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# CANADIAN ARMED FORCES

## Progress Report Addressing Inappropriate Sexual Behaviour

April 28, 2017

Covering the period July 2016 through March 2017

Canada 

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

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

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## Executive Summary

Over the nine months of this reporting period, the CAF has taken significant action to improve victim support; initiate prevention programs; update policies; enhance subject matter expertise of those who provide support and assistance to victims; embed Operation HONOUR concepts across all levels of education and training; hold leaders to account for their response and actions; take decisive action to deter perpetrators; and engage and empower all members of the CAF to take action to address and eliminate sexual violence and harassment. (See Annex A for a summary of achievements and initiatives).

There are encouraging indications across the Canadian Armed Forces (CAF) that Operation HONOUR is having a positive impact on CAF members' awareness of harmful and inappropriate sexual behaviour and the impact on individuals and the institution. CAF members are acquiring a greater understanding of the critical role of bystanders including response and support, as well as increased reporting and confidence in the chain of command, military police and military justice.

Although very sobering, the results of the Statistics Canada (StatCan) Survey on Sexual Misconduct in the CAF provided the first data specific to sexual misconduct. This provided an opportunity to better understand the scope of the issue and specific areas to address and how to better target our efforts to eliminate harmful and inappropriate sexual behaviour (HISB) in the CAF. The StatCan survey also revealed that there are signs that Operation HONOUR is taking hold and having a positive impact; survey results indicated that more than 80 percent of military members trust that their leaders will deal effectively with harmful and inappropriate sexual behaviour.

Victims are coming forward to report knowing that they will be provided the care and support they need. Recruits are being informed of the standard of conduct they will be expected to uphold and the consequences of failing to do so before they join the CAF. Leaders are being held to account and action is being taken to remove members from command, leadership, supervisory or instructor positions. Additionally, those who are convicted of sexual misconduct related offences are being subject to an administrative review that could result in release from the CAF.

Over the past few months, we have implemented a wide range of new and more comprehensive education and training initiatives to increase awareness and prevention amongst our military members. The CAF Bystander Intervention unit level training and Respect in the CAF programs are helping CAF members recognize and react decisively to sexual misconduct and harassment when they see it. Workshops have been designed to foster a sustained change in attitudes and behaviours that are focused on building a respectful climate and culture within the Canadian Armed Forces to align with its ethical principles and values.

Our new training programs are interactive to show bystanders and leaders their role in the perpetuation of sexual violence and harassment if they choose to do nothing; the power they have to make a difference; and ways stop harmful and inappropriate sexual behaviour and support their CAF members. Our products and programs demonstrate why it is crucial for witnesses to HISB and harassment to speak out against it, rather than staying silent.

The Sexual Misconduct Response Centre continues to play a key role in support to CAF members who have experienced harmful and inappropriate sexual behaviour as well as to the chain of command who are seeking assistance in supporting victims. Victim Support Services (VSS) are being expanded to assist CAF members who have been affected by HISB to mitigate the impacts by providing more options

for reporting; guiding them during the reporting, investigative and judicial proceedings; and providing a network for healing and support with peers.

While initially ad hoc in nature, victim/survivor engagement has been occurring informally across the organization, but will now be formalized and elaborated with a victim/survivor engagement strategy that goes beyond simple consultation to more in depth collaboration, influence, guidance and assistance to the essential processes of enhancing victim support, response, and prevention as well as culture change in the CAF.

Until April 2016, the CAF did not have a single method to collect information on incidents and fully assess the scope of the problem of HISB in the CAF because no standardized reporting or tracking system was in place. Since April 2016, we have adopted a monthly tracking pro forma that enables the organization to track the occurrence of HISB incidents and analyze the progress of Operation HONOUR. This system will soon be replaced with an automated information management system, CAF HISB Tracking & Analysis System.

In the interim, we continue to update and improve our capacity to capture and track data related to incidents, reporting, administrative and disciplinary action. The following table is a summary of HISB related metrics for the past fiscal year 1 April 2016 – 31 March 2017 (see Annex B for more details):

Reports to the military police of a <i>potential offence</i> of a sexual nature	288
Reports of offences of a sexual nature deemed <i>Founded</i> by military police	267
Number of <i>charges laid</i> thus far	64
Number of <i>Summary Trials/Courts Martial</i>	30
Number of <i>guilty verdicts</i>	27
Number of <i>HISB related incidents</i> reported at unit level through monthly reports (including potential offence of a sexual nature)	504
<b>Breakdown of the 504 Incidents</b>	
HISB (jokes, belittling language, images)	281
Sexual Harassment	74
Sexual Misconduct (no further delineation)	66
Sexual Assault	47
Voyeurism	7
Sexual Interference	7
Indecent Exposure	6
Sexual Exploitation	5
Abuse of Authority	4
Child Pornography	3
Number of the 504 HISB related incidents <i>referred to another authority</i> for further investigation beyond unit level	221
Number of individuals issued <i>Administrative Actions</i> <sup>1</sup> by the unit thus far	180
Number of <i>Notices of Intent to Recommend Release</i> issued thus far	117
Number of personnel <i>released</i> from the CAF for sexual misconduct thus far	24

<sup>1</sup>Administrative actions are not punishments under the Code of Service Discipline. 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 may include remedial measures such as an initial counselling, recorded warning, and counselling & probation. In addition to remedial measures, administrative actions may include:

- removal from supervisory or instructional duties
- 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.

For the first time, we also have an annual cumulative summary of incidents, actions taken and service tribunals for the period April 2016 through 31 March 2017, included as Annex C to this Progress Report. Starting with the January 2017 monthly summary reports are being published on the Operation HONOUR intra and internet<sup>2</sup> sites.

Operation HONOUR updates are provided at the weekly CDS Operations Brief in the same manner as all other CAF operations to engage and inform senior leadership of initiatives, progress, and decision points.

The Integrated Complaint & Conflict Management System (IC2M) is now operating on four Bases and is providing a simplified, integrated complaint and conflict management system that is responsive to and trusted by CAF members and the chain of command. This is aligned with recommendations of the Deschamps report to simplify the harassment complaint and conflict resolution processes.

Recruiting efforts have been successful in increasing the number of women in the CAF. Not only have the percentage of female recruits significantly increased from 13% to 17% between 2015/16 and 2016/17, but the overall percentage of women in the CAF has increased by 0.3%, which is the first positive growth in over a decade. It is anticipated this will continue to improve as the strategies and initiatives developed last year along with new advertising roll out.

The CF Provost Marshal (CFPM) and the military police (MP) continue to make significant progress in improving the MP response to sexual offences and inappropriate sexual behaviour. From organizational structure to training to policy change to new case review initiatives, CF MP remain committed to conducting independent, objective investigations and to ensuring victims receive the professional care and support that they require. To that end, the CFPM will continue to work on improving the development and retention of experience within the Canadian Forces National Investigation Service (CFNIS), creating greater capacity to understand the scope of sexual offences reported to CF MP, implementing modern and professional training consistent with best practices and creating trust through the implementation of an external review model that maintains confidentiality.

During this reporting period, CFPM actions focused on the stand-up of the Sexual Offence Response Team (SORT), understanding the scope of sexual offences being reported to military police, continued training on sexual assault investigations and trauma informed interviewing, and a focused review of cases previously deemed unfounded. While that review is ongoing, a preliminary examination identified 166 unfounded CF MP cases between 2010 and 2016. It was also determined that between 2010 and 2015, the CF MP unfounded rate was 28.89%. In the 15/16 period following the report, the unfounded rate decreased to 14.57% and has continued to decrease in FY 16/17 to 7.29% unfounded rate for sexual misconduct overall and 6.8% for sexual assault.

In May 2016 the JAG 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 CAF's court martial system and, where appropriate, to develop and analyse options to enhance the effectiveness, efficiency, and legitimacy of that system and then assess whether changes to any features of the system are required. 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 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 victims. The review team is to produce a completed report deliverable to the JAG no later than July 2017.

The CAF is committed to increasing diversity, and promoting inclusiveness amongst its personnel because experiences on operations have shown that diversity enhances operational effectiveness. The CAF Diversity Strategy approved in May 2016 forms the framework that directs, promotes, and safeguards the respect and dignity of all CAF Members and a supporting Action Plan was approved in

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<sup>2</sup> <http://forces.gc.ca/en/caf-community-support-services/monthly-statistics.page>

January 2017. The CAF Diversity Plan also includes the concept of inclusivity with new research and information on Lesbian, Gay, Bisexual, Transgender and Queer/Questioning (LGBTQ+) members of the CAF and the development of a national LGBTQ+ support network within the CAF.

Six of the ten recommendations from the Deschamps Report have been met and the remaining four are well on the way to being completely implemented as the capacity and expertise of the SMRC evolves and our work on policy development is completed over the next year.

As we begin the next phase of Operation HONOUR using the information from the StatCan survey and building upon the past 18 months, we will continue to work with internal and external subject matter experts and key partners to take additional concrete steps to address and eliminate harmful and inappropriate sexual behaviour. Engendering the shifts in cultural norms that are required to achieve the mission of Operation HONOUR also requires engagement on a range of broader issues across our institution as well as doctrine and policy change.

We are working closely with Other Government Departments on initiatives related to Diversity and Inclusivity, Mental Health and Wellness, Gender Based Violence, Workplace Violence, and Sexual Harassment and continue to gain insights from the experience of our Allies and Canadian experts who have been part of our stakeholder engagement plan and consultations. In addition, we have an extensive research and performance measurement plan over a five year period to conduct literature reviews and research of key topics related to harmful and inappropriate sexual behaviour as well as performance measurement of the impact and effectiveness of our response.

Change is possible and we are seeing positive change across the institution. But to really make a difference and to truly eliminate sexual violence and harassment, we need to take action on all forms of conduct in the CAF and reinforce the military ethos that sets the Profession of Arms apart from others. This is not something to be implemented by a single group and must be implemented together from the recruiting centre through all training institutions, from the unit level to national headquarters and from the most junior members to the most senior. Life-long attitudes and behaviours solidify at an early age. For systemic, generational change to occur, it's important that recruits learn respectful behaviours from the beginning.

We are bringing these ideas to CAF members by updating the recruit training curriculum to help the newest CAF members to develop an understanding of the root causes of gender inequality, and — from a very early stage — understand healthy relationships and consent as well as appropriate conduct in the CAF.

For CAF recruits, their first training experience on basic officer or basic recruit training marks an important milestone in their lives. As recruits become part of a new CAF community at the Military Colleges and Canadian Forces Leadership and Recruit School or other initial training institutions and their first units, we know that far too often adapting to life in this new environment includes facing the sexualized culture or surviving an experience of sexual violence or harassment.

That's why we're training and encouraging bystanders to get involved; health care professionals, counsellors at the SMRC, the chain of command; police and military prosecutors to better support survivors; instructors, leaders, command teams and supervisors to initiate and encourage a generational change in attitudes toward consent and healthy relationships, and workplaces and military installations to ensure the safety of CAF members.

Harmful or inappropriate sexual behaviour of any kind is absolutely unacceptable and definitive action is being taken across the four key lines of effort – **understanding, supporting, responding and preventing**. We can appreciate that there are those who remain skeptical of the military's efforts. However, the institution is in this for the long term and the approach being taken is far more comprehensive than ever before. The CAF will keep moving forward, with our Strategy and Action Plan

as a guide shaped by research and experience, towards an institution where all members are free from the fear, threat or experience of sexual violence and harassment.

The cultural change that is being fostered will not happen overnight and will continue to require the full engagement of every military member. We are beginning to see the impact of the programs we have implemented, and culture change is being influenced through Operation HONOUR, which though now well underway, will take years to instill and consolidate. However, change is occurring across the organisation and individual members are being influenced; the StatCan survey results demonstrated that there is increased trust and faith in victim support, action by the chain of command, and an understanding of why culture change is necessary and critical. These are good indicators that we are making progress and influencing positive and necessary change.

However, it is time to take stock of our work on Operation HONOUR, evaluate our actions and initiatives and ensure that we have not only the programs, policies, research and initiatives, but the institutional regulatory framework to ensure the desired cultural change permeates and engages the entire institution and the Profession of Arms. In order to do this we will move beyond using “orders” and broaden the work of Operation HONOUR, and the desired culture change, through a more comprehensive strategic plan that provides an all-encompassing institutional framework and long range vision. This will begin with the reconfiguration and realignment of the CAF Strategic Response Team on Sexual Misconduct to ensure an enduring function and permanent organization within the CAF. Concurrently, work will begin on the development of a more deliberate approach to sustain culture change beyond just the elimination of sexual misconduct to one that refreshes and reinforces the foundational principles of *Duty with Honour* and incorporates all of our other initiatives on diversity, inclusivity, health and wellness to ensure we have a culture of respect and dignity, that values our people, and supports and cares for them.





## Introduction and Overview of the Reporting Period<sup>3</sup>

The original strategy developed to address the problem of inappropriate sexual behavior in the CAF consists of four major lines of effort, designed to fully **understand** the issue of harmful and inappropriate sexual behaviour within the CAF; to **support** persons affected by harmful and inappropriate sexual behaviour; and, to effectively **respond** to and **prevent** further occurrences of such incidents. This strategy, detailed in Annex D, is helping the CAF to make good progress and has been adapted to reflect the information obtained from research, including the Statistics Canada survey and our experience to date.

The strategy recognises that to address the problem of inappropriate sexual behaviour across the entire institution, the CAF must fully comprehend, **understand** and appreciate the problem. Our level of understanding the scope and the complexity of the subject is improving, and the Statistics Canada survey results are a large part of that.

An early priority for the CAF was to be able to better **support** victims of inappropriate sexual behaviour, effectively and with sensitivity. Accordingly, an immediate focus of Operation HONOUR was to improve the support available to CAF members who have experienced inappropriate sexual behaviour and we continue to expand support options to not only victims, but those who are supporting them through resources specific to the chain of command and expanded victim support services including peer support, victim liaison assistance, and increased options for reporting.

While understanding the scope and complexity of harmful and inappropriate sexual behaviour in the CAF and supporting victims are clearly important, the CAF must also **respond** to incidents of inappropriate sexual behaviour promptly, effectively and fairly. Hence, the third aspect of the strategy has been to improve the CAF's overall response to incidents of inappropriate sexual behaviour, ultimately to encourage reporting and to deal decisively with those who violate the trust and confidence of CAF members.

The strategy's fourth line of effort is the long-term **prevention** of incidents of inappropriate sexual behaviour through the creation of a CAF culture based on dignity and respect. Greater emphasis has been placed on this during the reporting period. Successful prevention will help sustain the CAF's vision and enhance professionalism, upholding the culture of dignity and respect with the highest standards of conduct.

While the Deschamps Report served as a critical catalyst for the Canadian Armed Forces (CAF) to develop and implement a response plan to eliminate sexual misconduct, it was essential that the CAF gain a more comprehensive awareness of the prevalence and type of harmful and inappropriate sexual behaviour within our institution. To that end, the CAF engaged Statistics Canada to conduct an extensive survey of CAF members to collect information regarding the prevalence of sexual misconduct, the reporting of harmful and inappropriate sexual behaviour, and member awareness of policy, programs and associated support mechanisms. The results of the Statistics Canada Survey on Sexual Misconduct in the CAF (SSM) released 28 Nov 16, indicated a continued high prevalence of sexual violence, harmful and inappropriate sexual behaviour in the year prior to the date the survey was taken.<sup>4</sup> The findings were aligned with the findings of the Deschamps report (see Annex E for an update on the Deschamps recommendations).

Although the survey was initiated and conducted during the earliest stage of Operation HONOUR, it was clear that despite increased awareness of both the problem and initiatives of Operation HONOUR, these

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<sup>3</sup> The reporting period was extended beyond the normal six month period to allow for analysis and consideration of the results of the Statistics Canada Survey on Sexual Misconduct in the CAF that was released in November 2016. This report covers the period from July 2016 through March 2017 and includes statistics over the last fiscal year.

<sup>4</sup> Questions on the StatCan survey related to the year preceding the survey, the period covers Apr – Jun 15 and Apr – Jun 16, much of which was pre Operation HONOUR

had not stopped incidents from occurring; the greatest prevalence was incidents of unwanted touching and inappropriate comments, jokes and language in the workplace.

The survey data has been extremely valuable in helping to better target our responses to key areas of concern to CAF members including reluctance to report; fear of reprisal; the significant prevalence of inappropriate touching, jokes and language; offensive and discriminatory behaviour; higher incidence rates amongst younger members and Class A Reservists; incidents related to alcohol and drug use; awareness and use of support mechanisms; and identification of the most likely perpetrators for male and female victims.

Based on trends from the survey, we have introduced a full spectrum of education and training to our members and will target efforts to more specifically engage and inform junior non-commissioned members and junior officers, especially those 25 years of age or below, to inculcate institutional values, conduct and standards of behaviour as they transition into the Profession of Arms. Beyond greater emphasis on introductory training for new recruits, we have implemented changes to education and training at every rank level to improve understanding of the scope and impact of harmful and inappropriate sexual behaviour and the role they play in confronting, addressing and eliminating this and changing the culture of the CAF<sup>5</sup>.

While reporting of incidents has increased and the majority of CAF members believe their chain of command will take appropriate actions, some victims still remain reluctant to report because they fear retaliation and reprisal, especially if the perpetrator is a superior or member of their chain of command. The threat and fear of retaliation, real or perceived poses a serious detriment to the reporting of sexual misconduct, effectiveness of the military justice system, and the ability of victims to obtain needed assistance and support. As we continue to expand our assistance and support to victims as they make the difficult choice to report sexual assault and sexual harassment, the CAF is committed to eliminating retaliatory behaviour; improving resources for those who report; and providing tools for commanders, supervisors, supporters and responders, and peers to prevent and respond to retaliation against those who report. Eliminating retaliation is crucial to effectively addressing and eliminating harmful and inappropriate sexual behaviour in the CAF.

Support to the Chain of Command in dealing with HISB while supporting victims and taking definitive action within their lines continues to be critical to culture change. Commanders at all levels are continuing to demonstrate increased diligence and vigilance by removing individuals from positions of authority for HISB related incidents and to take the necessary disciplinary and/or administrative action, up to and including release from the CAF. However, critical to building trust and inculcating cultural change beyond simply punishing offenders is the requirement to develop mechanisms to train/rehabilitate CAF members who do not demonstrate model behaviours. Similarly, we must recognize and reinforce outstanding/model behaviours of those CAF members that others should emulate.

Finally, there is a requirement to ensure continued tracking and monitoring across all organisations and commands. To that end, as of Jan 17, our monthly reports (see Annex F) are now being published on the internal and external Operation HONOUR websites and are being briefed regularly at the CDS Operations brief to inform and engage leaders across the institution.

The path ahead towards culture change remains challenging, but with the survey results and ongoing internal research and performance measurement, the CAF now has valuable data and very specific

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<sup>5</sup> What one person may consider offensive, another may not. Many people are not aware of behaviour that constitutes sexual harassment or harmful and inappropriate sexual behaviour. As a result, personnel who experience harmful and inappropriate sexual behaviour, particularly sexual harassment, or those who witness this may not label the experiences as such, thus making reporting an issue related to "self-perception" and awareness. This is one reason why the CAF is implementing new education and awareness programs and enhance resources on recognizing harmful and inappropriate sexual behaviour (HISB), the role of bystanders and the chain of command, and the negative repercussions on the professional and personal life for victims regardless of how individuals label or perceive the experience.

information to not only reinforce the efforts of Operation HONOUR in order to eliminate harmful and inappropriate sexual behaviour from the CAF but to target specific challenges and areas of concern for CAF members.

## **Institutional Activities and Initiatives**

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, enhance victim support, measure performance and effectiveness, and demonstrate diligence and vigilance.

The primary focus of the CAF efforts during this reporting period was the implementation of enhanced Education and Training embedding the principles and subjects of Operation HONOUR, and on the continued improvements of victim services through the work of SMRC and Military Police, complemented by the initiatives of the Director Military Prosecutions. New initiatives to improve tracking, reporting and performance measurement were also introduced through not only Operation HONOUR but ongoing efforts across the CAF and Department of National Defence. Prevention initiatives were also introduced through education and training programs and administrative action, including administrative action, including an administrative review for release in respect of those found guilty of sexual misconduct.

### **Enhanced Victim Support**

When a victim of sexual violence or harassment accesses services, a sensitive and appropriate response from service providers is essential to recovery and healing — regardless of the venue through which they seek help. When a person experiences sexual misconduct, they may need help and support from multiple internal and/or external sources including medical, emotional, and legal. They may not wish to, or have access to, CAF support services and they may not seek out support or assistance until long after the incident and they may not wish to file a report. In Canada, only 33 out of every 1000 sexual assaults are reported to police and only three lead to conviction.<sup>6</sup> The Statistics Canada survey on Sexual Misconduct in the CAF indicated that the majority of CAF victims attempt to resolve the issues on their own but many are now reaching out for support with increased trust and faith in the CAF system.<sup>7</sup>

The Sexual Misconduct Response Centre continues to play a key role in support to CAF members who have experienced harmful and inappropriate sexual behaviour as well as to the chain of command. 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 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 new initiatives<sup>8</sup> that are having both a positive impact on victim support services and reporting as highlighted in the section on victim support services that follows.

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<sup>6</sup> Statistics Canada General Social Survey on Victimization (2014) and Perreault 2015

<sup>7</sup> According to the results from the Statistics Canada Survey on Sexual Misconduct, in the CAF, 23% victims reported their sexual assaults to someone in authority (representing 230 out of 1000). Victims of the more serious forms of sexual assault, deemed “sexual attack” by Statistics Canada, were more likely to report the assault to someone in authority (35%).

<sup>8</sup> Victim support has been enhanced through the following actions:

- a. Ensure counselling services, help lines and support resources that currently exist across the CAF are coordinated and integrated;
- b. Provide services in both official languages;
- c. Strengthen the CAF’s connections with survivors, subject matter experts and practitioners;
- d. Training for front-line workers in victim support and health services, chaplains, military police, and military prosecutors to help improve responses to those who experience sexual violence, and to help peers and members of the Chain of Command to safely intervene if they witness sexual violence or people at risk;
- e. Training for victim service, health care and military police in trauma-informed care;
- f. Enhancements to military police training to ensure that military police understand victimization and respond in a compassionate and appropriate way to survivors of sexual assault;

The Director of Military Prosecutions and Canadian Forces Provost Marshal continue to take action independent of Operation HONOUR, to enhance education and training for military prosecutors and military police, aimed at the swift and effective investigation and where appropriate prosecution of sexual assault cases and attention given to the needs of survivors.

