



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
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REPORT 5, INAPPROPRIATE SEXUAL BEHAVIOUR—CANADIAN ARMED FORCES, OF THE 2018 FALL REPORTS OF THE AUDITOR GENERAL OF CANADA

Report of the Standing Committee on Public Accounts

Honourable Kevin Sorenson, Chair

**MARCH 2019
42nd PARLIAMENT, 1st SESSION**

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

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NOTICE TO READER

Reports from committee presented to the House of Commons

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

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THE STANDING COMMITTEE ON PUBLIC ACCOUNTS

has the honour to present its

SIXTY-FIRST REPORT

Pursuant to its mandate under Standing Order 108(3)(g), the Committee has studied Report 5, Inappropriate Sexual Behaviour—Canadian Armed Forces, of the 2018 Fall Reports of the Auditor General of Canada and has agreed to report the following:



INTRODUCTION

PURPOSE OF THE AUDIT

In the fall of 2018, the Auditor General of Canada (OAG) released a performance audit whose aim was to determine whether the Canadian Armed Forces (the Forces) “adequately responded to inappropriate sexual behaviour through actions to respond to and support victims and to understand and prevent such behaviour.” The audit also examined the “progress of [Operation HONOUR] during the third year of implementation.”¹ This institution-wide operation was launched to “eliminate inappropriate sexual behaviour.”²

In 2016–2017, National Defence consisted of the Department of National Defence and the Forces and employed 66,000 regular force members, 21,800 reserve force personnel and 22,400 civilian members—the Forces consist of the Canadian Army, the Royal Canadian Air Force, and the Royal Canadian Navy.³ The OAG’s audit focused solely on the response to inappropriate sexual behaviour within the Forces and did not include the National Defence civilian employee population or the Cadet and Canadian Ranger programs.⁴

DEFINITION OF INAPPROPRIATE SEXUAL BEHAVIOUR

According to the Forces, inappropriate sexual behaviour includes but is not limited to:

- actions that perpetuate stereotypes and modes of thinking that devalue members on the basis of their sex, sexuality, or sexual orientation;
- unacceptable language or jokes;

1 Office of the Auditor General of Canada (OAG), [Inappropriate Sexual Behaviour – Canadian Armed Forces](#), Report 5 of the 2018 Fall Reports of the Auditor General of Canada, para. 5.11.

2 Ibid., para. 5.5.

3 Ibid., paras. 5.1 and 5.7.

4 Ibid., para. 5.13. The audit did not examine how the military justice system processed cases of inappropriate sexual behaviour once charges had been laid. This was examined in: OAG, [Administration of Justice in the Canadian Armed Forces](#), Report 3 of the 2018 Spring Reports of the Auditor General of Canada.



- accessing, distributing, or publishing in the workplace material of a sexual nature;
- offensive sexual remarks;
- exploitation of power relationships for the purposes of sexual activity;
- unwelcome requests of a sexual nature or verbal abuse of a sexual nature;
- publication of an intimate image of a person without their consent; voyeurism, indecent acts, sexual interference, sexual exploitation, and sexual assault.⁵

IMPLEMENTATION OF OPERATION HONOUR

In 2014, the Chief of the Defence Staff, the head of the Forces, requested “an external independent review of the Forces’ policies, procedures, and programs on inappropriate sexual behaviour.” In March 2015, a former Supreme Court of Canada justice reported her findings and [10 recommendations](#).⁶ This external review found that there was a sexualized culture in the Forces that was hostile to women and to members who are lesbian, gay, transgendered, bisexual or queer. Moreover, there was “a contrast between the high professional standards in the Forces’ policies on inappropriate sexual behaviour and the reality that many members lived.”⁷ As a result, the Forces agreed to implement the review’s recommendations. As such, the Forces:

- developed an action plan;
- created the Strategic Response Team on Sexual Misconduct (Response Team);
- launched Operation HONOUR in August 2015;
- created the Sexual Misconduct Response Centre (SMRC or the Centre), outside the Forces but within National Defence;

5 OAG, [Inappropriate Sexual Behaviour – Canadian Armed Forces](#), Report 5 of the 2018 Fall Reports of the Auditor General of Canada. (see *Definition*.)

6 *Ibid.*, para. 5.3.

7 *Ibid.*, para. 5.4.

