



National  
Defence

Défense  
nationale



# CANADIAN ARMED FORCES

## Progress Report Addressing Inappropriate Sexual Behaviour

August 30, 2016

Covering the period January through June 2016

Prepared for the Chief of Defence Staff by  
the Chief of Military Personnel

Canada 

---

# Canadian Armed Forces Second Progress Report on Addressing Inappropriate Sexual Behaviour

---

## Table of Contents

### Introduction

### Institutional Overview

Enhanced Victim Support

Policy

Training and Education

Governance

Performance Measurement

Data Collection and Reporting

Leadership Vigilance

Military Justice and Military Policing

Programs Related to Employment Equity; Diversity; Gender Based  
Analysis Plus; and Women, Peace and Security

Strategic Engagement and Awareness

### Operationalizing Operation HONOUR

Royal Canadian Navy

Canadian Army

Royal Canadian Air Force

Canadian Joint Operations Command

Canadian Special Operations Force Command

### Implementing ERA Recommendations

Progress made on ERA Recommendations 1 through 10

### Conclusion

## Introduction

This is the second report detailing the progress of the Canadian Armed Forces in eliminating the problem of harmful and inappropriate sexual behaviour. It follows the publication of the initial progress report, released to internal and external stakeholders on February 1<sup>st</sup>, 2016, consistent with the six-month reporting timeframe to which the Canadian Armed Forces has committed.

The intent of this progress report, and indeed that of subsequent reports, is to update interested audiences on the progress the institution has achieved in rooting out this insidious problem.

The first progress report covering from July to December 2015 mapped out the Canadian Armed Forces' headway in implementing both Operation HONOUR objectives and the External Review Authority's recommendations over the first phase of the effort. It explained how early progress was being achieved, while underscoring that much more remained to be done.

This second progress report describes how Operation HONOUR is developing, and outlines the achievements to date, as well as the challenges that remain. It focuses on two levels: (i) the initiatives and activities at the strategic level setting the conditions for organisation-wide culture change, and (ii) the programming occurring at subordinate levels reinforcing awareness and catalyzing sustained behavioural and attitudinal change. This reflects Operation HONOUR's multi-faceted approach across the organisation. Rather than it being simply a top-down institutional response, national leadership direction is translated into tailored programming, training, and policies by subordinate commanders at their levels.

This report closes out the first year of Operation HONOUR implementation. As stated at the outset of the operation, the priority over this first year was twofold. The first and over-arching imperative was improving support to victims. Incidents of harmful and inappropriate sexual behaviour and sexual offences are still occurring in the Canadian Armed Forces, making it critical that victims have the care, support and response options they need. Accordingly, new victim support options have been put in place, and existing mechanisms have been strengthened. This direct support to victims has been reinforced by highly active engagement by the Chain of Command and leadership at all levels on this issue, which has resulted in a level of markedly increased awareness by all members of the institutional expectations regarding their behaviours.

The second focus of year one of implementation has been on gaining a much more complete understanding of the precise nature of the problem, in order to develop a model for a deliberate, long-term, sustainable change of culture. This will layer attitudinal change upon the behavioural change prompted by enhanced awareness and vigilance. Extensive research has been executed or developed over this first year, integrating both internal and external expertise. Partnerships have also been formed or improved, enabling a level of insight that the Canadian Armed Forces has not previously possessed. As this research is conducted, it will provide an unprecedentedly clearer understanding of the problem, which will

in turn form the foundation for a substantive change in culture designed to eliminate harmful and inappropriate sexual behaviour within the Canadian Armed Forces.

This approach is consistent with the four major pillars of Operation HONOUR – *understanding* the issue of harmful and inappropriate sexual behaviour, *responding* more decisively to incidents, *supporting* victims more effectively, and *preventing* the occurrence of such behaviours in the first place.

The focus of the second year of Operation HONOUR will be on moving beyond process and analysis into the development and implementation of policies, programs, and performance measurement necessary to catalyse the required culture change.

The Canadian Armed Forces is still only beginning to implement the change identified in Operation HONOUR, which though now well underway, will take years to instil and consolidate. Most of the initiatives generating this change are in their early stages. So too is the organisation's ability to measure the outcomes that are beginning to emerge. *However, change is occurring across the organisation and individual members are being influenced.*

## **Institutional Overview**

Last spring and summer, there was internal and external skepticism directed at both the desire to solve the problem of inappropriate sexual behavior, as well the military's capacity to do so. While some of the skepticism remains, and will until it has been unequivocally proven that the Canadian Armed Forces has implemented sustained positive change, the mood is shifting. Members, including those at junior levels, are telling us that awareness has increased appreciably. There seems to be a growing belief that this time will be different. We are also already detecting behavioral changes amongst our members, and being advised of similar observations by the chain of command. This is in stark contrast to the prevailing sentiment a year ago.

There are also early signs that leadership is increasingly vigilant on the issue and more diligent in responding decisively to occurrences of it. Individuals have been called to account and action has been taken by the chain of command that has resulted in some losing their command positions. The Canadian Armed Forces has recently put in place a stronger methodology to identify and track trends in terms of the chain of command's response to harmful and inappropriate sexual behaviour, and will very soon possess a more thorough depiction of results than it ever has before.

The approach to the Canadian Armed Forces response to inappropriate sexual behavior through Operation HONOUR will continue to be highly visible. This provides not only added impetus to the gravity of the situation and its potential impact on the Canadian Armed Forces continued operational excellence, but continued accountability for this organization and its members.

The grassroots behavioural and attitudinal change that Operation HONOUR seeks to achieve cannot occur without first putting in place the fundamental conditions at the institutional level needed to support culture change.

Much of the effort over this first year has involved laying the groundwork for change. While not highly visible, this foundational groundwork is addressing policy, process and structural requirements that will in turn prompt or facilitate much more tangible change in the second year of Operation HONOUR.

This section covers these Canadian Armed Forces-wide initiatives.

## **Enhanced Victim Support**

One of Operation HONOUR's defining features is its focus on victims – the start point for the Canadian Armed Forces response to harmful and inappropriate sexual behaviour.

This report details many of the ways the Canadian Armed Forces are expanding and enhancing victim support as well as areas that require improvement. These include peer support, advocacy, facilitating reporting through alternate means, improving victim care and providing more tools to members of the Canadian Armed Forces to understand the important roles they can play in supporting and assisting victims.

There is clearly more work to do, but victims of harmful and inappropriate sexual behaviour and sexual offences have more – and different – options for care and support than they did a year ago, and that is significant.

Victim support in the Canadian Armed Forces is delivered through the concrete care and support options available to those who are adversely affected by harmful and inappropriate sexual behaviour. This support is reinforced by ensuring that all members are actively engaged in preventing, and responding to the problem. It is also heavily dependent upon a Canadian Armed Forces community that is clearly aware of organisational expectations of behaviour and attitude.

The Sexual Misconduct Response Centre was quickly established to coordinate and enhance victim support for Canadian Armed Forces members, and is a pivotal component in providing such support. However, supporting victims is a much larger responsibility shared by many elements of the organisation, including the chain of command, the Canadian Forces Health Services Group, the Judge Advocate General, the Canadian Forces Provost Marshal, the Director of Military Prosecutions, the Canadian Forces Morale and Welfare Services, and the Chaplain General. Each of these organisations is enhancing their support to victims through Operation HONOUR and other initiatives.

In addition to existing options, a peer support network is being developed in coordination with the well-established Operational Stress Injury Social Support group. Conceptually, this network will be separate from, but closely aligned with, the existing peer support structure. It will be based largely on volunteer peer

support coordinators under the supervision of Morale and Welfare Services. This initiative will be fully developed over the next six months.

Another initiative that is in the early planning stages will see a stronger engagement with sexual assault support entities located close to Canadian Armed Forces bases and wings where military victims currently seek support. This initiative will evolve over the next six months.

### **Sexual Misconduct Response Centre**

The Sexual Misconduct Support Centre was established within weeks of the launch of Operation HONOUR, and is a vital part of Canadian Armed Forces support for victims of harmful and inappropriate sexual behaviour. The Centre continues to evolve, evaluating additional services to augment its initial operating capability to better meet the requirements of military members.

A unique aspect of the Centre is that it offers victims a venue to receive information and support before choosing whether to file a formal complaint or not. The Centre has formalized supportive counselling to enhance its ability to connect with those who reach out for support, working with internal partners to address barriers to seeking support and reporting. This approach includes facilitating direct access to the military police liaison officer and the chaplain working with the Centre, providing a consistent point of contact thus reducing the number of times they have to repeat their story through the initial process of seeking assistance and care, which is tremendously important for victims and those calling on their behalf.

The Centre expanded its operating hours to enhance accessibility to its services across Canada. Counsellors are now available by telephone and email from 7 a.m. to 8 p.m. (EST) Monday through Friday. An assessment is being conducted to fully understand client needs and consider service delivery options as the Sexual Misconduct Response Centre moves to its final configuration in the summer of 2017. This consultation involves both internal and external stakeholders.

Interest in the Sexual Misconduct Response Centre is not limited to victims. A significant number of requests to the Centre are from the chain of command, seeking more information on how to address harmful and inappropriate sexual behaviour. This reflects the considerable interest by leaders at all levels to improve their ability to deal with such cases – an encouraging development.

At the same time, the perceived barriers inhibiting military members from seeking support continue to exist. This underscores the delicate balance in maintaining the Centre's independence from the military chain of command while still fully understanding and influencing this constituency. Information shared by those calling the Centre has also highlighted areas of concern to be addressed by the Canadian Armed Forces in its awareness and understanding campaign, as well as ongoing work on training and education, policies and programs.

Aligned with the External Review Authority comments on and recommendations regarding sexual harassment, the Chief of the Defence Staff requested the

Sexual Misconduct Response Centre to review and recommend ways to provide the expertise and advice necessary to enhance not only the investigations but the management of files and complaints regarding sexual harassment. This work has been initiated and will be completed in the next reporting period.

### **Canadian Forces Health Services**

Improved training and education for military health care professionals, combined with enhanced outreach engagements with local sexual assault centres and other community practitioners, has raised awareness levels for clinicians interacting with patients affected by harmful and inappropriate sexual behaviour. So, while the way in which clinicians provide medical services to patients has not changed, access to and facilitation of referrals for patients beyond Canadian Armed Forces resources has improved as a result of the increase in training.

### **Canadian Forces Morale and Welfare Services**

Support for members affected by sexual misconduct has been an ongoing concern of Military Family Resource Centres. Their Boards of Directors and Executive Directors have been sensitized to: Operation HONOUR and the Sexual Misconduct Response Centre; advised where relevant issues should be directed; and requested to remain responsive to local initiatives. While this has enhanced the awareness and confidence of Family Resource Centres to encourage their constituents to come forward and report incidents, at this time no appreciable increase in the number of engagements related to Operation HONOUR has been registered.

The Family Information Line team has been made fully aware of Operation HONOUR and the Sexual Misconduct Response Centre, and the potential for increased call intake. They will refer callers to the Sexual Misconduct Response Centre or other support options as appropriate. At this point, no discernible increase in call levels or content has been reported.

### **Chaplain General**

Formal and informal interactions between Canadian Armed Forces chaplains and military members are ongoing, and chaplains continue to provide support, advice and care across the institution. In support of Operation HONOUR, a Chaplain Advisor was appointed to the Strategic Response Team and the Sexual Misconduct Response Centre and provides a valuable liaison to the Chaplain Branch. Operation HONOUR related content has been added to Chaplain professional development and education to enhance the understanding of harmful and inappropriate sexual behaviour, impact on victims, culture change and delivery of support services to the Canadian Armed Forces.

### **Canadian Forces Provost Marshal**

As illustrated later in this report, a number of significant actions have been taken by the Canadian Forces Provost Marshal to enhance victim support services through increased expertise of Military Police; improved victim interviewing techniques; enhanced control and restrictions over the release, distribution and



handling of information related to incidents of harmful and inappropriate sexual behaviour to ensure greater confidentiality; changes to the trade and rank structure of the Branch; and the creation of dedicated teams of investigators within each regional office to investigate complaints of offences of a sexual nature. Eighteen new positions were added to the Canadian Forces National Investigation Service to create Sexual Offence Response Teams with three personnel per regional office. The Provost Marshal has directed that all sexual assaults reported to the Military Police be investigated by the Canadian Forces National Investigation Service via these new response teams. Policy changes are also underway to stress the importance of frontline Military Police providing immediate support to victims. The Provost Marshal will continue to build and enable more effective victim support mechanisms recognizing that existing support services are only reaching victims who have made formal complaints and are engaged in investigations.

