on their importance. I leave that with you and the committee as context that explains part of my interest in this.

There's obviously a national focus here with this issue as well, with the national debate that's taking place in civil-military relations and how we organize our military going forward.

I see that Ms. Vandenbeld read out the key recommendations from witnesses who appeared, but others will follow.

The key thing that stands out here is a desire to produce a collaborative, all-party-supported approach. A recommendation here is to proceed on addressing this issue through all-party legislation, all-party amendments and the tabling of white papers.

On issues like this I'm really happy to see that phrase "all-party" there. I think it speaks to the need for collaboration and working together.

In terms of removing barriers to reporting sexual violence and sexual misconduct, the first recommendation under this section suggests adjusting the design of existing structures and systems to adequately address barriers to reporting sexual violence, reflecting on past failures.

Let me just break that down, if I could. Existing structures and systems are always difficult to address, because they're so deeply entrenched. Typically, when you're trying to create change...as all of you will know, and I know there are varied career backgrounds on the committee.

I think Mr. Baker talked about his career in business. Madam Chair, I've worked on previous committees with Ms. Vandenbeld, who just spoke. I know she's worked on issues relating to democratization, international development, I believe, and civil-military relations, if I'm not mistaken.

I know Mr. Spengemann has worked with the United Nations, among other international organizations. I know opposition colleagues will have their own backgrounds. Forgive me, I don't know them as well, but I have a lot of respect for what they bring to the table too.

The point I'm making is that all of us know that when we're trying to push for change, existing structures and systems that are deeply entrenched, and as I said have existed for some time, are very difficult to change. Altering them is very hard to move forward, but when change is necessary, change is necessary.

The reality is that needs to be pushed. Of course that needs to move ahead with the memory and the lessons of past failures in mind. I think we need to continue to reflect on that in Canada. This is a truism. This remains with us.

If we're going to do the right thing by future generations, if we're going to create systems and structures that encourage young men and particularly young women to serve their country in the military, then I think that reflecting on those past failures is important.

Perhaps it's not surprising that witnesses would suggest that, but I think every step forward has to be rooted in the fact that we learn from our past. I'm tempted here even to quote the historian Santayana who said, "Those who do not remember the past are condemned to repeat it". Certainly we have a lot to learn in Canada.

- (1810)

The second recommendation under this category.... Again, the recommendations I'm speaking to relate to the overall goal of removing barriers to reporting sexual violence and sexual misconduct. In this recommendation, there is a need to reaffirm the sexual violence survivors' control over the reporting process by changing the duty to report to the duty to respond, as mandatory reporting places a problematic strain on victims and survivors, with the possibility to request a case to be handled by civilian authorities and the ability to access their rights and see the failure to provide them with their rights handled in a serious and transparent manner.

The recommendations also suggest the need to create a new independent reporting mechanisms for survivors, including anonymous reporting similar to how flight safety reports can be anonymous, and, when reported, to ensure that this anonymous information is used to help fix broad systemic issues such as problematic reporting processes.

There's a lot there, Madam Chair and colleagues, as you will certainly have seen. What stands out for me is the call to create a new independent reporting mechanism, with emphasis on the word "independent" for obvious reasons. In following the committee's work I've also followed media commentary on this, and the need for independence continues to come up. I'm very interested to see that recommendation.

Furthermore, there is a call for establishing professional, highly trained external investigative bodies with legal expertise in victims' rights and sexual violence, to do two things: to examine allegations of sexual misconduct where a corroboration of witness accounts is not available; and to rereview, with inputs from the SM victims, all existing sexual misconduct reports and assess the timeliness, compassion and freedom from bias, unconscious bias included. There is also a recommendation to analyze the design principles of sexual violence reporting systems, including the discretion given to examining bodies, whether they shall or may conduct investigations once a report has been received.

Again, I suppose it makes sense that this recommendation follows from the one that I focused on earlier, because while independence was the focus there, here we have a call for a highly trained external investigative body. I see how these two recommendations, while not the same, certainly complement one another very well. The call for legal expertise on victims' rights and sexual violence offers another check and balance to the whole issue, and I'm really interested to see that. I think that's very positive.

Number four is dedicated money for full integration and inclusion of women into all traditional male roles. Number five is ensuring that military justice reform is done in collaboration with external legal experts in victims' rights and military victims with recent lived experience with the military justice system, and that includes victim-centric decision-making and supporting victim-informed choices of civil military systems.