- requested that Statistics Canada collect information from members on their experiences with and perceptions of inappropriate sexual behaviour.⁸

ROLES AND RESPONSIBILITIES

Many individuals and entities have a role to play within Operation HONOUR:

- The Chief of the Defence Staff (the head of the Forces) has “the power to issue orders related to the organization, training, discipline, efficiency, administration, and government of the Forces.” The Code of Service Discipline “sets out service offences.” Offences that may lead to charges under the Code include “those found in the Criminal Code of Canada ... and in other federal acts.”⁹
- The chain of command is made up of commanders and senior Forces leadership. They are “accountable and responsible for:
 - providing leadership and coordinating initiatives related to Operation HONOUR through the [Response Team];
 - overseeing the discipline, education, training, practice, orders, and policies on inappropriate sexual behaviour;
 - and executing the orders of the Chief of the Defence Staff and providing updates.”¹⁰
- The Canadian Forces Provost Marshal “ensures that any changes to policies and practices related to Military Police investigations, training, or professional standards are informed by approaches developed by the [Response Team].”
- Under the Provost Marshal’s authority, the Military Police “investigates alleged offences under the Code of Service Discipline and the Criminal Code.”

8 Ibid., paras. 5.5. and 5.5.

9 Ibid., para. 5.7.

10 Ibid., para. 5.8.



- The Canadian Forces National Investigation Service investigates “alleged offences of a serious and sensitive nature with the support of the Military Police and has the authority to lay charges.”¹¹
- The Chief of Military Personnel is responsible for the recruitment, management, care, support, and recognition of Forces members.
- Officials within Military Personnel Command with direct responsibilities for Operation HONOUR include the following:
 - “Director Military Careers Administration;
 - Canadian Defence Academy;
 - Chaplain General;
 - Surgeon General;
 - Military Personnel Generation;
 - Director General Morale and Welfare Services;
 - Director General Military Personnel Policy.”¹²

REPORTING OF INAPPROPRIATE SEXUAL BEHAVIOUR

According to the OAG, Forces members “must report any incident of inappropriate sexual behaviour, whether they experienced it or witnessed it.”¹³ To report an incident, victims can approach:

- Within the Forces:
 - the chain of command;
 - the Canadian Forces National Investigation Service;

11 Ibid., para. 5.9.

12 Ibid., para. 5.10.

13 Ibid., Exhibit 5.1.

- the Military Police.

The role of these three officials is to “understand, appropriately respond to and support victims, and prevent incidents;”¹⁴

- the Integrated Conflict and Complaint Management Program, which “provides members and civilian employees with access to conflict and complaint management services;”¹⁵
- Outside the Forces but within National Defence:
 - the National Defence and Canadian Forces Ombudsman. The Ombudsman is responsible for “investigating complaints on a variety of matters, including inappropriate sexual behaviour, when all other complaint options have been exhausted.”¹⁶

If victims do not want to report an incident, even though they have a duty to do so, but want to receive support, they can approach:

- Within the Forces:
 - chaplains, on every base;
 - health services clinics, not open on evenings and weekends;
 - harassment advisers, on bases across Canada;
 - the Forces Member Assistance Program, on a 24-hour basis;
 - the Respect in the Canadian Armed Forces mobile application.
- Outside the Forces but within National Defence:
 - the Response Centre. No services are available in person, but victims can email or call 24 hours a day and be referred to sources of face-to-face support.

14 Ibid., para. 5.25.

15 Ibid., para. 5.25.

16 Ibid., para. 5.27.



- Outside National Defence:
 - provincial or territorial health care plans.¹⁷

ADDRESSING COMPLAINTS OF INAPPROPRIATE SEXUAL BEHAVIOUR

The OAG stated that “[when] a complaint is received, it is investigated. The commanding officer of the relevant unit consults with legal advisers to help determine whether the incident may be a service offence, which can include offences under the Criminal Code. If it is determined that the incident is a service offence, the commanding officer can investigate and lay charges for breaches of the Code of Service Discipline for unacceptable conduct. If the incident of inappropriate sexual behaviour breaches the Criminal Code, it must be referred to the Military Police. Any Forces member who commits an act of inappropriate sexual behaviour is liable to disciplinary action, administrative action, or both.”¹⁸

Following an investigation by the Military Police, the National Investigation Service may lay charges under the Criminal Code in consultation with the military prosecutor. Conviction requires proof beyond a reasonable doubt; if found guilty, the member is “issued a sentence and a notice of intent to recommend release from the Forces. The Director Military Careers Administration then conducts an administrative review of the case to determine whether the member will actually be released.”¹⁹

Members can also be subject to administrative action: the commanding officer “conducts an initial evaluation and forwards the results and the recommended administrative actions to the Director Military Careers Administration.” The Director then determines whether it is “more likely than not” that an alleged incident occurred. If that is the case, “the member can be subject to administrative actions [including] remedial measures.”²⁰