## Victim Needs Analysis

During autumn 2016, the CAF Strategic Response Team on Sexual Misconduct (CSRT-SM) in cooperation with the members of the Sexual Misconduct Response Centre, as well as key internal and external stakeholders, examined critical victim support or victim-oriented requirements in order to identify service provision gaps across CAF services related to HISB. Efforts focused on optimizing efficiencies within DND/CAF, thus a comparative analysis of existing services within the organizations including their roles and mandates were assessed. Finally, the team compared several external organizations (Allied nations, Canadian public and private sector) to see where the DND/CAF may be able to draw from these existing programs to address deficiencies or gain valuable insights. The assessment identified the following issues as essential: service availability/accessibility, confidentiality, anonymity and specialized support across three perspectives - services required to support CAF members; services required to support chain of command in handling HISB situations; and support to the institution in its entirety.

Although numerous victim support initiatives are currently available, or are being implemented across CAF, the needs analysis concluded that there remain several deficiencies for support to HISB victims and the following critical requirements for victim support:

- a. 24/7 access to specialized support;
- b. Protection of victim anonymity and privacy;
- c. Specialized support for both male and LGBTQ+ victims of HISB in addition to support for females victims;
- d. Continuity of service across victim support services;
- e. Facilitated access to victim assistance/practitioner accompaniment;
- f. Access to peer support program(s);
- g. Additional reporting protocols for victims that don't trigger an immediate investigation;
- h. Standardized support protocols for international operations;
- i. Standardized victim evidence collection protocols across CAF; and
- j. Centralized and consistent advice/guidance to the chain of command on HISB.

CSRT-SM is leading a Tiger Team of key stakeholders to develop mechanisms to address the current deficiencies through the following:

- a. Develop options for a Peer Support Program;
- b. Develop options for a Victim Liaison Assistance Program;
- c. Develop options for additional reporting protocols that do not trigger an immediate investigation against the victims desires;
- d. Ensure standardized access to support for personnel deployed on operations;
- e. Work with CFHS to examine the feasibility of CAF-based Sexual Assault Examination Kits (SAEKs) standardization;

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- g. Enhanced training for instructors of recruits and younger CAF members to ensure those who work with these more vulnerable populations are equipped to detect and respond to sexual violence and harassment;
  - h. Development of education and training materials to assist CAF members in understanding the root causes and negative impacts of sexual violence and harassment and the spectrum of harmful and inappropriate sexual behaviour; and
  - i. Development of the plan and acquisition of the technology to expand the hours of Operation of the SMRC to ensure that CAF members will have 24/7 access to counsellors from across Canada and around the world.

- f. Initiate holistic analysis of CAF-based support services (CF member Assistance Program, Family Information Line, CF Health Services, Military Family Resource Centres, etc.) in conjunction with the SMRC to determine where synergies and efficiencies exist to ensure standardized provision and continuity of care;

SMRC will be implementing 24/7 access to specialized support for HISB victims shortly and continuing to develop expertise in support for both male and LGBTQ+ victims of HISB. Additionally, they will continue to improve their facilitation of centralized and consistent advice/guidance to the chain of command on HISB by ensuring key links to CAF specialist and subject matter experts are developed and maintained. Moreover, in partnership with the Canadian Joint Operation Command (CJOC) and Canadian Forces Special Operations Command (CANSOF), SMRC will ensure access to services for all deployed personnel.

Trend analysis remains a critical role for the SMRC. With their independence from the CAF permitting anonymous data collection about victims, SMRC is able to advise the CAF as to reporting trends, victim barriers to reporting through official mechanisms (CFNIS, Military Policy and the Chain of Command), and further, help the institution identify victim service gaps—both perceived and identified—which will allow CAF to implement support service delivery more efficiently and directly where required.

## **Victim Support Services**

Survivors of sexual violence have complex needs. In serious cases, a victim may need access to emergency care, crisis intervention, trauma counselling, collection of forensic evidence and medical follow-up. We know that it often falls to specialists to respond to these needs, but we also know that all of us play a role in victim support.

In response to the needs analysis, a number of Victim Support Services (VSS) are being developed as a portfolio of programs to assist CAF members who have been affected by harmful and inappropriate sexual behaviour. VSS meets the objectives of Operation HONOUR and will provide follow on response, support and prevention measures to mitigate the impacts of HISB.

The initial focus of effort is on developing options for three areas and potential programs: Peer Support, Victim Liaison Assistance and additional protocols for reporting. A review of best practices in external agencies and our Allies has provided excellent background and a foundation on which to develop enhanced victim support services within the CAF that will meet the needs of both victims and organization.

## **Peer Support**

One of the fundamental aspects of ongoing support to victims of sexual trauma or HISB extends beyond the support of first-responders and counsellors into support groups, specifically those facilitated by peers. CAF experience with Mental Health support to members with Operation Stress Injuries, such as Post-Traumatic Stress Disorder (PTSD), has demonstrated the value of such groups. The Victim Needs Analysis confirmed the requirement for a peer support program for HISB victims and CAF research into effective models and potential frameworks has already been completed.<sup>9</sup> Internally, discussions with Operational Stress Injury Social Support program (OSISS) staff to review their current delivery model and lessons learned indicated that that OSISS currently provides support to some victims of HISB in the absence of any HISB specific peer support program. Although the OSISS focus is on broader mental health issues, HISB victims have been included in groups. However, OSISS is currently operating at capacity, and any shift from their original focus would require additional expertise and supplementary

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<sup>9</sup> There are existing, successful models for peer support groups, both internal and external to CAF, which provided examples to frame this requirement and begin a phased approach meeting an immediate need through an electronic platform and moving to a more structured program.

resources so the CAF will design a more specific peer support program to meet the needs of victims of HISB and those who support them.

A national program coordinator with experience and expertise in this area is now developing options and the implementation plan for a peer support network specific to offering a safe environment for HISB victims/survivors to seek support from others who have had similar experiences while in the CAF.

### **Victim Liaison Assistance Program**

The assignment of subject matter experts at all stages of victim support, including the responsibility for advocacy on behalf of victims in the complaint and investigation processes was one of the recommendations from the External Review Authority (ERA).

The development of a Victim Liaison Assistance Program would ensure that victims of sexual misconduct have the option of being supported by specifically trained personnel as their case progresses through civilian or military health care and police systems as well as judicial processes.

Victims of sexual assault in the CAF are currently required to primarily self-navigate through complex medical and justice systems whilst also processing the trauma they experienced as there is no single, comprehensive, system wide CAF victim advocacy and assistance programs to assist with or throughout the processes that follow reporting.

A CAF enabled Victim Liaison Assistance Program would build upon the current range of support services for victims of sexual assault through the CFNIS and Director Military Prosecutions as well as IC2M.

This type of program has been shown to provide significant positive impact on outcomes for those impacted by HISB, thus further enhancing victim support and assistance and meeting one of the recommendations of the External Review Authority.

### **Expanding the Options for Reporting**

From our own research, and that of other nations and organizations, it is clear that there are many real or perceived barriers to reporting and there is a need to provide as many options as possible to encourage victims, and those who have witnessed harmful and inappropriate sexual behaviour, to report.

Currently CAF victims of sexual assault have two options; report a sexual assault to police and have any physical forensic evidence gathered for analysis, or they can decide not to report. Evidence should be collected (from the victim) within the first 72 hours after the assault. It is well known that the trauma of a sexual assault can make it very difficult for victims to make such important decisions during this time frame and this pressure may just add to the trauma in and of itself.

If victims do not report to the CAF, a victim has the right to attend a local civilian hospital to have a Sexual Assault Evidence Kit administered; however, without agreeing to police involvement, the SAEK is only be stored for a limited time in accordance with provincial regulation.

Several of our Allies and Canadian jurisdictions (Ontario, Saskatchewan, Alberta, British Columbia and the Yukon) have introduced additional reporting protocols to minimize those barriers known to influence victims when deciding whether or not to report an incident of sexual assault. What was referred to in the ERA report as “Restricted and Unrestricted reporting” based on the model of Allies but also known as “Third Option Reporting” in Canada, offers victims the opportunity to have evidence collected anonymously, without necessarily triggering a police investigation, while reserving the right to file a formal complaint when they have had time to fully explore their options. Third Option Reporting offers victims of sexual assault a reporting choice during a difficult and traumatic time for a victim without

jeopardizing evidence gathering requirements – it has been found to increase overall reporting and may lead to additional successful prosecutions. Other potential ways to increase and facilitate reporting include the use of on-line reporting and initial contact, as employed at some academic institutions and the US military.

The introduction of additional options for reporting would give victims a sense of empowerment as they could make a series of smaller decisions at a very stressful time and as such, additional optional protocols would reduce not only the resistance to reporting, but increase the potential for collecting valuable information regarding sexual offences and sexual predators, which would otherwise be lost if no formal complaint was filed.

## **Victim/Survivor Engagement Strategy**

One key aspect of the External Review process was engagement of victims and learning about their experiences, challenges and the highly personal impact of sexual misconduct. These perspectives were extremely critical in developing a greater understanding within the CAF and are essential in developing and measuring the effectiveness of the CAF response. While initially ad hoc in nature, victim/survivor engagement has been occurring informally across the organization but will now be formalized and elaborated with engagement that goes beyond simple consultation to more in depth collaboration, influence, guidance and assistance to the essential processes of enhancing victim support, response and prevention as well as culture change in the CAF.<sup>10</sup>

Women and men who have suffered from the physical, mental and emotional impacts of sexual misconduct have a unique perspective on the circumstances that led to their victimization and re-victimization by the system that was supposed to help as well as ways we can improve across our lines of effort. Their perspective is critically important to changing the culture and will inform the CAF's immediate and long-term response.

Victim advocacy groups and the individuals representing them who are survivors themselves, have given generously of their time in formal and informal ways to inform the initiatives associated with Operation HONOUR to date. Some Bases, Wings and Formations have connected with survivors to enhance learning opportunities for members. Survivors have also met with members of the chain of command, including the Chief of the Defence Staff.

The invaluable perspective and experience they bring has been critical and going forward, victim support and advocacy groups and the individuals they represent are being invited to participate in a more formalized engagement where the intent and the anticipated outcome are clearly defined to acknowledge the valuable contributions of survivors.

Enhanced engagement will help the CAF to better hear the voices of victims/survivors and to be guided by them to enhance and build solutions, address past challenges and shortfalls, develop victim support services and ultimately ensure that victim support services and prevention programs are aligned with victim's needs.

## **The Sexual Misconduct Response Centre**

The Sexual Misconduct Response Centre (SMRC) was established in response to the External Review Authority's recommendations, which pointed to the need to create an independent center outside the Canadian Armed Forces chain of command. The SMRC's efforts to date have focused on the provision of confidential and anonymous support without requiring or triggering a formal report to police or the chain of command. The confidentiality protocol allows individuals contacting the SMRC to receive the

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<sup>10</sup> The levels of engagement along the themes of **inform**, **consult**, **involve**, **collaborate**, and **empower** are from a "public participation model" that has been adapted and applied by organizations and governments in Canada, the United States, the United Kingdom, New Zealand and Australia among others. The levels, their objectives and types of activities associated with them are as follows and these will form the basis of our strategy that is being developed and implemented this spring.

information, support, and the validation needed to empower them to take the next step. 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.

The Military Police Liaison Officer (MPLO) has been the key to the success of the SMRC. Through close collaboration between the SMRC and MPLO, CAF members have gained the confidence to come forward and report harmful and inappropriate sexual behaviour. This leading practice directly addresses the ERA's finding that a large percentage of incidents of sexual harassment and sexual assault were not being reported. The value of this partnership is evidenced by those who have stated they may never have come forward without the assistance of the SMRC. This includes those who bravely stepped forward for the first time decades after the incident occurred and in one recent case this resulted in charges being laid 35 years later.

Another important element of the SMRC service delivery model has been the capacity for CAF members to have unlimited interactions with the SMRC team. Through these interactions, members gain the self-confidence to make informed decisions that best meet their individual needs and may ultimately lead to reporting.

Given the implementation of a more refined case management system as well as more than 20 months of operations, the SMRC is gaining an improved ability to extract relevant aggregated information on trends and issues thereby contributing more substantially to the Operation HONOUR lines of effort. SMRC can and does play an important role in enhancing the institution's knowledge about harmful and inappropriate sexual behavior and thereby assisting in the development of appropriate cross-institution changes<sup>11</sup>. While the Canadian Armed Forces receives regular reports from the SMRC on the number and nature of calls, the CAF Chain of Command does not have access to the confidential information in the database. The case management system maintains caller confidentiality in accordance with the Privacy Act.

The SMRC's next objective is the extension of its services to a 24/7 basis. The operating model recently developed and approved will be implemented in the summer of 2017 and will provide a seamless interface for CAF members to reach a SMRC counsellor at all times no matter where they are in the world. The approach will be adjusted as usage and trends are analyzed, and an evaluation will be conducted after a one year period.

With these efforts underway, the SMRC is focusing on taking on an expanded role in enhancing victim support as envisioned in the ERA recommendations, close co-operation in the development of enhanced victim support services as well as continued work with CSRT-SM, IC2M, the JAG, CFPM and other associated organizations will be critical to the successful implementation of the recommendations related to a Centre of Excellence.

## **Canadian Forces Health Services**

The Canadian Forces Health Services (CFHS) Group revised their medical policy on "Medical Management of Sexual Misconduct", which now provides clearer direction on providing medical care to victims of sexual misconduct. Base Surgeons are now required to address HISB issues and incidents in a medical context in their routine physician meetings and communications with health care providers.

During Bell Let's Talk on 25 January 2017, a group discussion was held following the Live Stream of the Ottawa Mental Health Panel and resource information included Operation HONOUR initiatives. The CFHS continues to work with the SMRC to provide support and advice on the topic of care to victims and perpetrators and to share information between SMRC and health care professionals.

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<sup>11</sup> Recently, the SMRC was able to contribute the Comprehensive Court Martial review, ordered by the Judge Advocate General, by providing trend analysis on the experiences that members have had while interacting with the justice system.



The Canadian Forces Health Services Training Center intensified its focus on Operation HONOUR during this reporting period. All staff and students are now required to complete a 'CAF Members' Acknowledgment Form' indicating their understanding of the policies surrounding "Conduct Involving Sexual Misconduct, Harassment, and Alcohol/Substance Abuse". The Commandant and School Chief Warrant Officer meet each incoming course outlining expectations with respect to these important issues, and as of December 2016, a total of 27 courses had been briefed. Furthermore, the lessons learned from incidents of sexual misconduct generated a great deal of discussion amongst key staff and formed the basis of a table top exercise to work through practical considerations in response to patients coming forward with issues related to sexual trauma. Highlighted were early considerations for victim safety and security, medical and mental health concerns, who to contact, victim resource options, actions to take and even "things to say" and as importantly "things NOT to say". An aide memoire was produced and provided useful guidance to the staff during this table top exercise.

During the follow up of an incident, it was assessed the work in this regard resulted in appropriate actions and successful follow through in support of the member. Significant anecdotal evidence suggests the initiatives are having a positive effect; tabletop exercises, combined with proactive and sustained attention from all levels of the Training Centre's leadership is enhancing the trust of students and staff in the leadership, thereby increasing reporting.

## **Chaplain General**

The Chaplain General has introduced two new programs directly related to Operation HONOUR: the Sentinel program and a new strategy on Spiritual Health and Wellness in the context of culture change. The chaplains are key players, able to be witnesses and at the same time keep a watchful presence over CAF environments and CAF members. They are able to inspire members' morale and spiritual strength in their battle to eradicate harmful and inappropriate sexual behaviour in the CAF.

The establishment of a variety of ongoing training seminars for the Sentinel program on the topic of sexual abuse is a concrete example of an innovative project. In fact, a new training workshop on the care and response to victims affected by sexual harassment is an integral part of the Operation HONOUR. We have the absolute responsibility to take care of our members and especially the victims with compassion. We all have the power to be visible leaders of change. A soldier that carries out the duty of being a « sentinel » contributes in that way.

CAF chaplains worked closely with the Royal Canadian Navy to develop a mechanism that allows them to give remote support to CAF members onboard ships at sea, as it is not always possible to deploy a chaplain in every ship.

The Royal Canadian Chaplain Service took a decisive turn to work toward inspiring long-lasting cultural change. This new direction is illustrated by the elaboration of the new strategic framework of *Call to Serve 2.0* from the new strategy on Spiritual Health and Wellness of our CAF members. This new strategy focuses on the promotion of the well-being and the spiritual preparation of CAF personnel as well as their families for working and living in the military environment.

## **Canadian Forces Provost Marshal and Military Police**

The Canadian Forces Provost Marshal (CFPM) continued to reinforce a number of significant actions aimed at enhancing victim support services, as highlighted in the previous two progress reports. The CFPM remains focused on ensuring the Canadian Forces Military Police take a professional, unbiased and objective approach towards investigations involving offences of a sexual nature. During this reporting period, CFPM actions focused on the stand-up of the Sexual Offence Response Team (SORT), understanding the scope of sexual offences being reported to CF MP, continued training on sexual assault investigations and trauma informed interviewing, and a focused review of cases deemed unfounded.

## Investigation of Criminal Offences of a Sexual Nature

The CAF takes all allegations of any form of sexual misconduct committed by its personnel very seriously and, in all cases, investigations are conducted to determine the facts, analyze the evidence and, if warranted, lay appropriate charges.

The investigation of allegations of sexual assault and other criminal offences of a sexual nature requires a unique skill set on the part of an investigator in order to elicit the necessary information from the complainant in a manner that demonstrates courtesy, sensitivity and respect. In order to ensure that these types of investigations are conducted consistently across Canada, the CFPM has directed that all criminal sexual offences are to be investigated by members of the Canadian Forces National Investigation Service (CFNIS).<sup>12</sup> In order to put this direction into effect, 18 new military police investigator positions were created within the CFNIS (three positions per region) to create the Sexual Offence Response Team, which is tasked with investigating all complaints of offences of a sexual nature. Since members of the CFNIS have charge laying authority,<sup>13</sup> they can charge any individual who is subject to the Code of Service Discipline (CSD) with such an offence.<sup>14</sup>

The CFPM has determined that all allegations of offences of a sexual nature are to be treated equally, regardless of the perceived severity of the allegations. Also, offences of a sexual nature (as well as other alleged offences against the person) will be given investigative priority over other alleged offences (such as offences related to property), ensuring that those allegations are investigated as expeditiously as possible.

### Sexual Offence Response Teams

In September 2016, the CFPM launched the Sexual Offence Response Team (SORT) as part of the Canadian Forces National Investigation Service's efforts to build and maintain an experienced cadre of sexual assault investigators. The SORT is focussed on investigating offences of a sexual nature affecting the CAF community, including sexual assault, and on ensuring support is provided to victims throughout investigations. The mission of the SORT is to contribute to the ethical principles, values and operational effectiveness of the CAF by investigating offences of a sexual nature throughout the CAF and DND. In order to achieve this, the SORT ensures victims are informed of the support services available through key enablers and stakeholders such as the CSRT-SM, the SMRC, MFRC, and various provincial and local victim support agencies.

The CFPM's intent is to build upon the expanded knowledge base now being developed within the Military Police and facilitate professional development and experience through improved training, retention, practical experience, and supervision. This will assist in ensuring procedural correctness, improving the support offered to victims, and improving file management to minimize investigative delays. Since standing up in September 2016, the team has been fully staffed and undertaken specialized training such as trauma informed interviewing. In the next year, the CFPM intends to ingrain trauma informed interviewing techniques into all SORT investigations and to develop a personnel management structure that promotes better development and retention of investigative experience within the CFNIS. To that end, efforts are already underway to launch an occupational analysis later in 2017 and to establish more flexible rank structures to prevent experience loss due to normal CAF career management processes.

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<sup>12</sup> See 2120-0 (Policy Coord) CF MP Gp HQ – DPM Police Policy Advisory 11/2015 dated 20 July 2015 – Investigation of Criminal Sexual Offences.

<sup>13</sup> See article 107.02 of the *Queen's Regulations and Orders for the Canadian Forces*,

<sup>14</sup> This authority stands in contrast with other military police members, who are limited to making charging recommendations to members of the chain of command.

## Understanding the Scope

The CFPM continues to develop the capacity of CF MP to analyze data to better understand the scope of sexual offences being reported to the Military Police. While anticipated updates to the CF MP *Records Management Software* have not yet been realized, these updates remain a CFPM priority. Until those updates are completed, quarterly summaries are being compiled to aid in understanding the scope of this issue and stats are being provided for the monthly HISB summaries.

## Military Police Training

At the Canadian Forces Military Police Academy (CFMPA), prospective MPs receiving initial training and MP supervisors returning on advanced training now receive instruction specific to supporting victims of offences of a sexual nature. As frontline military police, these members are often the first point of contact with the police and the justice system. The CFMPA has therefore designed training scenarios specific to first responders that prioritizes determining victim needs and providing necessary support to victims with the need to collect evidence. With this training, MP will build trust and confidence in victims before CFNIS and SORT investigators arrive.

In September 2016, the CFNIS hosted a workshop on Sexual Assault Investigations for all its members. The two days of instruction began with Trauma Informed Sexual Assault training by the International Association of Chiefs of Police (IACP), which focused on the response to survivors of sexual assault while simultaneously holding offenders accountable and improving investigations. That was then followed by Russell Strand from the United States Army Military Police School (USAMPS), who spoke on Forensic Experiential Trauma Interviewing (FETI). This training, although geared towards offences of a sexual nature, benefited all CFNIS investigators and not only those members assigned to the SORT. The workshop also allowed the CFPM and the CFNIS Commanding Officer to speak directly to the expectations imposed upon investigators in dealing with victims and handling cases involving offences of a sexual nature.

Finally, the CFPM continues to pursue collaborative training opportunities with our civilian and military law enforcement partners. CFNIS investigators have completed the Special Victims Unit Investigation Course as well as Canadian Sexual Assault Investigator training. The CFPM has also entered into a partnership with the Ontario Police College to deliver the Ontario Sexual Assault Investigators course at the CFMPA to a mixed class of MP and civilian police investigators. This partnership will provide greater access to this training to CF MP while also building stronger relations with our law enforcement partners.

## Unfounded Case Review

A recent series of media reports highlighted the rates of sexual assault cases deemed unfounded by policing agencies across the country. This report highlighted a perception that police did not believe victims, or in some cases blamed victims, when they came forward to report their experience and that this lack of belief was expressed by designating cases as unfounded. However, current CF MP Orders prevent such an approach. In accordance with the Canadian Centre for Justice Statistics Uniform Crime Reporting Incident-Based Survey User Manual, CF MP regulations dictate that a case is to be designated as unfounded only when the investigation leads to a conclusion that no violation of the law took place nor was attempted.<sup>15</sup>

In light of this report, many policing agencies ordered reviews of their unfounded sexual cases. On February 6, 2017, CFPM directed the CFNIS to review all unfounded files sexual assault cases to ensure that these cases were properly concluded. While that review is ongoing, a preliminary examination identified 166 unfounded CF MP cases between 2010 and 2016. It was also determined that between

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<sup>15</sup> An example of a case that would be concluded as unfounded would be a case reported by a third party, including the chain of command, in which during the investigation the alleged sexual contact had been wrongly perceived by others or had not actually occurred.