Enhanced Victim Support	Impact
<ul style="list-style-type: none"> <li>Supportive counselling introduced by SMRC</li> </ul>	<ul style="list-style-type: none"> <li>Better interaction with victim</li> </ul>
<ul style="list-style-type: none"> <li>SMRC operating hours expanded</li> </ul>	<ul style="list-style-type: none"> <li>Increased access for victims</li> </ul>
<ul style="list-style-type: none"> <li>Increased training, education and outreach for military health care professionals</li> </ul>	<ul style="list-style-type: none"> <li>Improved care and facilitation of referrals beyond Canadian Armed Forces resources</li> </ul>
<ul style="list-style-type: none"> <li>Heightened MFRC awareness of Operation HONOUR</li> </ul>	<ul style="list-style-type: none"> <li>Expanded network to facilitate access</li> <li>More responsive to victims</li> </ul>
<ul style="list-style-type: none"> <li>Heightened Chaplain awareness of Operation HONOUR</li> </ul>	<ul style="list-style-type: none"> <li>More supportive of victims</li> </ul>
<ul style="list-style-type: none"> <li>Review and recommend ways to centralize expertise and advice to enhance sexual harassment investigations and the management of files and complaints</li> </ul>	<ul style="list-style-type: none"> <li>Streamlined processes, centralized expertise and enhanced support for victims and the chain of command</li> </ul>
<ul style="list-style-type: none"> <li>New initiatives for peer support with internal and external partners</li> </ul>	<ul style="list-style-type: none"> <li>Expanded network of valuable resources, experience and expertise as well as increased support for victims</li> </ul>
<ul style="list-style-type: none"> <li>Improved victim support services by the Military Police and Canadian Forces National Investigation Service</li> </ul>	<ul style="list-style-type: none"> <li>Greater focus on the needs of the victim and ensuring first responders focus on the needs of the victim</li> <li>Improving trust and confidence for victims</li> </ul>
<ul style="list-style-type: none"> <li>Enhanced control and restrictions over the release, distribution and handling of information related to incidents of harmful and inappropriate sexual behaviour to ensure greater confidentiality</li> </ul>	<ul style="list-style-type: none"> <li>Restricting the distribution of Significant Incident Reports related to incidents of harmful and inappropriate behaviour</li> <li>Reducing the potential for re-victimization through the inappropriate disclosure of information</li> <li>Protecting evidence for trials</li> </ul>
<ul style="list-style-type: none"> <li>Enhanced investigative response</li> </ul>	<ul style="list-style-type: none"> <li>Dedicated teams of investigators within each regional office to investigate complaints of offences of a sexual nature</li> </ul>

	<ul style="list-style-type: none"> <li>• Greater expertise and effectiveness</li> <li>• Improving immediate support to victims</li> </ul>
<ul style="list-style-type: none"> <li>• Improved victim interviewing</li> </ul>	<ul style="list-style-type: none"> <li>• Canadian Forces National Investigation Service working with United States Army Military Police to increase access to the Forensic Experiential Trauma Interview Course</li> </ul>

Table 1. Victim Support Summary

## Policy

The harmonization of policy, an activity strongly recommended by the External Review Authority, is a fundamental precursor to initiating and sustaining effective culture change. Policy development is an inherently complex process as it forms the expectations governing the actions of individuals in executing their duties and responsibilities as members of the Canadian Armed Forces.

During this reporting period, the Canadian Armed Forces completed a policy analysis to determine which of the existing policies were related to harmful and inappropriate sexual behaviours and where there were overlaps or divergence in direction, terminology, definitions, etc. This analysis now forms the basis for the unified policy approach to address harmful and inappropriate sexual behaviour and conduct in the workplace that will align with Government of Canada initiatives and policy reviews regarding workplace violence and harassment.

This unified policy approach was developed and approved in April 2016. It addresses not only harmful and inappropriate sexual behaviour (as recommended by the External Review Authority), but also the full spectrum of personal conduct within the Canadian Armed Forces. It provides an overarching single policy on personal conduct with subordinate policies or instructions for both military and civilian personnel in contrast to the scattered directives and policies that currently exist.

A policy development Tiger Team, composed of social policy analysts, will continue to translate the unified policy approach into detailed specific policies, covering reporting, resolution, training and support over the next reporting period. This will finalize the policy modernization.

The Canadian Armed Forces has developed a CDS Directive with common terminology, definitions and lexicon related to harmful and inappropriate sexual behaviour, which is being used in educational content as well as new monthly reporting guidelines. This Directive will be disseminated to all members in the coming weeks. It uses simple, accessible language and straightforward explanations, enabling a better understanding of the problem as well as consistency of terminology.

In addition, the first of the new Defence Administrative Orders and Directives on Harassment Prevention and Resolution (DAOD 5012) for military and civilian personnel within the Department of National Defence was recently developed and submitted for approval. This directive modernizes harassment prevention and resolution by increasing awareness, encouraging early resolution and

recording measurable results. This is contributing to a workplace free from harassment and discrimination for both civilian employees and military members.

The next step in the progression from *concept* to *policy* to *strategy* to *plans* is the development of a Departmental/Canadian Armed Forces Harassment Prevention Strategy. In turn, the development of annual harassment prevention plans and improvements to harassment investigations, tracking, and resolution and related programs, will follow.

In conjunction with the Harassment Policy, Harassment Investigator and Harassment Advisor courses are being updated and a new Harassment Advisor *Train-The-Trainer* session will soon be rolled-out in the fall of 2016 to ensure consistency in the delivery of courses and enhance the capacity for harassment advice, investigation and resolution.

Recognising that the Canadian Armed Forces possesses a unique working environment as emphasized by the External Review Authority, the institution will continue to participate in the larger Government of Canada review of policy and program updates in the areas of Diversity, Harassment, Workplace Violence, Health and Wellness and Gender Based Analysis Plus. The organisation has also committed to work with the Canadian Human Rights Commission on matters of policy development and training.

Although the policy foundation is now in place, there is still substantial work remaining before this major undertaking will be complete.

Policy	Impact
<ul style="list-style-type: none"> <li>Conducted policy analysis</li> </ul>	<ul style="list-style-type: none"> <li>Basis for institutional policy reform plus integration with stakeholders</li> </ul>
<ul style="list-style-type: none"> <li>Unified policy approach developed</li> </ul>	<ul style="list-style-type: none"> <li>Long-term clarity and coherence in policy formulation, consistent with External Review Authority's recommendation</li> </ul>
<ul style="list-style-type: none"> <li>Policy Tiger Team stood up and tasked to deliver specific policies</li> </ul>	<ul style="list-style-type: none"> <li>Increased capacity and subject matter expertise to develop policy</li> </ul>
<ul style="list-style-type: none"> <li>Common terminology, definitions and lexicon developed and in use in training material and reporting. CDS Directive to be promulgated in September.</li> </ul>	<ul style="list-style-type: none"> <li>Improved understanding of policies and directives</li> <li>Common language, definitions and terminology</li> </ul>
<ul style="list-style-type: none"> <li>The Policy on Harassment Prevention and Resolution for DND/ Canadian Armed Forces completed -approval and implementation expected Fall 2016</li> </ul>	<ul style="list-style-type: none"> <li>Modernized harassment prevention and resolution leading to a harassment and discrimination-free workplace for civilian employees and military members.</li> </ul>
<ul style="list-style-type: none"> <li>Harassment Prevention Strategy under development</li> </ul>	<ul style="list-style-type: none"> <li>Enhances understanding, awareness and prevention</li> </ul>
<ul style="list-style-type: none"> <li>Harassment Investigator and Harassment Advisor courses are being updated and a new Harassment Advisor <i>Train-The-Trainer</i> session will be rolled-out in the Fall of 2016</li> </ul>	<ul style="list-style-type: none"> <li>Ensure consistency in the delivery of courses</li> <li>Enhance the capacity for harassment advice, investigation and resolution.</li> </ul>

Table 2. Policy Summary

## Training and Education

At the heart of a Canadian Armed Forces free of harmful and inappropriate sexual behaviour is a culture imbued with the values of dignity and respect. Education and training are critical levers for an institution to create and sustain the highest standards of conduct.

Between October 2015 and January 2016, the Canadian Armed Forces completed a system-wide Training Needs Analysis of all training and education programs related to harmful and inappropriate sexual behaviour. It identified gaps and deficiencies, and recommended a range of solutions. A review team composed of training experts visited 26 military training establishments across the country. At each location the team qualitatively and quantitatively evaluated leadership, environmental and occupational qualification standards and training plans, identifying gaps and needs. Similarly, courseware, course curricula and all lesson plans were assessed for Operation HONOUR content. This review included small group discussions and working groups, contributing to new instructional strategies for attitudinal and behavioural change. It also led to an inventory of instructional best practices and lessons learned.

Further to this, an entire end-to-end review of professional development across the Canadian Armed Forces career spectrum will be undertaken in September 2016, and will integrate best practices and lessons learned from the Training Needs Analysis.

Successfully inculcating organisational change requires a mix of initiatives that generate immediate behavioural effects combined with long-term activities that deliver sustained cultural impacts. It was therefore recognized that rapidly-developed interim training and education products would be necessary for the chain of command at all levels to swiftly improve existing training as more deliberate curriculum and tools were being developed. The Operation HONOUR Leadership Toolbox of references, templates and key documents was initially developed to raise awareness of behavioural expectations across the organisation. It is updated regularly and now includes two new online training packages – one for sexual misconduct prevention training and the other for bystander intervention training. And as later outlined in the report, the Service Chiefs and Operational Commanders are further developing this tool set to complement their training objectives.

Bystander intervention training in the form of small group scenario-based discussions at the unit and sub-unit level, was developed and implemented to assist members in increasing the awareness, skills, and confidence needed to recognise and successfully intervene in situations of harmful and inappropriate sexual behaviour. This initial training will form part of a larger, more comprehensive set of resources to be developed. As with some of the other key terminology employed within the practitioner community, the term “bystander” is considered by some to assume a stance of inactivity and there is a shift in some sectors to use more proactive terminology to encourage action and reaction. This may result in a potential future change in terminology for our training products

regarding the role of those who witness harmful and inappropriate sexual behaviour.

Over the next reporting period the Leadership Toolbox will be bolstered with the addition of new resources and more advanced tools, including additional downloadable training scenarios, videos, and immersive training programs.

At the institutional level, training and educational activities covering the spectrum of social and cultural programs have been enhanced, and are being delivered to all recruits. This provides a stronger message and clear direction on acceptable behaviours from the outset of a military career

This training and education is also being embedded into all leadership courses to ensure that it is nurtured throughout a member's career. To support this, an innovative set of instructional tools and resources is in development, and will be implemented over the next six months by the Canadian Defence Academy, the institutional lead for training and professional development.

While the curricula for the Basic Training and Basic Officer Training courses were previously modified to address the subject of Operation HONOUR, they will be further updated this September to add greater emphasis on and understanding of Canadian Armed Forces ethos, values and expected behaviours at this foundational training level.

September will also see the review of instructor awareness at Canadian Military Colleges, Canadian Forces College and the Canadian Forces Leadership and Recruit School. This will better equip instructors to identify bullying, harassment, and other inappropriate behaviours and respond decisively to incidents occurring within training environments.

In addition to the institutional training initiatives discussed above, other professionals such as Health Care practitioners, Chaplains, Military Police and Legal Officers are receiving additional training and professional development opportunities.

The Canadian Forces Provost Marshal and the Director of Military Prosecutions have undertaken specific training initiatives in relation to the investigation and prosecution of offences of a sexual nature to provide investigators and prosecutors with the necessary skills, enhancing their overall interaction with complainants of an offence of a sexual nature.

During the past fiscal year (1 April 2015 to 31 March 2016), the Director of Military Prosecutions sent six prosecutors to three training events dedicated to offences of a sexual nature.

Canadian Forces National Investigation Service investigators normally receive their Sexual Assault Investigator qualification at civilian police academies across Canada. Currently, 63% of investigators hold this qualification. The Provost Marshal is also working to secure training for National Investigation Service investigators on the Forensic Experiential Trauma Interview Course at the United States Army Military Police School. This training was developed and refined with experts specialising in the neurobiology of trauma and memory and enables

investigators to more fully understand victim behaviours and memories that would otherwise be confusing or may even have been viewed as evidence of a false accusation. The training is designed to teach investigators how to ensure that victims feel safe and understood, maximize recall, and enhance the overall investigative process by encouraging complainant cooperation and participation while reducing the possibility for false information and recantation.

To build upon our understanding and expertise, the Canadian Armed Forces continues to pursue opportunities for professional development through conferences, symposia, engagement with other institutions and our Allies. There has been considerable interest in the Canadian Armed Forces' response, strengthening relationships with subject matter experts and others involved in similar endeavours.

Training and Education	Impact
<ul style="list-style-type: none"> <li>• Training needs analysis completed, gaps identified and solutions recommended</li> </ul>	<ul style="list-style-type: none"> <li>• Permitted improvement in the delivery of training across the Canadian Armed Forces</li> </ul>
<ul style="list-style-type: none"> <li>• Operation HONOUR Leadership toolbox developed and deployed</li> </ul>	<ul style="list-style-type: none"> <li>• Improved capability to handle harmful and inappropriate sexual behaviour at the unit level</li> </ul>
<ul style="list-style-type: none"> <li>• Bystander Training Package on line and in use</li> </ul>	<ul style="list-style-type: none"> <li>• Increased ability for bystanders to deal with harmful and inappropriate sexual behaviour when and where it occurs</li> </ul>
<ul style="list-style-type: none"> <li>• Social and cultural programs reinforced and embedded in all leadership courses</li> </ul>	<ul style="list-style-type: none"> <li>• Effective teams working in a professional environment maintained throughout a member's career</li> </ul>
<ul style="list-style-type: none"> <li>• Training and education activities covering the spectrum of social and cultural programs will now be conducted starting at basic training for all recruits</li> </ul>	<ul style="list-style-type: none"> <li>• Common understanding and foundation of a Canadian Armed Forces culture of dignity and respect</li> </ul>
<ul style="list-style-type: none"> <li>• Six military prosecutors attended three legal training events dedicated to offences of a sexual nature</li> </ul>	<ul style="list-style-type: none"> <li>• Improved subject matter expertise within the Director of Military Prosecutions</li> </ul>
<ul style="list-style-type: none"> <li>• Significant increase in the number of Canadian Forces National Investigation Service investigators trained on the Sexual Assault Investigator Course (63%)</li> </ul>	<ul style="list-style-type: none"> <li>• Increased number of investigators better trained to investigate offences of a sexual nature</li> </ul>

Table 3. Training and Education Summary

## Governance

The Chief of the Defence Staff remains responsible for the overall execution of Operation HONOUR and is accountable for its success. The Chief of Military Personnel is charged with overseeing the coordination of Operation HONOUR implementation. She is supported by the Director General Strategic Response Team – Sexual Misconduct, who leads the day-to-day activities.

