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Chair: Mrs. Karen McCrimmon



Standing Committee on National Defence

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• (1310)

[*Translation*]

The Chair (Mrs. Karen McCrimmon (Kanata—Carleton, Lib.)): Good afternoon.

Welcome, everyone.

[*English*]

I call to order meeting number 20 of the House of Commons Standing Committee on National Defence.

[*Translation*]

Today's meeting is in hybrid format, pursuant to the motion adopted by the House on January 25, 2021. Committee members will be present in person or by connecting through Zoom.

The proceedings will be made available via the House of Commons website. So you are aware, the webcast will always show the person speaking, rather than the entirety of the committee.

[*English*]

For those who are participating virtually, I will outline a few rules to follow. You may speak in the official language of your choice, and interpretation services are available for this meeting. If interpretation is lost, please inform me immediately and we will ensure that the interpretation is properly restored before we continue.

When speaking, and I say this as a reminder to me more than a reminder to you, please speak slowly and clearly in order to help the interpreters with us today do this challenging job. When you're not speaking, please put your mike on mute.

We will do our very best, between the clerk and I, to maintain a consolidated order of speaking for all members, whether they're participating virtually or in person.

Before we begin today, we have a couple of pieces of urgent business. It's something we've been putting off for about the last month, but we really have to address it. It should only take a couple of minutes.

We need to adopt the budget on the committee's study of the impacts of COVID-19 on CAF operations. You've all received the budget details by email. It includes witnesses' expenses, meals and telephone lines.

Do I have agreement to adopt the proposed budget in the amount of \$3,000 for our study of access to mental health services within the Canadian Armed Forces?

Some hon. members: Agreed.

The Chair: Do I have agreement to adopt the proposed budget in the amount of \$2,775 for the study of the impacts of the COVID-19 pandemic on Canadian Armed Forces operations?

Some hon. members: Agreed.

The Chair: Thank you.

Madam Vandenbeld, go ahead.

Ms. Anita Vandenbeld (Ottawa West—Nepean, Lib.): Thank you very much, Madam Chair. I'm just raising a point of order so that I can apologize to the committee. In the last session I had some erroneous information that I then transferred to the committee about the health of Mr. Wernick, who, as I've learned since then, is not in ill health. Therefore, I think it would be probably suitable for us to have him added to the list of witnesses that you plan to invite.

To the committee, I'm very sorry for having relayed information that turns out not to have been accurate.

The Chair: Go ahead, Mr. Bezan.

Mr. James Bezan (Selkirk—Interlake—Eastman, CPC): I appreciate the parliamentary secretary's explanation and apology. We did circulate a motion. Can we just accept the motion that was circulated and I'll drop it, that we call Michael Wernick to committee and that we can have him up here after the break week?

Ms. Anita Vandenbeld: I believe the motion said "summon". I think I would rather that we just "invite"—

Mr. James Bezan: Seeing that he is prepared to attend, we can invite him, and invite him after the break week.

(Motion agreed to [*See Minutes of Proceedings*])

The Chair: There is one other thing. On the motion we adopted earlier this week, there are a couple of witnesses we are having trouble finding. Whoever submitted the witnesses, please submit communications details as well, whether that's an email or a telephone number, if you have them.

The clerk will reach out to you and tell you who they're having a hard time contacting.

Madam Vandenbeld.

Ms. Anita Vandenbeld: Madam Chair, I think you might also find from the committee members that the wording of the motion might require four or five meetings in the next constituency week. Therefore, I think there would be some flexibility given to the chair to look at that in terms of when the witnesses might appear to see that they may be able to do it during the following sitting week.

The Chair: All right.

Mr. Bezan.

Mr. James Bezan: Knowing that we Conservatives have a convention at the end of the week, if we are meeting Monday at our regularly scheduled time and have to do extra hours, let's do that on Monday. For whoever is not available on Monday, we can move that down to the following week.

The Chair: Okay.

Thank you for your flexibility. I think that will help the clerk. He's been trying to contact people and give them enough notice so that they could appear before—

Mr. James Bezan: Do we have an indication that people are available for Monday?

The Chair: Not yet.

Mr. James Bezan: If we can nail that down, I think it's.... Even if Mr. Wernick's available on Monday, we'll take him on Monday.