17 Ibid., para. 5.31 and 5.32.

18 Ibid., para. 5.46.

19 Ibid., para. 5.47.

20 Ibid., para. 5.48.

HEARING

On 29 January 2019, the House of Commons Standing Committee on Public Accounts (the Committee) held a hearing on this audit. In attendance from the OAG were Andrew Hayes, Deputy Auditor General of Canada, and Robyn Roy, Director. From National Defence were Jody Thomas, Deputy Minister; Lieutenant-General Paul Wynnyk, Vice-Chief of the Defence Staff (VCDS); Lieutenant-General Charles Lamarre, Commander, Military Personnel Command; and Denise Preston, Executive Director, SMRC.²¹

21 House of Commons Standing Committee on Public Accounts, *Evidence*, 1st Session, 42nd Parliament, 29 January 2019, [Meeting no. 125](#).



FINDINGS AND RECOMMENDATIONS

VICTIM SUPPORT

The External Review recommended that the SMRC “be responsible for preventing inappropriate sexual behaviour, coordinating and monitoring training, monitoring accountability, and conducting research, and that it act as a central authority for data collection.”²²

However, the OAG found that “rather than giving the Centre all the responsibilities that the External Review recommended, the Forces gave it responsibility only to provide initial victim support by phone or email, and to give referrals” even though “the staff at the Sexual Misconduct Response Centre had the subject matter expertise.”²³ An internal review in fall 2017 led to the creation of a project charter clarifying its mandate, roles and responsibilities.²⁴ The OAG found that the charter “did not resolve members’ confusion about the two bodies”²⁵ (i.e., the Centre and the Strategic Response Team) and noted the following gaps:

- a lack of awareness of services, particularly outside the National Capital Region;
- a lack of availability of support services, particularly face-to-face support;
- a lack of expertise, particularly physicians, nurses, and chaplains;
- a lack of coordination, for example concerning the respective roles of the Response Centre and the Response Team.²⁶

The OAG therefore made the following two recommendations:

The Canadian Armed Forces should work with the Department of National Defence to review the balance, and clearly define the roles and responsibilities, of the Strategic

22 OAG, [Inappropriate Sexual Behaviour – Canadian Armed Forces](#), Report 5 of the 2018 Fall Reports of the Auditor General of Canada, para. 5.33.

23 Ibid., para. 5.34.

24 Ibid., para. 5.36.

25 Ibid., para. 5.39.

26 Ibid., para. 5.38.

Response Team on Sexual Misconduct and the Sexual Misconduct Response Centre to improve efficiency and avoid duplication of effort. The Canadian Armed Forces should also ensure that these roles and responsibilities are communicated across the Forces to ensure better understanding for all members.²⁷

The Canadian Armed Forces should establish an integrated, national approach to victim support to ensure that it fully addresses the needs of any member who is affected by inappropriate sexual behaviour. The approach should ensure that members have access to a consistent level of service and specialized support regardless of where they are serving.²⁸

According to its Detailed Management Action Plan, National Defence stated its agreement with these two recommendations and that the “Strategic Response Team on Sexual Misconduct (CSRT-SM) will be reduced in the domain of victim support and the [SMRC] will become the ‘authoritative voice’ on all aspects of victim support and advocacy from the time incidents take place until victim needs have been fully supported and addressed” by 31 March 2019.²⁹

Additionally, led by the VCDS, a “national victim support plan will be fully implemented to ensure access to a minimum level of support services to all CAF members, regardless of location and will include services for specialized groups” such as “women, members of the LGBTQ2 community, visible minorities, and Indigenous members.”³⁰ Lastly, a “comprehensive case management service will be fully implemented.”³¹

When questioned about the overall problem of inappropriate sexual behaviour in the Canadian Forces, Lieutenant-General Paul Wynnyk, VCDS, provided the following:

[We] absolutely recognize that this is a problem in the Canadian Armed Forces. It certainly doesn't apply to the vast majority. We're talking about a very small minority of the Canadian Forces, but it's corrosive, it's poisonous and it has a negative impact on the operational effectiveness of the Canadian Armed Forces.