The Deputy Minister of the Department of National Defence is responsible for the Sexual Misconduct Response Centre, which is independent of the military chain of command. The Executive Director of the Centre directs the operations of the Sexual Misconduct Response Centre.

In analysing the governance construct for Operation HONOUR, and consistent with the External Review Authority's recommendations, the Canadian Armed Forces determined that two entities, one internal and one external, were necessary to achieve institutional culture change. The first body is a strategic level Steering Committee<sup>1</sup> mandated to provide direction and harmonize the overall response to harmful and inappropriate sexual behaviour in the Canadian Armed Forces. The Canadian Forces Personnel Management Committee is providing that function. The second entity is an Advisory Council that will offer external subject matter expertise from a wide variety of fields related to harmful and inappropriate sexual behaviour victim support, prevention, training, education and policy. The Advisory Council is in development and will be implemented in the next reporting period.<sup>2</sup> Both entities will provide senior leadership with advice and guidance.

## **Performance Measurement**

Performance Measurement is the key to evaluating the degree of organisational culture change that Operation HONOUR is producing. Without the regular and structured measurement of outcomes, senior leadership cannot know if Operation HONOUR has in fact changed behaviours and attitudes throughout the Canadian Armed Forces.

Accordingly, several initiatives have been launched to provide this knowledge, starting with acquiring an institution-wide baseline understanding of harmful and inappropriate sexual behaviour. The Canadian Armed Forces contracted Statistics Canada to conduct a survey between April and June 2016 to determine the nature and scope of the problem. The survey was designed to collect information regarding: the prevalence of sexual misconduct within the military; the reporting of harmful and inappropriate sexual behaviour; as well as awareness of both Operation HONOUR and associated support mechanisms. This is the first time the Canadian Armed Forces has conducted a pan-organisational survey specifically on this subject.

More than 40,000 Regular Force and Primary Reserve Canadian Armed Forces members participated in the Statistics Canada survey, sharing their experiences and perspectives. The survey results, which will be published late this year, will provide the institution with a comprehensive baseline that will shape ongoing and future action, including policy development, program review and training modernization.

---

<sup>1</sup> The Canadian Forces Personnel Management Committee, chaired by the Chief of Military Personnel, provides senior leadership review and advice on issues, policies, programs and plans affecting the management of military personnel.

<sup>2</sup> This external Advisory Council through its individual members will provide advice from Canada's private and public sectors. The role of the council is to assist the Deputy Minister and the Chief of the Defence Staff in integrating broader expertise, experience and, lessons-learned from the private and public sectors in support of Operation HONOUR.

Following this initial effort, the Statistics Canada survey will be repeated on a regular basis. The next one will be conducted in 2018 and will be repeated on a cycle of 24 – 36 months thereafter. Planning is underway to conduct institutional level focus group research in the intervening years.

The institutional organisation responsible for personnel research, Military Personnel Research and Analysis, is currently working with the Sexual Misconduct Response Centre and the Strategic Response Team on Sexual Misconduct to develop performance measurement indicators. To further enhance understanding, new survey questions regarding harmful and inappropriate sexual behaviour will be implemented in the fall 2016 *Your Say Survey*.<sup>3</sup> Additionally, the personnel research organisation is currently conducting research to ensure that the Canadian Armed Forces understands the underlying social and cultural issues both causing, and being caused or exacerbated by, harmful and inappropriate sexual behaviour. This research will cover ten diverse subject areas related to critical aspects of Operation HONOUR:

- Measurement and policy, including survey measurement and best practices associated with victim support;
- Culture and socialization, including risk factors, Gender-Based Analysis Plus and the concepts of professionalism, and the study of socialization;
- Culture and language, including the impact of language on culture and the impact of dehumanization;
- Culture and social media, including the role of social media in sexual misconduct;
- Culture and change, including strategies related to social change;
- Leadership, including leadership challenges;
- Third party reporting/bystander intervention, including the impact of messaging on bystander intervention and review and analysis of peer/team support strategy and impacts;
- Response to perpetrators, including a review of justice models and the impact on organisations;
- Career analysis, including internal mobility and flow analysis; and
- Other projects related to harmful and inappropriate sexual behaviour, such as NATO Human Factors and Medicine Research Activities.

In the longer term, credible research in the area of harmful and inappropriate sexual behaviour from both internal sources and other subject matter experts and organisations will bolster the level of understanding within the Canadian Armed Forces. To this end, the organisation has established a relationship with a number of highly regarded external organisations such as the Canadian Institute

---

<sup>3</sup> The Your Say Survey is administered annually to large randomized samples of the Canadian Armed Forces population including Regular and Primary Reserve Force members. This survey is intended to continually monitor the pulse of members on a variety of issues and can be useful to analyse trends.



for Military and Veteran Health Research<sup>4</sup> and International Society for Military Ethics.<sup>5</sup> This relationship will provide more comprehensive data, validation and performance measurement in the next year, as well as opportunities for conferences and symposia.

Overall, initial feedback on Operation HONOUR’s progress is encouraging, though it is primarily anecdotal at this early stage of the effort. However, more definitive internal research combined with the Statistics Canada survey will provide a comprehensive baseline of the problem and the progress being achieved.

Performance Measurement	Impact
<ul style="list-style-type: none"> <li>Statistics Canada Survey conducted, release of data for fall 2016. Tool designed for other organisations not originally included to follow in near future</li> </ul>	<ul style="list-style-type: none"> <li>Significant increase in understanding the issue of inappropriate behaviour in the Canadian Armed Forces and a reliable benchmark for future surveys</li> </ul>
<ul style="list-style-type: none"> <li>Future Statistics Canada surveys to be conducted at a regular interval</li> </ul>	<ul style="list-style-type: none"> <li>The ability to measure Operation HONOUR progress over time</li> </ul>
<ul style="list-style-type: none"> <li>Changes to Unit Climate Surveys and associated communications of what is changing, when, how can units use them to see cultural change</li> </ul>	<ul style="list-style-type: none"> <li>Increased understanding of issue and impact of specific measures</li> </ul>
<ul style="list-style-type: none"> <li>Military Personnel Research and Analysis undertaking research in ten specific areas</li> </ul>	<ul style="list-style-type: none"> <li>Increased understanding of the issue on a long-term basis</li> </ul>
<ul style="list-style-type: none"> <li>Established a relationship with a number of highly regarded external national and international organisations including Canadian Institute for Military and Veteran Health Research and International Society for Military Ethics.</li> </ul>	<ul style="list-style-type: none"> <li>Expanded opportunities for research, professional development and external advice and evaluation.</li> </ul>

Table 4. Performance Measurement Summary

## Data Collection and Reporting

The collection and reporting of data related to harmful and inappropriate sexual behaviour is important to the military for a number of reasons. First, credible information enhances institutional understanding of all the issues and trends associated with such behaviour. Secondly, it reinforces the importance for effective support for victims and the development of preventative programs. Lastly, and as importantly, reliable, verifiable and visible information increases the confidence that Canadian Armed Forces members have in the military’s ability to properly deal with such behaviour.

<sup>4</sup> The Canadian Institute for Military and Veteran Health Research (CIMVHR) is an innovative organisation that engages existing academic research resources and facilitates the development of new research, research capacity and effective knowledge translation.

<sup>5</sup> The International Society for Military Ethics (ISME) is an organisation of military professionals, academics and others formed to discuss ethical issues relevant to the military.

Within the Canadian Armed Forces, we have developed and implemented a more central reporting and tracking system to assist us in gathering information across the institution to better understand and track the scope of the problem. The culture change that Operation HONOUR seeks to achieve must be assessed in part by the variation in the number of incidents that are reported over time. This is why one of the priorities identified in the initial progress report was more comprehensive reporting of information related to harmful and inappropriate sexual behaviour, which initiated that in this reporting period. It is important to note however, that cases of alleged harmful and inappropriate sexual behaviour may be reported through a number of means including agencies and authorities outside of the Canadian Armed Forces through civilian police, community services, rape crisis centres, Ombudsman, etc. The Canadian Armed Forces necessarily has little or no visibility for cases reported to these organizations.

Comprehensive data collection and reporting, when supported by relevant metrics, provide the institution with an immediate representation of the problem. This is also an essential contribution to effective performance measurement. The Canadian Armed Forces is implementing an incident tracking system to meet these specific organisational needs.<sup>6</sup> The Chief of the Defence Staff receives immediate notification of incidents of a significant nature related to Operation HONOUR within the Commanders Critical Information Requirements and Significant Incident Reports. In addition to these reports, information on harmful and inappropriate sexual behaviour related incidents<sup>7</sup> is now being captured and reported monthly by all Canadian Armed Forces units as of April 2016. This information is being collected centrally by the Strategic Response Team and reported to the Chief of the Defence Staff.

Every Canadian Armed Forces member is responsible for meeting standards of conduct and performance. If a member has demonstrated a conduct or performance deficiency, a remedial measure<sup>8</sup> may be initiated, if appropriate.

---

<sup>6</sup> Due to privacy concerns, data collected is limited to prevent the identification of either the victims or the alleged offenders.

<sup>7</sup> The tracking of inappropriate behaviour includes: abuse of authority, inappropriate sexualized behaviour, sexual harassment, and sexual misconduct within the Operation HONOUR nexus.

<sup>8</sup> Remedial measures are serious steps to assist a Canadian Armed Forces member in overcoming their conduct or performance deficiency and are based on established Canadian Armed Forces standards. Remedial measures are part of the range of administrative actions which may be initiated and are, in increasing significance: initial counselling; recorded warning; and counselling and probation. Administrative actions are initiated under regulations, orders, instructions or policies. In addition to the remedial measures, administrative actions include:

- occupational transfer;
- transfer between sub-components;
- posting;
- an offer of terms of service in any case in which an offer has not been made by CAF authorities;
- reversion in rank; or
- release or recommendation for release, as applicable.

Administrative actions other than remedial measures may be initiated if:

- a remedial measure has been unsuccessful or breached;
- the conduct or performance deficiency is serious enough to warrant such actions; or
- the conduct or performance deficiency may be better resolved through such actions.

The Canadian Armed Forces chain of command has a range of administrative and disciplinary actions that can be taken to address incidents of harmful and inappropriate sexual behaviour and criminal offences of a sexual nature. Administrative and disciplinary actions serve different purposes. Administrative action may be appropriate when an incident, a special circumstance, or a professional deficiency occurs that calls into question the viability of a Canadian Armed Forces member's continued service. Disciplinary action, on the other hand, is appropriate when there are reasons to believe that a person subject to the Code of Service Discipline has committed a service offence.

The policing/judicial process is open and transparent; both the Provost Marshal and the Judge Advocate General annually deliver publicly available reports and alleged offenders have professional defenders to ensure their rights are observed.

By contrast, the administrative system, while less formal, makes a wider range of measures available to the chain of command to deal with minor to major misconduct that falls below the threshold for disciplinary or criminal action. For example, an alleged offender can have a formal warning recorded on his or her personnel file to ensure that a second occurrence of inappropriate behaviour is dealt with more severely even if it occurs under the supervision of a different chain of command. More serious conduct issues can result in much more serious consequences – up to and including a release from the military.

Measures that are taken under administrative procedures may not be readily apparent or transparent because no information is released due to concerns about breaching the privacy of the individual, even to inform a victim who may have brought the offence to the attention of the chain of command. As a result, it may appear to internal and external observers, including the victim, that nothing has happened to the perpetrator. Administrative measures may be applied even in circumstances where the policing/judicial system has determined that there is insufficient evidence to lay charges or sustain charges once laid.

In summary, both systems have measures to protect the rights of the alleged perpetrator; however, the policing/judicial system is open and transparent but is constrained by the high level of evidentiary proof required to find an individual guilty. The administrative measures approach is closed to third party view, but not constrained by the same high level of beyond a reasonable doubt, and thus is a much more agile tool/vehicle.

The chart that follows illustrates chain of command reports on incidents related to Operation HONOUR since 1 April, when the data began to be collected, to the end of July as well as the action taken. Of the 51 completed cases in the chain of command reports:

- Administrative and/or disciplinary action, collectively referred to here as remedial measures, was taken in 30 of the cases, including seven charges

where the respondent was found guilty. The actions taken included release from the Canadian Armed Forces.<sup>9</sup>

- In three reported cases no administrative or disciplinary action was taken. In four incidents, the offender was not identified and no further action was possible.
- In one case, the members involved successfully participated in alternate dispute resolution.

### Reports of Incidents of Harmful and Inappropriate Sexual Behaviours

Status of Investigation		Investigation Finding		Action	
Ongoing	97			Remedial Measures*	27
Completed	51	Unfounded	10		
		Other Type of Misconduct **	3		
		Referred to Civilian Authority	3		
		Not Pursued by Victim	1		
		Founded	34	None***	5
				Civilian Offender	3
				Remedial Measures	19
				Charges	7
<b>Total</b>	<b>148</b>				<b>34</b>

\* Chain of Command-initiated remedial measures prior to investigative findings

\*\* Three incidents involved misconduct regarding consensual sexual activity taking place in areas out of bounds

\*\*\* Four incidents where the assailant was not able to be identified; and  
One incident was resolved through dispute resolution

Table 5. Chain of Command Reports of Incidents of Inappropriate Sexual Behaviors:  
1 April – 30 July 2016

<sup>9</sup> Administrative actions are not punishments under the Code of Service Discipline. Both disciplinary actions under the Code of Service Discipline and administrative actions are meant to address a CAF member's conduct or performance deficiency. They may operate independently or one may complement the other.

Administrative action imposed for the cases in the chain of command report ranged included: remedial measures (initial counselling, recording warning, and counselling & probation); removal of the alleged offender from supervisory duties; and release. Disciplinary action included: extra work and drill; reduction in rank; reprimand; and fine. In cases where the offender was civilian, action ranged from: termination of casual contract to being moved to different facility. Remedial measures are part of the range of administrative actions which may be initiated and are intended to:

- make the member aware of any conduct or performance deficiency;
- assist the member in overcoming the deficiency; and
- provide the member with time to correct their conduct or improve their performance.