The Chair: All right.

The clerk will reach out to you. We've put the invitations out to all those we have contact with. The clerk will follow up today and send the names of who we need information for to the relevant members. Then we'll make an effort today, if you have further contact details for us.

Thank you very much. That was very helpful and co-operative and much appreciated.

Let's carry on to our study.

• (1315)

Mr. Yvan Baker (Etobicoke Centre, Lib.): Madam Chair, I just wanted to speak to the last topic.

I wanted to simply add that I support what Ms. Vandenbeld proposed. This study is incredibly important, but so is the work we do in our constituencies during these constituency weeks. I think it's important, to the extent that we can, to allow time for us as members to spend time, whether that's on phone calls or Zoom calls, working on our constituency-related matters.

I wanted to flag that concern. We've had a number of committee meetings during constituency weeks. I think that is important work, but if repeated, it takes away from our ability to serve our constituents. I wanted to flag that concern and ask that we consider that as we're thinking about the scheduling of these meetings, both next week and in the future.

The Chair: Go ahead, Mr. Bezan.

Mr. James Bezan: Just to reply to that, I appreciate that all of us have constituency issues we have to deal with, but we're also talking about sexual misconduct in the Canadian Armed Forces. We're talking about making sure we provide confidence and trust and im-

prove morale within the armed forces. They are right now in a really tough situation and desperate times. We have sexual misconduct happening at the highest levels and a potential cover-up.

I think, Madam Chair, this is important work. Work that shouldn't be delayed. We are being flexible here. One day next week to do committee business would be very helpful in moving forward in an expeditious manner without taking too much away from our time in our ridings.

The Chair: Is there anyone else...?

All right. Thank you very much.

We'll continue.

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

With us today by video conference, we have Lieutenant-Commander Raymond Trotter.

Up to 10 minutes will be given for opening remarks, after which we will proceed with rounds of questions.

Welcome, and thank you for joining us today, Lieutenant-Commander Trotter. I now invite you to make an opening statement. Please proceed.

Lieutenant-Commander Raymond Trotter (Executive Officer, Royal Canadian Navy, As an Individual): Good day, Madam Chair and committee members. Thank you for your time to hear my testimony today.

I'd like to take this opportunity to acknowledge and thank all of my fellow current and former Canadian Armed Forces service members for their service to this great nation.

My name is Raymond Trotter, and I am a lieutenant-commander in the Royal Canadian Navy, stationed in CFB Esquimalt. I have 21 years of service in the navy. Outside of my naval service, I do have service with the army. I volunteered at the height of the Afghanistan conflict and served in Kandahar in 2008-09. From that, to this day, I still suffer from general anxiety disorder and severe depression from my time during that conflict.

It is my understanding that I have been summoned to this committee to answer questions and address my recent experiences with Operation Honour and sexual misconduct reporting in the Canadian Armed Forces. I will provide you with an opening statement that may address some of your questions.

As many within the Canadian Armed Forces, I was shaken when I learned about sexual misconduct allegations against General Vance, our former chief of the defence staff. Having worked so hard to progress in rooting out sexual harassment and misconduct in the military, it was a big blow to the Canadian Armed Forces.

Shortly after the allegations about General Vance became public, I had an interaction with a Canadian Armed Forces member on February 3, who related to me a traumatic incident that implicated the current chief of the defence staff, Admiral Art McDonald, in allegations of serious sexual misconduct.

The complainant was fearful about reporting the incident. When I advised that I was obligated to report the information, as it involved very serious allegations of misconduct by another member of the Canadian Armed Forces, she indicated that she understood but implored me to keep her name and information confidential.

I found myself in a very difficult position. I understood it was my legal and also ethical duty as an officer to report these serious allegations, but it was much less clear to me to whom I should report an allegation about the chief of the defence staff. The matter was further complicated by the complainant's fears and her request that her name be kept confidential.

That same day, I did inform my commanding officer of the matter. I indicated to my commander that a serious allegation against a senior officer had been reported to me, but that I needed to keep the details confidential. I informed my commander that I would take appropriate steps to report the sensitive matter and simply wanted him to be aware. I have the confidence of my commanding officer, and he indicated that he trusted me to do the right thing.