[This] is pervasive in society and I think we all know it, but it's particularly important that we get this right in the Canadian Forces because of the negative impact it could have on operational effectiveness. I can absolutely assure the committee that the leadership of

27 Ibid., para. 5.40.

28 Ibid., para. 5.41.

29 National Defence, [Detailed Management Action Plan](#), pp. 1-2.

30 Ibid.

31 Ibid.



the Canadian Forces takes this very, very seriously. It's our number one institutional priority.³²

When questioned about whether the current and planned changes will encourage more victims to report their situations, Denise Preston, Executive Director, SMRC (National Defence), responded as follows:

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

The other thing that I would add is that one of the service enhancements that we're doing—it was recommended by the OAG, but it was also an enhancement that we had started developing already—is to institute what we're calling a case management process. What that would mean is that one of our counsellors would be assigned to a member from the time that a first report or disclosure is made. They would have a consistent point of contact that would help them navigate the process from beginning to end, whether that means helping with filling out forms, accompanying them to appointments, providing information, or whatever their needs are. That's the role that this person would play. I think that will go a long way to helping as well, because they will then not be left in the dark. When people are in the dark, they always make negative assumptions that are not necessarily factual.³³

Therefore, the Committee recommends:

Recommendation 1 – On the roles and responsibilities of organizations involved in Operation HONOUR

That, by 30 June 2019, the *Canadian Armed Forces* present the House of Commons Standing Committee on Public Accounts with a report that outlines A) the implementation of the revised roles and responsibilities of the Strategic Response Team on Sexual Misconduct and the Sexual Misconduct Response Centre; and B) how these roles and responsibilities are communicated across the Forces to ensure better understanding for all members.

Recommendation 2 – On the uniformity of victim support services

That, by 30 April 2020, the *Canadian Armed Forces* present the House of Commons Standing Committee on Public Accounts with a report outlining A) the implementation of

32 House of Commons Standing Committee on Public Accounts, *Evidence*, 1st Session, 42nd Parliament, 29 January 2019, [Meeting no. 125](#), 0910.

33 *Ibid.*, 1005.

the new national approach to victim support to ensure that it fully addresses the needs of any member who is affected by inappropriate sexual behaviour; and B) how it ensures that members have access to a consistent level of service and specialized support regardless of where they are serving.

RESOLVING CASES

For the Military Police, a case is closed when “the investigation was concluded, and the decision about whether to lay charges had been made.” Its policy requires that “investigators provide written justification in the file if the investigation did not meet the 30-day standard.”³⁴ In July 2018, this policy was amended: investigations must be conducted “as quickly and efficiently as possible, with regard to both complexity and severity.” A written explanation in the file is also required if there had been no meaningful investigative activity for 30 days.³⁵

Of the 46 Military Police cases examined by the OAG, 35 were closed, 4 within the prescribed time frame of 30 days. The remaining 31 cases took an average of seven months to close, with no written justification in over half of them.³⁶ The investigator must provide the victim information on all services when they first meet. A services coordinator must update the victim on the case’s progress every 30 days. In 31 of the 46 cases, at least one of these required steps was not taken.³⁷

There is no policy requiring cases to be completed within a given time frame by the Director Military Careers Administration. Of the 29 cases examined by the OAG, it took a year, on average, to reach a decision and impose administrative actions. According to the OAG, some delays were out of the Director’s control, and these included delays “in receiving the member’s response to the allegation, waiting on legal transcripts, or waiting on the member’s medical files.”³⁸ The required procedures were followed in the majority of the cases, but the type of activities implemented by the commanding officers varied.³⁹

34 OAG, [Inappropriate Sexual Behaviour – Canadian Armed Forces](#), Report 5 of the 2018 Fall Reports of the Auditor General of Canada, para. 5.51.

35 Ibid., para. 5.53.

36 Ibid., para. 5.52.

37 Ibid., para. 5.59.

38 Ibid., para. 5.54.

39 Ibid., para. 5.57.



The OAG examined 46 Military Police cases and 7 Director Military Careers Administration cases containing a sexual harassment complaint. In 21 of these cases, “the victim experienced fear, distress, discomfort [and] a lack of support.”⁴⁰

With respect to resolving cases, the OAG made the following recommendation:

The Canadian Armed Forces should make victim support a top priority by:

introducing comprehensive and integrated victim case management services from the time the victim discloses an incident to the conclusion of the case; and

ensuring that members, service providers, and responsible officials have a clear understanding of what the complaint processes are, how they work, and what the possible outcomes are for both the victim and the alleged perpetrator.⁴¹

National Defence agreed with this recommendation and in addition to the measures stated previously, committed to the following in its action plan:

The CAF will continue the development and publication of new policies including related Defence Administrative Orders and Directives (DAOD) and an Operation HONOUR manual as a comprehensive source of information on processes as they pertain to inappropriate sexual behaviour.

The CAF will continue to evolve the Respect in the CAF Workshop and provide briefings, updates, and reports to ensure the widest distribution of information.