Improved institutional level tracking of complaints and investigations has been put in place by the Canadian Forces Provost Marshal, the Sexual Misconduct Response Centre and the chain of command. Reports have shown an increase in the number of military police investigations for complaints of offences of a sexual nature over the last six months.

In particular, the total number of founded complaints being investigated by the Canadian Forces National Investigation Service for sexual offences in 2015 was 174. The actual number of founded complaints for sexual offences for the first six months of 2016 is 106 representing an approximate 22% increase in founded complaints. This does not come as a surprise, based on both the experience of other institutions and academic research. As the Chief of the Defence Staff said in response to media queries on an increase in the number of incidents being reported, *“I’m not happy that it happens at all, but I am absolutely certain that the increase in reporting is as a result of what Operation Honour was entirely designed to do.”* This increase appears to be a positive indicator that military members are more aware of the problem and more confident in stepping forward and reporting incidents.

The Sexual Misconduct Response Centre provides confidential support without requiring a formal complaint, generally considered an impediment to having victims come forward. For the first full six month period of operations, from January 1<sup>st</sup> to June 30<sup>th</sup> of this year, there were 306 telephone or email contacts with the Centre from a total of 204 military members.<sup>10</sup> For subsequent progress reports, the statistics for successive six month periods will be compared to determine trends and developments.

Although sufficient data have not yet been collected to verify the increase in reporting or the cause, it is highly likely the current rise in reporting could be associated with several positive indicators including member awareness of the institution’s willingness to engage on the problem, increased confidence in the chain of command and/or the military justice system, as well as awareness of the range of support options now available to complainants.

The Canadian Forces Provost Marshal and the Director of Military Prosecutions are the two organisations central to investigating and prosecuting incidents of harmful and inappropriate sexual behaviour. With its focus on supporting victims, the Sexual Misconduct Response Centre is a third organisation providing victim-centred data. It must be noted that data provided by the Centre relates only to statistics, issues and trends and does not include any confidential information. All three are key contributors of tracking various aspects harmful and inappropriate sexual behaviour.

As the superintendent of the administration of military justice, the Judge Advocate General collects a variety of data on the functioning of the military justice system, including information on the number and types of offences of a

---

<sup>10</sup> Of the 204 members who contacted the Sexual Misconduct Response Centre, approximately 33% (65) were members of the chain of command seeking information on dealing with harmful and inappropriate behaviour involving subordinates or peers.

sexual nature tried by summary trial or by court martial. In his most recent annual report tabled in Parliament on 20 July 2016, the Judge Advocate General provided a detailed breakdown on the number of charges for offences of a sexual nature that were tried at summary trial and court martial. In previous annual reports these types of offences were not reported individually but were included in the reporting of other offences charged pursuant to section 129 of the *National Defence Act*. Recently, improvements to the summary trial database now allow better tracking and reporting of such offences.

The Director of Military Prosecutions<sup>11</sup> collects data with respect to the number and types of offences tried by court martial, including all offences of a sexual nature. In his most recent annual report to the Judge Advocate General, the Director of Military Prosecutions provided a detailed breakdown on the number and types of offences of a sexual nature that were prosecuted at courts martial.

The Canadian Forces Provost Marshal reviewed military police data collection practices as identified in the last progress report, and continues to implement procedural and technological improvements to improve understanding of the breadth and scope of complaints of a sexual nature reported to the Military Police. The Provost Marshal has also initiated training aimed at improving data collection within the Security and Military Police Information System. Shared Services Canada and the Canadian Forces Shared Services Group are accelerating the implementation of critical updates to the Military Police Information System that will include better analysis tools.

In his most recent annual report, the Provost Marshal provides a detailed account of the number of investigations undertaken by the military police including those for offences of a sexual nature, thus increasing transparency and senior leadership awareness of the nature of harmful and inappropriate sexual behaviour.

Over the past year, there has been an increase in reporting of incidents to military police authorities, facilitated either by the Sexual Misconduct Response Centre or another victim support option. Many of these are old cases pre-dating Operation HONOUR but are no less important. This increase in reporting was anticipated, and shows that military members are likely more aware of the support options at their disposal and more confident in reaching out for help. As always, members are able to access civilian health, police or other support organisations rather than military ones, if they prefer.

The Canadian Forces National Investigation Service statistics indicate that 115 offences of a sexual nature were reported to the Military Police between January and June 2016. Of that total, 106 were deemed founded. Although the offence may have occurred outside of this timeframe, it was reported in the timeframe

---

<sup>11</sup> The Director Military Prosecutions holds office upon appointment by the Minister for a period not to exceed four years, and may be removed from office only by the Minister, for cause, on the recommendation of an Inquiry Committee. The relationship between the Judge Advocate General and the Director of Military Prosecutions is defined in the *National Defence Act*. The Director of Military Prosecutions is under the *general supervision of the Judge Advocate General*, and the Judge Advocate General *may issue general instructions or guidelines in writing in respect of prosecutions or in respect of a particular prosecution*.

indicated. A number of offences of a sexual nature were reported as a result of calls initially made to the Sexual Misconduct Response Centre and referred to the Military Police Liaison Officer assigned to the Canadian Forces Strategic Response Team on Sexual Misconduct or directly to the Military Police Liaison Officer.

### **Military Police – Offences of a Sexual Nature Reported, 1 January to 30 June 2016**

<b>Time Frame</b>	<b>Total Reported</b>	<b>Founded</b>	<b>Occurred within Quarter*</b>
First Quarter	59	52	23
Second Quarter	56	54	33
<b>Total</b>	<b>115</b>	<b>106</b>	<b>56</b>

\* 50 of the 106 founded complaints occurred prior to the start of the quarter but were first reported in that quarter

Table 6. Offences of a Sexual Nature Reported<sup>12</sup>

### **Sexual Misconduct Response Centre**

The Sexual Misconduct Response Centre is extracting valuable information from the type of calls and questions it is receiving. This is contributing to the institution’s knowledge about harmful and inappropriate sexual behaviour. Working with the Assistant Deputy Minister Information Management, the Centre has recently acquired a Case Management software system that is enabling them to more readily track and report on the many statistics available based on the nature of the calls they receive and the support they provided.

While the Canadian Armed Forces receives regular reports from the Centre on the number and nature of calls, the organisation does not have access to the confidential information in the database. The case management system maintains caller confidentiality in accordance with the *Privacy Act*.

<b>Data Collection and Reporting</b>	<b>Impact</b>
<ul style="list-style-type: none"> <li>Developed and implementing an incident tracking system</li> </ul>	<ul style="list-style-type: none"> <li>Improved awareness and performance measurement</li> </ul>
<ul style="list-style-type: none"> <li>Improved summary trial data base</li> </ul>	<ul style="list-style-type: none"> <li>Better tracking and reporting of offences of a sexual nature</li> </ul>
<ul style="list-style-type: none"> <li>Training for military police designed to improve data collection</li> </ul>	<ul style="list-style-type: none"> <li>Increased level of awareness of number of offences of a sexual nature</li> </ul>
<ul style="list-style-type: none"> <li>Sexual Misconduct Response Centre acquisition of case management system</li> </ul>	<ul style="list-style-type: none"> <li>Improved ability to extract relevant information and trends</li> </ul>

Table 7. Data Collection and Reporting Summary

### **Leadership Vigilance**

The Chief of the Defence Staff provided unequivocally clear and highly visible direction to leadership at all levels as well as all members of the Canadian Armed

<sup>12</sup> Source: CAF Strategic Response Team on Sexual Misconduct request for statistics on sexual assaults / sexual misconducts reported to CAF Military Police 1 January 2016 to 30 June 2016

Forces as to the importance of eliminating harmful and inappropriate sexual behaviour from the military. He communicated this mission directly to his senior commanders in a face-to-face session on August 20<sup>th</sup> 2015, highlighting the need for increased vigilance and more decisive response to the problem. This unprecedented approach was subsequently reinforced throughout the chain of command, down to the most junior leaders. The Chief of the Defence Staff Guidance to Commanding Officers has been updated to include more specific direction with respect to harmful and inappropriate sexual behaviour and the responsibilities of commanders. This has also been further reinforced to all members of the command team through presentations, engagement, directives and orders.

The Canadian Armed Forces have recently put in place stronger methodology to identify and track incidents and identify trends. This will provide senior leadership an unprecedented level of awareness and understanding of the problem of harmful and inappropriate sexual behaviour, allowing much more timely and appropriate responses to such situations as they occur.

One of the noted challenges in achieving this (and in the process reaffirming expectations of members and developing their trust) is the fact that administrative measures imposed by the chain of command are handled strictly between the institution and the member. As a result, corrective actions ordered by commanders are often not at all visible because they are protected by privacy constraints in accordance with the *Privacy Act*. By contrast, proceedings in the military justice system are open to the public.

## **Military Justice and Military Policing**

The Judge Advocate General, the Canadian Forces Provost Marshal and the Director of Military Prosecutions all perform their respective tasks independent of the military chain of command. Such independence is necessary to ensure the military justice system functions effectively, ensuring that members who are alleged to have committed a service offence are dealt with according to the rule of law.

As the Judge Advocate General, the Canadian Forces Provost Marshal, and the Director of Military Prosecutions are independent actors within the military justice system, they have each taken action different in nature from any action taken by the chain of command to address harmful and inappropriate sexual behaviour. Such actions complement and support the strategy of the Chief of the Defence Staff in Operation HONOUR and seek to enhance the effectiveness of the military justice system in dealing with offences of a sexual nature.

As the superintendent of the administration of military justice, the Judge Advocate General ensures that the military justice system is responsive to the needs of the military, including in respect of offences of a sexual nature, while being fully compliant with the *Canadian Charter of Rights and Freedoms*. The military justice system assists commanders in maintaining the discipline, efficiency, and morale of the Canadian Armed Forces in cases involving harmful and inappropriate sexual behaviour.



Although the Provost Marshal, the Judge Advocate General and the Director of Military Prosecutions have launched several initiatives, they did so in consultation with each other and have coordinated their responses to harmful and inappropriate sexual behaviour.

During this reporting period, several initiatives have been implemented. This includes enhancing how offences of a sexual nature are investigated and prosecuted, improving and increasing training initiatives, and upgrading data collection and reporting. In addition, the Judge Advocate General has announced a comprehensive review into all aspects of the court martial system. Although the review is designed to conduct a legal and policy analysis of all aspects of the court martial system, it will also examine all offences of a sexual nature to determine whether there is a requirement to update or add any additional service offences, whether current sentencing provisions are appropriate, and whether any additional measures should be taken in order to protect the rights or interests of specific groups, including victims of service offences.

### **Victim Support during Military Prosecutions of Offences of a Sexual Nature**

On 19 June 2013, Bill C-15 received Royal Assent and represents the most significant amendments to the *National Defence Act* since 1998. Bill C-15 is the government's legislative response to the recommendations made by former Chief Justice of Canada, the Right Honourable Antonio Lamer, in his 2003 independent report on the provisions and operation of Bill C-25.

Bill C-15 continues to improve various aspects of the military justice system including further enhancing the independence of military judges, expressly providing for the purposes, principles, and objectives of sentencing, and providing for additional sentencing options, to name a few. However, there are a number of provisions in Bill C-15 that, when brought into force, will provide victims of service offences with specific procedural rights such as their right to make victim impact statements during the sentencing phase of courts martial and the ability of a court martial to make an order for restitution similar to those provisions that exist in the *Criminal Code*.

Victim impact statements permit individual victims of offences - particularly those who have experienced significant, financial and emotional harm - to have a voice in the sentencing process. These provisions in Bill C-15 will require a court martial to consider victim impact statements presented by a victim during the course of the proceedings or in any other manner that the court considers appropriate.

Restitution orders, brought on application by the prosecutor or by the court on its own motion, will allow the court to impose a restitution order on an offender in situations involving damage or loss of property, bodily or psychological harm and a separate provision that deals specifically with bodily harm or threat of bodily harm to a person — who at the relevant time was the offender's spouse, common-law partner or child or any other member of the offender's household.

This provision will permit restitution to victims of service offences without their having to resort to actions in civil court.

Certain provisions of Bill C-15 came into force on 19 June 2013 and 18 October 2013. Currently the Office of the JAG and the Department of Justice are in the process of drafting the regulations to implement the remaining provisions of Bill C-15. Those provisions of Bill C-15 that address victims' rights will come into force on a day that is to be determined by the Governor in Council.

Additional efforts were undertaken to amend the *National Defence Act* through Bill C-71, *An Act to amend the National Defence Act and the Criminal Code (Victim's Rights in the Military Justice System Act)* and to create a "Declaration of Victim's Rights". The proposed bill would have added, among other things, a "Declaration of Victims' Rights" granting victims of service offences the rights to information, protection, participation and to seek restitution in respect of service offences in much the same way as the *Canadian Victims Bill of Rights* grants these rights to victims of certain criminal offences within the civilian criminal justice system. Bill C-71 was introduced by the previous government in June of 2015 but died on the order paper when Parliament was dissolved before the most recent general election.

However, a number of provisions already exist to protect the victims of service offences. For example, a military judge may order that members of the public be excluded during any part of a proceeding, including during the testimony of a complainant, in order to encourage the participation of victims and witnesses in the military justice process. Military judges may also order a publication ban on the identity of a victim in order to protect their privacy.

In May of 2016, the Director of Military Prosecutions issued a number of policy updates providing direction to all prosecutors within the Canadian Military Prosecution Service concerning the conduct of prosecutions of offences of a sexual nature. The two main objectives of that policy review were to ensure that offences of a sexual nature are prosecuted in the appropriate justice system and that the views of victims are solicited, considered and addressed at all phases of the court martial process.