2010 and 2015, before the External Review into Sexual Misconduct and Sexual Harassment in the Canadian Forces was published, the CF MP unfounded rate was 28.89%. In the 15/16 period following the report, the unfounded rate decreased to 14.57% and has continued to decrease in FY 16/17 to 7.29% unfounded rate for sexual misconduct overall and 6.8% for sexual assault.

As previously reported, in 2015 the CFPM issued direction that all sexual assault investigations would be conducted by the CFNIS. The reduction in cases deemed unfounded suggests that the actions taken by CF MP to improve the handling of sexual assault cases following the publication of External Review into Sexual Misconduct and Sexual Harassment in the Canadian Armed Forces have had a positive impact for victims. To further strengthen this approach, the CFPM directed in March 2017 that only the Commanding Officer of the CFNIS is authorized to clear a sexual assault case as unfounded. This policy change will ensure that this critical decision is taken in the most consistent manner possible and only by the senior leadership.

Looking forward, the CFPM has tasked his staff to develop an external case review model similar to the commonly referenced 'Philadelphia Model'. Though work to establish such a model has only just begun, the CFPM's goal is to develop an independent, external case review of unfounded sexual assault cases that would include stakeholders reviewing complete case files. Such reviews would be conducted with the aim of assisting CF MP in ensuring that best practices in this area are applied, that training is tailored to address observed short-comings, that cases are handled appropriately, and that victims feel confident in reporting offences to CF MP. However, before implementation, important work remains to ensure confidentiality and privacy concerns will be addressed and to ensure that victim confidentiality is not compromised.

The CFPM and the CF MPs continue to make significant progress in improving the MP response to sexual offences and inappropriate sexual behaviour. From organizational structure to training to policy change to new case review initiatives, CF MP remain committed to conducting independent, objective investigations and to ensuring victims receive the professional care and support that they require. To that end, the CFPM will continue to work on improving the development and retention of experience within the CFNIS, creating greater capacity to understand the scope of sexual offences reported to military police, implementing modern and professional training consistent with best practices and creating trust through the implementation of an external review model that maintains confidentiality. The confidence and trust of victims in their Military Police is of utmost importance.

The External Review identified confidentiality of information as a critical concern that impacts victims' decisions to report, so the CFPM will be undertaking efforts to ensure that sensitive information collected during the course of investigations is protected from unnecessary and inappropriate disclosure. It is the CFPM's goal that any victim or witness of inappropriate sexual behaviour will have the necessary confidence to come forward to the Military Police to report the incident.

## **Jurisdiction of the Military Justice System & Sexual Misconduct**

Under the umbrella of Operation HONOUR, a number of command-driven efforts have been undertaken to respond to and prevent the occurrence of such behaviour. Additionally, our military justice system also plays an important role in dealing with individuals who are alleged to have committed offences of a sexual nature, and in supporting victims of sexual misconduct.

Canada's military justice system is an integral part of the Canadian justice system. It is subject to and compliant with the *Canadian Charter of Rights and Freedoms* (Charter). Parliament created the military justice system in the Code of Service Discipline (CSD), found in Part III of the *National Defence Act* (NDA). The purpose of the military justice system is to maintain "discipline, efficiency and morale." As expressed by the Supreme Court of Canada, this system exists in part because "recourse to the ordinary

criminal courts would, as a general rule, be inadequate to serve the particular disciplinary needs of the military.”<sup>16</sup>

Numerous decisions by Canada’s highest court have confirmed the constitutionality of a separate system of military justice. Over the years, the system has been modified and improved through court decisions and legislative and policy changes, many of which were based on recommendations made by retired chief justices who conducted independent reviews of the system. In its most recent decision about military justice, the Supreme Court of Canada unanimously ruled that the military justice system’s objective of maintaining discipline, efficiency and morale is rationally connected to dealing with criminal actions committed by members of the military even when these actions do not occur in military circumstances (such as when members are not on duty, in uniform, or on a military base).

The CSD applies to the members of the Regular Force at all times, anywhere in the world, and to the members of the Reserve Force in specified circumstances, such as when they are on duty, in uniform or on a Defence establishment. The CSD creates a set of “service offences”, which include uniquely military offences (such as absence without leave and disobedience of a lawful command), and also any offence contrary to any act of Parliament (such as sexual assault contrary to the *Criminal Code*). In some instances, harmful and inappropriate sexual behaviour will constitute an offence under the CSD, either because it amounts to a uniquely military offence (e.g., disgraceful conduct or conduct to the prejudice of good order and discipline) or because it is punishable under the *Criminal Code* (e.g., sexual assault).

In order to deal with service offences, the NDA establishes the roles of certain actors within the military justice system, such as commanding officers, the Judge Advocate General (JAG), the Canadian Forces Provost Marshal (CFPM), the Director of Defence Counsel Services (DDCS), the Director of Military Prosecutions (DMP) and the military judges.

The military justice system will continue to be one of the tools at the CAF’s disposal to address its unique needs in matters of discipline, efficiency and morale, including in the area of harmful and inappropriate sexual behaviour. This fundamental requirement to maintain discipline in the CAF has long been recognized. However, some members of the Canadian public hold an inaccurate notion that the Canadian military justice system gives insufficient regard to fairness or justice to accomplish its objectives. Indeed, the ends of discipline and justice are not mutually exclusive.

Canadians expect members of the CAF to be disciplined in order to accomplish their missions, which requires an instilled pattern of obedience, a willingness to put other interests before one’s own, and respect for and compliance with lawful authority. The military justice system will continue to serve the unique needs of the CAF – including by prosecuting service offences that do not exist or would not be prosecuted in civilian courts – because any inappropriate and harmful misconduct can seriously undermine discipline and morale in the CAF.

All Canadians can have full confidence in the Canadian military justice system. The Minister of National Defence (MND) and CDS have expressed their confidence in the system and unequivocally support the JAG’s approach to proactively and responsibly enhance that system where appropriate. Like any other justice system, Canada’s military justice system must continue to evolve in harmony with the requirements of the Canadian constitution and Canadian values. The CAF is committed to ensuring that the needs and perspectives of victims of sexual misconduct are accounted for in the military justice system, but all CAF members also need to continue to focus on providing broader support mechanisms to victims. The MND and CDS support the court martial review directed by the JAG, which could serve to offer recommendations to implement even stronger victims’ support within the military justice system.

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<sup>16</sup> *R v Généreux*, [1992] 1 R.C.S. 259.

## Investigation of Offences of a Sexual Nature

Within the military justice system, only courts martial can try more serious offences, such as sexual assault, whereas charges for more minor offences can be tried by way of summary trials conducted by members of the accused person's chain of command.<sup>17</sup>

Charges under the CSD are brought forward to court martial by military prosecutors under the authority of the DMP. Military prosecutors are lawyers (members of a provincial law society), who make decisions independently of the CAF chain of command, guided by the same principles that govern all prosecutors in Canada.<sup>18</sup> In addition to the requirement to display the same level of professionalism as their civilian counterparts, military prosecutors also bring knowledge of the challenges that are unique to military operations and related activities.

When charges are referred to the DMP, military prosecutors must make a professional legal assessment of whether the evidence is sufficient to provide a reasonable prospect of conviction in court. If the evidence is sufficiently strong, the prosecutors must determine whether the public interest requires that a prosecution be pursued.

As part of the assessment of the public interest, military prosecutors will consider factors such as the effect on the maintenance of good order and discipline in the CAF, the views of the victim, the seriousness or triviality of the alleged offence, the likely effect on public confidence in military discipline or the administration of military justice, the prevalence of the alleged offence in the unit or military community at large, and the need for general and specific deterrence.

Military prosecutors have given consideration to the scope of the problem posed by sexual misconduct offences, as highlighted in the Deschamps Report, and which Operation HONOUR aims to address. The consideration of that reality by military prosecutors, as part of the public interest, is in perfect harmony with statements from the Supreme Court of Canada about how prosecutors should appropriately exercise discretion and make decisions while considering the broad social repercussions of their decisions. In a manner that is consistent with the CDS' commitment to eradicating harmful and inappropriate sexual behaviour through OP HONOUR, military prosecutors recognize the high degree of military community interest that currently exists in all cases of sexual misconduct offences, and they give due consideration to this strong interest when making decisions relating to prosecutions.

As the graphs below show, between 2012 and 2015, charges relating to offences of a sexual nature represented less than 12% of all cases referred to the DMP and approximately 12% of the cases preferred to court martial by the DMP, and between 9 and 14% of all courts martial completed were in relation to that type of offence; they now represent 16% of the cases referred to DMP and 22% of the cases preferred to court martial by the DMP, with close to 22% of completed courts martial relating to those offences<sup>19</sup>.

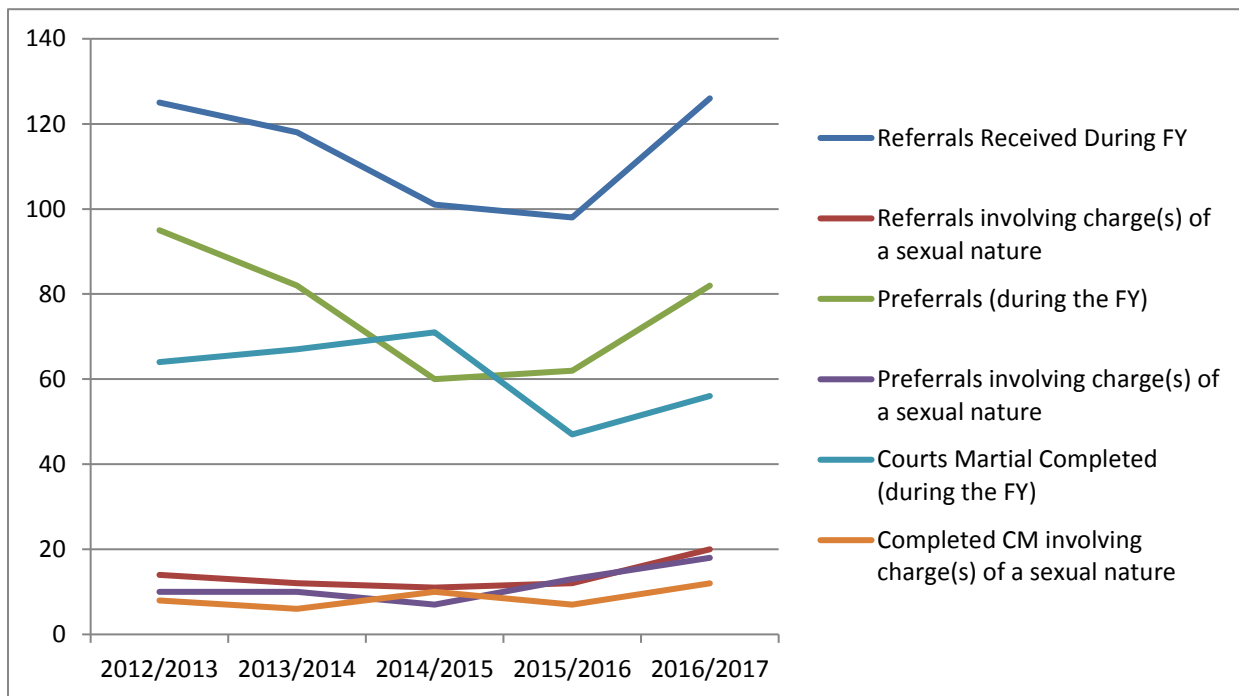
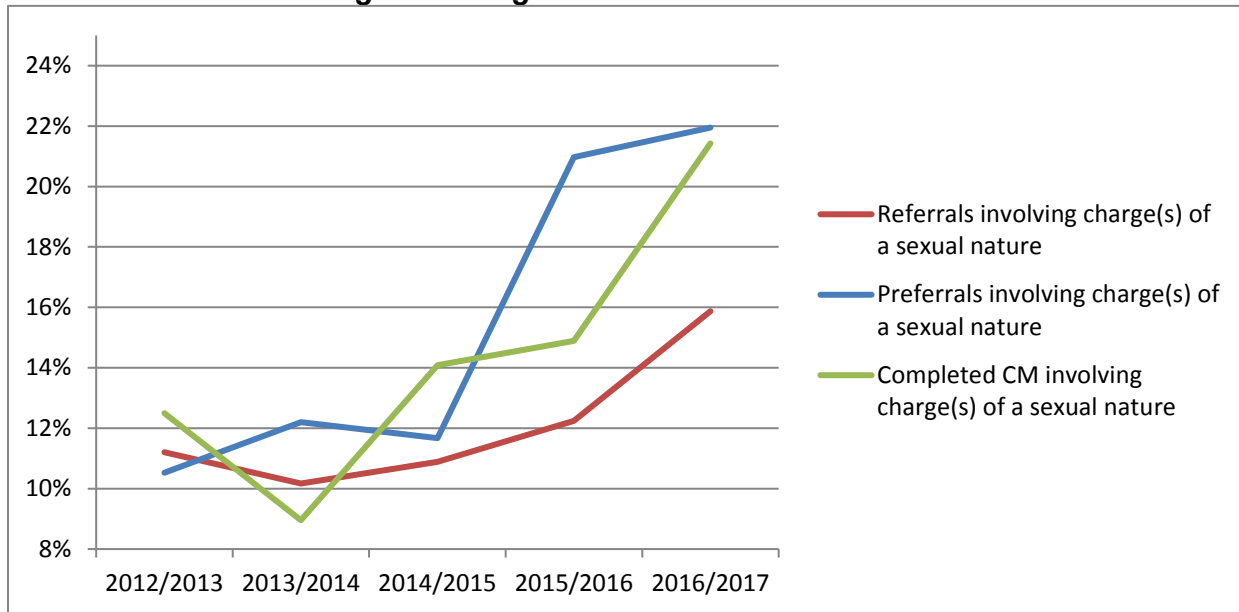
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<sup>17</sup> Courts martial are presided over by military judges whose independence from the chain of command is enshrined in the NDA, in compliance with the Charter and as confirmed by the Court Martial Appeal Court (an appellate court composed of civilian judges) and the Supreme Court of Canada.

<sup>18</sup> Many military prosecutors are reserve force members who are also civilian prosecutors in the federal and provincial prosecution services across Canada.

<sup>19</sup> This change might be explained in part by the increased quality of investigations into these matters and the military prosecutors' appreciation of the public interest in prosecuting offences of a sexual nature, including offences that might have previously been considered relatively minor when taken in isolation, outside of a broader societal context.

### Charges Relating to Offences of a Sexual Nature



Parliament has provided that both the military and civilian justice systems share jurisdiction over criminal sexual offences that occur within Canada. In addition to considering the strength of the case and the public interest to proceed, prosecutors will also consider whether the case is better handled in the military or civilian justice system. This determination is often made in conjunction with the military and civilian police investigators, and the civilian prosecution services, and in consideration of the views of the victims.

When assigned a case that involves sexual misconduct offences, the military prosecutor takes all necessary steps to ensure that the matter is dealt with in the most appropriate jurisdiction (military or

civilian) and that the concerns of victims are solicited, considered and addressed.<sup>20</sup> The decision as to whether a case will be prosecuted through the military justice system or the civilian justice system is made on a case-by-case basis and requires the consideration of a number of factors including:

- a. the victim's views;
- b. the degree of military and civilian community interest in the case, as reflected by factors such as the place where the offence was alleged to occur, or whether the accused was on duty at the time of the alleged offence;
- c. whether the accused, the victim, or both are members of the CAF;
- d. whether the matter was investigated by military or civilian authorities;
- e. the views of the investigative agency; and
- f. geographic considerations such as the current location of necessary witnesses.

In providing legal advice on whether or not a charge should be laid and on the jurisdiction in which any charge should be heard, prosecutors take into account the views of the victims of the alleged offence. Certain concerns expressed by the victim may be better addressed by proceeding in the military justice system, but others may be better addressed by asking civilian authorities to exercise jurisdiction. More precisely, prosecutors must take into account the victim's views on issues such as:

- a. urgency of resolution;
- b. safety concerns about possible reprisals from the suspect or others;
- c. concerns relating to conditions imposed on the suspect following release from custody;<sup>8</sup>
- d. access to victim support services;
- e. physical or mental trauma resulting from the alleged offence;
- f. physical or mental trauma resulting from participation in court proceedings; and
- g. the needs of any children or other dependents affected by the alleged offence<sup>21</sup>.

If the prosecutor determines that the information in the investigation report does not adequately indicate the jurisdiction preferences of the victim, the prosecutor will follow up with the investigator and request additional information. Once jurisdiction is decided, the victim is informed of the decision and of the associated reasoning.

Throughout the investigation and court martial of sexual misconduct offences, military prosecutors will be sensitive to the situation of the victims of those offences. Military prosecutors will:

- a. ensure timely information is provided to the victim throughout the court martial process;
- b. maximize the safety and comfort of the victim throughout the court martial process (by keeping the victim informed and by taking any other measures appropriate in all of the circumstances);
- c. consider the views of the victim regarding a prosecution, and any evident impact a decision to prosecute (or not prosecute) may have on her or him; and
- d. seek sentences which reflect the prevalence, seriousness and repugnance of these service offences, among other relevant sentencing factors.<sup>22</sup>

In some instances, CAF authorities will lay charges and conduct trials for conduct that does not constitute an offence under the *Criminal Code* and that civilian courts would not hear. For example, making inappropriate comments of a sexual nature to someone is not an offence under the *Criminal Code*. It could, however, result in a charge of conduct to the prejudice of good order and discipline under the CSD for which the offenders would have a criminal record if found guilty at trial, and whose sentence could include a fine, dismissal from the CAF, and even detention or imprisonment. In some instances, where concurrent military and civilian jurisdiction exists, cases go to court martial which would

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<sup>20</sup> See the Director of Military Prosecutions' policy on Sexual Misconduct Offences: <http://www.forces.gc.ca/en/about-policies-standards-legal/sexual-offences.page>

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.



not necessarily have led to charges in the civilian system or which would have been diverted or settled by peace bonds in a way that does not lead to a criminal record (e.g.: in the case of a sexual assault consisting of a touch to the buttocks in public at a party). In many cases, that same conduct will lead to a court martial in the military justice system because such conduct has a more serious impact on discipline and morale. This is one of the many reasons why a separate military justice system, including independent military judges and prosecutors, exists and continues to serve the public.

## **Legislative Initiatives**

### **Bill C-15, the *Strengthening Military Justice in the Defence of Canada Act***

Bill C-15 received Royal Assent on June 19, 2013. It 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. This legislative initiative represents the most significant amendments to the *National Defence Act* since 1998.

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. 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 martial on its own motion, will allow the court martial to impose a restitution order on an offender in situations involving damage or loss of property, or bodily or psychological harm. It includes 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 the need to resort to actions in civil court.

Certain provisions of Bill C-15 came into force on June 19, 2013 and October 18, 2013. Currently, the Office of the JAG and the Department of Justice are in the process of drafting a complex set of 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.

## **Other Military Justice Initiatives**

### **Court Martial Comprehensive Review**

In May 2016 the JAG 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 CAF's court martial system and, where appropriate, to develop and analyse 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 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 victims.

Additionally, the JAG 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 CAF authorities in support of Operation HONOUR<sup>23</sup>. The review team is to produce a completed report deliverable to the JAG no later than July 2017.

## **Military Justice Case Management Tool and Database**

In order to assist the chain of command in accessing up-to-the-minute information on what types of misconduct are being investigated and how complaints are being disposed of, the Office of the JAG is looking into the development of a military justice case management tool and database. It is envisioned that the military justice case management tool and database would be an electronic system designed to track military justice files from the reporting of an alleged infraction, through to investigation, charge laying, trial disposition and review in both the summary trial and court martial processes.

In cases of harmful and inappropriate sexual behavior, the tool and database would provide up-to-the-minute information on a wide array of data points including:

- a. the number of current investigations into sexual misconduct;
- b. the number and types of charges laid for sexual misconduct;
- c. the number of summary trials and courts martial held related to sexual misconduct charges;
- d. the findings and sentences pronounced at the trials;
- e. a breakdown of the ranks, genders, units, and elements of the accused/offenders and complainants/victims;
- f. the amount of time between receipt of a complaint and charges being laid (if appropriate); and
- g. the time it takes for a charge to be heard at trial.

## **Ongoing Research and Data Collection**

### **Prevalence Surveys**

The Survey on Sexual Misconduct in the Canadian Armed Forces (SSM CAF) conducted by Statistics Canada was designed to collect information regarding the prevalence of sexual misconduct within the CAF, the reporting of harmful and inappropriate sexualized behaviour, and member awareness of policy, programs and associated support mechanisms. As a follow on to the SSM, further prevalence surveys are being conducted to capture information from groups with unique contexts (e.g. differences in work environment, roles, experience, employment, training and career development).<sup>24</sup>

By conducting tailored surveys, we will be able to better identify problem areas and target prevention and educational strategies tailored to specific environments, groups or employment model.

These surveys include:

- a. Royal Military College of Canada (RMCC) - completed an internal survey in March 2017; analysis and reporting ongoing;
- b. Cadet Organization Administration and Training Service (COATS) – survey 2 November – 3 April; analysis in progress;
- c. Canadian Forces Leadership and Recruit School (CFLRS) – collecting data since 28 November, all recruits are provided with the opportunity to complete the survey during the final week of training; analysis of the data will commence in June; and

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<sup>23</sup> All members of the review team have completed gender-based analysis training and are thoroughly familiar with the Deschamps Report, and with both the CDS' and the JAG's own orders relating to Operation HONOUR.

<sup>24</sup> For example, members who are on basic or initial occupation training generally have only been in the CAF for a few months, hence a large number of the questions related to experience and awareness would not have been relevant to them.

- d. Regular Force members on Initial Occupation Training – data collection began at the end of January 2017 and will continue over the next several months.

In addition, the responses from members of the Primary Reserve to the SSM CAF was analyzed and reported by Director General Military Personnel Research and Analysis (DGMPRA). Further analysis by Class of Service will be completed in the coming months.

## CAF “Your-Say” Survey

The CAF Your-Say Survey is used to obtain information about CAF members’ attitudes and opinions across a wide spectrum of human resource issues. Until recently, these surveys were only available to Regular Force members but Primary Reservists are now included and are receiving these surveys. The fall 2016 version of the survey provided to Regular Force and Primary Reservists contained specific questions regarding Operation HONOUR, SMRC, and Bystander Intervention. Results are expected by the end of April 2017, and will supplement findings from the Statistics Canada survey results.

## Other Research Projects

The CAF continues to conduct literature reviews and research of key topics related to harmful and inappropriate sexual behaviour along different lines of inquiry. The principle coordinator for the internal research and analysis is the DGMPRA but we have also benefitted from ongoing research by our allies, civilian organizations and institutions and the Government of Canada.