It's really intriguing to me that "victim-centric" is given emphasis. It's very welcomed. If we're going to learn from our past, part of that must include taking into account the past experiences that victims have faced, as a way of creating better systems and structures. This is how we create meaningful reform. This is how we

move forward in a positive way. This is how we mitigate, as much as possible, the chance for things to happen again that should never have happened in the first place.

Number six calls for provision of an external, independent monitoring system, which takes various forms. There's (a) through (d), if committee members are reviewing this. I think this is important, so I'll read it into the record.

Number one is to provide strategic review to look at formal and informal processes, handling of internal and external SM processes and related processes, such as abuse of power, restorative process, individual and systemic discrimination, reprisal, workplace accommodation, administrative reviews, victim and accused protection from reprisal, confidentiality, recourse and feedback mechanisms and data tracking, and priorities management from beginning to end with meaningful consultation with external legal experts in victims' rights in Canada and the Canadian Armed Forces and veterans victims and others with lived experience related with these matters.

- (1815)

There's a lot to this particular call in 6(a). The fact that we've heard a call here for those with lived experience to express themselves and for those experiences to therefore find expression in the overall approach that is taken, I think is truly an important thing.

In 6(b) it says, in collaboration with experts in culture change and victims and others with lived experience related to SM in the CAF, build a comprehensive plan for systemic cultural change that includes measurable standards with timelines and transparent external reporting and accountability mechanisms.

Two things stand out for me, colleagues. There is the call, certainly, for systemic cultural change, which Mr. Baker earlier spoke about very eloquently, based on his experience in something very different, business. I think he made the point that when you're pushing for systemic change, it's difficult. It's one thing to commit to it, but you also have to commit to the follow-up. Hence, it makes very good sense that there is a call here for measurable standards, external reporting and accountability. I think that is something that really acts as another—I used the phrase before—"check and balance", and I think it's appropriate.

Finally, well not finally, but close to finally here, number 13 calls for consolidating reporting structure processing information, and then, collecting, analyzing and reporting on sexual misconduct, formal and informal, and reporting data, facts and figures to enable better organizational understanding, response and accountability. I think the point is made there, and I don't have to elaborate on that one.

There is another section, and I'll continue here with recommendations.

The section is on bolstering existing services and support structures. The recommendation here is to track, adjust, adapt and provide relevant structures and systems that adequately and accurately reflect the reality and needs of all SM victims and properly care and support sexual survivors to increase the likelihood of retention or facilitate the transition out of the Canadian Armed Forces.

Number 15 recommends setting out to improve the experience of sexual violence survivors who utilize the existing CAF sexual violence support structures, following a confidential and publicly available user experience-style satisfaction approach and to provide an anonymized public and transparent results of these feedbacks and remedial measures.

Number 19 recommends improving and documenting informal reporting processes and procedures for amicable situation resolutions at low organizational levels.

Number 20 recommends addressing Operation Honour's culmination through a transition to a deliberate plan that addresses existing identified shortfalls.

Number 21 recommends adjusting Operation Honour's frame of reference to address sexual misconduct in the long term as well as the short term.

Number 22 recommends the bolstering of existing medical supports for women, as well as an increase in the spectrum of care provided such as introducing bereavement leave for miscarriages.

That's something that stands out for me, Madam Chair. I remember having a conversation—this goes back a few years—where something along these lines was recommended to me in a meeting that I had with a constituent. I think it speaks to a compassionate approach. I wasn't obviously participating in the meeting where it was suggested by a witness or a group of witnesses—I'm not sure—but I think something like this recommendation going forward would be quite appropriate, on a purely compassionate basis.

I wonder what the experience of other countries is. I'm not sure. I'd have to go back to the blues and read what the committee heard in terms of how other countries have sought to put in place similar recommendations and what that has done to morale. Certainly you'd want to do something like this because it is, in the abstract, the morally right thing to do.

• (1820)

When you have these sorts of supports in place, I'm sure it adds to the overall morale in the forces. I'd be very interested to see, if something like this were to go ahead, what that would do to the issue I just mentioned.

Recommendation number 13, which I've already spoken to, is to proceed on addressing this issue through all-party legislation, all-party amendments and the tabling of white papers.