In any specific case where the alleged offence involves the violation of the victim's personal integrity, including offences of a sexual nature, it is important that victims be kept informed of the progress of the matter through the court martial process. Accordingly, the Director of Military Prosecutions has directed that the responsible prosecutor ensure that the victim is informed throughout the process, including the decision whether to proceed with the matter. When the prosecutor has decided not to proceed with charges referred to the Director of Military Prosecutions, the reasons for the decision should be communicated to the alleged victim. As well, prosecutors should, where reasonable, consider the views of the victim with respect to resolution discussions, especially where the alleged offence involves the violation of the victim's personal integrity. If a plea agreement is reached, the prosecutor should ensure that the victim understands the substance of the agreement and the reasoning behind it.

Although it is inevitable that any judicial process, whether military or civilian, will require a victim to relive the circumstances of the alleged offence, efforts should be made to minimize the effect this has on the victim. To ensure this impact is minimized, the Director of Military Prosecutions has directed that offences of a sexual nature will be given scheduling priority in order to move those cases through the military justice system as expeditiously as possible. In addition, every effort will be made to ensure that the same prosecutor handles the case from beginning to end to avoid the victim having to recount their version of events on multiple occasions to different individuals. The Director of Military Prosecutions has also re-issued a policy on interviewing witnesses in which prosecutors are reminded of the importance of the comfort of the witness during an interview and that victims of sexual offences must, in particular, be dealt with in a sensitive manner.

In addition, prosecutors shall:

- make all reasonable effort to answer any questions posed by the victim in respect of the proceedings;
- take all reasonable steps to ensure that the victim understands the nature of the proceedings;
- where appropriate, inform the victim of available support and counselling resources; and
- make all reasonable efforts to keep the victim informed of the proceedings including plea and sentence discussions, and any verdict, sentence or other final decision in the case.

To minimize the possibility of additional trauma to a victim while testifying at court martial, prosecutors have been further directed to consider additional measures to accommodate a victim's security and comfort such as the exclusion of the public during the victim's testimony, adopting measures allowing the victim to testify out of public view, and precluding the accused from personally cross-examining the victim in those situations where an accused may be self-represented.

### **Enhanced Investigation of Offences of a Sexual Nature**

Investigators dealing with allegations of sexual assault or other offences of a sexual nature require a unique set of skills to gather the necessary information with courtesy, sensitivity and respect for the complainant. To ensure consistent investigations across the organisation, the Canadian Forces Provost Marshal recently directed that all criminal offences of a sexual nature be investigated by the Canadian Forces National Investigation Service and policy changes are underway to ensure that victims are provided immediate support by frontline military police. The Canadian Forces National Investigation Service has established dedicated teams of sexual offence investigators within each regional office to investigate all such complaints. These Sexual Offence Response Teams have been established with the addition of 18 new investigator positions distributed nationally.

Members of the National Investigation Service have charge-laying authority pursuant to the *Queen's Regulations and Orders for the Canadian Forces*. They can charge all individuals subject to the Code of Service Discipline for service offences. By contrast, other military police members are limited to making charging recommendations to the concerned chain of command, which has final decision-making authority. Although the National Investigation Service is now responsible to investigate all allegations of offences of a sexual nature, frontline military police members remain a key part of the process and they are often the first point of contact for complainants in reporting any offence. The Canadian Forces Provost Marshal is currently instituting a number of policy changes to address the key role played by frontline military police, ensuring they are equipped to provide the necessary support to complainants.

In addition to these policy changes, the Canadian Forces Provost Marshal has directed that all allegations of offences of a sexual nature be treated equally, regardless of the severity of the allegations. Such offences (as well as other alleged offences against the person) will be given investigative priority over offences against rights of property, ensuring that those allegations are investigated as expeditiously as possible.

Another significant development triggered by victim concerns relates to the decision of whether to proceed with charges for a sexual assault or other offences of a sexual nature. In the military justice system, National Investigation Service investigators considering charges are required to seek pre-charge legal advice from a military prosecutor before that charge can be laid. Once the file has been forwarded to a military prosecutor, that prosecutor will determine if there is a reasonable prospect of conviction and offer legal advice on whether a charge should be laid. In cases of allegations of sexual assault where an investigator is considering not laying a charge, National Investigation Service investigators must consult a military prosecutor in order to ensure concurrence with the assessment of the investigator not to lay charges. This is a change, as in the past the decision not to lay a charge could be made unilaterally by investigators without seeking legal advice.

Despite the fact that the military justice system currently has a process in place to ensure some degree of review of investigations of sexual assault, further analysis will be undertaken to determine if there are ways to enhance the review of investigations of allegations of sexual assault. In doing so, a number of issues must be considered such as how to deal with issues of confidentiality as well as the proper protection of information that is subject to solicitor/client privilege.

### **Improved Victim Control of Jurisdictional Authority**

The External Review Authority recommended that sexual assault victims be allowed to request the transfer of their complaint to civilian authorities. She further recommended that in situations where such transfers could not be accommodated, explanations be provided to the victims outlining why this was the case.

It is important to note victims of a sexual assault in the Canadian Armed Forces have the choice to file a complaint to either military or civilian authorities. Moreover, even when a victim of sexual assault initially reports to the military police, they may, at any time, request that the complaint be transferred to civilian authorities.<sup>13</sup> However, there may be instances where investigating or prosecuting authorities may, as a function of their own discretion, take a decision contrary to the victim's wishes. When this occurs, the prosecutor responsible for the file shall ensure the victim is informed of that decision and the reasons for that decision.

In May 2016, the Director of Military Prosecutions updated a number of his policy directives relating to the victim's perspective regarding jurisdiction for prosecution of an offence between military and civilian authorities. Instead of simply responding to a request from a victim, a prosecutor must now specifically consider the views of the victim in determining the most appropriate jurisdiction. To this end, if a prosecutor determines that the information in the investigation report does not adequately describe the views of the victim, the prosecutor is required to follow up with the investigator and request additional information from the victim to assist the prosecutor in taking the most appropriate decision with respect to jurisdictional preference.

In determining whether charges should be laid, and if so in which jurisdiction it should be heard, the prosecutor must take into account the victim's views regarding issues such as: the urgency of resolution; safety concerns about possible reprisals from the suspect or others; concerns relating to conditions imposed on the suspect following release from custody; access to victim support services; physical or mental trauma resulting from the alleged offence; physical or mental trauma resulting from participation in court proceedings; and the needs of any children or other dependants affected by the alleged offence.

### **Court Martial Comprehensive Review**

The Judge Advocate General has recently directed the completion of a comprehensive review of the court martial system. The purpose of the review is to conduct a legal and policy analysis of all aspects of the Canadian Armed Forces' court martial system and, where appropriate, to develop and analyze options to enhance the effectiveness, efficiency, and legitimacy of that system and then assess whether changes to any features of the system are required or advisable in order to promote greater systemic effectiveness, efficiency, or legitimacy. In terms of harmful and inappropriate sexual behaviour, the review will examine all offences of a sexual nature to determine whether there is a requirement to update or add any service offences to the existing legislation. It will also evaluate if current sentencing provisions are appropriate and if additional measures should be taken to protect the rights or interests of victims.

---

<sup>13</sup> Members of the military police, as peace officers, are not limited to laying charges within the military justice system but may also lay charges in the civilian justice system.

It is significant that all members of the Court Martial Comprehensive Review Team are intimately familiar with the External Review Authority report, including its ten seminal recommendations. They are also fully aware of the Chief of the Defence Staff's and the Judge Advocate General's orders relating to Operation HONOUR. Additionally, the Judge Advocate General has required that any options considered by the team as a means of achieving greater effectiveness, efficiency, or legitimacy within the court martial system are to be consistent with efforts that are being undertaken by other authorities in support of Operation HONOUR. The review team will deliver its final report to the Judge Advocate General no later than July 2017.

<b>Military Justice and Military Policing Efforts</b>	<b>Impact</b>
<ul style="list-style-type: none"> <li>Director of Military Prosecutions issued policy directive updates providing direction concerning the conduct of prosecutions of offences of a sexual nature</li> </ul>	<ul style="list-style-type: none"> <li>Offences of a sexual nature are prosecuted in the most appropriate justice system</li> <li>the views of victims are solicited, considered and addressed at all phases of the court martial process</li> </ul>
<ul style="list-style-type: none"> <li>Director of Military Prosecutions direction that the prosecutor shall ensure that the victim is informed throughout the process including any decision to proceed with the matter or not and the reason communicated if there is a decision not to prosecute</li> </ul>	<ul style="list-style-type: none"> <li>Victim awareness maintained throughout process</li> </ul>
<ul style="list-style-type: none"> <li>Director of Military Prosecutions direction that offences of a sexual nature be given scheduling priority</li> </ul>	<ul style="list-style-type: none"> <li>These cases to move through the military justice system as expeditiously as possible</li> </ul>
<ul style="list-style-type: none"> <li>Every effort to be made to ensure that the same prosecutor handles the case from beginning to end</li> </ul>	<ul style="list-style-type: none"> <li>Avoid the victim having to recount their version of events on multiple occasions to different individuals</li> </ul>
<ul style="list-style-type: none"> <li>Canadian Forces Provost Marshal directed that all offences of a criminal sexual nature are to be investigated exclusively by members of the Canadian Forces National Investigation Service</li> <li>Regional Sexual Offence Response Teams (SORTs) have been created within the National Investigation Service with the addition of 18 new military police investigator positions</li> </ul>	<ul style="list-style-type: none"> <li>Investigations conducted consistently across Canada</li> <li>Increased capacity to conduct investigations</li> </ul>
<ul style="list-style-type: none"> <li>Canadian Forces Provost Marshal directed all allegations of offences of a sexual nature are to be treated equally regardless of the severity of the allegations</li> </ul>	<ul style="list-style-type: none"> <li>Ensures all allegations investigated to a single standard</li> </ul>

Table 8. Military Justice and Military Police Summary

## **Programs related to Employment Equity; Diversity; Gender Based Analysis Plus; and Women, Peace and Security**

Operation HONOUR is linked very closely to other initiatives related to discrimination, employment equity, and diversity across the institution and the Government of Canada. In addition to the larger effort to eliminate harmful and inappropriate sexual behaviour in the Canadian Armed Forces, related deliverables include an enhanced diversity strategy for the military. The Canadian Armed Forces Diversity Strategy, approved by the Chief of the Defence Staff in May 2016, is an important step towards a military comprised of members who reflect the rich heritage of Canada, and contribute through their unique experiences, abilities, and perspectives. It strengthens the institution's reflection of the evolving cultural diversity of Canadian society. It also reinforces the Canadian Armed Forces as an employer of choice for *all* Canadians.

As well, the Canadian Armed Forces is introducing a more comprehensive conduct policy covering all prohibited grounds for discrimination. This overarching policy framework aligns all related training, definitions and policies across the institution. This addresses the External Review Authority's observation that existing training, definitions and policies were inconsistent by creating a single simplified framework.

Eliminating harassment and discrimination is further advanced across the Department of National Defence and the Canadian Armed Forces by the integration of the Gender Based Analysis Plus processes and the establishment of a Champion for Gender Based Analysis, a more focused effort on gender considerations on operations, as well as through ongoing improvements in addressing complaints in the workplace.

While initially linked to gender considerations on operations and the NATO and UN resolutions on Women, Peace and Security, gender advisors have been appointed to the Commands and their role may expand to include diversity and Operation HONOUR specific responsibilities.

The Personnel Research and Analysis organisation is participating in on-going NATO Human Factors and Medicine research activity, conducting collaborative research on the influence of social, psychological and cultural factors impacting the integration of women in ground combat roles; identifying effective processes and strategies for integration; and identifying appropriate methodologies for monitoring, evaluation, and measurement.

The Canadian Defence Academy and Canadian Forces Recruiting Group have undertaken activities to improve diversity in the military, specifically striving to meet the 1% annual increase in female representation within the Canadian Armed Forces. Ongoing efforts are addressing the recruitment process and experience; marketing and promotion; recruiting policy; retention; and leadership engagement. These initiatives are supported by communications emphasizing the wide range of professional opportunities for women and demystifying some of the prevailing myths. A comprehensive report on the effectiveness of these efforts will be completed by fall 2016.

## Strategic Engagement and Awareness

Sustained culture change cannot happen without integrated and assertive supporting communications. This is because changes in core behaviours and attitudes do not take root and become engrained within an organisation's DNA merely by direction or decree. Instead, culture change requires buy-in from a critical mass throughout the organisation. Before buying in, stakeholders must be aware of the proposed change; they must fully understand why it is being implemented and how it will impact them; and they must believe in it. Only then are they likely to embody the desired behaviours and attitudes. Generating this awareness, understanding, belief and ultimately engagement occurs only by connecting with key stakeholders.

A twofold communications focus was implemented from the outset of Operation HONOUR. The first pillar is a front-loaded strategic communications function embedded into national planning and coordination, ensuring that perceptual imperatives are considered and reflected in all program conceptualization, execution and evaluation. To develop and implement a comprehensive culture change endeavour such as Operation HONOUR without taking into full account the impact of intended initiatives on the people whose behaviours and attitudes must change would almost certainly be futile. This strategic communications function is occurring both at the Canadian Armed Forces-wide strategic level, as well as within individual sub-organisations including the force generators and force enablers.

The second pillar is robust internal and external stakeholder engagement, delivering both proactive and responsive media relations, stakeholder relations, internal communications and content development. As anticipated, Operation HONOUR has generated significant interest from a range of audiences since its inception. The ability to project information in advance of, or concurrent to, program execution, as well as respond to punctual interest and information requirements along the way, has been pivotal to Operation HONOUR's early progress. This second bi-annual Progress Report is an example of this active stakeholder engagement.