The following is a synopsis of some of the research currently underway:

- a. **Victim Support:** includes two main projects, one focused on an evaluation and review of best practices (report expected soon), and the second is a qualitative project that will be conducted by interviewing victims and CAF workers (e.g., nurses, social workers) on the challenges and practices (still in scoping phase); also, in collaboration with the Surgeon General analysis was completed reflecting Prevalence, Circumstances, Correlates and Mental Health Associations of Military Sexual Trauma in CAF.
- b. **Culture Change:** The effects of and the ability to change culture including socialization, language, social media, and change.
  - i. Socialization projects include: an analysis of male-dominated organizations to look at risk indicators and high-risk contexts (report received); concepts and impacts of professionalism and ethical conduct (report forthcoming); and a qualitative study focused on new member (officer and NCM) socialization and indoctrination processes in the CAF (project starting in Spring 2017);
  - ii. Language: a review of the impact of language on culture and an experimental project that will test the theory of dehumanization on the propensity to perpetrate (report forthcoming).
  - iii. Social media report delivered and detailed below
  - iv. Change: report expected soon.
- c. **Social media:** This literature review provided a comprehensive review of the impacts of social media on professionalism, conduct, and behaviour, with a particular focus on sexual misconduct within a military context. Gender-based Analysis Plus (GBA+) was used as the guiding framework to conduct this literature review. In particular, this review of the scientific literature focused on the gender-, sex-, and diversity-based implications associated with social media use. Specifically:
  - i. To summarize and compare research on the role of social media in creating conditions for inappropriate behaviour in military and non-military organizations,

- ii. To summarize and compare research on the role of social media in reinforcing values that contribute to professionalism, conduct, and behaviour in military and non-military organizations,
- iii. To summarize and compare research on the impacts of social media on incidents of sexual misconduct in military and non-military organizations, and
- iv. To identify strategies and best practices for mitigating the risks associated with social media. The review highlights the unique features associated with social media (e.g., perceived anonymity, lack of facial feedback) that support the emergence of individual misconduct in online environments.

The review highlights the unique features associated with social media (e.g., perceived anonymity, lack of facial feedback) that support the emergence of individual misconduct in online environments. In particular, previous literature has focused on harassing or discriminatory behaviours enacted towards women online.

Based on the review of the literature, and the best practices identified, several recommendations were made. Specifically,

- i. First, with respect to social media policies, it is recommended that policies clearly explain what inappropriate online behaviour is, and specifically define important terms (i.e., sexist)<sup>25</sup>. In addition, it is recommended that social media policies reference other guiding documents (e.g., policies on sexual harassment in general, ethical guidelines) and explain how those documents apply to an online environment.
- ii. Second, in terms of socialization, it is recommended that CAF members have formal training on social media as early as possible (e.g., early on during basic training), to ensure that CAF personnel are not having informal conversations that undermine any of the formal training<sup>26</sup>. These informal conversations could be mitigated through leadership and culture. Leaders play an important role in socialization by modelling appropriate behaviour for peers and subordinates<sup>27</sup>; and
- iii. Third, it is recommended to create and maintain a culture that supports respect and inclusion, and does not tolerate sexual harassment.
- iv. Finally, it is recommended that all protocols for disciplinary actions are clear to ensure that all members are aware of what constitutes inappropriate online behaviour and the associated consequences.

A main limitation to the research on best practices is that the research is mostly derived from the medical profession. Given this gap, it is recommended that future research explore best practices with respect to social media and professionalism within a military context. Second, there is little evidence for the effectiveness of social media policies and social media training initiatives.<sup>28</sup>

Despite a general interest in online harassment and discrimination, there is little empirical research investigating these behaviours specifically within organizational contexts. As a result, additional research is required to investigate the role of organizational factors (e.g., culture) in the emergence of individual misconduct, or conversely, the promotion of inclusivity and respect. Recommendations for creating an inclusive culture with respect to social media are discussed.

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<sup>25</sup> Lieber, 2011

<sup>26</sup> Coe et al., 2011; Treem & Leonardi, 2012

<sup>27</sup> Gibbons, 2010

<sup>28</sup> Many organizations explain their policies, but do not have data to support whether the policies are effective or not. Thus, future research should aim to quantitatively determine the effectiveness of any social media initiative, perhaps by tracking rates of sexual harassment or employee toward sexual harassment over time. Based on this review, recommendations for future research are provided to support the development of evidence-based best practices aimed at promoting the benefits associated with social media use within organizations.

- d. **Leadership issues.** There are two main projects in this domain. The first is a review and analysis of best practices and strategies for challenging assumptions at various levels of leadership and power, (report expected next month). The second project is a qualitative research project that will engage leadership at targeted rank levels, beginning with Senior NCMs to identify challenges and barriers to mitigating and responding to sexual misconduct (data collection to start June 2017);
- e. **Bystander Effect.** Scientific review and analysis of Bystander Effect including third party reporting/bystander interventions (report expected soon). An experimental research project, currently in the scoping and development phase will measure the impact of messaging strategies; and
- f. **Assessing the effects of Operation HONOUR on reducing incidents of inappropriate sexualized behaviour in the CAF.** This project will use focus groups to assess the current culture and climate resulting from Operation HONOUR initiatives. This project in the initial planning phase to identify gaps and make recommendations on areas that require improvement. If funding is approved, this project will start in the fall of 2017.

## Information and Tracking of Incidents

Starting in April 2016 an integrated information and reporting framework was established to assist with tracking of incidents, investigations, actions and outcomes. These reports are being briefed on a regular basis at the CDS Weekly Operations Brief to inform and engage leaders across the institution. Monthly reports, starting with Jan 2017, are also being made available electronically on the Operation HONOUR internet and intranet sites.

An aggregate of the monthly reports has been compiled into a cumulative report for the period Apr 16 through Mar 17 and is attached as an Annex F to this report.

## CAF HISB Tracking & Analysis System

Prior to Operation HONOUR, the CAF had no standardized method to fully assess the scope of the problem of HISB in the CAF because no central reporting or tracking system was in place to capture and compile data from the harassment or complaint registration systems nor reports by the CFPM of JAG and DMP. In Apr 2016, we adopted a monthly tracking pro forma that enables the CAF to track the occurrence of HISB incidents and actions to assist with analysis of the progress of Operation HONOUR. This system will soon be replaced with an automated information management system, CAF HISB Tracking & Analysis System (TAS). We have been working diligently with a development team from ADM-IM to build an integrated and secure HISB data capture tool that includes advanced Business Intelligence reporting capabilities to link all related data from separate organizations<sup>29</sup> and data sources into one data warehouse. This capability will improve our ability to track, assess and report on harmful and inappropriate sexualized behaviour occurrences and their eventual disposition, measure trends, and evaluate the effectiveness of actions taken within the organization, and strengthen the reporting framework to inform decision making.

Work on the new system has progressed well and is expected to be completed in June 2017, with the full data warehouse reporting capability completed by September 2017.

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<sup>29</sup> The development of the tracking system also provided solutions for other CAF organizations requiring improved database management and case management. By developing a common, secure data management solution, we will be able to consolidate requirements, minimise duplication of effort, and minimize user input overhead through tailored electronic interfaces.

## **Transforming the CAF's Complaint Resolution System - Integrated Complaint & Conflict Management (IC2M)**

The Director General Canadian Forces Grievance Authority (DGCFGA) is directly involved with Operation HONOUR, with the Integrated Complaint & Conflict Management (IC2M)<sup>30</sup> that will provide a simplified, integrated complaint and conflict management system that is responsive to and trusted by CAF members and the chain of command. This is aligned with recommendations of the Deschamps report to simplify the harassment complaint process and conflict resolution.

Conflict in the workplace has a direct impact on healthy work environment, operational effectiveness and retention. By providing early and quality advice to CAF members and the Chain of Command, a better balance will be achieved between an Interest-based and Rights-based approach. This will therefore reduce number of grievances and the tendency to use external means.

During the second half of 2016 following new initiatives related to transforming, streamlining and improving the CAF's Complaint Resolution System have been implemented:

- a. Prototype IC2M Complaint Management Services (CMS) Offices were officially opened in Montreal, Valcartier, Kingston and Borden on 20 October 2016. More than 187 complaints were registered by these CMS during their first five months of operation. The majority of these complaints were resolved informally by providing expert advice and by establishing a collaborative approach between the chain of command and CAF members. A total of 17 HISB incidents were registered and reported to their respective chain of command and/or SMRC as required.
- b. All CMS Agents were trained to deal with incidents related to sexual misconduct by representatives of the SMRC.
- c. Protocols were established between IC2M and SMRC to facilitate the transfer of files and referrals of sensitive cases.
- d. A protocol was established with Associate Deputy Minister Review Services /Director Special Examinations and Investigations (ADM(RS)/DSEI) to validate the centralized investigations capability. Four specific harassment investigations have been referred to DSEI in 2016.
- e. An Initiating Directive related to the Inter-Component Capability Transfer was submitted in March 2017 to synchronize the transfer of Alternate Dispute Resolution, Human Rights and Harassment capabilities from Chief of Military Personnel to IC2M through the Vice Chief of Defence Staff.

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<sup>30</sup> Characteristics of integrated management system will include new tools/features: single portal, dedicated high quality conflict resolution advice, e-files, single tracking system, new investigative capability, and integrated situational awareness.

# Achievements of prototype CMS offices

(November 1, 2016 to March 31, 2017)

<b>*187 registered cases in first 5 months of operation</b>	<ul style="list-style-type: none"><li>• CMS are effectively used by CoC and CAF members</li><li>• Seen as one stop shop by CoC and CAF members</li><li>• Requests for help are also coming from other bases than IC2M prototype locations</li></ul>
<b>*40% of issues resolved informally between CoC and CAF members</b>	<ul style="list-style-type: none"><li>• Timely resolution has a direct impact on healthy work environment, operational effectiveness and retention</li><li>• CMS played a positive role in preventing the registration of approximately 29 right-based complaints</li><li>• CMS helped to defuse 5 sensitive cases where CAF members were ready to use external mechanisms</li></ul>
<b>*33% of cases are requests for assistance from the CoC</b>	<ul style="list-style-type: none"><li>• CMS provided advice to CoC on complex cases to avoid costly procedural mistakes</li><li>• Based on advice from CMS, 6 registered grievances were resolved informally and withdrawn</li><li>• Easy access to transparent/impartial HI capability (DSEI) – DSEI is handling four cases</li></ul>
<b>*17 cases related to Op Honour referred to CoC or SMRC</b>	<ul style="list-style-type: none"><li>• Provides additional venues to report HISB</li><li>• Protocols have been established with SMRC for case referral</li></ul>
<b>Increased SA for Unit and Formation Comd</b>	<ul style="list-style-type: none"><li>• Local report and Monthly Strategic report provide comprehensive picture</li><li>• Increased visibility allows Comd to play a proactive role in complaint resolution</li><li>• The interim tracking system is working, development of the FOC solution in progress</li></ul>
<b>*over 50 CMS local outreach activity</b>	<ul style="list-style-type: none"><li>• CMS assist with education, awareness and training related to complaint and conflict resolution</li><li>• CMS play a key role in demystifying complaint resolution while enabling the CoC</li><li>• 1173 visits to self help website</li></ul>

There are ongoing discussions between CSRT-SM, IC2M and SMRC to synchronise initiatives such as the requirement of a CAF Sexual Harassment SME and a modernized IM/IT Complaint Management Case system that will include a Self Help web site (single portal), local case management system, e-files, single registration/tracking system and automated monthly strategic report, and the following positive impacts:

- Enable chain of command to resolve complaint early and locally;
- Track e-file throughout lifecycle including registration and archiving;
- Reach back to technical authority on complex issues;
- Assist with harassment advice and investigations;
- Educate CAF members on appropriate internal mechanisms;
- Provide facilitated access to allow chain of command to be involved;
- Provide early warning on potential systemic issues; and
- Understand procedural fairness and principles of natural justice.

IC2M is delivering the intended effect and is providing a central “go-to” place for CAF members experiencing difficulties with conflict and harmful and inappropriate sexual behaviour. This centralized approach with subject matter experts across a spectrum of conflicts and complaints, including sexual harassment is enabling the institution to proactively resolve matters early and locally with expertise and consistent advice and action.

## Policy

The first of the new HISB related Defence Administrative Orders and Directives on Harassment Prevention and Resolution (DAOD 5012-0) for military and civilian personnel within the Department of National Defence was published in December 2016. 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 was the development of the Departmental/Canadian Armed Forces Harassment Prevention Strategy and Harassment Prevention and Resolution guidelines. The Instruction on Harassment Prevention and Resolution will be implemented this spring. The development of annual harassment prevention plans and improvements to harassment investigations, tracking, and resolution and related programs are all ongoing through the work of IC2M, Operation HONOUR and associated civilian workplace initiatives.

The qualification standard for the Harassment Advisor course is being revised by the CF Support Training Group and responsibility for the qualification will be transferred to IC2M, once it is fully implemented.

The Department of National Defence and the Canadian Armed Forces continue to participate in the larger Government of Canada review of policy and program updates in the areas of Diversity, Harassment, Workplace Violence, Gender Based Violence, Family Violence, Respectful Workplace, Health and Wellness and Gender Based Analysis Plus. The organisation also continues its commitment to work with the Canadian Human Rights Commission on matters of policy development and training.

## **Administrative Reviews and Release from the CAF**

The Chief of Defence Staff (CDS) orders and expectations were clear from the outset of Operation HONOUR. Those who chose not to follow orders or meet the intent of Operation HONOUR have been and continue to be dealt with through disciplinary or administrative processes, which is resulting in a broad range of disciplinary and administrative actions, including release from the CAF.

While CAF policies already provided direction on the processes and procedures for the issuance of a notice of intent to recommend release and the administrative review<sup>31</sup> process for those whose conduct was found to be unacceptable, the CDS provided direction to the CAF in December 2016 making it mandatory that a member found guilty of criminal offences of sexual nature, or offences that constituted sexual misconduct, shall be issued a notice of intent (NOI) to recommend release if the incident occurred after 01 Jan 16. This NOI is being followed by a career administrative review that is conducted by Director Military Careers Administration who evaluates and recommends administrative actions up to and including release from the CAF<sup>32</sup>.

## **Education and Training**

Education and training are critical elements for an institution to create and sustain the highest standards of performance and conduct. Successfully instilling organizational change requires a mix of initiatives that generate immediate behavioural effects combined with long-term activities that deliver sustained cultural evolution. The Operation HONOUR education and training strategy and framework leverages the existing Canadian Forces Professional Development system to incorporate multiple performance interventions customized to specific target populations to maximize performance outcomes.

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<sup>31</sup> Administrative reviews are conducted in accordance with DAOD 5019-2 (Administrative Review) and DAOD 5019-5 (Misconduct and Sexual Disorders) for all sexual misconduct cases to ensure consistency of approach, while also ensuring procedural fairness in the application of administrative actions.

<sup>32</sup> Between 1 Jan 16 to 31 Dec 16 forty members of the CAF were subject to Administrative Reviews for incidents of Sexual Misconduct and of those, twenty-six decisions have been rendered with twenty-four releases from the CAF and two personnel retained with counselling and probation.

In the first three months of this year, following the CDS' Direction on notice of intent to release for sexual misconduct related offences, seventy-seven files have been opened and are currently under review, pending decision.



Between Oct 15 and Jan 16, a Training Needs Assessment of all CAF education and training programs related to HISB was conducted to identify gaps and recommend changes to ensure a holistic, comprehensive approach to education and training to achieve CAF culture change and the mission of Operation HONOUR. The focused and aligned education, training, and performance support solutions are now being embedded in a systematic manner across CAF courses throughout a member's career.

From the Training Needs Analysis, a training and education strategic framework was developed in conjunction with Environmental Training Authorities (TA) to guide implementation and strategic oversight of all of the related professional development and Individual Training and Education (IT&E) activities across the CAF. Specific, high-level requirements were identified and inserted into the CDS Operation Order and follow on orders. In accordance with these orders, the CSRT-SM was tasked with, initiated, and/or completed the following education and training products and programs in the period of this report:

- a. Development and implementation of a unit-level training package on addressing HISB;
- b. Development and implementation of a unit-level training package on Bystander Intervention;
- c. Development and implementation of a pan-CAF "Respect in the CAF" workshop; and
- d. Development and implementation of a "Respect in the CAF" mobile application.

Note: The two unit-level training packages are aimed at engaging leaders in discussion with their subordinates on what constitutes HISB, how to respond to it, how to prevent it, and how to support victims. These products are available electronically on the Operation HONOUR website for all members to use. All Training Authorities have incorporated these training packages as standalone unit-level training packages in addition to adapting it as core content in existing IT& E courses.

The Operation HONOUR Education and Training initiatives developed and implemented by CSRT-SM in collaboration with TA's provide a consistent, aligned, and comprehensive approach that ensures all CAF personnel are trained in a progressive manner from CAF basic training through to senior career courses.<sup>33</sup> This plan is built on the education and training strategy for all TA's that provides architecture for the overall approach to Operation HONOUR training development and implementation. Although there still remains work to be done to complete the training development of the products and programs identified for Operation HONOUR, the overall strategy and plan is in place across all TA's to focus and direct the required effort.

In addition to Operation HONOUR training related to HISB, GBA+ training was rolled out across the CAF and new packages have been implemented under the Women, Peace and Security Directive, gender considerations for operations and peacekeeping/peace support training as per below.

### **Peacekeeping/Peace Support Training**

The Commandant's Orders and In-clearance Form is briefed by the Course Officer and signed by all candidates (CAF, Other Government Departments and Foreign Military), instructors, and augmentation staff. It stipulates that sexual harassment is not tolerated in the workplace, that all CAF members are ordered not to subject personnel in the workplace to harassment and that all CAF members are directed to intervene and report if they observe such behaviour.

The United Nations military expert on Mission course and the Individual Pre-deployment Training include theory lessons and scenarios that are evaluated as part of the field exercise. While not specific to Operation HONOUR, scenarios relate to Gender, Peace and Security, Sexual Exploitation and Abuse, Children in Armed Conflict, Conflict-related Sexual Violence, and other relevant/similar Human Rights issues.

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<sup>33</sup> The approach leverages a balanced professional development program to reinforce appropriate behaviour based on CAF ethics and values, which are then also reinforced at the unit level.

## Bystander Intervention Training

The CAF Bystander Intervention unit-level training is helping CAF members recognize and react decisively to sexual misconduct and harassment when they see it. This program is interactive to show bystanders and leaders their role in the perpetuation of sexual violence and harassment if they choose to do nothing and the power they have to make a difference and stop harmful and inappropriate sexual behaviour and support CAF members. It demonstrates why it is crucial for witnesses to HISB and harassment to speak out against it, rather than staying silent.

As can be seen in the chart below, 100% of command team members across all Commands have completed this training and implementation for CAF members continues at an exceptionally good pace.

**Bystander Intervention Training  
Completion Rates as of 31 March 2017**

Command	Percentage of HQ and Command Teams Completed	Percentage of Entire L1 Personnel Completed
Canadian Army	100%	88%
Royal Canadian Navy	100%	72%
Royal Canadian Air Force	100%	94%
Military Personnel Command	100%	73%
Canadian Joint Operations Command	100%	95%
Canadian Forces Special Operations Command	100%	67%
Canadian Forces Intelligence Command	100%	96%

## Respect in the CAF Workshop

CSRT-SM, in collaboration with Director Force Health Protection, and in partnership with Personnel Support Programs (PSP)/Health Promotion, have developed a one-day workshop titled “Respect in the CAF”. The workshop has been designed to foster a sustained change in attitudes and behaviours focused on building a respectful climate and culture within the Canadian Armed Forces to align with its ethical principles and values.

The pilot program was launched at five CAF locations and during the period of Jan-Mar 17, seventeen workshops were completed in Halifax, Gagetown, Bagotville, Ottawa and Kingston. Feedback from the participants was extremely positive, with over 90% of the participants recommending the workshop to other CAF members. Noted in the evaluations was the effectiveness of the chosen instructional strategies and the high level of content knowledge of the facilitators.

The pilot program was deemed a success and CSRT-SM in collaboration with all stakeholders is currently ensuring resource requirements are in place to deliver Respect in the CAF workshops CAF wide through the PSP/Health Promotion under their “Strengthening the Forces” program.

## Respect in the CAF Mobile Application

The CAF mobile application (app) related to Operation HONOUR is in the final stages of development and testing and it will roll out in June 17. The “Respect in the CAF” app will enable CAF members of all ranks to deal knowledgeably with the prevention of, and response to, inappropriate sexual behaviour. This is a free app that will be accessible for download onto mobile devices and includes tools, educational information, and resources for supporting anyone who is dealing with an incident of HISB.

This app has been developed and designed to complement ongoing initiatives of awareness, support, training and education, response and prevention associated with Operation HONOUR<sup>34</sup>.

## **Embedding Operation HONOUR into Programmes, Qualifications and Standards**

Military Personnel Generation (MPG) Training Establishments (TEs) have worked diligently to incorporate Operation HONOUR concepts and subjects into training and education activities related to CAF Common professional military education (PME).

In order to build upon the initial awareness programs of Operation HONOUR and provide more tailored guidance and information for staff and instructors of training institutions, new awareness training and direction have been provided to all training staff and instructors to ensure that they are able to identify bullying and take appropriate action within the CAF training environment. Students across the CAF are given an orientation briefing which includes a focus on “appropriate behaviour” and their duty to report if they witness inappropriate conduct.

Completion of GBA+ course has been added as a prerequisite for Non Commissioned Member Professional Development courses at Developmental Periods (DP) 2 – 4 and as an element of Officer Professional Development courses at DP 2. Related content has also been integrated into DP 3 and 4 courses at the Canadian Forces College.

All Training Establishment (TEs) have taken steps to incorporate Operation HONOUR objectives into the training / orientation provided to their instructional staff (military and civilian) and Operation HONOUR has been integrated into the CAF Common Professional Military Education programs at multiple levels using a number of approaches based upon the program and the target audience:

- a. Specific Operation HONOUR briefings delivered to all students as part of the normal course administration procedures;
- b. New Operation HONOUR related activities have been added to programs; and
- c. Operation HONOUR related elements have been added to existing activities within a program.

To support the objectives outlined in Operation HONOUR orders, MPG activities fall within two approaches:

- a. Specific Operation HONOUR material developed in conjunction with CSRT-SM; and
- b. Mainstreaming of the underlying themes into CAF Leadership curriculum. These themes focus on inappropriate behaviour writ large and are reinforced through emphasizing / refreshing CAF ethos, values, and leader responsibilities.

A key element of leadership within the CAF is the internalisation and ensuring organizational alignment of the CAF ethos. Inconsistencies in the application of the values and beliefs of the CAF ethos, specifically those actions resulting in inappropriate behaviours that resulted in the implementation of Operation HONOUR has resulted in a review of how CAF ethos was being reinforced in CAF common courses from Developmental Periods (DPs) 1 to 5. While all MPG TEs have taken proactive measures

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<sup>34</sup> Some notable features of the app include:

- a. Provides support for CAF users in both domestic and deployed locations;
- b. Access to Geo-referenced support resources (police, hospital, crisis centres, SMRC, etc).
- c. GPS directions from current location
- d. Ability to phone and email the resource directly from app
- e. Ability to access the resource website directly from app
- f. App updates (all content accessed is as current as most recent release of app)
- g. of app)
- h. Mini mobile apps (Consent Activity, Bystander Intervention Activity,
- i. “What Do I Do Next?” Activity, etc.
- j. Course/workshop offerings

to reinforce the teaching of CAF ethos, with specific application of Operation HONOUR, there remains the need to ensure a consistent approach across CAF programs.