[Ensure] that the multiple sources of information (such as the manual, Operation HONOUR website, Respect in the CAF Mobile App) are up to date with the latest information regarding policies and processes.⁴²

When questioned about this matter, Lieutenant-General Wynnyk responded as follows:

There's a lot of work under way, and in fact it was under way even as the Auditor General was doing that report. We acknowledge that it has in some instances been confusing. One of the things that I'm responsible for at this time is essentially developing a clear decision tree that we can communicate to the chain of command, and to all members of the Canadian Forces—just simply follow the tree.

40 Ibid., para. 5.61.

41 Ibid., para. 5.63.

42 National Defence, [Detailed Management Action Plan](#), pp. 3-4.

...

We're looking for better ways. This is a good start, I think, but we're constantly looking at ways to better communicate a simpler way, a simpler path of reporting incidents of this nature. I will stress, we just want people to report incidents. There are multiple ways to report incidents. Obviously, we have avenues through the Canadian Forces. We want to make sure that people are confident in the chain of command, but above and beyond we want to make sure that those who are affected just feel confident to report an incident in any manner they deem fit.⁴³

Therefore, the Committee recommends:

Recommendation 3 – On victim support

That, by 31 July 2019, the *Canadian Armed Forces* present the House of Commons Standing Committee on Public Accounts with a report outlining A) the implementation of the revised comprehensive and integrated victim case management services (from the time the victim discloses an incident to the conclusion of the case); and B) how they ensure that members, service providers, and responsible officials have a clear understanding of what the complaint processes are, how they work, and what the possible outcomes are for both the victim and the alleged perpetrator.

REPORTING INCIDENTS

According to the OAG, the duty to report to the Forces “provided no balance between the legal responsibility and the need to support a victim’s wish to not proceed with a formal complaint.”⁴⁴ Moreover, commanding officers “feared significant consequences if they did not report all incidents of which they were aware. However, since victims did not always want to report, commanding officers had to choose between abiding by the duty to report or supporting victims’ wishes.” Some therefore “decided to not follow the requirement and to deal with the incident informally, as the victim requested.”⁴⁵ Moreover, “some victims were not comfortable approaching their commanding officers or anyone else who might report, for fear of starting a formal process.”⁴⁶

43 House of Commons Standing Committee on Public Accounts, *Evidence*, 1st Session, 42nd Parliament, 29 January 2019, [Meeting no. 125](#), 0905.

44 OAG, [Inappropriate Sexual Behaviour – Canadian Armed Forces](#), Report 5 of the 2018 Fall Reports of the Auditor General of Canada, para. 5.71.

45 *Ibid.*, para. 5.72.

46 *Ibid.*, para. 5.74.



Members of the Forces had a duty to report all types of instances of inappropriate sexual behaviour as “Operation HONOUR’s definition of inappropriate sexual behaviour was very broad, it included everything from jokes to sexual assault.”⁴⁷ The OAG found that the duty to report “to the proper authority was not clearly defined, some members, including the chain of command told us they reported incidents such as inappropriate jokes to the Military Police rather than reporting through the non-criminal administrative process or resolving incidents at the lowest level.”⁴⁸

The OAG also found that “another unintended consequence of the duty to report was increased administrative burden of managing complaints. When Operation HONOUR was launched, reports of inappropriate sexual behaviour increased partly because victims were told it was now safe to come forward and partly because of the duty to report.”⁴⁹ The Military Police “did not have enough resources to respond to the increased caseload, which caused backlogs and delays. Although the Canadian Forces National Investigation Service received an additional 18 investigators in fall 2016, at the time of the audit, it could not determine whether these new resources would be sufficient to address the increased workload.”⁵⁰

The OAG “could not directly compare the Forces’ reported incidents with those of the 2016 Statistics Canada survey” because of “differences in how each organization defined inappropriate sexual behaviour.” According to the OAG, it was reasonable to presume that “underreporting continues to be a problem” and the Forces “has more work to do to ensure that all victims feel safe and supported to report.”⁵¹

The OAG therefore made the following recommendation:

The Canadian Armed Forces should establish clear guidance for members on the regulation to “report to the proper authority” in the context of inappropriate sexual behaviour. The guidance should clarify who is considered the “proper authority” under which circumstances. The goal should be to balance the need to protect the organization’s safety with the need to support victims by allowing them to disclose and seek support without the obligation to trigger a formal report and complaint process.⁵²

47 Ibid., para. 5.77.

48 Ibid.

49 Ibid., para. 5.76.

50 Ibid., para. 5.78.

51 Ibid., para. 5.85.

52 Ibid., para. 5.79.

According to its action plan, the Forces stated its agreement with this recommendation and committed to the following by 1 October 2019:

The CAF will examine the relevant regulations and develop an appropriate approach to clarify the obligations relating to the reporting of incidents of inappropriate sexual behaviour.