As with strategic communications, stakeholder engagement is also being executed simultaneously at both the institution-wide and sub-organisational levels. The lower in the structure the communication activity is focused, the more tailored and specific content development and delivery become. A range of internally and externally-focused information products and initiatives have been, or are being, developed at both levels to support this stakeholder engagement.

Enabling Operation HONOUR-driven culture change remains a daunting challenge because of the sceptical perceptual environment it is being conducted in – largely the result of unsuccessful past efforts. Leaders, commanders, operators and communicators alike recognize that only clearly demonstrated change will shift wide-scale perception. Accordingly, progressing from demonstrating *intent*, then *actions*, and most importantly tangible *outcomes* as rapidly and decisively as practicable is pivotal to mission success.



## Operationalizing Operation HONOUR

While Canadian Armed Forces-level initiatives are pivotal in providing the overarching institutional conditions needed to trigger organisational culture change, the process of permanently modifying behaviours and attitudes must transpire within the commands, formations and units where the majority of military members work and interact.

Most Canadian Armed Forces members, 77% to be precise, belong to two groups of organisations; the Services and Operational Commands. The Service Chiefs are responsible for training, fostering and developing military members, preparing them to be deployed in a wide range of operations across the country and around the world. Conversely, the Operational Commands are the entities that actually employ Canadian Armed Forces members in national and international operations at the behest of the Government of Canada, typically sourcing them from the services for the duration of operational deployments.

### Royal Canadian Navy

The Royal Canadian Navy took a major step in creating enduring culture change by finalizing and implementing its new Code of Conduct in February 2016.

This was the product of the Navy's Conduct Renewal Initiative, and is aimed at promoting a respectful professional environment for all Navy members, free of all forms of discrimination and harassment. It is fully aligned with Operation HONOUR's keystones, reinforcing the core military values of *duty*, *integrity*, *loyalty* and *courage*. As significantly, it provides meticulously clear guidance on how Navy members must conduct themselves and treat one another.

The Code of Conduct has already begun to take hold, shaping leadership and mentorship throughout the Navy's chain of command. As importantly, it is being applied through engaged 'deck plate leadership' – the core interaction from the most basic junior subordinate-supervisor levels through senior leadership.

This implementation will leverage Operation HONOUR in four important ways. It will lead to: (i) greater adherence to organisational core values; (ii) more steadfast and consistent application of related policies and processes, (iii) enhanced victim support, and (iv) increased diligence in responding decisively to situations of sexual misconduct.

The Royal Canadian Navy has developed a training strategy to embed both the new Code of Conduct and Operation HONOUR principles. A series of training modules has been developed by Naval training staff in coordination with Operation HONOUR subject matter experts. These are being integrated into training at all qualification levels, ensuring that members receive this instruction throughout their careers. Moreover, the focus and approach for these modules are specifically tailored to the experience and responsibility levels of the trainees

at each qualification level. The Naval Personnel and Training Group is also currently integrating recently developed Canadian Armed Forces-level training packages for *Addressing Inappropriate Behaviour* and *Witness Intervention* into Navy curriculum. Finally, the organisation is establishing a case study library accessible to all units in support of professional development training across the organisation.

At a policy level, the Navy has adopted the Gender-Based Analysis Plus initiative, enhancing its capacity to understand and account for evolving gender realities and inequalities. Forthwith, all Navy personnel policy analysts must complete Gender-Based Analysis Plus training.

At the tactical level, the Navy has amended Ship's Standing Orders to include an *Away from Home Port* protocol. Command Teams now brief a ship's company prior to the first night in any port (other than the home port), reaffirming command guidance and expectations related to alcohol, conduct and safety. In addition, all Royal Canadian Navy seagoing and shore units have incorporated a conduct brief as part of the in-routine process upon arrival to the unit. The aim is to reinforce institutional and command expectations of behaviour and comportment.

The Navy is placing added impetus on tracking, and will soon put in place a pan-command incident monitoring methodology, improving its ability to identify situations, tendencies and trends, and respond to these. It is also conducting research related to the attitudes and behaviours of its members. This includes sponsoring a study by research specialists investigating the effects of operational stress on social behaviours, and any attendant correlations to incidents of personal misconduct.

In accordance with Chief of the Defence Staff's intent, the Royal Canadian Navy has been decisive in taking action to eliminate harmful and inappropriate sexual behaviour. One area that has not progressed as definitively as intended is the implementation of a more rapid process for removal from appointment or workplace of alleged perpetrators of sexual misconduct while investigations are in train. However, the Navy has been decisive in responding to situations – as the removal of commanding officers has demonstrated. However, during this reporting period leadership actively sought a more proactive approach in taking immediate action in situations where a perpetrator is in a command or senior appointment and has lost the confidence of senior Navy command, pending investigation. This matters because the absence of swift, decisive action in such circumstances adversely impacts confidence in the chain of command and likely discourages victims from either reporting or having confidence in fair recourse. The ability to take decisive initial action, and communicate it to those concerned as well as to the larger constituency, will reinforce confidence in the institution's commitment to eliminating harmful and inappropriate sexual behaviour.

The development of such a process, which must consider the rights of victims and victim support needs, while ensuring procedural fairness for the alleged perpetrator has been more difficult than anticipated due to the rigidity of current policies. It is expected, however, that policy and related changes currently in

development at the institutional level will facilitate the Navy's desire for a more rapid, decisive initial response.

The Navy raised awareness of the Canadian Armed Forces-wide Statistics Canada survey on sexual misconduct, and strongly encouraged its members to participate in the voluntary, anonymous survey. Assessing the extent of cultural change instilled within the Royal Canadian Navy as a result of the Code of Conduct and Operation HONOUR through other indicators will be a priority over the upcoming period.

Another priority will be the Navy's continued pursuit of the initial response initiative outlined earlier. The organisation is also beginning its review of the *Guide to the Divisional System*, which provides essential guidance to the Navy's application of leadership. A new chapter is being added emphasizing core military values and a culture of respect. This is one more key instrument ensuring that every Navy member understands what right looks like, and behaves in a way that reflects positively on the Royal Canadian Navy, the Canadian Armed Forces and Canada.

## **Canadian Army**

As the largest Canadian Armed Forces' sub-organisation, the Canadian Army has been proactive in translating Operation HONOUR on the ground to inculcate enduring culture change. The Army has adopted an interactive leader-led programme, directing and empowering the chain of command at every level to engage personnel, reaffirming in the clearest of terms the organisation's behavioural expectations of all its members, as well as underscoring the importance of supporting those affected by harmful and inappropriate sexual behaviour. Tiger Teams in each Division have been stood up to support the chain of command effort.

Awareness remains a key element in instilling culture change. The Army has conducted extensive professional development sessions, commanders' hours, Town Hall events and facilitated discussions dedicated to both disseminating information and generating action-focused interactions. Additionally, it has developed a Commanding Officer's Toolbox, and other information products and vehicles such as multiple SharePoint sites, to facilitate information sharing and heightened awareness. Finally, it has partnered with the Sexual Misconduct Response Centre to hold sessions at major Army bases across the country, educating members on the Centre's role and services offered to personnel adversely affected by sexual misconduct, as well as those seeking information on support options.

Training and education is an extension of awareness, and the Army has been active in developing and inculcating training curriculum and tools. Operation HONOUR-specific content is now included in all formal Army-run training courses. A Bystander Program for soldiers has been developed and is being instructed across the Army, as are Peer Support and victim support-focused First Responder packages. Vignettes and case studies designed to provide more

practical instruction to soldiers have been integrated into the Army's Operation HONOUR training and education curriculum.

Operation HONOUR objectives and principles have been embedded into the Canadian Army's evidence-based Ethics Programme, addressing harmful and inappropriate sexual behaviours and attitudes as the ethical failure that they are. Tied to this, a full-day module on Operation HONOUR covering ethical scenarios, academic research, prevailing soldier beliefs and attitudes, bystander behaviour, ethical risk and ethical decision-making, has been incorporated into the Unit Ethics Coordinator Course. Harassment Advisor training has been temporarily delayed nationally pending changes to incorporate Operation HONOUR content. In the interim, the percentage of qualified Harassment Advisors throughout the Army has been reviewed, and the proportionality determined at one per every 50 soldiers.

In addition to leveraging pan-Canadian Armed Forces expertise in developing its Operation HONOUR program, the Army is also tapping into knowledge and experience from allied and non-military organisations. It has reached out to the Australian Army for example to better understand their sexual misconduct efforts and assess the viability of some of the measures they have implemented. The Army has also connected with governmental and non-governmental organisations and experts, including civilian care providers at the local and regional levels, such as shelters and health promotion offices. Moreover, academic research conducted by universities and Director General Military Personnel Research features prominently in the support information provided to all levels of leadership, including the Commanding Officer's Toolbox. The American documentary film *The Invisible War* has been licensed for use at every Canadian Army base as an awareness and instructional tool.

In terms of the outcomes achieved to date, there are strong early indications that the behaviours of certain soldiers are shifting as a result of heightened attention on, and awareness of, harmful and inappropriate sexual behaviour and its insidious effect on a professional fighting force. It has taken time for some to understand the prominence of the problem and the importance of solving it, however this perception has been strengthened throughout the Army due to the many educational and awareness initiatives conducted over the past year.

Though more structured measurement will be needed as the effort progresses, the extent of change will be partially reflected in the Unit Morale Profile Surveys that all High Readiness Brigades undergo. Moreover, the Canadian Army has instituted monthly reporting on related issues to track both the incidence rate and the speed and scope of response. As for the recent Statistics Canada survey on sexual misconduct, the Canadian Army fully endorsed this initiative, strongly encouraging its members to participate and provide their perspectives. Finally, the Army will facilitate supporting research to evaluate the changes triggered by Operation HONOUR over the coming period. For example, it is presently developing a Canadian Army Culture Survey in concert with researchers at Director General Military Personnel Research, which will enable an assessment of attitudinal change in terms of principles underlying Operation HONOUR.

Upcoming Canadian Army priorities include a range of additional awareness and training endeavours, including the continued evolution of the Canadian Army Ethics programme. There is also a forthcoming structural re-organisation of the Army's personnel organisation to integrate capabilities and workplace dynamics, which is being designed to deliver enhanced coordination of pan-Army Operation HONOUR, harassment, and Employment Equity initiatives. A point of emphasis during the upcoming reporting period will be on bystanders, both through wide scale use of the new Bystander Training package and via a robust Army communications and engagement programme designed to inform soldiers, as well as stimulate contemplation and change.

## **Royal Canadian Air Force**

The Royal Canadian Air Force has invested considerable time and energy in enhancing awareness of harmful and inappropriate sexual behaviour and executing its Operation HONOUR programming. Sustained leadership engagement and awareness remains a critical tenet in maintaining the momentum of building trust and respect while promoting a cultural change. Command Team Town Halls, visits, briefings, professional development sessions and facilitated discussions, integrating subject matter experts and supporting professionals were delivered across the Air Force throughout the reporting period.

Operation HONOUR messaging has been embedded in Air Force policies, training, directives and the promotion of Royal Canadian Air Force ethics and values remains at the forefront. The organisation has mandated its leadership at all levels to nurture an ongoing conversation on the issue, encouraging discussion, learning and understanding. To this end, all unit commanders and Chief Warrant Officers were thoroughly briefed on the initiative at this year's annual Command Team Orientation seminar and an Air Force Operation HONOUR aide-memoire was created to assist commanding officers in responding to incidents of harmful and inappropriate sexual behaviour. Additionally, an Operation HONOUR toolbox and website were created to assist command teams across the Air Force.

At local levels, tailored awareness initiatives were, and continue to be, encouraged – initiatives like personal character statements designed to trigger behavioural self-examination and the Respectful Workplace training package that can be customized for specific rank groups.

In terms of training, Operation HONOUR was a feature subject at the Combined Commanders Training Session. The Air Force has also reinvigorated its Harassment Awareness training, integrating Operation HONOUR objectives and principles. Additionally, similar content has now been introduced into annual Air Force ethics briefings provided across the organisation. Operation HONOUR is also now part of the briefing content for operational deployments, incorporated in every Air Force training course and is a standard item of the in-clearance procedure for newly posted members.

A range of additional training content was developed both at the pan-Air Force and subordinate levels. These include scenario-based discussion training packages on appropriate/inappropriate instructor-student relationships for the Flying Instructor's Course and direction has been issued to ensure this valuable training is included in all Training Establishments throughout the Royal Canadian Air Force.

A holistic analysis was conducted on Harassment Advisor and Investigator training, which is driving an increased focus on Harassment resources, awareness and prevention. Furthermore, the annual Ethics Coordinators Training Workshop focused specifically on respectful behaviour, risk management and strategies for the elimination of harmful and inappropriate sexual behaviour. Training has been effective in identifying high risk situations within the Air Force environment, and tailored attention to prevent inappropriate behaviour. Finally, a sub-ordinate Air Force organisation developed a local course entitled Promoting Respect in the Workplace, which is now being further expanded for wider application within the organisation.

The tracking of incidents related to various forms of inappropriate behaviour has improved in the Air Force. In addition to reporting individual incidents as they are known to have occurred, these are now collated with greater granularity and evaluated on a monthly basis. This has increased command awareness and response, and is also being leveraged as a tool to assess leadership effectiveness in dealing with incidents.

On the policy front, amendments were made to existing Air Force Orders and new policies created specific to ethics, harassment awareness and prevention, Employment Equity and diversity. In particular, the Ethics Air Force Order was rewritten, embedding harmful and inappropriate sexual behaviour issues firmly within it. As well, a new Air Force Order was created to formalize and strengthen the governance of the Air Force Harassment and Prevention Program. Concurrently, Wings and Squadrons have reviewed and updated their respective harassment policies, incorporating Operation HONOUR messaging and principles. Moreover, the newly created website and Employment Equity and Diversity Air Force Order firmly reinforce commitment to foster an Air Force culture that supports an inclusive workplace and intolerance of any behaviour that violates and degrades the dignity and respect of others. The Air Force has also assigned Gender Based Advisors and a significant proportion of Royal Canadian Air Force staff participated in related gender training.