In order to institutionalize CAF ethos into CAF common Professional Military Education (PME) across all levels and developmental periods, a new performance/learning objective entitled “Internalize CAF Ethos” has been developed.

The new performance /learning objective is now a Pass/Fail objective consisting of two parts:

- a. Internalise the CAF Ethos. It is acknowledged that assessing if a member has fully internalised the desired values can be challenging; however, this remains the desired level to be achieved. The standard is for the individual to display a commitment to the CAF ethos framework by exhibiting the values espoused in the CAF Ethos. As described in Duty with Honour and the Defence Ethics Program as follows:
  - i. Duty;
  - ii. Integrity;
  - iii. Loyalty;
  - iv. Courage (specifically the courage to act on observing a wrong-doing);
  - v. Respect and dignity of all persons;
  - vi. Serve Canada before self; and
  - vii. Obey and support lawful authority.
  
- b. Demonstrates an understanding of his/her role as a leader at the tactical / operational / strategic level in ensuring the profession reflects CAF Ethos. Specific points to be confirmed are the individual understands their role by:
  - i. Ensuring a high standard of professional behaviour which is aligned with the CAF ethos;
  - ii. Promoting CAF ethos to subordinates, peers, and superiors alike;
  - iii. Build a culture of military professionalism within CAF;
  - iv. Ensures organizational culture aligns with CAF ethos; and
  - v. Promoting an ethical climate.

The implementation of this new performance/learning objective will be conducted over the next academic year commencing in Apr 17 with Basic Military Qualification and Basic Military Officer Qualification courses followed by Military Colleges then all leadership, appointment and executive programs. Failure of either of the two objectives will result in a failure and initiation of a performance review.

## **Environmental Command Training Initiatives**

### **Royal Canadian Navy (RCN) Training Initiatives**

The RCN, like all other Commands of the CAF, was tasked by the CDS to implement a Training Program in support of Operation HONOUR, which occurred concurrent with Naval Personnel and Training Group (NPTG) designing and developing training in support of the new RCN Code of Conduct and the revised Guide to the Divisional System. Analysis by NPTG showed that much of this material was an overlap, but also that there were considerable gaps in the content across both Officer and NCM training. To make training effective, efficient, and applicable to both Regular & Reserve Force sailors, NPTG combined all requirements into a single program known as the Leadership, Respect & Honour (LR&H) program.

The LR&H program flows across all NCM Rank Qualifications (RQs) & Officer Courses and ties content to job requirements and expectations.

The LR&H curriculum provides a baseline understanding of the conduct requirements for all personnel in the RCN. It also provides individuals with guidance and procedures for reporting incidents of improper behaviour. As personnel progress in rank, the program focus shifts from understanding and individual actions to identifying the actions and expectations to be taken by supervisors at each level to resolve incidents and prevent future occurrences. While the entry level content is delivered primarily through lectures, most of the supervisory level content is presented through Case Studies and Small Group Discussions facilitated by senior personnel. Throughout the development of the LR&H Program, NPTG has been working closely with the CSRT-SM Training staff to ensure all program materials reflect the CAF intent and adhere to the national requirements.

The NPTG is also integrating recently developed CSRT-SM unit level training packages for Addressing Inappropriate Behaviour and Bystander Intervention into Navy curriculum. In addition, CFB Halifax has delivered five Respect in the CAF workshops, as part of the CSRT-SM pilot program. Finally, the organisation is establishing a case study library accessible to all naval units in support of professional development training across its organisation.

### **Canadian Army (CA) Training Initiatives**

The CA has been active in developing and incorporating Operation HONOUR training curriculum and tools across the organization.

The Army Individual Training Authority has mandated the implementation of an Operation HONOUR Qualification and Training Plan amendment to all CA common, occupational and specialty training, including Developmental (DP) 1 Land Environment Training. The Performance Objective PO 099 “Comply with CAF Code of Values and Ethics” is designed to institutionalize the CAF and CA ethos into Army IT&E and PME.

Operation HONOUR objective and principles have also been embedded into the three-day CA evidence-based Ethics Course, which blends philosophical frameworks with psychology with a view to understanding soldiers’ behaviour and moral attitudes, empowering bystanders to intervene to stop instances of HISB, and the role of leadership and how it can be best influenced. Key to success of the program is the interaction, allowing for frank discussion of difficult ethical dilemmas. Ethical challenges in civilian/police/government and military settings are discussed at length and put under the lens of the DND CAF Code of Ethics and Values. Ethical risk management is a key part of the dialogue and involves minimizing ethical failure in an institution, and responding to failures when they do happen. Day 3 refocuses the discussion back onto Operation HONOUR, highlighting that much of what has been viewed as sexual misconduct is also unethical conduct. Training is delivered using a variety of instructional strategies including the discussion of scenarios and use of case studies. The Ethics Course has been completed by more than 100 new CA Unit Ethics Coordinators.

The CAF Bystander Intervention unit level training package was conducted for all Regular Force and Primary Reserve CA members in a cascade manner, starting with top CA leaders down to platoon level. In addition, Gagetown was selected as a pilot location for the conduct of the Respect in the CAF workshop. Three workshops were conducted in Gagetown. Feedback received from both these training interventions has been extremely positive

First responder training, a local initiative developed by 3 Canadian Division in Edmonton is a one-day workshop designed to train members in providing immediate support to those victimized by HISB and to start a dialogue toward healthy and enduring cultural change. The training is intense and includes presentations, discussions, group work and role-playing. Four workshops have been completed in Edmonton and one in Gagetown training over 120 soldiers. The feedback received has been very positive and the victim support module will be incorporated into the Respect in the CAF Workshop.

The Commander of the Combat Training Centre (CTC) developed a formation-level award, titled the Ethical Warrior Award to recognize those individuals who have personified the CAF and CA Ethics and

Values through personal action within the CA Individual Training System. Commander CTC has since approved its awarding to the first recipient selected from several nominations.

The Army Operations Course has incorporated within existing command and ethics lectures, Operation HONOUR-specific discussion points, and two distinct Operation HONOUR injects have been developed. An Operation HONOUR-specific requirement has been inserted for the Primary Reserve Army Operations Course service paper.

Briefings by the CSRT-SM and key CAF and CA leaders are scheduled throughout unit command team courses.

Operation HONOUR training has been incorporated into the Arrival Assistance Group activities for major Army Collective Training activities such as Exercise MAPLE RESOLVE (Ex MR).

## **Royal Canadian Air Force (RCAF) Training Initiatives**

The Royal Canadian Air Force (RCAF) has invested a considerable effort to enhance awareness of HISB and executing its Operation HONOUR Programming. In Nov 16, the RCAF conducted a Training Working Group that identified all Operation HONOUR published training material and took a tiered approach to organizing Operation HONOUR training content. The WG identified progressive phases of training for various RCAF managed occupation and leadership courses, placing emphasis on the Understand, Respond, Prevent, and Support requirements at each level.

The design includes a planned amount of purposeful repetition to highlight important and enduring Operation HONOUR content in compliment to the tailored, in-depth coverage of specific areas addressing the progressive complexity of Operation HONOUR as RCAF personnel ascend in rank. Of note, is that the annual Command Team Orientation leverages the RCAF Command Video and Checklist, and brings in guest speakers with Operation HONOUR subject matter expertise from the CSRT-SM.

Additional training content was developed at both the pan-RCAF and subordinate levels, which include a scenario-based discussion training package for appropriate/inappropriate instructor/student relationships that has been mandated for completion by all RCAF instructors at all RCAF TE's. This training package now serves as a model for CAF Training Establishments in other environments.

Respect in the Workplace workshop, a local initiative launched by 19 Wing Comox was developed and implemented in Feb 16. The aim of this workshop is to enhance the understanding and awareness of HISB and the important leadership role each member must play in order to promote respect in the workplace. To date, 50 workshops at Comox have been completed with over 1000 personnel completing training.

The Respect in the Workplace workshop was evaluated by CSRT-SM in Jun 16 and deemed suitable for implementation CAF-wide. CSRT-SM and 19 Wing collaborated to develop the "Respect in the CAF" workshop and associated facilitator training. In Dec 16, CSRT-SM hosted the "Respect in the CAF" facilitator training program, training eight HP facilitators to deliver the "Respect in the CAF" workshop at five CAF locations. As part of the Pilot program, Bagotville conducted three Respect in the CAF workshops. Feedback received was extremely positive.

## **Institutional Programs**

### **Diversity and Inclusivity**

The Canadian Armed Forces strives to be reflective of Canada's cultural, ethnic and linguistic makeup. To achieve that objective, the CAF is committed to increasing diversity, and promoting inclusiveness amongst its personnel because experiences on operations have shown that diversity enhances operational effectiveness. A CAF Diversity Strategy was approved in May 2016 and it forms the framework that directs, promotes, and safeguards the respect and dignity of all CAF Members. A well-

defined Action Plan was approved in January 2017 which links the tasks, resources, timelines and performance measures that are required to accomplish the strategic goals of the Diversity Strategy.

The four goals of the strategy are: to understand the culture of Canadian diversity, to inculcate a culture of diversity within the CAF ranks, to modernize policies in support of diversity, and finally, to generate a CAF that reflects Canada's diversity. The Action Plan also embeds all Employment Equity tasks flowing from the CAF Employment Equity Plan, in an effort to bring together all the components forming the concept of Diversity and the CAF commitment to the principles of equality and dignity for all.

These principles apply to all CAF personnel which includes Lesbian, Gay, Bisexual, Transgender and Queer/Questioning (LGBTQ+) members. CAF LGBTQ+ members and their rights to work in a harassment-free workplace. In order to support a better understanding of a culture of diversity, research proposals on various topics including a study of the prevalence of racist conduct and harassment based on racism against DND/CAF Designated Group Members and CAF Members' perceptions of the LGBTQ+ Community are at the final stage of consideration of approval. These research projects will leverage further actions in support of Diversity and Inclusivity. The CAF also continues to explore the possibility of developing a national LGBTQ+ support network within the CAF. Currently a number of Bases (Borden, Montreal and Halifax) have established local level networks to support their LGBTQ+ members/communities.

### **Harassment and Discrimination**

Issues and items related to item eleven of the Minister's Mandate letter item to ensure a workplace free from harassment and discrimination are being addressed across DND and the CAF in a variety of means including enhancing the harassment and discrimination reporting and investigation process, education and awareness, policy and programs.

At this point, it is still early to accurately assess our progress and the direct impact of recent changes relative to our goal of establishing and maintaining a workplace free from harassment and discrimination; however, we have measured an increased awareness and understanding of the problems we are addressing and increased support for our proposed way ahead.

We continue to modernize definitions and integrate policy across the institution and implement new or enhanced training packages for diversity, harassment, conduct, workplace environment, bystander intervention and ongoing products related to harmful and inappropriate sexual behaviour.

In July 2016, a new Human Rights policy DAOD 5516-3, Religious or Spiritual Accommodation was published to highlight the CAF's responsibility to consider requests for an accommodation based on a religious or spiritual belief as long as it is a sincerely held belief of the CAF member or applicant and can be reasonably connected to religious faith or spirituality.

As well, the Military Personnel Instruction that provides information for transgender members and their unit is under review and changes are being made to reflect more current terminology as well as provide additional guidance for supervisors in providing support to transgender members. The updated Military Personnel Instruction is on schedule for promulgation in 2017.

### **Recruiting, Retention and Representation of Women**

Following the CDS Direction on increasing the number of women within the CAF by 1% per year over the next ten years, a number of recruiting and retention initiatives were developed and are being implemented specifically geared towards attraction, recruiting and retention of women in the CAF.

A Tiger Team composed of representatives from across the CAF; Status of Women Canada; Privy Council; Canadian Coast Guard; Women in Defence and Security; and Women in Science, Technology, Engineering, Mathematics and Medicine has established working groups on recruiting goals for women

in the CAF, Retention, Marketing and Advertising and Culture Change to address impediments to recruitment and retention including postings, deployments, lateral career progression, transition between components, benefits, etc.

A CAF Women’s Entry Program called “Women in Force” has been developed as an introductory program to allow women to experience the CAF before committing to joining. This program will commence this summer in two locations as a trial for expansion based on interest and effectiveness. The CAF has also initiated a Women’s Re-enrolment Campaign targeting women who retired from the CAF within the past 5 years, with personal letters asking them to consider re-enrolling and offering facilitated return to CAF service.

Recruiting efforts have been successful in increasing the number of files for women applying to the CAF as well as offers and enrolments. Not only have the percentage of recruits who are women significantly increased from 13% to 17% between 2015/16 and 2016/17, but the overall percentage of women in the CAF has increased by 0.3%, which is the first positive growth in over a decade. It is anticipated this will continue to improve as the strategies and initiatives developed last year along with new advertising roll out.

***Recruiting of Women - Comparison to Same Period of Previous Year***

Fiscal Year	1 Apr 15 - 31 Mar 16	1 Apr 16 - 31 Mar 17
Enrolments overall	4316	4542
Enrolments - Female	562	775
Women as % of the Strategic Intake Plan	13%	17%
RMC ROTP - % of enrolments who are female	18%	24%
Increase in absolute numbers for enrolment of women		38%

The CAF has achieved a number of historical milestones for women during the period of this report with the appointment of Lieutenant- General Christine Whitecross as the Commandant of the NATO Defence College and Major General Tammy Harris as the Deputy Commander of the RCAF. Following a number of promotions over the past year, including the first female Combat Arms General Officer, Brigadier-General Jennie Carignan, the CAF now has nine female General and Flag Officers serving in the CAF, the highest number ever. We also have numerous women who have excelled and achieved very senior positions among our NCM Corps. CWO Colleen Halpin, the first woman to be appointed as the VCDS Group Chief Warrant Officer and Chief Warrant Officers Necole Belanger and Diane Maidment are Wing Chief Warrant Officers.

**International Gender Conference**

Canada will host an inaugural international Gender Conference in Ottawa 16-18 May 2017 to discuss the integration of UNSCR 1325 on Women, Peace and Security and related resolutions and best practices as well as lessons learned and challenges of nations in the evolving realms of diversity as a force multiplier and integrating gender considerations in operations with a goal to developing operational practices for more effective coalition operations. Participants have been invited from Australia, New Zealand, Canada, the United Kingdom and the United States as well as NATO representatives from Allied Command Transformation and UN Gender Advisors and staff from the UN Director Peacekeeping Operations.

**Commander’s Assessments – RCN, CA, RCAF and MPC**

While Canadian Armed Forces-level initiatives are pivotal in providing the over-arching 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.



## Royal Canadian Navy

Operation HONOUR is now progressing through Phase Three, where the main effort has shifted from developing awareness and understanding the problem, to implementing a comprehensive training, education and prevention approach.

The RCN is fully engaged in the development of numerous initiatives in support of Operation HONOUR:

- The Leadership, Respect and Honour (LR&H) program has been instituted across all NCM Rank Qualifications (RQs) and Officer Courses. CFB Halifax held the pilot Respect in CAF course developed by CSRT-SM;
- Combat Readiness Requirement (CRR) 2-124 Complex Medical/Command Issues Tabletop has been developed and will be completed semi-annually, as well as CRR 2W37 HISB Management Scenario which has been implemented as part of Ship Readiness Training;
- During any RCN PD session, the Operation Honour brief is presented and numerous fireside chats have also included the brief. FRAGO 003 as well as the StatsCan Report on Sexual Misconduct have been distributed to Command Teams and all members are provided access and support to complete Operation HONOUR surveys;
- HISB Sailor cards are being distributed as part of both MARLANT and MARPAC's In Routine Process and have been added to all HMC Ships' kit list. During all In-Routines, personnel are required to read and initial Joining Instructions, particularly para 12 on sexual misconduct/Operation HONOUR while Routine Orders contain quarterly submissions related to Operation HONOUR;
- RCN Code of Conduct posters are prominently displayed in all RCN workplaces and reflect current contacts; and
- The RCN Guide to the Divisional System has been revised to include a new chapter dedicated to conduct, emphasizing the core military values. It is aimed at inculcating a culture of respect.

Critiques submitted on completion of formal coursing have been favourable while Commanding Officers have reported positive feedback on the recently introduced CRR and practical scenario training. Unfortunately, specific data is not available with respect to the effectiveness and metrics.

Despite these initiatives, one member was temporarily removed from appointment – the results of the investigation are pending; two members were issued an NOI to release and an AR initiated, while a fourth member was released 5F.

Of the 60 reported cases, 36 have been closed; 24 are still active. Unfortunately the data produced does not indicate a trend in the occurrences of HISB as the numbers fluctuate from month to month – two reported cases in Aug while Dec's report indicated seven new cases. This could be as a result in increased reporting but from the raw data calculated, a determination cannot be obtained. What is important to note is that incidents are being reported, even those that occurred in, some cases, several years ago.

The RCN is taking a proactive approach from coast to coast to ensure a workplace free of harmful and inappropriate sexual behaviour. Any incidences will continue to be reported monthly through the HISB Reporting Matrix while education will continue as a preventative approach: All members of the RCN will know "what right looks like".

## Canadian Army

Since the last Operation HONOUR Progress Report released end Aug 16, the CA has continued to engage in a large number of activities aimed at enhancing awareness and understanding, and creating cultural change in the realm of Harmful and Inappropriate Sexual Behavior (HISB). These activities have included Bystander Intervention Training, which was conducted for all Regular Force and Primary Reserve CA members in a cascade manner, starting with top CA leadership down to the platoon level. Wherever possible, civilians and Ranger organizations were included in the training. Reaction to the

training has been positive overall, while the measurable effect has been an increase in the fall 16 timeframe in the number of CNR 4s that were reported by bystanders, suggesting that members are putting this training and awareness into practice. The GBA+ training package was also provided online to all CA members, with particular emphasis on those in leadership and supervisory positions.

Since Sep 16, the CA Ethics Officer has provided over 200 new CA Unit Ethics Coordinators with the CA Ethics training package, which includes a full day module on Operation HONOUR material that is extremely well-received. Research has been initiated with DGMPRA to measure the effectiveness of the CA Ethics and Op HONOUR material in terms of user acceptance and application of its content to the workplace.

In terms of other training initiatives, the Army Individual Training Authority (AITA) has institutionalized the CAF Code of Ethics and Values, the Warrior Ethos, and Op HONOUR material into all Army common, occupational and specialty training, as well as Development Period (DP) 1 Land Environmental Training. The Army Operations Course (AOC) also includes Op HONOUR discussion points, while an Op HONOUR-specific requirement has been added to the Primary Reserve Army Operations Course. A Rules of Engagement (sexual assault) scenario has been included in collective Army training during Exercise Maple Resolve. The Commander of the Combat Training Center (CTC) held a trial one-day Op HONOUR Frontline Workshop, which included members across the rank spectrum from Corporal to Major and represented all Gagetown-based CTC units. All of these training initiatives have been very well-received and are serving to inculcate values and behaviours that are the antithesis of HISB.

A significant number of town halls, CO's/RSM's hours, and leader-led discussions have occurred at every level in the CA, serving as a platform for raising awareness of the issues surrounding HISB and getting soldiers to talk. Typically, these discussions follow a short presentation and are facilitated by one of the unit leaders. Some COs have included these discussions as part of their Annual Readiness Verification (ARV) or at the start or end of field exercises. All L2s have created SharePoint sites featuring Operation HONOUR resources, training material, video links, current initiatives, and articles that provoke thought and discussion on the topic of HISB. Some Divs have also created soldier cards that are issued unit-wide and provide key contacts, resources and actions in cases of HISB.

The CA has had significant success in dealing with HISB and with these training and awareness sessions, and other initiatives. The trend seems to have been a gradual increase in reporting last year when the issues were initially being raised, but since late 16, there has been a decline in the number and a decrease in the severity of incidents reported. We are hopeful that this trend will continue. We believe it is the result of the continued training and awareness being provided by all L2s, along with the increased accountability, reporting, and follow-up disciplinary/administrative actions. For example, five CA soldiers have been released as a result of Administrative Reviews (ARs) by DMCA, typically for the following reasons: multiple HISB incidents, sexual interference, and child pornography. There are some additional cases, which may result in release but are pending the results of investigations and or disciplinary proceedings. Other cases are still awaiting court martial or civilian trials and these occurred prior to Dec 16. There have been 12 CA members relieved of supervisory positions and 3 relieved of Command positions due to allegations that had an Operation HONOUR nexus.

The recent downward trend in terms of Operation HONOUR incidents in the CA is encouraging; however, this in no way means the CA should reduce efforts to continue to eradicate HISB, which has such a negative impact on our overall operational effectiveness. Leaders at all levels of the CA will continue to be vigilant to the issue of HISB and we will work closely with the CSRT-SM to implement new training programs, the findings of research, and other initiatives that can continue to educate all our soldiers, while concurrently holding those accountable who are found guilty of allegations related to HISB.

## Royal Canadian Air Force

The Royal Canadian Air Force (RCAF) has made concerted efforts to engage personnel and continuously execute the Operation HONOUR Lines of operation: Understand, Respond, Support and Prevent. The RCAF Commander's message, "We must continue to lead this change" was repeatedly reinforced and cascaded throughout the RCAF during this reporting period. Leadership engagement and awareness were evident in the number of Operation HONOUR activities between 1 Jul 16 - 31 Mar 17 which consisted of Command Team visits, Town Halls, Sqn/Unit briefings, facilitated discussions, Harmful and Inappropriate Sexual Behaviour (HISB) reporting, Professional Development (PD) and training throughout all levels within the RCAF.

The promotion of RCAF Ethics and values remained at the forefront in daily operations and strengthened throughout Operation HONOUR programming. The RCAF policy changes to the Harassment and Ethics programmes were made purposefully to encourage discussions regarding unacceptable conduct and to reinforce ethical expectations, behaviours and RCAF values. Across the RCAF Operation HONOUR content was injected and delivered into Commanding Officer's annual Ethics dialogue IAW AFO 5000-5 Air Force Ethics Program during this reporting period. Operation HONOUR was also highlighted and promoted at various forums during the Ethics Awareness week in Oct 16.

In terms of training and education, Operation HONOUR presentations, videos and courses that were developed in the previous reporting period were fully executed and delivered between 1 Jul 16 - 31 Mar 17. The RCAF mandated both Bystander Training and Gender Based Analysis+ (GBA+) Training and have reported completion rates of 95% and 89% respectively. Another RCAF success is the "Promoting Respect in the Workplace" training developed by 19 Wing where they have trained over 1000 personnel and the CSRT-SM team has taken this initiative to the national level which will now be delivered by PSP/Health Promotion across the CAF. 2 CAD has consolidated and standardized Operation HONOUR trg into four presentation packages that are being delivered across the RCAF at different occupational and PD points. Operational Training Units (OTUs), training establishments and fleet schools are providing Operation HONOUR educational briefings during the initial course welcome brief and annual ground training days in addition to the 2 CAD Instructor-Student Operation HONOUR training. Training has been well received and the desired effect of Operation HONOUR related culture change activities is being achieved.