The chosen approach will aim at ensuring that the views of the victims concerning the actions to be taken in response to incidents of inappropriate sexual behaviour involving them are considered and respected to the extent possible.

A Working Group has been established to identify and develop the approach to clarify CAF members' obligations to report.⁵³

When questioned about this matter, Jody Thomas explained the following:

We know that some people experienced repercussions as the reporting system launched a process that they did not want. The [Forces] is currently examining the application of regulations in this area. They will clarify the processes around the reporting of incidents of inappropriate sexual behaviour so that the victims' concerns are considered and respected first and foremost.

I would agree that there was confusion in terms of how to report and who to report to. The attempt to make this as broad a field, as broad an opportunity as possible—to go to the military police, your chain of command, clergy within the military, the medical system within the military, or to civilian counterparts—in fact added confusion to the system rather than opportunity. Therefore, clarifying where you can report, how to report and how we will support you once you do report I think is a critical aspect that we will work on.⁵⁴

Therefore, the Committee recommends:

Recommendation 4 – On the regulation to report inappropriate sexual behaviour

That, by 31 October 2019, the *Canadian Armed Forces* present the House of Commons Standing Committee on Public Accounts with a report outlining its revised approach regarding members' obligations to report inappropriate sexual behaviour to the proper authority, including how such an approach balances the safety of the organization with the need to support victims by allowing them to disclose and seek support without the obligation to trigger a formal report.

53 National Defence, [Detailed Management Action Plan](#), p. 5.

54 House of Commons Standing Committee on Public Accounts, *Evidence*, 1st Session, 42nd Parliament, 29 January 2019, [Meeting no. 125](#), 0855.



EDUCATION AND TRAINING ON INAPPROPRIATE SEXUAL BEHAVIOUR

According to the OAG, the Forces “conducted a training needs assessment that was used to develop a training strategy on inappropriate sexual behaviour, which was approved in 2016. The chain of command delivered Operation HONOUR briefings and key education and training programs, such as mandatory training on what bystanders should do if they witness inappropriate sexual behaviour, across the Forces.”⁵⁵ However, the training did not give members “a sufficient understanding of how to effectively respond to and support victims. This was particularly true for the chain of command.”⁵⁶

The 2015 External Review stated that “there was a common view that in many cases, the trainers were themselves complicit in inappropriate sexual behaviour” and that “members reported that commanding officers were insufficiently trained and could not appropriately assess and respond to inappropriate sexual behaviour.”⁵⁷ The OAG found that “the chain of command, who did not have subject matter expertise, delivered most of the education and training related to Operation HONOUR.”⁵⁸

The OAG also found that “the chain of command used different approaches to present prepackaged training materials, which resulted in inconsistent learning. Although members received a consistent message to stop inappropriate sexual behaviour, they received different messages about what constituted such behaviour and how to respond.”⁵⁹ The Forces also “failed to develop a single, unified policy to communicate clearly the definitions and rules for inappropriate sexual behaviour to members.”⁶⁰ Other members (particularly females) told the OAG that “they felt isolated because of their peers’ fears about interacting with them.”⁶¹ A new workshop called Respect in the Canadian Armed Forces was developed in April 2018.⁶²

55 OAG, [Inappropriate Sexual Behaviour – Canadian Armed Forces](#), Report 5 of the 2018 Fall Reports of the Auditor General of Canada, para. 5.92.

56 Ibid., para. 5.93.

57 Ibid., para. 5.94.

58 Ibid., para. 5.95.

59 Ibid., para. 5.97.

60 Ibid., para. 5.98.

61 Ibid., para. 5.100.

62 Ibid., para. 5.102.

The OAG therefore made the following recommendation:

The Canadian Armed Forces should make it a priority to offer the Respect in the Canadian Armed Forces Workshop to all members in a timely manner. It should also explore other victim-focused education and training options to ensure all members receive appropriate training that supports the goals of Operation HONOUR.⁶³

According to its action plan, the Forces stated its agreement with this recommendation and committed to the development of a training plan by 31 March 2019 to provide the Respect in the Canadian Armed Forces Workshop to all personnel. Additionally, the SMRC will have its charter amended by 31 March 2019 to:

- reflect it as the “authoritative voice” on inappropriate sexual behaviour training content;
- provide the Centre with “an explicit mandate to monitor [the Forces] training and education”⁶⁴ with respect to inappropriate sexual behaviour.