The enhanced diligence of Air Force leadership in being alert to harmful and inappropriate sexual behaviour, and responding diligently to it, is demonstrated by the fact that the chain of command has encouraged Air Force members to attend an upcoming court martial and two summary trials involving offences of a sexual nature. This is based on the correlation between decisive and visible responses by the chain of command and victim confidence and reporting. This relationship continues to be reinforced throughout the Air Force.

The Air Force underscored the importance of the Statistic Canada Sexual Misconduct Survey at intervals throughout the survey, strongly encouraging all members to participate. Additionally, there are visible indications that culture change is underway throughout the Royal Canadian Air Force as a result of Operation HONOUR, reshaping behaviours involving language, humour or banter which were not sufficiently respectful in the past. There is, however, a requirement for structured outcome measurement, and the Air Force is working with subject matter experts to develop the mechanisms to better understand the extent of Operation HONOUR change taking root within the organisation.

Communicating regularly and robustly to stakeholders is a focal point of the Air Force's effort. A range of support information products continue to be developed and disseminated within the organisation, including posters and a video series. The Royal Canadian Air Force will endeavour to exploit opportunities such as the Defence Team Ethics Awareness Week to promote the key Operation HONOUR messaging and creative communication products.

The Royal Canadian Air Force is steadfast in its commitment to eradicate harmful and inappropriate sexual behaviour and sustain the leadership efforts at every level to succeed with the Operation Honour mission. Its strategy will continue to address the four lines of effort (Understand, Respond, Support and Prevent) and maintain the momentum of building trust and respect while shaping and promoting a cultural change.

## **Canadian Joint Operations Command**

The Canadian Joint Operations Command is unique compared to the Navy, Army and Air Force because: (i) its community fluctuates considerably from period to period depending on the number and scope of Canadian operational commitments; and (ii) many of the personnel under its charge originate from other organisations, chiefly the force generators. As such, the Canadian Joint Operations Command has had to adopt a somewhat different approach to Operation HONOUR implementation.

One element that is unchanged is the cornerstone of enhanced awareness and reaffirmation of organisational expectations. In April 2016 the organisation published two orders specific to harassment generally and sexual harassment particularly. The first addressed units in Canada and the second forces deployed on operations outside of the country. Also, a series of Town Halls, facilitated discussions and briefings on Operation HONOUR continue to be held across Canada and around the world for deployed personnel. Additionally, mission rotation in-briefings of key personnel now integrate an Operation HONOUR component, ensuring they are fully aware of conduct expectations. Operation HONOUR is equally integrated into Command Team communications, and reinforced in visits to and interactions with deployed units and personnel. Finally, a Canadian Joint Operations Command Tiger Team responsible for coordinating Operation HONOUR implementation is in place.

A key part of this awareness has been providing a stronger understanding of what appropriate behaviour tangibly looks like at the left end of the spectrum, where the difference between acceptable and unacceptable behaviour can at times be less than obvious during a period of transition such as this. This challenge is exacerbated for the Canadian Joint Operations Command because it is, by definition, an organisation that brings together members mostly trained and educated within other commands. To address this challenge, active discussions are ongoing throughout the organisation on institutional expectations, reinforcing what is acceptable and appropriate from what is not.

The organisation also revamped its tracking system during the reporting period, improving its ability to identify situations related to harmful and inappropriate sexual behaviours and respond to them. This includes an updated sequence of interactions following identification of a situation, including the drawing in of key support, investigative and legal resources. An incident registration checklist/form for commanders at all levels has been developed to support this more robust tracking and response protocol.

For missions not large enough to sustain dedicated Workplace Relations Advisors, reach-back advisors will soon be connected to deploying personnel before deployment, providing them with a resource regardless of the size of the mission.

In addition to continuing the dialogue, reporting remains a primary focus for the organisation, especially in light of the nature of its composition. Building confidence and trust in the chain of command in its handling of reported situations of harmful and inappropriate sexual behaviour is even more critical within an entity that does not necessarily possess the same extended nurturing relationship with its members as the Navy, Army and Air Force. The Canadian Joint Operations Command is reinforcing the need for consistent, coherent response to incidents of sexual misconduct across the command, both because of the moral obligation to do so as well as the role this has in inspiring confidence and trust from those adversely affected.

The issue of confidentiality and immediate response to incidents is more challenging for missions involving small teams deployed to remote locations. While incidents have to be treated on a case-by-case basis, taking care of victims remains the primary concern.

The organisation has embraced its Gender Based Analysis responsibilities and is moving forward with its implementation. It has also established a productive linkage with the Sexual Misconduct Response Centre, including web links, to ensure that members understand its role and are confident in reaching out to it.

The Canadian Joint Operations Command supported the execution of the Statistics Canada Survey, strongly encouraging its members to participate and ensuring that deployed personnel had full access to it. Concerns about accessibility, especially for those members rotating during the survey period, was a primary impetus for the extension of the deadline for participation to late June.



Communications is an overarching challenge for an organisation as widely dispersed as the Canadian Joint Operations Command. As such, it has integrated to its home web page highly visible links to Operation HONOUR sub-sites and content, ensuring access for all members regardless of where they are located. Command team email and posters are some of the supporting information products developed and employed to increase and sustain awareness.

Every action taken to date has generated dialogue, which the Canadian Joint Operations Command believes is the key to Operation HONOUR success. Anecdotal indicators reveal a palpable sense that culture is occurring, though there is not yet specific empirical measure of the extent of this shift. Efforts will be made to keep demonstrating the organisation's commitment to preventing harmful and inappropriate sexual behaviour to inculcate a common understanding of acceptable behaviour.

## **Canadian Special Operations Forces Command**

As with other commands, the Canadian Special Operations Forces Command has adopted a leadership-centric implementation approach in response to harmful and inappropriate sexual behaviour. Command teams at every level are leading from the front, ensuring full visibility of Operation HONOUR objectives and tenets, reinforcing organisational behavioural expectations, and emphasizing victim support measures and options.

On the awareness front, Operation HONOUR is a regular focal point of Orders Groups and associated sessions, and unit activities such as Town Halls, Commanding Officer Hours and Leader's Councils broaching this specific imperative have been held across the organisation. Local initiatives have also been encouraged, resulting in one unit creating a Commanding Officer's Advisory Committee on Harassment, which is currently being evaluated for potential application across the Command.

Other measures include the appointment of additional Harassment Advisors and Workplace Relations Advisors, along with recent training for them. Some of these have necessarily been contracted resources to counter the ongoing challenge of availability of qualified military personnel due to high operational tempo. The net result is not merely more advisors, but advisors who are more alert to the situation and more responsive to potential issues and transgressions.

As for other related training, behavioural and attitudinal norms and expectations has been interwoven into professional development and ethics sessions. Of note, Operation HONOUR best practices are being fed into training curriculum on an ongoing basis, enhancing awareness and reinforcing solutions. The overall training challenge is expanding curriculum on this and other requirements in the midst of ongoing high operational tempo and compressed preparatory cycles. This also has the corollary effect of precluding some members from participating in regular training. Accordingly, a mid-year orientation session has been added to

the training cycle for personnel not present for initial training. Finally but significantly, a Leadership Toolbox available via the intranet as a resource for all command teams has been put in place and is being used.

Victim support remains a top priority. Apart from enhanced awareness and high-visibility leadership engagement, links to care professionals have been strengthened and more intensely communicated throughout the Command.

The situational awareness gained from the command-level focus groups conducted in late 2015 has been sustained over the reporting period by maintaining Director Force Management, the senior serving female within the Command, as a conduit and sounding board for leadership to engage.

A more holistic initiative entitled the *Optimized Performance for Force and Family*, currently in development, is also expected to yield positive results. While not Operation HONOUR-triggered or focused, the program will provide another layer of support for members adversely affected by sexual misconduct through an extensive network of care professionals.

Of particular note, the command will continue to emphasize the female recruiting imperative as part of its recruiting presentation, as initiated recently. There has been a marked increase in the number of female members in the Canadian Special Operations Forces Command – the result of an increasingly larger candidate pool. Furthermore, the number of female instructors delivering command-level training has increased appreciably, with the added effect of providing more aspirational and mentorship opportunities for incoming personnel.

Prompted by a previous investigation that crossed over from one command to another, which complicated effective follow-up, the Canadian Special Operations Forces Command recently enhanced its protocols for future situations involving transitioning/transitioned members, in the aim of both ensuring decisive consideration and investigation as warranted, as well as prompt, compassionate support for affected members.

In terms of outcomes, awareness of harmful and inappropriate sexual behaviour and its nefarious impact upon operational effectiveness and health is much higher as a result of this sustained multiple-front engagement. Members possess an appreciably stronger understanding of the importance of this issue, and the professional expectations of them in terms of their behaviours and attitudes.

Some punctual measurement occurred over the reporting period, and its results were equally positive, though there is a requirement for more structured evaluation of the effects triggered by Operation HONOUR over the mid-term. Forthcoming Unit Morale Profile results will be analyzed closely through the Operation HONOUR lens, as will the comprehensive Statistics Canada Survey analysis expected later this year.

Reporting remains a concern due to continued scepticism regarding fair and objective chain of command/system follow-up, as well as lingering perceptions of adverse career implications for those coming forward. Greater awareness is required, as is more – and more visible – demonstrations of the chain of

command taking decisive and appropriate action in situations of sexual misconduct, with victims not experiencing unwarranted career implications.

In terms of upcoming developments, the Canadian Special Operations Forces Command will integrate the recently developed Bystander Intervention and Leadership Toolkit packages into its current curriculum over the next reporting period. Additionally, it will hire its Gender Advisor forthwith, a process that is underway. Finally, the Command's current review of the Canadian Armed Forces Diversity Strategy will be completed shortly, as follow-on to participation at the Diversity Strategy Working Group.

## Implementing ERA Recommendations

The following section describes the Canadian Armed Forces actions completed or underway to implement each of the ten External Review Authority recommendations.

**Recommendation 1:** *Acknowledge that inappropriate sexual conduct is a serious problem that exists in the Canadian Armed Forces and undertake to address it.*

This recommendation has been met. Since receiving the External Review Authority Report, senior military leadership has been unequivocal in acknowledging that inappropriate sexual conduct is a serious problem, and committing to address it. Specific orders, directions and leader-led activities dealing with ethics, harassment, awareness and prevention have been delivered across the organisation from the outset of Operation HONOUR, and continue on a regular basis. Frequent Town Halls and commanding officer sessions have focussed on the reality of inappropriate behaviour and the need to eliminate it. Operation HONOUR briefings and subject-specific information have been incorporated throughout the institution, ranging from the Chief of the Defence Staff Guidance to Commanding Officers to recruit level training. Moreover, the responsibilities and accountabilities of commanders at all levels have been made very clear, with commanders being supported in achieving this culture change.

**Recommendation 2:** *Establish a strategy to effect cultural change to eliminate the sexualized environment and to better integrate women, including by conducting a gender-based analysis of Canadian Armed Forces policies.*

This recommendation is in the process of being met. Operation HONOUR is linked very closely to other culture change initiatives related to discrimination, employment equity, and diversity across the institution and the Government of Canada. In addition to the larger effort to eliminate harmful and inappropriate sexual behaviour in the Canadian Armed Forces as already outlined, related deliverables include an enhanced diversity strategy for the military and implementation of Gender Based Analysis Plus training across the Department of National Defence and Canadian Armed Forces. A Champion for Gender Based Analysis Plus has been appointed and the institution continues to work closely

with Status of Women Canada on the implementation of Gender Based Analysis Plus training and application in program and policy analysis. This is linked closely with the enhanced Women, Peace and Security initiatives outlined in the Chief of the Defence Staff Directive and Canada's Action Plan, the establishment of gender advisors, and ongoing improvements to addressing complaints across the workplace. Other related internal work to effect cultural change includes; modernizing definitions and integrating policy across the institution; and rolling out new or enhanced training packages for diversity, harassment, conduct, workplace environment, bystander intervention and other subjects related to harmful and inappropriate sexual behaviour. The Canadian Armed Forces has committed to working with the Human Rights Commission on policy and training developments in order to ensure these areas benefit from their experience and expertise.

As illustrated in recommendation 6, the Canadian Armed Forces is introducing a new, more comprehensive discriminatory conduct policy that will encompass all prohibited grounds for discrimination.

The Canadian Defence Academy and Canadian Forces Recruiting Group have actively undertaken specific activities to improve diversity in the Canadian Armed Forces, specifically striving to meet the annual 1% increase in female representation through improved retention and recruiting.

**Recommendation 3:** *Create an independent center outside of the Canadian Armed Forces with the responsibility for receiving reports of inappropriate sexual conduct, as well as prevention, coordination and monitoring of training, victim support, monitoring of accountability, and research, and to act as a central authority for the collection of data.*

This recommendation is in the process of being met with the stand-up of the Sexual Misconduct Response Centre in September 2015. The Centre is responsible for facilitating victim support. It continues to work closely with the Strategic Response Team on Sexual Misconduct to provide input and advice in the development of training, victim support, prevention, and research.

The Centre is one of several agencies collecting data at this time and they are now implementing a robust case management system for data collection and analysis. While it initially employed a rudimentary data collection tool, it now uses a new system that has been operational since May 2016.

To preserve the confidentiality of information related to victim reports and personal data, the Canadian Armed Forces continues to use separate systems for the reporting of medical and police related files. As a result, the Strategic Response Team is serving as the central coordinator of data from the Canadian Forces National Investigation Services, Significant Incident Reports, and the new monthly reports being submitted by Level One organisations. Data from medical records cannot be shared and data from the Sexual Misconduct Response Centre is restricted to protect confidentiality.