For the rest of that day, I weighed the appropriate course of action. There was no policy guidance in the Operation Honour directives for a situation like this. Normally, an allegation of sexual misconduct should be reported to the commanding officer of the respondent, but there was no military commanding officer in this case.

The chief of the defence staff is at the top. I also did not feel comfortable reporting the matter to the CF national investigation service as it is within the chain of command and ultimately reports to the chief of the defence staff. After considering the matter further, I decided that I should report it to the sexual misconduct response centre, or perhaps the office of the Minister of National Defence.

The next day, on Thursday, February 4, I called the sexual misconduct response centre, or SMRC, first thing in the morning. I explained that I wanted to report an incident of sexual misconduct involving a senior officer. I was advised by the intake officer that the SMRC is not a reporting tool, and that its role was to assist with counselling, guidance and support for complainants.

I then called the phone number for the office of the Minister of National Defence in Ottawa. I spoke to someone who I understood was a civilian employee, something like a switchboard. I identified myself and explained to the call taker that I wanted to speak to someone within the minister's office, as I wanted to report a serious sexual misconduct incident involving a high-ranking officer. I said I needed to protect the details until I spoke to someone with appropriate authority.

I was placed on hold and then another person came on the line, who I understood to be his supervisor. He asked me to confirm my rank, name and organization, which I did. He checked me against

the Canadian Forces database, the defence-wide area network, and confirmed who I was.

• (1320)

I explained again that I needed to report a serious allegation of misconduct involving a high-ranking officer to the minister's office and that the matter was sensitive. The supervisor took my phone number and said someone from the minister's office would be in contact with me.

A few hours later, on February 4, the SMRC intake officer called me back and explained that, after checking up several levels within her supervisory structure, she could confirm that the SMRC was not a reporting mechanism. It was recommended that I should report it to the Minister of National Defence's office or the CFNIS.

I explained that I was uncomfortable with going to the CFNIS given that the respondent was very high-ranking and the CFNIS would be potentially in a conflict of interest. The call ended on that note.

Later that same day, I received a call from someone in the minister's office. She identified herself as the chief of staff to the minister. At this point I believed I was in contact with an appropriate authority and I told her I needed to report allegations of sexual misconduct against the chief of the defence staff. She responded that allegations against General Vance were already reported in the press. I then clarified the allegations were about the current chief of the defence staff, Admiral Art McDonald. I recall that she was very surprised by this revelation.

The person who identified as the chief of staff directed me to report the incident to the SMRC. I advised that I had already done that and that the SMRC had already told me twice they were not the appropriate reporting mechanism. I said the SMRC had suggested that I should report the incident to the minister's office as there was no one else senior to the chief of the defence staff. The chief of staff, as she described herself, told me she would look into it and get back to me.

Before I heard from her again, i.e., the minister's office, I was called by a warrant officer with the Canadian Forces national investigation service in Ottawa. He inquired about the complaint that I was raising, and I understood he had learned about the matter from the SMRC. At this point I felt like I had been running in circles all day, and I said I was willing to talk about it. The warrant officer advised that I would be contacted by CFNIS, the Canadian Forces national investigation service, in Esquimalt, which is where I'm based.

My last call of the day was from the minister's office again. The person who identified themselves as the chief of staff advised me she had spoken to a subject matter expert in the deputy minister's office and told me that it was their view that the SMRC was the appropriate reporting tool to respond to a complaint like this. I reiterated, in detail, my interactions with the SMRC and indicated that I felt the subject matter expert she consulted was wrong. She was surprised by this and said she would be bringing the allegation itself to the minister.

The following day, on February 5, I was contacted by the Canadian Forces national investigation service in Esquimalt. I was invited to attend an interview that day, and I did attend. I provided a statement. Nearly three weeks later, Admiral Art McDonald stepped away from his duties as chief of the defence staff.

This is very difficult for me as I was trying to do my duty to the Canadian Armed Forces and to the complainant. I wish there had been more guidance for me. There are many policies, but I am unsure if Operation Honour has been widely accepted within the Canadian Armed Forces yet.