When questioned about training members of the Forces on inappropriate sexual behaviour, Jody Thomas reported that it will be victim-focused:

We agree with the Auditor General that we have to do a better job of educating our people. Education will help our people develop the understanding that leads to changing attitudes and beliefs. We are reviewing all our existing training to make sure that it supports victims first. The expertise of the SMRC will be key to ensuring appropriate [Forces] training and education on this subject. That training will be delivered nationally in a coordinated and measured way, including the Respect in the Canadian Armed Forces workshop.⁶⁵

Furthermore, Lieutenant-General Wynnyk noted that the SMRC, as an independent authority that operates outside of the chain of command, would provide external oversight to the Canadian Armed Forces on the training on inappropriate sexual behaviour.⁶⁶

Therefore, the Committee recommends:

63 Ibid., para. 5.104.

64 National Defence, [Detailed Management Action Plan](#), pp. 5-6.

65 House of Commons Standing Committee on Public Accounts, *Evidence*, 1st Session, 42nd Parliament, 29 January 2019, [Meeting no. 125](#), 0900.

66 Ibid., 0900 and 1000.



Recommendation 5 – On education and training on inappropriate sexual behaviour

That, by 30 June 2019, the *Canadian Armed Forces* present the House of Commons Standing Committee on Public Accounts with a report outlining its progress regarding training all personnel on matters pertaining to inappropriate sexual behaviour, including the chain of command, using the Respect in the Canadian Armed Forces Workshop.

Recommendation 6 – On the mandate of the Sexual Misconduct Response Centre

That, by 30 June 2019, the *Canadian Armed Forces* present the House of Commons Standing Committee on Public Accounts with a report on the revised mandate of the Sexual Misconduct Response Centre: A) recognizing it as the authoritative voice on training content; and B) the improved monitoring and evaluation of the *Canadian Armed Forces* training on inappropriate sexual behaviour.

OVERSIGHT OF THE RESPONSE TO INAPPROPRIATE SEXUAL BEHAVIOUR

As reported by the Auditor General to the Committee, the issue of inadequate data collection and use is a persistent problem facing federal organizations. Given the significance of sound data in the delivery and accurate assessment of program effectiveness, the Committee has made this issue one of its core priorities.

According to the OAG, in 2016, the “Chief of the Defence Staff committed to receiving independent oversight and advice for Operation HONOUR by creating a steering committee and an external advisory council.” However, the OAG “found that the advisory council had met for the first time only in June 2018” and that, at the time of the audit, “the steering committee had never met.”⁶⁷

Moreover, the 2015 External Review had recommended creating an independent body that would, among other things, “act as a central authority for collecting information.” Although the SMRC was created, the OAG found that it “was not given responsibility for receiving reports or collecting information.”⁶⁸

The Forces also gave the “Strategic Response Team on Sexual Misconduct responsibility for coordinating, monitoring, and reporting on progress for all aspects of Operation

67 OAG, [Inappropriate Sexual Behaviour – Canadian Armed Forces](#), Report 5 of the 2018 Fall Reports of the Auditor General of Canada, para. 5.110.

68 Ibid., para. 5.111.

HONOUR.”⁶⁹ Yet the Strategic Response Team “did not have good-quality information to support the progress reports that senior management used to understand and make decisions about Operation HONOUR.”⁷⁰

In addition, at the time of the audit there were two “centralized” information systems to track harassment complaints, which remained separate, and “the problem of duplicate reporting had not been resolved.”⁷¹

The OAG made the following two recommendations:

The Canadian Armed Forces should develop a performance measurement framework to measure, monitor, and report on Operation HONOUR. The Forces should use the information it gathers to continuously improve its response to inappropriate sexual behaviour and work toward its goal to eliminate this behaviour across the Forces.⁷²

The Canadian Armed Forces should expand its use of external subject matter experts, in addition to using internal information sources and evidence, to ensure it has a wider variety of performance information, and to ensure it receives an independent assessment of its response to inappropriate sexual behaviour.⁷³

The Forces stated its agreement with the recommendation on developing a performance management framework, and according to its action plan, committed to designing a new performance measurement framework to assess the performance and effectiveness of Operation HONOUR; moreover, the SMRC will provide analysis and advice to the Forces on the new framework.⁷⁴

Additionally, the Forces concurred with the OAG recommendation related to expanding its use of external subject matter expertise and noted the Executive Director of the SMRC will be able to seek independent advice from its external advisory council to support the continuous assessment of Operation HONOUR.⁷⁵