**Recommendation 4:** *Allow members to report incidents of sexual harassment and sexual assault to the centre for accountability for sexual assault and harassment, or simply to request support services without the obligation to trigger a formal complaint process.*

This recommendation has been met. It was implemented with the stand up and opening of the Sexual Misconduct Response Centre on September 15<sup>th</sup>, 2015. The Centre provides confidential and anonymous support without requiring a formal complaint.

The confidentiality protocol allows individuals contacting the Centre to receive the information, support, and the validation needed to empower them to take the next step without triggering a formal report. For some, this may mean being heard by another person for the first time, obtaining information on access to formal support services in their area and, for those who choose to do so, making a formal complaint.

In certain circumstances, members may request that counsellors provide assistance in accessing services. Barriers such as current emotional state, fear of exposure, reprisal or career implications, lack of knowledge, and structural or organisational barriers may preclude a member from reaching out to the many services already available within the Canadian Armed Forces. The Centre counsellors can facilitate access for individuals who have experienced or been affected by sexual trauma in seeking the services or care they need.

The Centre has established protocols with key care providers to assist members and facilitate access to required services. For example, counsellors may coordinate an appointment with Canadian Forces Health Services Primary Care and Mental Health clinics on behalf of the member, enabling them to avoid triage and providing them support in taking this step. Counsellors may also transfer a live call to the National Investigation Service or to a Chaplain. Of note, prior to taking any action, the counsellor will always obtain the member's consent and discuss the information that they are comfortable in sharing.

**Recommendation 5:** *Develop a simple, broad definition of sexual harassment that effectively captures all dimensions of the member's relationship with the Canadian Armed Forces; Develop a definition of adverse personal relationship that specifically addresses relationships between members of different rank, and creates a presumption of an adverse personal relationship where individuals involved are of different rank, unless the relationship is properly disclosed; Define sexual assault in the policy as intentional, non-consensual touching of a sexual nature; and, Give guidance on the requirement for consent, including by addressing the impact on genuine consent of a number of factors, including intoxication, differences in rank, and the chain of command.*

This recommendation is in the process of being met. During this reporting period, the Canadian Armed Forces completed the development of common terminology related to harmful and inappropriate sexual behaviour, as described in the report above. This terminology more fully reflects the realities of modern military service and speech, using simple, accessible language and straightforward explanations

of related terms. These have been incorporated into training material and will be integrated in policies.

Aligned with this recommendation, the Chief of the Defence Staff directed the Sexual Misconduct Response Centre to review and recommend ways to centralize expertise and advice to enhance not only the investigations but the management of files and complaints regarding sexual harassment. This work has been initiated and will be completed in the next reporting period.

**Recommendation 6:** *Develop a unified policy approach to address inappropriate sexual conduct and include as many aspects as possible of inappropriate sexual conduct in a single policy using plain language.*

This recommendation is in the process of being met. The review and development of policy associated with harmful and inappropriate sexual behaviour received major attention during this period as described in the report above, and considerable progress was made in understanding the scope of the work required to develop and implement a more straightforward and coherent policy suite.

The Canadian Armed Forces has developed a unified policy concept to address not only harmful and inappropriate sexual behaviour specifically, but all conduct and performance deficiencies – an approach that was approved by the Canadian Armed Forces Personnel Committee. A policy Tiger Team composed of social policy analysts will continue the development of the unified and simplified policy on conduct and performance over the next reporting period. Once the overarching policy on conduct has been completed, related policies will undergo a review and rewrite, if necessary, to align with the overarching policy's intent and direction.

The institution continues to be engaged in overarching Government of Canada policies and programs review and update with respect to Diversity, Harassment, Workplace Violence, Health and Wellness and Gender Based Analysis Plus. The Canadian Armed Forces has also formally undertaken to work with the Canadian Human Right Commission on of policy development and training matters.

Of note, the policy approach adopted remains consolidated with and inclusive of the effort of civilian personnel within the Department of National Defence where it makes sense to do so.

**Recommendation 7:** *Simplify the harassment process by: Directing formal complaints to COs acting as adjudicators in a grievance; and reducing emphasis on ADR.*

This recommendation is in the process of being met. According to both complainants and the chain of command, the current harassment process has problems associated with harassment reporting, including a perceived lack of transparency and respect for timelines, and difficulty locating trained and harassment qualified personnel.

The implementation of this recommendation is through a holistic review of the complaint process designed to simplify and enhance the entire gamut of complaints, including those for harassment.

The Integrated Complaint and Conflict Management program was mandated to provide a simplified, efficient and integrated complaint/conflict resolution program within the Canadian Armed Forces; a program is envisaged as being the resolution process of choice for all forms of inappropriate behaviour. This program, at maturity, will enable the chain of command to better care for the welfare of members with timely, consistent advice and a more robust complaint management process. Trials will be conducted starting in September.

The Integrated Complaint and Conflict Management Program Team will continue to lead the development of the capability and support the prototypes in consultation with the Sexual Misconduct Response Centre and other key partners across the institution.

As per recommendation 5 there is ongoing work to address sexual harassment that will address this recommendation as well.

**Recommendation 8:** *Allow victims of sexual assault to request, with the support of the centre for accountability for sexual assault and harassment, transfer of the complaint to civilian authorities: provide information explaining the reasons when transfer is not affected.*

Progress has been made in implementing this recommendation. As previously noted, any victim of a sexual assault in the Canadian Armed Forces *always* has the choice of whether to report to civilian or military authorities. Additionally, even though a victim initially reported the allegations to the military police, they may, at any time, request that the complaint be transferred to civilian authorities, or vice versa.

Recently, the Director of Military Prosecutions has updated a number of his policy directives including those that address consideration of the views of the victim regarding jurisdiction for prosecution of the offence between military and civilian authorities. These policies go further than that suggested in Recommendation 8. In fact, the Director of Military Prosecutions has directed that instead of simply responding to a request from a victim, a prosecutor must proactively seek and consider the views of the victim when determining the most appropriate jurisdiction for the matter to be dealt with and has set out a number of different factors that a prosecutor must take into consideration.

Although the decision of the military prosecutor on whether a matter should proceed within the military justice system is one of prosecutorial discretion, the Director of Military Prosecutions has also directed that once such a decision has been taken, that the prosecutor responsible for the file shall ensure the victim is informed of that decision and the associated reasoning behind that decision.

**Recommendation 9:** *Assign responsibility for providing, coordinating and monitoring victim support to the centre for accountability for sexual assault and*

*harassment, including the responsibility for advocating on behalf of victims in the complaint and investigation processes.*

Progress has been made in implementing this recommendation. The advocacy role for victims of harmful and inappropriate sexual behaviour continues to be shared across the Canadian Armed Forces by various entities delivering victim support, including care providers and the chain of command. The inclusion of the Sexual Misconduct Response Centre to this mix has been an important addition.

In more specific terms, the Centre is engaged in advocacy on two levels. Its direct interactions with victims provide them with a steady, dependable base that empowers and assists victims in moving forward with support options.

At an institutional level, the Centre is providing added and more sustained impetus to internal considerations focused on harmful and inappropriate sexual behaviour.

The Sexual Misconduct Response Centre's advocacy role is being further considered as a function of its evolution to its final configuration in summer 2017.

Related to this recommendation, Bill C-71, introduced to Parliament in June of 2015, would have enhanced victim advocacy within the Canadian Armed Forces, by mirroring the Victims Bill of Rights, which established rights for victims of criminal offences within the civilian justice system. Although the bill died on the order paper when the previous Parliament was dissolved, a current legislative proposal recommends the development of a new bill closely resembling Bill C-71, which would strengthen the rights of victims of service offences within the military justice system including those of a sexual nature.

**Recommendation 10:** *Assign to the center for accountability for sexual assault and harassment, in coordination with other Canadian Armed Forces subject matter experts, responsibility for the development of the training curriculum, and the primary responsibility for monitoring training on matters related to inappropriate sexual conduct.*

This recommendation is in the process of being met, though it remains in its early stages. The Sexual Misconduct Response Centre does not currently possess a formally structured training and education capability, due to last fall's initial emphasis on a rapid stand-up delivering enhanced first-line victim support independent of the military chain of command. Integrating a training capacity into the Centre's final configuration in 2017 as suggested in the recommendation is presently being assessed.

The Sexual Misconduct Response Centre is, however, actively influencing Operation HONOUR-related training development, providing input, advice and assistance for both enhanced and new curricula, tools and delivery vehicles. It is providing this support to the Strategic Response Team, which has executed the training function since the launch of Operation HONOUR.

As outlined earlier in considerable detail, significant progress has been achieved in modernizing Operation HONOUR-related training and education at both the institutional and sub-organisational levels, with more improvements in curriculum



development, curriculum delivery and systemic evaluation underway or soon to be initiated.

## Conclusion

The programming completed or underway during this first year of Operation HONOUR, laid out in both this progress report and the previous one of February 2016, is a clear demonstration of the Canadian Armed Forces' commitment to eliminating inappropriate sexual behaviour and sexual offences within its ranks. From the Chief of the Defence Staff, who made this one of the first and most important priorities of his tenure as the military's top commander, to leaders at all levels of the institution including the most junior, Operation HONOUR has received a focus that few other imperatives have received in modern Canadian Armed Forces history.

This institutional focus is neither haphazard nor reactionary. Rather it is a function of the fundamental premise that the effectiveness of any modern professional fighting force is based on the confidence and cohesion that all its members possess towards one another, regardless of gender or background.

It is also based on the organization's *raison d'être* – to defend Canadians and Canadians values across the country and around the world, regardless of the dangers and difficulties. The Canadian Armed Forces cannot defend such values if it does not completely uphold and embody them.

This first year of Operation HONOUR has been dominated by immediate action on areas such as improved victim support, enhanced training, comprehensive research and coherent tracking. This time last year, the Canadian Armed Forces did not possess a centre focused on providing wider support options for victims. Today, the Sexual Misconduct Response Centre is a staple of the resources available to members. Similarly, training on this issue was sporadic and disjointed. Less than one year on, it is more intensive and coherent than ever, embedded in all major training events covering the entire career spectrum for both officers and non-commissioned members.

Prior to Operation HONOUR, the institution's understanding of the problem was incomplete. The Canadian Armed Forces has now conducted an organization-wide survey specifically addressing this problem, and is on the verge of obtaining its results and establishing its first comprehensive baseline against which progress will regularly be measured. The tracking of sexually-related incidents was also decentralized and piecemeal a year ago. As of last spring, organization-wide tracking of all related incidents is providing a much clearer assessment of the situation as it evolves over time.

These swiftly developed changes have been twinned with deliberate, longer-fused initiatives involving policy, process and structure necessary for the follow-on change that will occur in year two of Operation HONOUR and beyond. This includes the comprehensive integration and modernization of all related policy and terminology beyond those immediate improvements already put into place.

The Canadian Armed Forces investigates incidents of sexual misconduct more expertly and effectively than it did a year ago, and more improvements are on the way. The same applies to related judicial processes, which feature a number of immediate upgrades that have been instituted in recent months. These will be complemented by more deliberate initiatives over the coming year. Finally, associated initiatives both within the Canadian Armed Forces and at the Government of Canada level have been integrated into, or leveraged with, Operation HONOUR.

This institution-level change has been replicated within the individual components of the organization, rippling out to the formations, units and sub-units where most military members work and interact. They, in turn, have tailored and reinforced organization-wide programming to specifically meet the needs and characteristics of their members.

The most important difference over the past year has been the marked increase in the level of awareness throughout the organization of the importance of eliminating harmful and inappropriate sexual behaviour for the continued operational success of the Canadian Armed Forces. This awareness has been catalyzed in large measure by replacing the corporate-centric methodology of past efforts to address the problem with a dynamic operational approach – one well understood by such a seasoned fighting force.

Since the inception of Operation HONOUR last August, all Canadian Armed Forces members have been both briefed on the issue and encouraged to discuss it. The organization's expectations of member behaviours and attitudes have been the centrepiece of this interaction. These expectations have been emphasized and reaffirmed in the clearest of terms. If some Canadian Armed Forces members did not fully realize "what right looked like" before Operation HONOUR – and clearly some did not – all have been firmly and repeatedly reminded over the past year, and will continue to be.

In tandem with this reaffirmation of expectations, leaders at every level down to junior supervisors have received clear direction to be more vigilant in identifying conditions or conduct conducive to harmful and inappropriate sexual behaviour and sexual offences, and more diligent in responding to incidents that still occur. The imperative has, over the course of the last year, shifted from one institutional requirement among many others, to a top priority and focal point for all members and leaders throughout the Canadian Armed Forces.

The achievements to date are significant and are already leading to change on the ground. However, they are tempered by the reality that despite the early progress, incidents of harmful and inappropriate sexual behaviour and sexual offences continue to occur to, and by, uniformed members. Eliminating such an insidious problem will take years of sustained effort and attention to achieve. Operation HONOUR is off to a positive start in establishing the footings for sustained, long-term positive change but there is much to be done in the months and years ahead. Changing culture will not happen overnight, and the focus on positive change must be relentless.

The Canadian Armed Forces will be judged not on promises but on a demonstrated ability to deliver the change Operation HONOUR intends – a principle the Chief of the Defence Staff has made clear throughout the organization. Ultimately, the organization’s members will determine if Operation HONOUR is generating positive effects leading to tangible change. They will judge whether their environments are less permissive to inappropriate behaviour than they were, and whether attitudes and behaviours are really changing or have changed. They will be Operation HONOUR’s final arbiters.

Creating and sustaining a professional environment in which every uniformed member without exception is treated with dignity and respect is critical to the continued operational excellence for which the Canadian Armed Forces is known the world over. Operation HONOUR must succeed and it will succeed