I was involved in another sexual misconduct report later in February, i.e., the next week, and I was disappointed in that experience as well, as some senior personnel I interacted with minimized this other incident. In fact, I was berated in a very demeaning manner for following through on my reporting. I believe I was treated this way because the complaint was also about another senior officer. It was a very discouraging and disappointing experience.

In this environment, I can certainly understand why so many victims of sexual misconduct would be reluctant to come forward.

Thank you, Madam Chair. That concludes my opening statement.

• (1325)

The Chair: Thank you very much, Lieutenant-Commander Trotter.

We're up to Madam Alleslev.

Ms. Leona Alleslev (Aurora—Oak Ridges—Richmond Hill, CPC): Thank you very much, Madam Chair.

Thank you so very much for coming today, for testifying and, even more so, for taking the action you did in order to report this. There can be no system and no justice if honourable men don't stand and do what is right, even when it is not easy. By all of your accounts, this was anything but easy, so thank you very much.

I wonder if you could give us just a little bit more information on whether, when you thought you were talking to the minister's office, you were in fact talking to the minister's office, the chief of staff to the minister.

LCdr Raymond Trotter: That's a very good question. What I understand your question to be is how I identified the veracity of the person's claim that they were the chief of staff of the minister. It was a 613 number identified, 613 being an Ottawa number. I'd have to look back at my call logs. I believe it may even have appeared on my iPhone as "National Defence", "Minister's Office" or something to that effect.

She spoke very confidently, as if she were a very experienced public servant. She did identify herself by name. I didn't know her name. I didn't look it up or anything like that.

Based simply on that, I believed at that point that I was with the appropriate—

Ms. Leona Alleslev: From your perspective, you believed she was the chief of staff to the Minister of National Defence. Is that correct?

LCdr Raymond Trotter: That's correct, ma'am.

Ms. Leona Alleslev: I don't want you to give us any information or any details about the actual incident, but I'm wondering if you could tell us—because it has been reported in the news—if the incident you were looking to report was widely known.

Were there a lot of people at this incident where the misconduct occurred?

• (1330)

LCdr Raymond Trotter: Ma'am, that's a difficult question. I think I'm not in a position to share the details at this point about the complainant, the complaint or what occurred, simply because she entrusted me with her information on a confidential basis.

I've shared that information with the appropriate authorities and, as we all know, the matter is now being investigated by the national investigation service. I don't feel comfortable and I don't think it's within my purview to get into that, which may potentially put the complainant in an uncomfortable situation.

Ms. Leona Alleslev: Would you feel comfortable letting us know if, in your opinion and your understanding of the incident, you were the only one who could have reported this incident?

To your understanding, may there have been other individuals who would have had the same duty and obligation as you did to report?

LCdr Raymond Trotter: Ma'am, as I was not actually there to witness the incident, from what has been relayed to me, there is the potential that, yes, there could be other people who could have witnessed it and reported it. However, again, I don't want to be in a place of conjecture where I'm inferring that this is indeed the fact. There is the potential that there were other people who could have seen it and could have reported it.

Ms. Leona Alleslev: Thank you very much.

Could you also let us know if you felt that you were pressured in any way in this or other instances to not come forward and report this type of misconduct?

LCdr Raymond Trotter: Ma'am, that's a difficult question to answer, again.

My personal conviction as an officer of the Canadian Armed Forces is that I will put the service and my service members above my own needs and safety. In that regard, I don't feel as though I've been pressured to not report things, and I can say with conviction that I have never not reported things.

With respect to whether there is pressure to not report things, again, I think that would be a supposition on my part, getting into the heads of others on whether they wanted to pressure me or not.

Ms. Leona Alleslev: You did mention that you were, in fact, berated for a different incident, for pressing forward to investigate misconduct and report in another situation.

LCdr Raymond Trotter: Yes, ma'am.

I can provide.... I have it sort of scripted, so I can keep it succinct for you here.

As it was reported to me, there was a Zoom call for career management of naval technical officers. Over a hundred people were on the Zoom call, including a large number of officers—mainly officers—including senior officers at the rank of captain(N), which is the equivalent of colonel in the army.