The most telling indication of the effectiveness of Operation HONOUR is awareness. When asked throughout the RCAF, everyone from youngest aviator to the most experienced members are aware of the Operation HONOUR mission. Some of the new and/or on-going activities between 1 Jul 16 - 31 Mar 17 that have contributed to overall awareness include:

- continued training, and regular discussions and briefings addressing Operation HONOUR, many of which are presented/overseen by the Command Teams personally;
- Posters, soldier cards, electronic "pop-ups" are prominently displayed providing contact information for Operation HONOUR support and reporting avenues;
- Efforts continue to ensure a robust cadre of harassment advisors and investigators are available at all Wings;
- 3 Wing has ensured that Operation HONOUR training is instituted as part of its pre-deployment training and has trialed the new pilot course "Respect dans le FAC" through Health Promotions;
- 4 Wing has identified local and provincial resources and integrated them into briefings and training;
- 5 Wing has a social worker position trained and prepared to offer services to military members and families and its Helping Professionals Committee holds quarterly meetings to offer support to the supporters and discuss on going issues;
- 17 Wing seek anonymous input through question cards at their town halls to drive Operation HONOUR discussions;

- 19 Wing hosted a Sexual Assault Education Panel, organized by the 19 Wing Defense Women's Organization, on 7 Dec 16 which had full leadership support and participation from the WComd, WCWO, DJA, 21 CF H Svcs, MFRC, Wing Chaplains, and community stake holders;
- 2 Canadian Forces Flying Training School (CFFTS) & 3 CFFTS Southport integrated all Operation HONOUR training into all of the ground school syllabi for staff and students; and
- CFAWC conducted an informal (voluntary and internal) survey in order to get an unbiased feel for the effectiveness of Operation HONOUR efforts.

In the absence of formal performance measurement tools, the feedback regarding the effectiveness of Operation HONOUR within the RCAF has been very positive. Wings and sqns have reported that the supportive environment has enabled members to more openly discuss Operation HONOUR related issues/concerns with peers and their Chain of Command (CoC). RCAF members are more apt to recognize potential situations and feel more comfortable with intervening in order to address/de-escalate the situation. It has also been noted that there is a better consciousness of what is unacceptable behavior/comments amongst all ranks and promoted by small group discussions. It appears that conduct is becoming increasingly self-regulating and we are seeing a culture of accountability, leading to an unwillingness to accept the status quo. Specific comments regarding positive change in the RCAF culture include:

- 14 Wing highlights that formal Harassment Complaints have dropped by 40% over last year;
- 17 Wing, unit Commanding Officers report that "the briefings have opened up more dialogue within the unit and I am encouraged with how well received this initiative has been within unit lines";
- Operation HONOUR training conducted at 402 Sqn has been well received to date and the significance of both the program and relevance to the operational and training culture has been recognized at all rank levels; and
- Notwithstanding the challenges of the youthful demographic inherent in RCAF aircrew training establishments, 15 Wing firmly believes that the desired effect of Operation HONOUR related culture change activities is being achieved.

The monthly tracking of harmful, inappropriate sexualized behaviour (HISB) has increased awareness for everyone within the chain of command and serves as a tool to assess leadership effectiveness and accountability in managing HISB. During this reporting period the RCAF has had a total of 70 incidents ranging from sexual assaults to inappropriate sexualized comments/jokes and have closed 29 incidents. The RCAF has responded to the founded HISB incidents with disciplinary charges (1), remedial measures (6), removal from supervisory positions (3), and release (2) for the perpetrators. In all HISB incidents victim support has been offered and provided from the chain of command, SMRC, Chaplains and Health Services professionals.

The RCAF averages around 7-10 new reported incidents per month and currently has 41 on-going investigations. The number of incidents past and present, reported by victims is 63% and there is growth in Bystander reporting to 17% demonstrating confidence, heightened awareness and leadership support in dealing with HISB.

Based upon anecdotal evidence and the full range of reported HISB incidents indicates that personnel are more sensitized to the inappropriateness of sexualized comments in the workplace; there is willingness to report Operation HONOUR related incidents; and members seem to be more comfortable and confident in preventing inappropriate commentary in the workplace. The awareness, training, and leadership engagement are all contributing to a long-lasting and foundational change in the RCAF workplace culture.

## **Military Personnel Command**

During the period 1 Jul to 31 December 2016, the main focus of Military Personnel Command (MPC) personnel was on the development of education and training tools as well as programs to form part of

CAF wide training and awareness efforts to be spearheaded by CSRT-SM. As the designated training authority, Military Personnel Generation (MPG) Headquarters has worked closely with CSRT-SM in the development and delivery of these training and educational activities across the CAF. The aim being to institutionalize Operation HONOUR in terms of training, education, and reporting so as to achieve an enduring effort within the CAF. This is well underway and in a short time we have made great strides in this regard.

Within the Command, we have concentrated efforts on elements that contribute to prevention of HISB. To that end, there are numerous activities underway across all ranks and spectrums within MPC that are succeeding in raising awareness levels and which are leading to and advancing the elimination of HISB incidents within this Command.

In addition, the improved monthly reporting of HISB occurrences within the Command, throughout the current reporting period, highlights the importance of senior leadership involvement in order to maintain high levels of awareness among our members/staff - military and civilians alike. The open communication provided at all levels, whether in the form of discussion groups, training or orientation sessions, is a direct result of the clear understanding of the requirement for a safe and respectful work environment and I am very satisfied with the effectiveness of these activities to date.

That said, we are still identifying potential gaps and deficiencies, notably in the reporting mechanism which we are currently looking to improve. While we have seen a sustained decrease of reported incidents, we have insufficient data to indicate whether this can be attributed to an actual decrease in incidents or simply a decrease in reporting. However, as we progress upcoming training and awareness initiatives, we fully expect to make more support resources available to assist victims of HISB and to ensure that any fear of reporting (perceived or otherwise) is eliminated as well.

Specific initiatives within MPC include the following:

- MPC has mandated that all personnel in key leadership positions within the organization complete the GBA+ training. Military leaders at all levels (MCpls +) have also been directed to complete the GBA+ with civilian equivalents being strongly encouraged to do so as well.
- Active communications have been conducted within the Command including the CMP Orientation Session given personally by the Commander to all NCR Personnel as well as multiple briefings and town halls by senior leaders across MPC. In the NCR all in-briefs to Carling Campus for MPC personnel also include a piece on appropriate behaviour in the Work Place 2.0 environment with strong linkage to Operation HONOUR and how to demonstrate what “right looks like”.
- All cases of HISB are quickly reported directly to the Commander. MPC key leadership are also made aware of the incidents to ensure better support to victims and that administrative and disciplinary actions are taken as required. This includes removing alleged perpetrators from supervisory duties when applicable, which has been the case on multiple occasions.
- Bystander Intervention Training was completed for command teams and HQ level staff by end Mar 17.
- Monthly incident reports are being analyzed on an ongoing basis and while there is insufficient data to do meaningful trend analysis, the incident rate within MPC is trending downwards.

During the reporting period, MPC has put forward a tremendous and sustained effort so as to affect progress in the elimination of HISB both within our Command and across the CAF.

## **Respectful Workplaces and Communities**

Engendering the shifts in cultural norms that are required to achieve the mission of Operation HONOUR also require engagement on a range of broader institutional issues. To that end, we will continue to draw upon the knowledge and expertise of those who are subject matter experts and have experience from which we can learn and apply to our response. We continue to gain insights from the experience

of our Allies and experts who have been part of our key stakeholder engagement plan and consultations. We are working closely with Other Government Departments on initiatives related to Diversity and Inclusivity, Mental Health and Wellness, Gender Based Violence, Workplace Violence, and Sexual Harassment.

The initial CAF action plan is the start of change — not the end. Real change takes a sustained commitment over many years at all levels of the institution. It requires dedication and support by those both inside and outside the CAF.

Change is possible and we are seeing positive change across the institution. However, to truly make a difference, to truly eliminate sexual violence and harassment, we need to take action on all forms of conduct in the CAF and reinforce the military ethos that sets the Profession of Arms apart from others. This is not something to be implemented by a single group and must be implemented together from the recruiting centre through all training institutions, from the unit level to national headquarters and from the most junior members to the most senior. For systemic, generational change to occur, it's important that recruits learn respectful behaviours from the beginning of their time with the CAF.

We are bringing these ideas to CAF members by updating the recruit training curriculum to help the newest CAF members to develop an understanding of the root causes of gender inequality, and — from a very early stage — understand healthy relationships and consent as well as appropriate conduct in the CAF.

For CAF recruits, their first training experience on basic officer or basic recruit training marks an important milestone in their lives. As recruits become part of a new CAF community at RMCC, RMCSJ, CFLRS or other initial training institutions and their first units, we know that far too often adapting to life in this new environment includes facing the sexualized culture or surviving an experience of sexual violence or harassment.

This is a problem. We know it and we are taking definitive action to ensure our work and training environments are safe and respectful. We want every member of the CAF to be able to learn and study and experience military life then apply their skills in a workplace free from sexual violence and harassment.

Ensuring that all CAF members learn concepts in age/rank-appropriate ways, that will address such issues as physical and emotional well-being, mental health, online safety, sexual orientation, equity and inclusion; and creating programs, products, activities and resources to raise CAF awareness in an engaging way.

That is why we're training and encouraging bystanders to get involved; health care professionals, counsellors at the SMRC, the chain of command; police and the justice system to better support survivors; instructors, leaders, command teams and supervisors to initiate and encourage a generational change in attitudes toward consent and healthy relationships, and workplaces and military installations to ensure the safety of CAF members.

Harmful and inappropriate sexual behaviour in the workplace can undermine dignity. It can prevent people from doing their jobs effectively, keep them from reaching their full potential, and compromise their ability to serve effectively. This behaviour, left unchecked, also has the potential to escalate into violent behaviour.

## **Conclusion**

Despite the progress that had been made in the early stages of Operation HONOUR and the response to the Deschamps report, the Statistics Canada Survey results indicated that harmful and inappropriate sexual behaviour and harassment remained prevalent. We are seeing a change for the better and

Operation HONOUR has set our institution firmly on the path towards positive culture change and the elimination of harmful and inappropriate sexual behaviour.

Over the past year, the CAF has taken significant action as illustrated in this report. Victims are coming forward to report knowing that they will be provided the care and support they need. Recruits are being informed of the standard of conduct they will be expected to uphold and the consequences of failing to do so before they join the CAF. Leaders are being held to account and action is being taken to remove members from command, leadership, supervisory or instructor positions and those who are convicted of sexual misconduct related offences are being subject to an administrative review that could result in release from the CAF.

Our Bystander Intervention Training and Respect in the CAF programs are helping CAF members recognize sexual misconduct and harassment when they see it. Our new training programs are interactive to show bystanders and leaders their role in the perpetuation of sexual violence and harassment if they choose to do nothing and the power they have to make a difference and stop harmful and inappropriate sexual behaviour and support their CAF members. It demonstrates why it is crucial for witnesses to HISB and harassment to speak out against it, rather than give their implied consent by staying silent.

The Sexual Misconduct Response Centre is the first of its kind for Canadian Armed Forces members and is in the process of extending its operations to provide 24/7 direct access to supportive counselling. Counsellors working at the SMRC operate outside the military chain of command and are there to listen, provide emotional support, discuss options, and provide facilitated access to services.

A peer support network is one several victim support initiatives that are being developed in order to ensure those who are victims of sexual misconduct have access to a full range of services to aid them when engaging the justice systems and to get the care they need to restore their well-being. The CAF is also seeking stronger engagement with sexual assault support entities located close to Canadian Armed Forces bases and wings where military victims may seek support.

Over the past few months, we have implemented new and more comprehensive education and training initiatives to increase awareness and prevention amongst our military members. Programs specifically targeted at the youngest members of the CAF will be implemented shortly. All newly enrolled officers and NCMs at recruit school receive lectures concerning the “Promotion of a Harassment Free Work Environment” and Operation HONOUR.

We can appreciate that there are those who remain skeptical of the military’s efforts. However, the institution is in this for the long term and the approach being taken is far more comprehensive than ever before. It is important to note that the Statistics Canada survey revealed that there are signs that Operation HONOUR is taking hold and having a positive impact even at the earliest stages of Operation HONOUR. The StatCan survey results indicated that more than 80 percent of military members trust that their leaders will deal effectively with harmful and inappropriate sexual behaviour.

To increase the confidence of our members, we recognize that this must be backed up with actions and results. The CDS made it very clear that “those who choose not to follow the Chief of the Defence Staff’s orders will be dealt with through disciplinary or administrative action” and this was followed up with direction on mandatory notice of intent to recommend release followed by administrative reviews for any CAF member found guilty of a sexual offence.

The CAF will keep moving forward, with our Strategy and Action Plan as a guide shaped by research and experience, towards an institution where all members are free from the fear, threat or experience of sexual violence and harassment.

Operation HONOUR is an ongoing, enduring mission with clear orders and directions and the information from research and engagement is helping to shape and focus the ongoing work.

The cultural change that is being fostered will not happen overnight and will continue to require the full engagement of every military member. We are beginning to see the impact of the programs we have implemented and a culture change being influenced through Operation HONOUR, which though now well underway, will take years to instil and consolidate. However, change is occurring across the organisation and individual members are being influenced and the StatCan survey results demonstrated that there is increased trust and faith in victim support, action by the chain of command, and an understanding of why culture change is necessary and critical. These are good indicators that we are making progress and influencing positive and necessary change.

However, it is time to take stock of our work on Operation HONOUR, evaluate our actions and initiatives and ensure that we have not only the programs, policies, research and initiatives, but the institutional regulatory framework to ensure the desired cultural change permeates and engages the entire institution and the Profession of Arms. In order to do this we will move beyond using “orders” and broaden the work of Operation HONOUR, and the desired culture change, through a more comprehensive strategic plan that provides an all-encompassing institutional framework and long range vision. This will begin with the reconfiguration and realignment of the CAF Strategic Response Team on Sexual Misconduct to ensure an enduring function and permanent organization within the CAF. Concurrently, work will begin on the development of a more deliberate approach to sustain culture change beyond just the elimination of sexual misconduct to one that refreshes and reinforces the foundational principles of *Duty with Honour* and incorporates all of our other initiatives on diversity, inclusivity, health and wellness to ensure we have a culture of respect and dignity, that values our people, and supports and cares for them





### Summary of Achievements and Initiatives

<b>Enhanced Victim Support</b>	<b>Impact</b>
<ul style="list-style-type: none"> <li>Completion of CAF HISB Victim Needs Analysis</li> </ul>	<ul style="list-style-type: none"> <li>Identified critical gaps in victim support services. Tiger Team with key stakeholders initiated to develop mechanisms to address the current gaps in support</li> </ul>
<ul style="list-style-type: none"> <li>Expanded options for reporting</li> </ul>	<ul style="list-style-type: none"> <li>Introduction of additional options for reporting will give victims a sense of empowerment, reduce the resistance to reporting, and increase the potential for collecting valuable information regarding sexual offences and sexual predators, which would otherwise be lost if no formal complaint was filed</li> </ul>
<ul style="list-style-type: none"> <li>Victim Liaison Assistance Program</li> </ul>	<ul style="list-style-type: none"> <li>Development of a Victim Liaison Assistance Program will ensure that victims of HISB have continued and consistent support of specifically trained personnel as their case progresses through civilian or military health care and police systems as well as judicial processes</li> </ul>
<ul style="list-style-type: none"> <li>Peer Support Program</li> </ul>	<ul style="list-style-type: none"> <li>Implementation of Peer support network will offer a safe environment for HISB victims/survivors to seek support from others who have had similar experiences while in the CAF</li> </ul>
<ul style="list-style-type: none"> <li>Sexual Misconduct Response Centre 24/7 operating model</li> </ul>	<ul style="list-style-type: none"> <li>Will provide a seamless interface for CAF members to reach an SMRC counsellor at all times no matter where they are in the world</li> </ul>
<ul style="list-style-type: none"> <li>Initial Development of CAF Victim/survivor engagement strategy framework</li> </ul>	<ul style="list-style-type: none"> <li>Will help the CAF as an institution to both better hear the voices of victims/survivors and be guided by them in order to enhance capabilities, address past challenges and develop victim support services to ultimately ensure that victim support and prevention programs are aligned with victim's needs</li> </ul>
<ul style="list-style-type: none"> <li>Enhanced training in trauma-informed care for front-line workers in victim support</li> </ul>	<ul style="list-style-type: none"> <li>Improved responses and support for those who experience sexual trauma, and to help peers and members of the Chain of Command to safely intervene if they witness sexual misconduct or people at risk</li> </ul>
<ul style="list-style-type: none"> <li>Introduction of the CAF Sentinel program and Strategic framework "Call to Serve 2.0"</li> </ul>	<ul style="list-style-type: none"> <li>Will ensure the greater care of and support to CAF members while also ensuring their spiritual well-being</li> </ul>
<ul style="list-style-type: none"> <li>Development and delivery of new strategy on Spiritual Health and Wellness in the context of culture change.</li> </ul>	<ul style="list-style-type: none"> <li>Improved promotion of the well-being and the spiritual preparation of CAF personnel (and their families) for working and living in the military environment</li> </ul>
<ul style="list-style-type: none"> <li>Canadian Forces Health Services (CFHS) Group revised medical policy on "Medical Management of Sexual Misconduct"</li> </ul>	<ul style="list-style-type: none"> <li>Clearer direction on providing medical care to victims of sexual misconduct</li> </ul>
<b>Training and Education</b>	<b>Impact</b>
<ul style="list-style-type: none"> <li>Bystander Intervention training implemented and completed by 80% of CAF members</li> </ul>	<ul style="list-style-type: none"> <li>Helping CAF members recognize and react decisively to sexual misconduct and harassment when they see it</li> </ul>
<ul style="list-style-type: none"> <li>Respect in CAF Workshop pilot program complete. Now planning CAF wide implementation</li> </ul>	<ul style="list-style-type: none"> <li>Fosters a sustained change in attitudes and behaviours focused on building a respectful climate and culture within the CAF</li> </ul>
<ul style="list-style-type: none"> <li>Respect in the CAF Mobile App</li> </ul>	<ul style="list-style-type: none"> <li>Accessible downloadable tools, educational information, and resources to support anyone who is dealing with an incident of HISB. This will enable CAF members of all ranks to deal knowledgeably with the prevention of, and response to, inappropriate sexual behaviour</li> </ul>

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<ul style="list-style-type: none"> <li>Peacekeeping/Peace Support Training includes lessons and scenarios on sexual harassment, sexual exploitation and abuse, sexual violence and women, Peace and Security.</li> </ul>	<ul style="list-style-type: none"> <li>Reinforces that these behaviours are not tolerated and that all CAF members are ordered not to subject personnel to these and are directed to intervene and report if they observe such behaviour.</li> </ul>
<ul style="list-style-type: none"> <li>Operation HONOUR related subjects and performance objectives embedded in all leadership courses</li> </ul>	<ul style="list-style-type: none"> <li>Reinforces CAF ethos, ethics and professionalism required of CAF leaders</li> </ul>
<ul style="list-style-type: none"> <li>Completion of Gender Based Analysis + Training</li> </ul>	<ul style="list-style-type: none"> <li>Ensures gender considerations in all policies and programs</li> </ul>
<ul style="list-style-type: none"> <li>Enhanced training for instructors of recruits and junior CAF members</li> </ul>	<ul style="list-style-type: none"> <li>Ensures those who work with and supervise these potentially more vulnerable populations are equipped to detect and respond to sexual violence and harassment</li> </ul>
<ul style="list-style-type: none"> <li>RCN Leadership, Respect &amp; Honour (LR&amp;H) program across all NCM Rank Qualifications (RQs) &amp; Officer Courses</li> </ul>	<ul style="list-style-type: none"> <li>Provides a baseline understanding of the conduct requirements for all personnel in the RCN; Shifts from understanding and individual actions to identifying the actions and expectations to be taken by supervisors at each level to resolve incidents and prevent future occurrences</li> </ul>
<ul style="list-style-type: none"> <li>Operation HONOUR objectives and principles have been embedded into the three-day CA evidence-based Ethics Course.</li> </ul>	<ul style="list-style-type: none"> <li>Enhanced understanding of soldiers' behaviour and moral attitudes that adds to empowering bystanders to intervene. Also reinforces the importance of leadership influenced by ethical-driven attitudes</li> </ul>
<ul style="list-style-type: none"> <li>RCAF mandated additional training content includes detailed scenario-based package to address inappropriate instructor and student relationships in Training Establishments.(TE)</li> </ul>	<ul style="list-style-type: none"> <li>All RCAF instructors at all RCAF TE's are now well prepared to handle challenging situations. This training package now serves as a model for CAF Training Establishments in other environments</li> </ul>
<b>Policy</b>	<b>Impact</b>
<ul style="list-style-type: none"> <li>CAF Diversity Strategy Action Plan</li> </ul>	<ul style="list-style-type: none"> <li>Links the tasks, resources, timelines and performance measures that are required to accomplish the strategic goals of the CAF Diversity Plan.</li> <li>Strategy and Action Plan principles apply to all CAF personnel which includes Lesbian, Gay, Bisexual, Transgender and Queer/Questioning members. CAF LGBTQ+ members and their rights to work in a harassment-free workplace</li> </ul>
<ul style="list-style-type: none"> <li>Policy on Harassment Prevention and Resolution for DND/ Canadian Armed Forces</li> </ul>	<ul style="list-style-type: none"> <li>Enhance efforts to ensure a workplace free from harassment and discrimination by providing clear direction, updated resources and instructions.</li> </ul>
<ul style="list-style-type: none"> <li>Harassment Instructions and Responsible Offices Guide have been updated and being promulgated</li> </ul>	<ul style="list-style-type: none"> <li>Instructions are clearer and easier to follow for supervisors, managers, victims, advisors and the chain of command.</li> </ul>
<ul style="list-style-type: none"> <li>DAOD 5019-0 Conduct (Umbrella Policy) drafted for May 17 sign off</li> </ul>	<ul style="list-style-type: none"> <li>Provides clear direction and information on Conduct for CAF members and a framework for the development of subordinate policies related to conduct.</li> </ul>
<ul style="list-style-type: none"> <li>DAOD 5019-5 Inappropriate Sexual Behaviour (Formerly Sexual Misconduct) policy in draft</li> </ul>	<ul style="list-style-type: none"> <li>Inclusion of all forms of HISB (of which sexual misconduct is a part.) Addresses previous gaps with respect to victim support, prevention, procedural fairness and confidentiality</li> </ul>
<ul style="list-style-type: none"> <li>CDS Direction on Notice of Intent to recommend release and Administrative Reviews for CAF members found guilty of sexual misconduct under the Criminal Code or the Code of Service Discipline either by a summary trial, court martial or civilian court,</li> </ul>	<ul style="list-style-type: none"> <li>Continues to demonstrate CAF resolve in holding members to account for their actions</li> </ul>
<ul style="list-style-type: none"> <li>CO's Initial Response to Sexual Assault Tool Kit under final development</li> </ul>	<ul style="list-style-type: none"> <li>Additional information and clarity for Commanding Officers.</li> </ul>