Before I turn it over to either Mr. Baker or Mr. Spengemann, number 14 recommends refraining from creating more independent bodies and enhancing bureaucracy. Certainly, there's a need for oversight. The public service has an enormous role to play. I get

where this recommendation is coming from, if I understand it. Layer upon layer of bureaucracy is not the way to address problems. There is a need to make sure that there are monitoring mechanisms and the like, but sometimes that does not happen. Bureaucracy is stacked layer upon layer, and you have agencies and organizations that even work at cross-purposes.

I'm not sure what the committee found with respect to that issue, but just understanding how other countries have sought to address these sorts of problems and challenges, I think the call to have independent bodies.... Overdoing bureaucracy, which is what I take from this recommendation, if I have understood it correctly, can have an effect that is not desired.

Madam Chair, I'll turn it over to another colleague. Thank you for allowing me the opportunity to share thoughts on the issue. I very sincerely wish colleagues nothing but the best with respect to the issues discussed.

On a personal level, and this extends to the entire committee, including the analysts who worked on this, and you, Mr. Clerk, I hope your families are healthy and safe.

Thank you for the opportunity to speak tonight.

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

Mr. Spengemann, please.

**Mr. Sven Spengemann:** Thank you very much, Madam Chair.

I just want to extend a warm welcome to Mr. Fragiskatos and thank him for his appearance today, his thoughtful comments to the committee, and his recognition and acknowledgement of the position that this committee is in across party lines.

There is no bigger change management challenge in Canada at the moment than the issue before the committees: sexual misconduct in the Canadian Armed Forces. This parliamentary committee is in a position to achieve change.

We have outlined a large number of recommendations with varying levels of granularity and precision that came to us from witnesses, Madam Chair. These recommendations came as a list. We've grouped them loosely into some categories for digestive purposes this afternoon. However, the real work will happen when we, as a committee, get behind these recommendations, analyze them, and figure out which ones to amplify, which ones to put forward, and in what sequence and in what groupings.

I'll just briefly summarize the categories again. We have recommendations that fall into these areas: barriers to the reporting of sexual violence and misconduct; bolstering existing services and support structures; culture change in the Canadian Armed Forces; and new programs, training and focus.



I want to take just a few moments—with your indulgence, Madam Chair—to outline some recommendations that fall under support for the sexual misconduct response centre, an existing institution that we've heard from before the committee directly and that brings some important recommendations for the committee's consideration.

The first recommendation is to expand the mandate of the sexual misconduct response centre to permit the organization to formally receive reports of sexual violence. That is not the case yet, and I think this is a very important recommendation for us to contemplate and to deliberate as we begin framing and drafting our report.

There's also a recommendation to expand the mandate for the sexual misconduct response centre with respect to accountability and authority over the Canadian Armed Forces, including by facilitating the centre's access to CAF information and databases. There are important discussions there around data sets—their utility, their importance—but also with respect to ownership and privacy.

There's a recommendation to raise awareness, internally and externally, of the sexual misconduct response centre's services and to continue to conduct outreach. Madam Chair, that's very important for, obviously, existing and serving members of the Canadian Armed Forces, but it's equally important for aspirants and for recruits. The presence of the centre suggests that we have not reached a goal yet of eliminating sexual misconduct in the Canadian Armed Forces. It's still required. It will be there as a backstop for victims,

but they need to be aware of its features, its mandates, its restrictions, its opportunities and the level of trust that victims can have in it. Outreach and communication are critical.

Witnesses also recommend the review of the governance structure of the sexual misconduct response centre to improve independence, accountability and organizational effectiveness. That recommendation, in a way, speaks for itself. If we have an existing organization that can add value, let's make sure that it can actually serve the absolute best that it can.

There's a recommendation to further utilize expert advice on supports of the sexual misconduct response centre to address restricted reports. These are unreported incidents, confidential reports and confidential disclosures. The committee has received a lot of testimony on the sensitivity of confidential disclosures, the rights of victims, and the point that they are paramount and front and centre with respect to all considerations of the committee.

There is expertise in the SMRC, and it is recommended that this expertise be utilized to address restricted reports and their implications.

● (1825)

**The Chair:** Thank you very much, Mr. Spengemann.

I understand that there are more discussions on this matter, and we will get back to it, but for health and safety reasons, this meeting is adjourned.

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