A senior officer made a comment about a female member's room, which he could see in the background. He referred to it as her red room, which many on the call took to be reference to the movie *Fifty Shades of Grey*. Several other members in that Zoom call followed up to echo this comparison and make inappropriate sexual remarks. There were many women on this call. One female CAF member made a complaint to me about this issue, which I reported up my chain because, in this instance, she did want to be identified. I also entered it into the OPHTAS, which is the Operation Honour tracking and analysis system.

As I understand it, someone else from another unit also made a complaint about this incident. However, there was no entry in OPHTAS about it. Mine was the only entry. The investigation—

• (1335)

Ms. Leona Alleslev: Thank you very much for your courage to put country above everything else.

The Chair: Thank you very much.

We'll go on to Madam Vandenbeld, please.

Ms. Anita Vandenbeld: Thank you very much, Lieutenant-Commander.

I would also like to start by thanking you very much for your 21 years of service and, even more importantly, for what you're doing today. I think this is an example for everyone in the Canadian Armed Forces of how we need everybody to support those who are facing this kind of unacceptable behaviour. I want to start by thanking you for that.

I was listening to your testimony and I'd like to clarify the issue of who you spoke to. You said it was a woman you thought was the chief of staff to the Minister of Defence.

LCdr Raymond Trotter: Yes, ma'am.

Ms. Anita Vandenbeld: The chief of staff to the Minister of Defence is a man named George. I know that his contact information is in the government system, which is called GEDS.

Is it possible that it could have been somebody from the deputy minister's office? Is it possible that you misheard?

LCdr Raymond Trotter: That's a good question, ma'am.

I don't have access to GEDS, so I couldn't verify that. The name that she gave me was Amelie. I had asked if it was "Emily" and she said that it was Amelie—spelled with an "A".

I had asked—whether it was legal counsel or somebody else—who could identify somebody by that name. Somebody has given me the name of Amelie Armstrong.

Ms. Anita Vandenbeld: Just for clarification, there isn't anybody in the minister's office by that name. Thank you for raising that because I think that could be where there may be some confusion.

What happened after that? How long was it before you got a call from the national investigation service after you made that phone call? Did anything come out of that phone call?

LCdr Raymond Trotter: I'd have to refer back to my notes here.

I got two calls from the national investigation service. One was from the warrant officer in Ottawa and one was from Esquimalt.

Ms. Anita Vandenbeld: I would be interested to know exactly what the chain of events at that point was.

You did speak to somebody. You've given a name that is not, apparently, somebody from the minister's office. I'm trying to figure out if that person then took it further. Did they take action? Was here something that came out of that?

LCdr Raymond Trotter: They had relayed to me that they were going to bring the allegation to the minister. That was their statement to me.

Ms. Anita Vandenbeld: Then you said you did get two calls from the national investigation service after that.

LCdr Raymond Trotter: Yes. I do have a document here that I'm just bringing up. It has a chronology of events, so I don't confuse the matter here.

It was on February 4 at 2:47 p.m., Pacific time, that I received the call from the warrant officer at CFNIS in Ottawa. He was inquiring about the complainant's complaint.

You had another question there, about different timing.

Ms. Anita Vandenbeld: You had mentioned two calls. What was the other call?

LCdr Raymond Trotter: From CFNIS...?

Ms. Anita Vandenbeld: Yes.

LCdr Raymond Trotter: That would have been the next morning. I got a call from CFNIS in Esquimalt. I think the time was approximately eight o'clock in the morning, at the start of business.

Ms. Anita Vandenbeld: Whoever you spoke to who you thought was in the minister's office.... It was less than 24 hours before the CFNIS was in touch with you to try to follow up. Is that correct?

LCdr Raymond Trotter: That's affirmative, ma'am.

I'd have to go back to my statement earlier. The warrant officer in Ottawa told me that he was getting in contact with me because of what he received from the SMRC and not from any reporting through the minister's office.

Ms. Anita Vandenbeld: I would also like to acknowledge what you said. We all know that this is unprecedented. The system was not set up for the chief of defence staff, if there was something against the chief himself. I completely understand that we need to make sure we have clearer systems and processes. I do want to thank you again for making the efforts that you did to try to make sure that something came of this.

Following that, it was a matter of a few weeks when the chief of defence staff, then Admiral McDonald, learned that he was under investigation, and he immediately stepped away from that position. Would you imagine it was exactly for that reason, that he couldn't be acting as the chief of defence staff if he knew he was under investigation?

