



ADDRESSING SEXUAL MISCONDUCT IN THE CAF

If you have watched the news lately, you will have seen that sexual misconduct in the Canadian Armed Forces (CAF) has been receiving attention. Like all big organizations, the Canadian military has had its share of bad behaviour among its personnel and over the years there have been incidents of sexual misconduct. It has been stated on numerous occasions that this behaviour is unacceptable.

Abusive behaviour by personnel reduces the effectiveness of the military forces as a whole, and is contrary to the tradition of honour in the CAF. It is also contrary to the desire expressed in the 2017 defence policy *Strong, Secure, Engaged* to increase the number of women in the CAF. If women are to join the CAF, they must not be subjected to a workplace that harms or demeans them. Women must know that misconduct will be taken seriously and they must feel able to report incidents without a negative impact on their career progression.

The problem of sexual harassment in the CAF was recognized in the late 1980s and there were attempts to address it, but incidents continued to be reported. In the late 1990s, the CAF implemented more intense training in an attempt to address the problem. The early training programs were a start, but sexual misconduct continued. In 2014, the CAF was back in the media. In the wake of the media reports about sexual misconduct, then-Chief of the Defence Staff, General Tom Lawson, announced an external, independent review of the military. Former Supreme Court Justice Marie Deschamps was asked to investigate and make recommendations on an action plan. In 2015, Deschamps released her report and recommendations. Shortly after the report was released, the incoming Chief of the Defence Staff, General Jonathan Vance, issued the order to initiate *Operation Honour*, with the goal to eliminate inappropriate sexual behaviour in the CAF. The report's 10 recommendations were later enshrined in *Strong, Secure, Engaged* (Initiative #18).

Both *Strong, Secure, Engaged* and *Operation Honour* emphasize that support for CAF personnel is essential to creating an effective military. As *Op Honour* stated “[a]ny attitudes or behaviours which undermine the camaraderie, cohesion and confidence of serving members threatens the CAF’s long-term success.”¹

Op Honour took action in four areas – understanding, supporting, responding and preventing. The focus of the operation was to: improve support for CAF members who had been affected by sexual misconduct; modify harmful behaviours; and increase understanding and vigilance at all levels of leadership and training.² Addressing abusive behaviour is not a simple process. There are three main elements of change – institutions, processes and attitudes.

After the implementation of *Op Honour*, a number of institutions/agencies to support victims were set up within the CAF. In 2015, the Sexual Misconduct Response Centre was established to provide counselling and advice, and Victim Support Services (VSS) were expanded to assist CAF members who have been affected by harmful/inappropriate sexual behaviour.

A variety of response teams have been formed: in 2016, the Sexual Offence Response Team

¹*Operation Honour*, available at <https://www.canada.ca/en/department-national-defence/services/benefits-military/conflict-misconduct/operation-honour/about-operation-honour.html>.

² *Ibid.*

was formed as part of the Canadian Forces Military Police; the Director of Military Prosecutions created the Sexual Misconduct Action Response Team (SMART); and there is the CAF Strategic Response Team on Sexual Misconduct. The Sexual Offence Response Team investigators are dispersed in three-member teams at regional offices located in Victoria, Edmonton, Borden, Ottawa, Valcartier and Halifax. The teams are specially trained and dedicated to supporting the investigation of criminal sexual offences throughout the CAF and Department of National Defence.

A necessary element of the plan to address sexual misconduct is having data. Until recently, the CAF did not collect information on the scope of the problem and no standardized reporting or tracking system was in place. Since 2016 monthly tracking has enabled the organization to ascertain the rates and locations of incidents. The CAF sexual misconduct tracking protocol and the Operation Honour Tracking and Analysis System (OPHTAS) began operating in 2018. Better data, including regular Statistics Canada CAF-wide surveys, enable enhanced understanding of sexual misconduct, as do research initiatives that have been undertaken.