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Data Collection and Reporting	Impact
<ul style="list-style-type: none"> <li>Automated CAF HISB Tracking &amp; Analysis System</li> </ul>	<ul style="list-style-type: none"> <li>Captures all incidents and pulls information from various system into a data warehouse for enhanced reporting capability as well as our ability to track, assess and report on HISB, measure trends, and evaluate the effectiveness of actions taken within the organization</li> </ul>
<ul style="list-style-type: none"> <li>Monthly HISB Statistic summaries for CAF posted on-line</li> </ul>	<ul style="list-style-type: none"> <li>A monthly summary of statistics for all HISB-related incidents, including the names of CAF members who have faced service tribunals for HISB related incidents, are available online to maintain transparency, openness, and to serve as a form of deterrence and prevention.</li> </ul>
<ul style="list-style-type: none"> <li>Operation HONOUR now briefed at CDS Weekly Operations Brief</li> </ul>	<ul style="list-style-type: none"> <li>All commanders across CAF are provided with timely information on initiatives, directives, policies and statistics to better inform their subordinates of the cultural change efforts</li> </ul>
<ul style="list-style-type: none"> <li>Examination of the development of a military justice case management tool and database</li> </ul>	<ul style="list-style-type: none"> <li>Electronic system will provide up-to-the-minute tracking military justice files from the reporting of an alleged infraction, through to investigation, charge laying, trial disposition and review in both the summary trial and court martial processes</li> </ul>
Military Justice and Military Policing Efforts	Impact
<ul style="list-style-type: none"> <li>Sexual Offence Response Teams (SORT) launched</li> </ul>	<ul style="list-style-type: none"> <li>Specialized CFNIS teams across all regions dedicated to investigating offences of a sexual nature and ensuring support is provided to victims throughout investigations</li> </ul>
<ul style="list-style-type: none"> <li>Bill C-15, the Strengthening Military Justice in the Defence of Canada Act</li> </ul>	<ul style="list-style-type: none"> <li>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</li> </ul>
<ul style="list-style-type: none"> <li>Unfounded Case Review</li> </ul>	<ul style="list-style-type: none"> <li>All files related to sexual offences previously labelled as unfounded are being reviewed to ensure they were properly concluded</li> </ul>
<ul style="list-style-type: none"> <li>CFPM implementation of external case review model a la "Philadelphia Model"</li> </ul>	<ul style="list-style-type: none"> <li>Provides for independent, external case review of unfounded sexual assault cases that would include stakeholders reviewing complete case files</li> <li>Ensures that all cases are handled appropriately, and that victims feel confident in reporting offences to CF MP</li> </ul>
<ul style="list-style-type: none"> <li>Enhanced training for support to victims of offences of a sexual nature</li> </ul>	<ul style="list-style-type: none"> <li>Improved understanding victimization and respond in a compassionate and appropriate way to survivors of sexual assault</li> </ul>
<ul style="list-style-type: none"> <li>CFNIS investigators have completed U.S. Army Military Police School (USAMPS) Special Victims Unit Investigation Course</li> </ul>	<ul style="list-style-type: none"> <li>Expands upon the training and skills for Sexual Assault Investigations</li> </ul>
<ul style="list-style-type: none"> <li>CFPM partnership with the Ontario Police College for delivery of the Sexual Assault Investigators course</li> </ul>	<ul style="list-style-type: none"> <li>Greater access to training while also building stronger relations with our law enforcement partners.</li> </ul>
<ul style="list-style-type: none"> <li>Workshops on Sexual Assault Investigations for all military police.</li> </ul>	<ul style="list-style-type: none"> <li>Continued professional development and enhancement of knowledge related to sexual assault investigations.</li> </ul>
<ul style="list-style-type: none"> <li>CFPM direction that 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 the same, common high standard</li> </ul>
<ul style="list-style-type: none"> <li>Court Martial Comprehensive Review</li> </ul>	<ul style="list-style-type: none"> <li>Examining 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</li> </ul>

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	and whether any additional measures should be taken in order to protect the rights or interests of victims
<b>Performance Measurement</b>	<b>Impact</b>
<ul style="list-style-type: none"> <li>Statistics Canada Survey on Sexual Misconduct in the CAF report released on 28 Nov 2016</li> </ul>	<ul style="list-style-type: none"> <li>Provided a baseline to assess progress of Operation HONOUR, and a reliable benchmark for future surveys</li> <li>Information to better target the work of Operation HONOUR</li> </ul>
<ul style="list-style-type: none"> <li>Prevalence surveys conducted using a tailored version of the Statistics Canada Survey for populations excluded in the first survey</li> </ul>	<ul style="list-style-type: none"> <li>The ability to gain insight into targeted groups to shape prevention programs and inform decision making</li> </ul>
<ul style="list-style-type: none"> <li>CF Your-Say Survey updated to include questions on Operation HONOUR, SMRC, and Bystander Intervention</li> </ul>	<ul style="list-style-type: none"> <li>Results will supplement data from the Statistics Canada survey results on specific areas of Operation HONOUR</li> </ul>
<ul style="list-style-type: none"> <li>Ongoing research in areas of Victim Support; Culture Change; Social Media; Leadership Issue; Bystander Effect and the effectiveness of Operation HONOUR</li> </ul>	<ul style="list-style-type: none"> <li>Increased understanding of the issues on a long-term basis and recommendations for action</li> </ul>
<b>Other</b>	<b>Impact</b>
<ul style="list-style-type: none"> <li>Integrated Complaint &amp; Conflict Management (IC2M) - transforming, streamlining and improving the CAF's Complaint Resolution System</li> </ul>	<ul style="list-style-type: none"> <li>Simplified, integrated complaint and conflict management system that is responsive to and trusted by CAF members and the chain of command</li> </ul>
<ul style="list-style-type: none"> <li>Increased resources and effort on recruiting of Women</li> </ul>	<ul style="list-style-type: none"> <li>Percentage of female recruits increased from 13% to 17% between and the overall percentage of women in the CAF has increased by 0.3%, which is the first positive growth in over a decade.</li> </ul>

## Summary of HISB Statistics for Fiscal Year 2016-2017

### Operation HONOUR Monthly Harmful and Inappropriate Sexual Behaviour (HISB) Unit Reports - Summary (1 April 2016 to 31 March 2017)

Of the 504 incidents reported:

- 46 reports were from incidents that occurred in 2015
- 331 occurred in 2016 (average of 28 incidents per month)
- 65 occurred in 2017 (average 22 incidents occurring per month)
- 35 occurred over the time period of 1973-2014
- 27 reports had no data for date of the incident

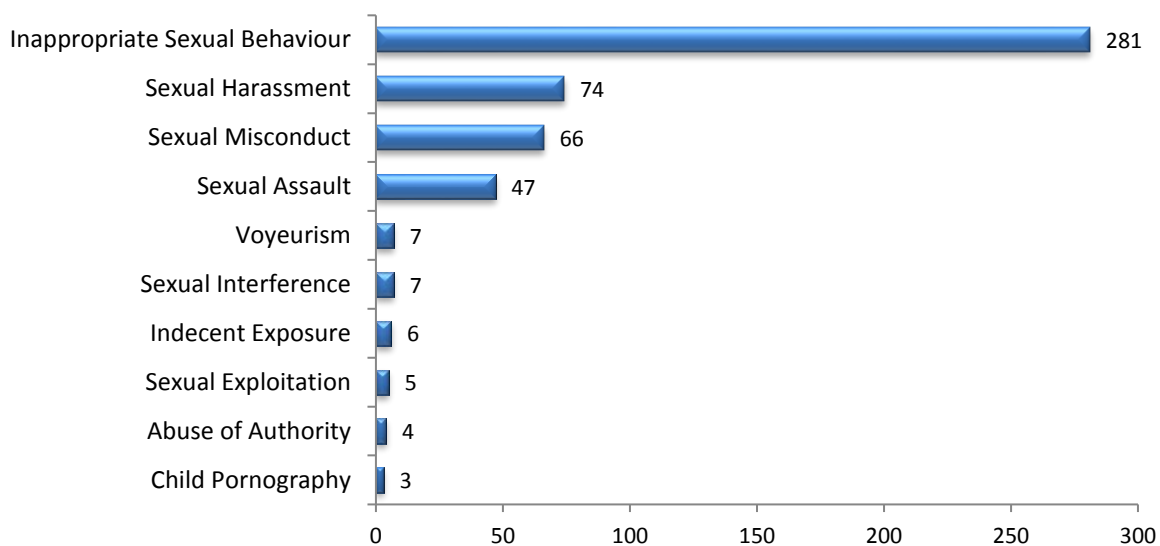


Chart 1: Types of Harmful and Inappropriate Sexual Behaviour

**Incidents investigated and closed: 193**

**Incidents still under investigation: 310**

- Investigation by the unit: 89
- Under investigation by other authority: 221 (includes Military Police, National Investigative Service, Civilian Police, or Harassment Investigator)

*Note: One (1) incident has missing information regarding investigative action taken*

Type of HISB: 206 incidents of the inappropriate sexualized behaviour have been further characterised as:

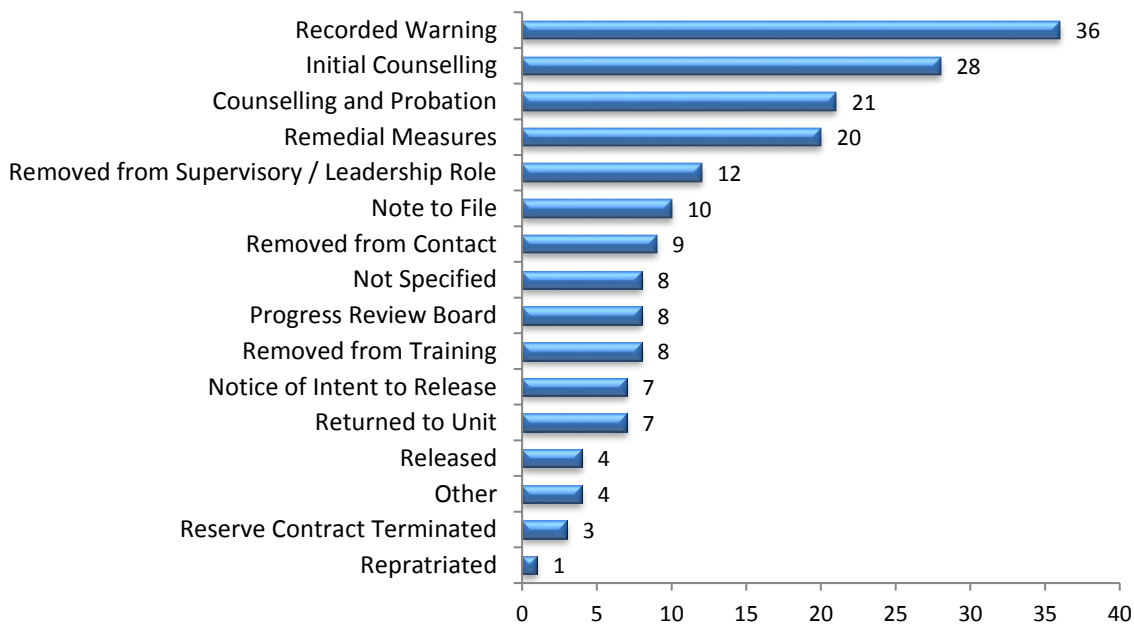
- 44 – frequent use of belittling or sexual language
- 17 – frequent use of sexual jokes
- 7 – visual display of sexually explicit materials
- 23 – pressuring for sexual activity
- 1 – taking photos without consent while engaged in sex act and showing to friends
- 114 - “Other” – denotes behaviours that fall within an Operation HONOUR nexus, not otherwise identified on the provided list of behaviours or offences
- 75 incidents did not provide further delineation

Type of sexual assault: 47 incidents of sexual assault have been further identified as:

- 23 – unwanted sexual touching
- 6 – sexual assault using violence
- 6 – sexual activity unable to consent
- 12 – other - *typically includes incidents where more than one type of inappropriate behavior or offence occurred.*)

**Summary of Administrative Actions**

Administrative Action was taken in 180 incidents (186 actions)



**Chart 2: Administrative Actions Taken by Units**

*Note: In this chart, the category “other” includes cases where the respondent is no longer a member of the Canadian Armed Forces, insufficient information for an investigation, or a substantive action taken that was not technically a remedial measure or charge.*

**Statistics on those involved in HISB incidents**

Complainants:

- 50% are Junior Non-Commissioned Members, 23% are Civilians
- 75.8% Females; 14.5% Males

Respondents (CAF members only):

- 48% are Junior Non-Commissioned Members, 17.1% Senior Non-Commissioned Members, and 17.1% Junior Officers
- 90.7% Males, 5% Females

*Note: Less than 100% totals result when gender information is not included in the report.*

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56.7% of incidents were reported by the “victim” (or target of the behaviour). Of the remainder the vast majority of reports were initiated by the leadership directly or bystanders who intervened.

**Personnel Removed from Positions of Command, Leadership, Instruction or Supervisory Duties:**

- Removal from command: 8
- Removal from Leadership, Instruction or Supervisory duties: 43

**Administrative Reviews and Releases from the CAF related to Sexual Misconduct**

Between 1 Jan 16 to 31 Dec 16 (\*note this is calendar year, not fiscal year)

- 40 administrative review files related to Sexual Misconduct (SM)/Operation HONOUR (HISB) opened
- 26 decisions rendered so far (24 release, 2 counselling and probation)  
Since 1 Jan 17 to 20 Mar 17, which coincides with the release of Chief of Defence Staff Direction
- 77 files opened with decisions pending

**Summary of Sexual Offences from the Military Justice System for Fiscal year 16/17**

**01 Apr 2016 to 31 Mar 2017**

Note that not all of the offences listed below occurred in the timeframe of this report. These numbers reflect when reports were made to the Canadian Forces National Investigative Service (CFNIS).

There are three levels of sexual assault offences:

- **Sexual assault level 1 (s. 271):**  
An assault committed in circumstances of a sexual nature such that the sexual integrity of the victim is violated. Level 1 involves minor physical injuries or no injuries to the victim.
- **Sexual assault level 2 (s. 272):**  
Sexual assault with a weapon, threats, or causing bodily harm.
- **Sexual assault level 3 (s. 273):**  
Sexual assault that results in wounding, maiming, disfiguring or endangering the life of the victim.

Sexual assault investigations tend to be complex and take a considerable amount of time before they are complete and charges can be laid. A total of 64 charges have been laid in relation to investigations completed for the reports below.

Offense	Total Reported	Founded
Sexual Assault Level 1	234	218
Sexual Assault Level 2	0	0
Sexual Assault Level 3	1	1
Sexual Exploitation	9	9
Invitation to Sexual Touching	7	7
Sexual Interference	8	6
Sexual Crimes Other	14	12
Sexual Offenses Occurring Outside of Canada	4	4
Other Primary Offense	11	10
	288	267

**Completed Courts Martial between 01 Apr 2016 and 31 Mar 2017 (12 plus 1 pending sentence)**

**Officer Cadet Whitehead**

- Court martial completed on 29 Apr 16
- Charges: 2 counts of section 271 *Criminal Code* (sexual assault)
- Verdict: not guilty all charges
- Judge: Lieutenant Colonel D'Auteuil.

**Warrant Officer Wellowsky**

- Court martial completed on 23 Jun 16



- Charges: section 266 *Criminal Code* (assault), section 93 *National Defence Act* (behaved in disgraceful manner), and section 129 *National Defence Act* (conduct to the prejudice)
- Verdict: guilty section 93 *National Defence Act* and section 129 *National Defence Act*
- Sentence: reduction in rank, reprimand and \$1,000 fine.
- Judge: Colonel Dutil

#### **Master Seaman Steven**

- Court martial completed on 14 Jul 16
- Charges: section 129 *National Defence Act* (conduct to the prejudice), and section 97 *National Defence Act* (drunkenness)
- Verdict: guilty section 129 *National Defence Act* and section 97 *National Defence Act*
- Sentence: severe reprimand and \$3,000 fine
- Judge: Colonel Dutil

#### **Master Corporal Beaudry**

- Court martial completed on 21 Jul 16
- Charges: section 272 *Criminal Code* (sexual assault causing bodily harm), and section 246(a) *Criminal Code* (bodily harm overcoming resistance to commission of offence)
- Verdict: guilty section 272 *Criminal Code*
- Sentence: 42 months imprisonment and dismissal, DNA order, 20 year Sexual Offender Information Registration Act (SOIRA) order, and 10 year weapons prohibition order.
- Judge: Commander Pelletier

#### **Sergeant Laferrière**

- Court martial completed on 21 Oct 16
- Charges: section 271 *Criminal Code* (sexual assault), section 95 *National Defence Act* (ill-treatment of a subordinate), and section 97 *National Defence Act* (drunkenness)
- Verdict: guilty of section 266 *Criminal Code* (lesser and included offence to section 271 *Criminal Code*), section 95 *National Defence Act*, and section 97 *National Defence Act*
- Sentence: severe reprimand and \$2,500 fine
- Judge: Lieutenant Colonel D'Auteuil

#### **Major St-Pierre**

- Court martial completed on 7 Nov 16
- Charges: section 271 *Criminal Code* (sexual assault), and section 93 *National Defence Act* (behaved in a disgraceful manner), section 97 *National Defence Act* (drunkenness)
- Verdict: guilty section 93 *National Defence Act* and section 97 *National Defence Act*
- Sentence: reduction in rank, severe reprimand, and \$5,000 fine
- Judge: Colonel Dutil

#### **Master Warrant Officer Chapman**

- Court martial completed on 28 Nov 16
- Charge section 271 *Criminal Code* (sexual assault), and section 93 *National Defence Act* (behaved in a disgraceful manner)
- Verdict: guilty section 93 *National Defence Act*
- Sentence: reduction in rank and \$2,500 fine
- Judge: Commander Pelletier

**Captain Christensen**

- Court martial completed on 29 Nov 16
- Charge: section 271 *Criminal Code* (sexual assault), and section 93 *National Defence Act* (behaved in a disgraceful manner)
- Verdict: guilty section 93 *National Defence Act*
- Sentence: reduction in rank
- Judge: Colonel Dutil

**Master Corporal Jackson**

- Court martial completed on 4 Jan 17
- Charges: section 271 *Criminal Code* (sexual assault), and section 93 *National Defence Act* (behaved in a disgraceful manner)
- Verdict: not guilty all charges
- Judge: Lieutenant Colonel D'Auteuil

**Second Lieutenant Brunelle**

- Court martial completed on 10 Jan 17
- Charge: section 93 *National Defence Act* (behaved in a disgraceful manner)
- Verdict: guilty section 93 *National Defence Act*
- Sentence: Severe reprimand and \$3,000 fine
- Judge: Commander Pelletier

**Corporal Crabtree-Megahy**

- Court martial completed on 14 Feb 2017
- Charges: section 129 *National Defence Act* (conduct to the prejudice)
- Verdict: guilty
- Sentence: \$500 fine
- Judge: Colonel Dutil

**Petty Officer 2<sup>nd</sup> Class Wilks**

- Court martial finding: 3 Feb 17 (sentencing adjourned to 24 May 17)
- Charges: counts of section 122 *Criminal Code* (breach of trust), count of section 271 *Criminal Code* (sexual assault)
- Verdict: guilty counts of section 122 *Criminal Code*, Guilty count of section 271 *Criminal Code*; and not guilty counts of section 122 *Criminal Code*.
- Sentencing: 24 May 2017
- Judge: Colonel Dutil

**Major Hamelin**

- Court martial completed on 18 Mar 17
- Charges: 1 count section 129 *National Defence Act* (an act to the prejudice)
- Verdict: guilty
- Sentence: reprimand and \$1,800 fine
- Judge: Commander Pelletier

**Completed Summary Trials between 01 Apr 2016 and 31 Mar 2017: 17**

**Master Corporal Bohnsack**

- Summary Trial completed on 20 Jan 2017
- Charges: section 95 *National Defence Act* (abuse of subordinates), section 130 *National Defence Act* (Service Trial of civil offences), 2 x section 129 *National Defence Act* (an act to the prejudice)
- Verdict: 2 x guilty, 2 x stayed
- Punishment: 6 day detention, \$250 fine

**Sergeant Crawford**

- Summary Trial completed on 25 Jan 2017
- Charge: section 129 *National Defence Act* (an act to the prejudice)
- Verdict: guilty
- Punishment: reprimand, fine \$1389.60

**Master Corporal Selman**

- Summary Trial completed on 02 May 2016
- Charge: section 129 *National Defence Act* (an act to the prejudice)
- Verdict: guilty
- Punishment: fine \$800

**Master Corporal Nixon**

- Summary Trial completed on 26 May 2016
- Charge(s): section 129 *National Defence Act* (an act to the prejudice); 3x section 95 *National Defence Act* (abuse of subordinates); section 112 *National Defence Act* (improper use of vehicles)
- Verdict: 4 x guilty
- Punishment: reduction in rank

**Captain Stringer**

- Summary Trial completed on 23 Jun 2016
- Charge(s): 2 x section 129 *National Defence Act* (an act to the prejudice)
- Verdict: 1 x not guilty, 1 x guilty
- Punishment: fine \$200

**Captain Duvall**

- Summary Trial completed on 06 Jul 2016
- Charge(s): 2 x section 129 *National Defence Act* (an act to the prejudice)
- Verdict: 1 x not guilty, 1 x guilty
- Punishment: fine \$1500

**Warrant Officer Boudreau**

- Summary Trial completed on 15 Jul 2016
- Charge(s): section 129 *National Defence Act* (an act to the prejudice)
- Verdict: guilty
- Punishment: fine \$1000; reprimand

**Master Corporal Spence**

- Summary Trial Date: 15 Sep 2016
- Charge(s): 2x section 129 *National Defence Act* (an act to the prejudice)
- Verdict: guilty
- Punishment: fine \$2000

**Ordinary Seaman Penner**

- Summary Trial completed on 21 Sep 2016
- Charge(s): section 90 *National Defence Act* (absence without leave); section 129 *National Defence Act* (an act to the prejudice)
- Verdict: guilty
- Punishment: fine \$200; 4 days confinement to ship or barracks

**Master Corporal Henderson**

- Summary Trial completed on 26 Oct 2016
- Charge(s): 2x section 129 *National Defence Act* (an act to the prejudice)
- Verdict: guilty; stayed
- Punishment: fine \$2500; reprimand

**Master Corporal Jaundoo**

- Summary Trial completed on 17 Dec 2016
- Charge(s): section 129 *National Defence Act* (an act to the prejudice)
- Verdict: guilty
- Punishment: cautioned

**Master Corporal Keparutis**

- Summary Trial completed on 17 Dec 2016
- Charge(s): section 129 *National Defence Act* (an act to the prejudice)
- Verdict: guilty
- Punishment: cautioned

**Corporal Vandergaast**

- Summary Trial completed on 17 Dec 2016
- Charge(s): 2x section 129 *National Defence Act* (an act to the prejudice)
- Verdict: guilty
- Punishment: reduction in rank

**Master Seaman Noble**

- Summary Trial completed on 26 Jan 2017
- Charge(s): section 129 *National Defence Act* (an act to the prejudice)
- Verdict: guilty
- Punishment: fine \$1000

**Leading Seaman Knittle**

- Summary Trial completed on 01 Feb 2017
- Charge(s): section 129 *National Defence Act* (an act to the prejudice)
- Verdict: guilty
- Punishment: fine \$600

## The CAF Strategy to Address HISB

The original strategy developed to address the problem of inappropriate sexual behavior in the CAF consists of four major lines of effort, designed to fully understand the issue of harmful and inappropriate sexual behaviour within the CAF; to support persons affected by harmful and inappropriate sexual behaviour; and, to effectively respond to and prevent further occurrences of such incidents. This strategy is helping the CAF to make good headway and will continue to guide future CAF efforts to achieve a pervasive CAF culture of dignity and respect.