Would that, then, remove that obstacle, which is the fact that there is nobody, as you mentioned, that would be higher than he is?

Do you think by having the investigation ongoing and knowing that there was very quick action—it sounds like you got three phone calls within a day of your call—that now it is possible the investigation may actually be able to proceed and find real justice for the complainant you're doing this for?

• (1340)

LCdr Raymond Trotter: Just so I can understand your question, you're asking whether the allegation against Admiral McDonald can proceed in a fair manner now that he's stepped aside as the chief of the defence staff. Is that your question?

Ms. Anita Vandenberg: It's both: the fact that there was immediate action taken, and then he stepped back and now there is an ongoing investigation. Yes, that would be my question.

LCdr Raymond Trotter: With respect to the timing about his stepping back as it relates to my reporting, I can't honestly answer that with any certainty. It would be, again, conjecture on my part.

With respect to the investigation into Admiral McDonald by the appropriate authorities, again, I think I would have to refer that matter to somebody who has more knowledge on the matter, and is well above my pay grade, to answer that kind of question.

The Chair: I'm sorry, Madam. Your time is up.

[Translation]

Mr. Brunelle-Duceppe, the floor is yours.

No, I'm sorry, it's Mr. Fortin who has the floor.

Mr. Rhéal Fortin (Rivière-du-Nord, BQ): Thank you, Madam Chair.

The Chair: I'm sorry, Mr. Fortin. It's your turn.

Mr. Rhéal Fortin: Don't be sorry. It makes me feel younger that you called me Mr. Brunelle-Duceppe.

LCdr Trotter, thank you for being with us today. I know, like my colleagues, that this has been a difficult time for you. I, too, can only acknowledge your courage, and I thank you for it.

LCdr Trotter, you mentioned to my colleague that you were referring to a timeline that you had prepared. Would it be possible for you to provide a copy to the committee?

[English]

LCdr Raymond Trotter: Sir, I'm going to have to interject because my use of French is quite old, and the interpretation service right now is simply not working for me.

The Chair: Please stand by.

[Translation]

Mr. Fortin, could you ask your question again?

Mr. Rhéal Fortin: I'll repeat them, Madam Chair, of course.

The Chair: Is it working?

[English]

LCdr Raymond Trotter: I'm only able to hear Mr. Fortin. I'm not able to hear anything in English. You have my apologies.

The Chair: We'll stop the clock here.

Go ahead, Mr. Fortin. Would you try it again?

• (1345)

[Translation]

Mr. Rhéal Fortin: Yes, Madam Chair.

LCdr Trotter, thank you for being here. Like my colleagues, I recognize that this has been a trying time for you and that it takes a great deal of courage to be here this morning to talk to us about these events. I thank you for that.

A few moments ago, in response to my colleague Ms. Vandenberg, you said that you were referring to a timeline that you had prepared.

I was wondering if it was possible for you to send us a copy.

[English]

LCdr Raymond Trotter: Yes, sir, I do have a copy of it here. It was essentially relayed between me and my legal counsel. May I request that I could have some conference with him on version editing and back and forth before potentially having him submit it, or I could submit it but I'd like to have that opportunity so it meets a certain standard.

[Translation]

Mr. Rhéal Fortin: Yes. I don't have a problem with you talking to your lawyer about it. It would be practical for the committee to be able to refer to this copy of your timeline. I'll wait for your response on that.

I won't repeat the questions that you've been asked previously, but I understood the process you went through as a result of the complaint you received from this victim.

I'd like to know if at any point you discussed this issue directly with Adm McDonald.

[English]

LCdr Raymond Trotter: No, sir, I did not.

[Translation]

Mr. Rhéal Fortin: Okay.

Did you discuss it with the victim again after the meeting where she told you about the situation? Did you see her afterwards?

[English]

LCdr Raymond Trotter: Sir, yes, I have been in almost constant communication with the victim because as part of my duties as a Canadian Forces officer I feel I'm obliged, as part of the chain of command, to provide all the necessary support and services and refer her to appropriate services.

[Translation]

Mr. Rhéal Fortin: Okay.

Do you know if the victim talked to Adm McDonald about this?