69 Ibid., para. 5.112.

70 Ibid., para. 5.113.

71 Ibid., para. 5.115.

72 Ibid., para. 5.119.

73 Ibid., para. 5.120.

74 National Defence, [Detailed Management Action Plan](#), p. 6.

75 Ibid., p. 7.



Officials from National Defence noted that a case-management service, along with a performance measurement framework, will provide greater information “to help the Forces monitor and improve our support services.”⁷⁶

When questioned about the infrequent meetings held by the external advisory council, Jody Thomas explained that the original council was not composed of experts. To this end, the Forces “revamped the EAC from scratch before the first meeting.”⁷⁷ The council was thus re-constituted with new members comprised of “people who are experts in this field whether victim support, data experts, psychologists or sociologists who understand the root causes, all the things we need to look at within the [the Forces].”⁷⁸

Therefore, the Committee recommends:

Recommendation 7 – On performance management

That, by 30 June 2019, the *Canadian Armed Forces* present the House of Commons Standing Committee on Public Accounts with a report outlining its performance measurement framework to measure its response to inappropriate sexual behaviour, including how the forces collects and uses sound data for this process.

76 House of Commons Standing Committee on Public Accounts, *Evidence*, 1st Session, 42nd Parliament, 29 January 2019, [Meeting no. 125](#), 0855.

77 *Ibid.*, 1025.

78 *Ibid.*

CONCLUSION

The Committee concludes that the Canadian Armed Forces have not yet fully accomplished what they intended regarding responding to and supporting victims of inappropriate sexual behaviour. This does not mean that Operation HONOUR is a failure or a success, but it does mean it has yet to deliver on its objectives. Consequently, the Committee has made seven recommendations for the Canadian Armed Forces to better meet the program's objectives.



SUMMARY OF RECOMMENDED ACTIONS AND ASSOCIATED DEADLINES

Table 1—Summary of Recommendations and Deadlines

Recommendation	Recommended action	Deadline
Recommendation 1	The <i>Canadian Armed Forces</i> should present the House of Commons Standing Committee on Public Accounts with a report that outlines A) the implementation of the revised roles and responsibilities of the Strategic Response Team on Sexual Misconduct and the Sexual Misconduct Response Centre; and B) how these roles and responsibilities are communicated across the Forces to ensure better understanding for all members.	30 June 2019
Recommendation 2	CAF should present the Committee with a report outlining A) the implementation of the new national approach to victim support to ensure that it fully addresses the needs of any member who is affected by inappropriate sexual behaviour; and B) how it ensures that members have access to a consistent level of service and specialized support regardless of where they are serving.	30 April 2020

Recommendation	Recommended action	Deadline
Recommendation 3	CAF should present the Committee with a report outlining A) the implementation of the revised comprehensive and integrated victim case management services (from the time the victim discloses an incident to the conclusion of the case); and B) how they ensure that members, service providers, and responsible officials have a clear understanding of what the complaint processes are, how they work, and what the possible outcomes are for both the victim and the alleged perpetrator.	31 July 2019
Recommendation 4	CAF should present the Committee with a report outlining its revised approach regarding members' obligations to report inappropriate sexual behaviour to the proper authority, including how such an approach balances the safety of the organization with the need to support victims by allowing them to disclose and seek support without the obligation to trigger a formal report.	31 October 2019
Recommendation 5	CAF should present the Committee with a report outlining its progress regarding training all personnel on matters pertaining to inappropriate sexual behaviour, including the chain of command, using the Respect in the Canadian Armed Forces Workshop.	30 June 2019
Recommendation 6	CAF should present the Committee with a report on the revised mandate of the Sexual Misconduct Response Centre: A) recognizing it as the authoritative voice on training content; and B) the improved monitoring and evaluation of CAF training on inappropriate sexual behaviour.	30 June 2019



Recommendation	Recommended action	Deadline
Recommendation 7	CAF should present the Committee with a report outlining its performance measurement framework to measure its response to inappropriate sexual behaviour, including how the forces collect and uses sound data for this process.	30 June 2019

APPENDIX A LIST OF WITNESSES

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

Organizations and Individuals	Date	Meeting
Office of the Auditor General	2019/01/29	125
Andrew Hayes, Deputy Auditor General		
Robyn Roy, Director		
Department of National Defence		
Jody Thomas, Deputy Minister		
LGen Paul Wynnyk, Vice-Chief of the Defence Staff		
LGen Charles Lamarre, Commander, Military Personnel Command		
Denise Preston, Executive Director, Sexual Misconduct Response Centre		

REQUEST FOR GOVERNMENT RESPONSE

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

A copy of the relevant *Minutes of Proceedings* ([Meetings Nos. 125 and 130](#)) is tabled.

Respectfully submitted,

Hon. Kevin Sorenson, P.C., M.P.
Chair