Processes have also been implemented and streamlined to encourage victims to report unacceptable behaviour and to shepherd them through the complaint process. Victim Support Services, for example, attempts to mitigate the impact by providing advice/options for reporting, guiding victims through the reporting, investigative and judicial proceedings, and providing a network for support. The Integrated Complaint and Conflict Management System (IC2M) was developed to address recommendations of the Deschamps report to simplify the harassment complaint and conflict resolution processes. It became operational in 2017. In 2018, the Integrated Conflict and Complaint Management (ICCM) service was implemented to help CAF members submit, track and resolve complaints.

These are all positive steps, but it was discouraging when the media reported in January 2021 that General Vance – the guardian of *Operation Honour* – was himself being investigated for allegations of sexual misconduct. His replacement Admiral Art McDonald stepped aside from his position only weeks after he was appointed after allegations of misconduct on his part.

In a hierarchical organization like the military, tying the lines of complaint and investigation to the chain of command is clearly problematic. Recent discussion indicates that investigations are still undertaken within the CAF, culminating in the Minister of Defence, and not by an external body. This illustrates that a crucial element of the Deschamps report had not been implemented. The report's third recommendation was to “create an independent center for accountability for sexual assault and harassment outside of the CAF 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.”³ This was not fully implemented.

In March 2021, the government announced that a body would be created outside the CAF to investigate complaints of sexual misconduct. And on 24 March 2021, the acting Chief of the Defence Staff, Lieutenant-General Wayne Eyre, announced that *Op Honour* would end. In his words “Operation Honour has culminated, and thus we will close it out, harvest what has worked, learn from what hasn't, and develop a deliberate plan to go forward.”⁴ What will replace

³ Marie Deschamps, “External Review into Sexual Misconduct and Sexual Harassment in the Canadian Armed Forces” (Deschamps Report), 27 March 2015, Recommendation #3.

⁴ Lieutenant-General Wayne Eyre, quoted in Murray Brewster, “Campaign to end sexual harassment in Canadian Armed Forces shut down,” CBC, 24 March 2021, available at <https://www.cbc.ca/news/politics/operation-honour-closed-down-1.5962978>

the program has not yet been determined but it is hoped that the effective processes and agencies that were developed as part of *Op Honour* – for example, enhanced victim services, trained investigative personnel and systematic data collection – will be retained.

Conclusions

As can be seen, addressing sexual misconduct in the CAF has not been an easy task, and it remains a work in progress. It will require sustained effort over many years. There have been a variety of institutional and process-related changes implemented to address sexual misconduct. As noted, *Op Honour* initiated a number of positive changes, and hopefully they will not be thrown out when its replacement is announced.

What we have not discussed here is the hardest element – changing attitudes. Institutions and processes can be created with the stroke of a pen but changing attitudes is a long-term endeavour. But it's a key element. As Lieutenant-General Eyre wrote in a letter to CAF members, “[w]e need all of our members to work in an environment characterized by a sense of mutual respect, dignity, safety and truly belonging.”⁵

The CAF recognizes that changes must start at recruiting centres and permeate through all training institutions, from junior members to the most senior. Changes must include Bystander Intervention training to encourage CAF members to report incidents they have witnessed. (Recently we have seen that officers who reported incidents have been harassed, and this must not be tolerated.) The CAF also recognizes that the change in behaviour and attitude cannot be implemented by the military alone so it works with other government departments and groups within Canadian society.

In the long term, the hope is to create a culture change. The CAF hopes to reinforce the principle of Duty with Honour and incorporate initiatives on diversity, inclusivity, health and wellness to ensure a culture of respect for all its members.

⁵ Lieutenant-General Wayne Eyre, quoted in Hannah Jackson, “CAF will ‘re-establish trust’ after sexual misconduct allegations: Eyre,” Global News, 24 March 2021, available at <https://globalnews.ca/news/7717573/caf-wayne-eyre-letter/>