The strategy recognises that to address the problem of inappropriate sexual behaviour across the entire institution, the CAF must fully comprehend and appreciate the problem. Our level of understanding the scope and the complexity of the subject is improving, and the Statistics Canada survey results are a large part of that. An ongoing activity for this reporting period has been continued research to **understand** the reality of harmful and inappropriate sexual behaviour in the CAF. The Statistics Canada survey combined with ongoing internal research and benchmarking information have been contributing to targeting our actions as well as focus for education and training and resource material.

An early priority for the CAF was to be able to better **support** victims of inappropriate sexual behaviour, effectively and with sensitivity. Accordingly, an immediate focus of Operation HONOUR was to improve the support available to CAF members who have experienced inappropriate sexual behaviour and we continue to expand support options to not only victims, but those who are supporting them through resources specific to the chain of command and expanded victim support services including peer support, victim liaison assistance, and increased options for reporting.

While understanding the scope and complexity of harmful and inappropriate sexual behaviour in the CAF and supporting victims are clearly important, the CAF must also **respond** to incidents of inappropriate sexual behaviour promptly, effectively and fairly. Hence, the third aspect of the strategy has been to improve the CAF's overall response to incidents of inappropriate sexual behaviour, to encourage reporting and to deal decisively with those who violate the trust and confidence of CAF members.

The strategy's fourth line of effort is the long-term **prevention** of incidents of inappropriate sexual behaviour through the creation of a CAF culture based on dignity and respect. Greater emphasis has been placed on this during the reporting period. This will help sustain the CAF's vision and enhance professionalism, upholding the culture of dignity and respect with the highest standards of conduct.

### Understand

The Understand line of effort consists of five significant activities:

- a. Ongoing Research through a comprehensive research plan that is on target and progressing well under the leadership of DGMPRA and in partnership with other agencies including Statistics Canada, the Defence Advisory Board, and the Canadian Institute for Military and Veterans Health Research; leveraging internal research resources and partnering with external expertise;
- b. Stakeholder engagement and awareness inside and outside the CAF. Internal and external stakeholders are integral to the communications strategy developed to deal with HISB, and a healthy stakeholder network and engagement strategy is in place;
- c. Data collection and analysis. In order to organize and categorize existing and new information on HISB, we are developing a centralized collection and sharing database warehouse, which will incorporate data not previously available or in separate systems;

- d. Establish reporting mechanisms and sharing of information. Starting in April 2016 we established an integrated information and reporting framework to assist with tracking of incidents, investigations, actions and outcomes. These reports are being briefed on a regular basis as part of the CAF operations updates at the CDS Weekly Operations Brief to inform and engage leaders across the institution. Starting with Jan 17, the monthly snapshots of HISB data are being made available electronically on the Operation HONOUR internet and intranet sites; and
- e. Gather and analyse data from CAF membership to establish a baseline to better understand the spectrum of inappropriate sexual behaviour. This has been accomplished through the StatCan survey on Sexual Misconduct in the CAF conducted between Apr and Jun 2016 with results reported in Nov 2016 and now being implemented across CAF initiatives. This information is being supplemented through the use of a variety of internal instruments including population specific surveys and focus groups for new recruits, Military Colleges, Initial occupation training, Cadet Instructors and Canadian Rangers.

## **Respond**

The CAF must respond to incidents of inappropriate sexual behaviour promptly, effectively and fairly. This line of effort has seven associated activities:

- a. To encourage and facilitate reporting through the development and implementation of an enhanced victim reporting protocol;
- b. To ensure that those affected by harmful and inappropriate sexual behaviour can connect to subject matter experts for advice and assistance without triggering a report and investigation, the SMRC and Integrated Conflict and Complaint Management (IC2M) pilot project are providing direct access and assistance to victims and the chain of command;
- c. To inform, encourage and empower members of the CAF to recognize, respond and take action when they observe harmful and inappropriate sexual behaviour we have introduced a series of new education and training initiatives and added Operation HONOUR related subjects to existing programs on ethics, leadership, pre-deployment training and command development;
- d. Our ability to track incidents and response has improved through monthly reporting initiated in Apr 2016; and
- e. To ensure diligence and vigilance as well as consistent and timely disciplinary and administrative action, new policies and directions have been published for Harassment Prevention and Resolution and Administrative Reviews for Sexual Misconduct related offences, and leaders have been held to account for their actions.

## **Support**

In addition to responding to incidents of harmful and inappropriate behaviour, the CAF must, as a priority, provide more support, effectively and with sensitivity, for victims of such behaviour and CAF members who are supporting them. The strategy's support line of effort has two major activities:

- a. To ensure that continuing effective support is available and provided to CAF members who experience inappropriate sexual behaviour we have increased the number of type of organisations providing support to victims and the chain of command through Health Service, Chaplains, Military Police, Sexual Misconduct Response Centre (SMRC), Integrated Complaint and Conflict Management system (IC2M), Member's Assistance Program, Family Information Line, Military Family Resource Centres as well as local civilian support agencies; and
- b. To ensure the victim support system meets the needs of CAF members we have conducted an in-depth needs analysis and review of the current support mechanisms as well as best practices

of our Allies and Canadian institutions. This analysis and evaluation is progressing through a number of new CAF options through the SMRC and the IC2M as well as new initiatives for peer support and victim liaison assistance.

## **Prevent**

The strategy's fourth line of effort is the prevention of inappropriate sexual behaviour to the greatest extent possible in the short-term by ensuring effective intervention actions take place, and in the longer-term, encouraging and fostering a culture of dignity and respect entrenched in the highest standards of conduct. It has four key activities:

- a. To revise and better integrate internal policies and programs. This is progressing with the first in a series of policies having been published in Jan 2017 with supporting Instructions and other policies now in draft undergoing review;
- b. To discourage CAF members from engaging in or tolerating inappropriate sexual behaviour through the development and implementation of a visible, effective prevention program based on stronger and sustained leadership and vigilance at all levels. Initiatives include notice of intent to release and mandatory administrative reviews for those found guilty of criminal or sexual offences that constituted sexual misconduct; increased use of remedial measures; removal from command, instructor or supervisory positions; and new programs including Bystander Intervention unit level training;
- c. To lead positive culture change in the CAF through changes and additions to the education and training curriculum for all CAF members, focused on identifying and preventing inappropriate sexual behaviour. This is expected to begin progressing well in the next phase, as all training authorities have developed and implemented new training that embeds Operation HONOUR related subjects and performance checks across all levels of training; and,
- d. To continuously evaluate the effectiveness of the prevention programs through a variety of performance measures. Initial pilot programs and the implementation of Bystander Intervention Training have been evaluated and new methods of evaluation and standards will be implemented in the next period.

## IMPLEMENTATION OF THE ERA RECOMMENDATIONS

Six of the ten ERA recommendations have been met and the remaining four are well on the way to being completely implemented as the capacity and expertise of the SMRC evolves and our work on policy development is completed over the next year.

**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 focused 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.*

**Part one of the recommendation regarding culture change to eliminate the sexualized environment has been met** through the initial strategy for culture change in the CAF Action Plan, Operation HONOUR orders, and new education and training programs like Respect in the CAF that complement leadership, ethics, harassment and diversity training. We are consulting with organizational and culture change experts as well as change management professionals through formal relationships like the Defence Advisory Board and key stakeholder engagement to develop a culture change model and measurement tools.

**Part two of the recommendation regarding the integration of women and gender based-analysis is also being met** through institutional initiatives related to diversity; inclusivity; recruiting and retention of women in the CAF; gender considerations on operations; and Women, Peace and Security. Gender Based Analysis Plus has been implemented across DND/CAF and is being applied to CAF policies.

**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 for the creation of an independent center outside of the CAF has been met through the establishment of the Sexual Misconduct Response Centre. Responsibilities as outlined in the recommendation are being met** through the Sexual Misconduct Response Centre and CAF Strategic Response Team on Sexual Misconduct who are working with agencies and organizations across the CAF currently responsible for training, research and data collection. As SMRC grows in capacity, they will play a greater role in prevention programs, training development and monitoring, data collection and analysis and research.



The Centre is one of several agencies collecting data at this time and they have developed and implemented a case management system for data collection and analysis. ADM IM is working with the CSRT-SM, IC2M, and CFNIS to develop a data warehouse and management system that will compile data on incidents, reporting and action.

The receiving of reports is currently with the CF National Investigation Service only but as mentioned in the report, Third Option Reporting is currently being considered and SMRC may play a role in this additional reporting option for victims.

***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 and the provision of confidential and anonymous support without requiring a formal complaint.

The confidentiality protocol allows individuals contacting the SMRC to receive the information, support, and the validation needed to empower them to take the next step without triggering a formal report.

***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 being implemented** through policies, programs and products and the CAF continues to provide information, tools and products in plain language to assist members' understanding of inappropriate personal relationships, definitions and terminology related to sexual misconduct and harmful and inappropriate sexual behaviour using examples, scenarios, accessible language and straightforward explanations of related terms. These have been incorporated into training material and are being integrated in policies.

Aligned with this recommendation, new education and training products have been implemented and communications tools specific to consent are being developed for implementation in the summer.

***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 has been met with a unified policy approach and the first of a series of policies and instructions within the suite related to conduct to be promulgated within the next year.** The review of the policy associated with harmful and inappropriate sexual behaviour was completed in 2016 and the overarching Conduct policy is in draft with the Sexual Misconduct policy to follow. The approach will be to provide a more comprehensive policy that is easier for CAF members and Commanding Officers to understand and apply.

The DAOD on Harassment was published in Jan 2017 and the Instructions for Harassment Prevention and Resolution and the Responsible Officers Guide will be released shortly. 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 continues to work with the Canadian Human Rights Commission on policy and training development matters.

***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 has been met** through policy and program changes that have been recently implemented and the roll out of the Integrated Conflict and Complaint Mechanism (IC2M).

The implementation of this recommendation was initiated by a holistic review of the complaint process with the overall aim of providing a simplified, integrated complaint and conflict management system that is responsive to and trusted by CAF members and the Chain of Command. The new Harassment and Prevention Resolution Guidelines, separate ADR from informal resolution mechanisms comprised of self-help and supervisor assistance.

During the period of this progress report the IC2M have opened four prototype IC2M Complaint Management Services (CMS) Offices in Montreal, Valcartier, Kingston and Borden. More than 100 complaints were registered by these CMS during their first two months of Operation. The majority of these complaints were resolved informally by providing expert advice and by establishing a collaborative approach between the chain of command and CAF members. A total of 8 HISB incidents were registered and reported to their respective chain of command and/or SMRC as required.

There are ongoing discussions between CSRT-SM, IC2M and SMRC to centralize a CAF Sexual Harassment subject matter expert within IC2M and develop a synchronised and modernized IM/IT Complaint Management Case system.

As per recommendation 5, the ongoing work regarding sexual harassment language and policies 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.*

**This recommendation has been met** through the work of the CFPM and DMP highlighted previously in this report. 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.

When assigned a case that involves sexual misconduct offences, the military prosecutor takes all necessary steps to ensure that the matter is dealt with in the most appropriate jurisdiction (military or civilian) and that the concerns of victims are solicited, considered and addressed.<sup>35</sup> The decision as to whether a case will be prosecuted through the military justice system or the civilian justice system is made on a case-by-case basis and requires the consideration of a number of factors including:

- a. the victim's views;

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<sup>35</sup> See the Director of Military Prosecutions' policy on Sexual Misconduct Offences : <http://www.forces.gc.ca/en/about-policies-standards-legal/sexual-offences.page>

- b. the degree of military and civilian community interest in the case, as reflected by factors such as the place where the offence was alleged to occur, or whether the accused was on duty at the time of the alleged offence;
- c. whether the accused, the victim, or both are members of the CAF;
- d. whether the matter was investigated by military or civilian authorities;
- e. the views of the investigative agency; and
- f. geographic considerations such as the current location of necessary witnesses.

***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.

**Significant progress has been made in implementing this recommendation** through the work of the SMRC, DMP, CFPM and ongoing development of Victim Support Services programs including Victim Liaison Assistance highlighted in this report.

The role of advocating 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 to the ongoing work of victim support and advocacy being done by the CAF.

***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** as we review the role and capacity of the Sexual Misconduct Response Centre and expertise required to take the responsibility from the current CAF Training Authorities who are responsible for the development of training material and monitoring the standards of instruction and performance. At the present time, the SMRC does not currently possess a formally structured training and education capability, but is, however, actively influencing Operation HONOUR-related training development, providing input, advice and assistance to enhance current material and new curricula, tools and delivery vehicles in coordination with CAF Training Authorities.

As outlined earlier in considerable detail, significant progress has been achieved in modernizing, developing and implementing Operation HONOUR-related training and education at both the institutional and sub-organisational levels, with continued improvements and innovations in curriculum development, curriculum delivery and systemic evaluation underway or soon to be initiated.

## **OPERATION HONOUR MONTHLY STATS SUMMARY - January 2017**

### **Sexual Misconduct Complaints Reported to Canadian Forces National Investigative Service (CFNIS): 18**

- Sexual assaults = 14 (8 x CFNIS files)
- Sexual crimes – Other = 1 (CFNIS file)
- Luring a child via computer = 2 (neither are CFNIS files)
- Criminal harassment/voyeurism/mischief/print/publish/possess child porn = 1 (CFNIS file)
- Charges were laid by the CFNIS in relation to 4 Investigations in Jan.
- 1 case transferred from RCMP
- 1 civilian arrested and charged
- 2 arrests of Canadian Armed Forces (CAF) members by civilian police

### **Number of HISB Related Incidents Reported by Units: 34**

#### **Types of incidents:**

- 11 HISB
- 4 Frequent use of belittling or sexual language
- 3 Frequent use of sexual jokes
- 1 Visual display of sexually explicit material
- 4 Pressuring for sexual activity
- 5 Sexual assault
- 4 Sexual harassment
- 1 Indecent exposure
- 1 Sexual exploitation

Number of individuals receiving disciplinary/administrative actions to date: 10

### **Summary Trials with Operation HONOUR Nexus: 2**

#### **Master Corporal Bohnsack**

- Summary Trial completed 20 Jan 2017
- Charges: section 95 - Abuse of Subordinates *National Defence Act*, section 130 *National Defence Act* - Service Trial of Civil Offences, 2 counts of section 129 *National Defence Act* - Conduct to the prejudice of good order and discipline
- Verdict: 2 x Guilty, 2 x stayed
- Punishment: 6-day detention, \$250 fine

#### **Sergeant Crawford**

- Summary Trial completed 25 Jan 2017
- Charge: section 129 *National Defence Act* - Conduct to the prejudice of good order and discipline
- Verdict: guilty
- Punishment: reprimand, Fine \$1389.60

### **Courts Martial for Offences of a Sexual Nature: 2**

#### **Master Corporal Jackson**

- Court Martial completed on 4 Jan 17
- Charges: section 271 Criminal Code of Canada – sexual assault, and section 93 *National Defence Act* – behaved in a disgraceful manner

ANNEX F to Progress Report  
on Addressing Inappropriate  
Sexual Behaviour  
28 Apr 17

- Verdict: not guilty all charges
- Sentence: N/A

**Second Lieutenant Brunelle**

- Court Martial completed on 10 Jan 17
- Charge: section 93 *National Defence Act* – behaved in a disgraceful manner
- Verdict: guilty
- Sentence: severe reprimand and \$3,000 fine

**Personnel Removed from Positions of Command, Instruction or Supervisory Duties:**

- 1 removed from command (while investigation is ongoing)
- 4 removed from supervisory/instructor duties (permanent)

**Administrative Reviews and Releases Related to Offences of a Sexual Nature:**

- 22 administrative reviews have been initiated
- 2 released from the CAF for sexual misconduct

**Summary of Activity at the Sexual Misconduct Response Centre (SMRC) Regarding Contacts for Support or Advice:**

- Number of individuals contacting SMRC: 25
- Number of individuals identifying as CAF: 18
- Number of individuals identified as male / female: 10 / 15
- Total number of interactions (phone and e-mail): 33
- Number of individuals referred to the Military Police Liaison Officer: 5



## **OPERATION HONOUR MONTHLY STATS SUMMARY - February 2017**

### **Sexual Misconduct Complaints Reported to Canadian Forces National Investigative Service (CFNIS): 36**

- Sexual assaults = 21 (15 x CFNIS files)
  - 7 of these files are historical (>12 months): 1983, 2009, 2012, 2013, and 2015
  - 1 x file turned over to USA Homeland Security
  - 2 x files in the jurisdiction of the civilian police
  - 1 x file assisted the British Army Military Police
- 6 Sexual crimes other (incest, professional misconduct, *National Defence Act section 129*, negligent performance of duty)
- 3 Sexual interference (1 x CFNIS file)
- 6 Criminal harassment/voyeurism/mischief/child porn/sexual harassment (2 x CFNIS files)
- 4 CAF members arrested by CFNIS
- 3 Charges laid by the CFNIS
- 1 Canadian Armed Forces (CAF) member arrested by Military Police

### **Number of HISB-related Incidents Reported by Units: 51- 42 ongoing investigations, 9 closed with 8 founded**

Types of incidents:

- 38 HISB
- 6 Sexual assault
- 4 Sexual harassment
- 1 Voyeurism
- 1 Sexual exploitation
- 1 Abuse of power

Number of individuals receiving disciplinary/administrative actions related to these incidents to date:  
16

### **Summary Trials with Operation HONOUR Nexus: 0**

#### **Courts Martial for Offences of a Sexual Nature: 2**

Corporal Crabtree-Megahy

- Court Martial completed: 14 Feb 2017
- Charges: *National Defence Act section 129* (conduct to the prejudice – sexual comments)
- Verdict: guilty
- Sentence: \$500 fine

Petty Officer 2<sup>nd</sup> Class Wilks

- Court Martial finding : 3 Feb 17 (sentencing adjourned to 24 May 17)
- Charges: 7 counts of section 122 Criminal Code (breach of trust), 1 count of section 271 Criminal Code (sexual assault)
- Verdict: Guilty 3 counts of section 122 Criminal Code, guilty 1 count of section 271 Criminal Code; and not guilty 4 counts of section 122 Criminal Code.
- Sentencing: 24 May 2017

#### **Personnel Removed from Positions of Command, Instruction or Supervisory Duties:**

- 5 removed from supervisory / leadership positions

**Administrative Reviews and Releases Related to Offences of a Sexual Nature:**

- 15 administrative reviews have been initiated;
- 3 released from the CAF for sexual misconduct/HISB;
- 1 received remedial measures (recorded warning) due to HISB;
- 1 file closed without Director Military Career Administration's decision due to insufficient evidence.

**Summary of Activity at the Sexual Misconduct Response Centre (SMRC) Regarding Contacts for Support or Advice:**

- Number of CAF individuals contacting SMRC: 24
- Number of individuals identified as male / female: 12/12
- Total number of interactions (phone and e-mail): 18 / 22 (total of 40)
- Number of individuals referred to the Military Police Liaison Officer: 12



## **OPERATION HONOUR MONTHLY STATS SUMMARY - March 2017**

### **Sexual Misconduct Complaints Reported to Canadian Forces National Investigative Service (CFNIS): 24**

- 11 Sexual assaults (9 x CFNIS files)
  - 5 of these files are historical (older than 12 months): 1986, 1991, 2003, 2015, and 2011
- 3 Sexual crimes other (Non-consensual distribution of intimate images)
- 1 Sexual Exploitation (CFNIS file)
- 1 Luring a child (not a CFNIS file)
- 8 Criminal harassment/voyeurism/mischief/print-publish-possess child porn (1 CFNIS file)
- 1 Canadian Armed Forces (CAF) member arrested by CFNIS
- 1 CAF member arrested by Military Police
- 3 CAF members arrested by civilian police

### **Number of HISB Related Incidents Reported by Units: 36**

### **Individuals Receiving Disciplinary/Administrative Actions Related to these Incidents so far: 15**

Types of incidents:

- 23 HISB incidents:
  - 8 Frequent use of belittling or sexual language
  - 3 Frequent use of sexual jokes
  - 1 Visual displays of sexually explicit materials
  - 11 Other
- 7 Sexual assault
- 3 Indecent exposure
- 1 Sexual harassment
- 1 Child pornography
- 1 Sexual interference

### **Summary Trials with an Operation HONOUR Nexus: 0**

### **Courts Martial for Offences of a Sexual Nature: 1**

#### **Major Hamelin**

- Court martial completed: 18 Mar 17
- Charges: section 129 National Defence Act (an act to the prejudice of good order and discipline)
- Verdict: guilty
- Sentence: reprimand and \$1,800 fine
- Judge: Commander Pelletier

### **Personnel Removed from Positions of Command, Instruction or Supervisory Duties:**

- 2 removed from supervisory / leadership positions

### **Administrative Reviews and Releases Related to Offences of a Sexual Nature:**

- 21 administrative reviews have been initiated;
- 3 released from the CAF for sexual misconduct/HISB

### **Summary of Activity at the Sexual Misconduct Response Centre (SMRC) Regarding Contacts for Support or Advice:**

- 28 Individuals contacted the SMRC:



ANNEX F to Progress Report  
on Addressing Inappropriate  
Sexual Behaviour  
28 Apr 17

- 19 Individuals identified as CAF:
- 19/9 Individuals identified as male / female:
- 39 Total interactions (phone and e-mail):
- 6 Individuals referred to the Military Police Liaison Officer