[English]

LCdr Raymond Trotter: Again, I don't feel I'm in a position to state whether she did or did not because I would have to refer that again to the national investigation service.

[Translation]

Mr. Rhéal Fortin: Okay.

Can you tell me if the victim has ever had any discussions with the Minister of National Defence or a member of his staff?

[English]

LCdr Raymond Trotter: Sir, as it was related to me, no, she did not, and in reporting to the chain of command, likely I was her first point of contact because she trusted me.

[Translation]

Mr. Rhéal Fortin: Did you at any time have a discussion directly with the Minister of National Defence?

[English]

LCdr Raymond Trotter: No, sir.

[Translation]

Mr. Rhéal Fortin: Have you tried to speak directly to the minister?

I understand there have been discussions with members of his office, but have you approached the minister directly?

[English]

LCdr Raymond Trotter: Sir, I believe at my rank and pay level I made my best attempts to get it up to as high as possible.

As I said in my earlier statement, I felt I had been running in circles all day and that I had the appropriate—

• (1350)

[Translation]

Mr. Rhéal Fortin: So the answer is no.

I apologize, LCdr Trotter. I don't mean to rush you, but we don't have a lot of time. I understand that you haven't taken any steps, other than with the office, and therefore you haven't approached the minister.

To your knowledge, the victim also never approached the minister to discuss the situation, nor a member of the minister's office. Is that correct?

[English]

LCdr Raymond Trotter: No, sir.

[Translation]

Mr. Rhéal Fortin: Thank you, LCdr Trotter.

We have seen in the media that you've been threatened as a result of your disclosure. I'd like you to expand on that a little bit. What exactly happened?

I believe there was an attempt to prevent you from pursuing further with the minister or his office. Is that correct?

[English]

LCdr Raymond Trotter: Sir, with respect to the threats, it is my understanding, again, that these incidents are under investigation by the Canadian Forces national investigation service. I don't think it's appropriate for me at this point to speak further about the matter as a participant in the investigation.

[Translation]

Mr. Rhéal Fortin: When did the events that are the subject of this investigation occur?

On what date specifically did they occur?

[English]

LCdr Raymond Trotter: Maybe I don't understand the question. Could you rephrase it?

[Translation]

Mr. Rhéal Fortin: You received threats that are currently under investigation. You say that you can't provide details. I respect that.

My question is this: On what date were the threats in question made?

[English]

LCdr Raymond Trotter: It was on March 4, sir.

[Translation]

Mr. Rhéal Fortin: Have there been any recurrences since then?

[English]

LCdr Raymond Trotter: No, sir.

[Translation]

Mr. Rhéal Fortin: So there's only one investigation under way about this, and it's an investigation of events that took place on March 4, 2021. Is that correct?

[English]

LCdr Raymond Trotter: Yes, sir.

[Translation]

Mr. Rhéal Fortin: Thank you.

[English]

The Chair: Thank you very much.

We'll move on to Mr. Garrison, please.

[Translation]

Mr. Rhéal Fortin: Thank you, Madam Chair.

[English]

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

Of course, I want to start by giving my thanks to Lieutenant-Commander Trotter for appearing before us today and also for his many years of service. He does exemplify what we all hope to see from members of the Canadian Forces when it comes to attacking this problem of a culture that tolerates sexual misconduct.

I extend a very sincere thanks to you.

Again, in committee today we're getting into the narrative, which disturbs me, because it is knocking on the wrong door.

I have a question for Lieutenant-Commander Trotter.

Have you had discussions with others who had the same problem that you had in attempting to report incidents of sexual misconduct—in other words, that it's difficult to know where to take those?

Have you had discussions with others who found the same problem?

LCdr Raymond Trotter: I don't think I've had discussions with people who have had difficulty reporting. Potentially, they don't know who to report to or where to turn. Maybe they feel pressure not to but, again, I can't get inside the heads of people who want to report because it's difficult from the outset for somebody who has been the victim of something like that.

I'm going to leave it at that, sir.

Mr. Randall Garrison: Again, I do appreciate your careful testimony and your avoidance of speculation. I also don't want to ask any questions that lead to revealing details of incidents.

What struck me in your recount of the events here is the fact that both these incidents you're talking about involve a senior officer within the chain of command. That's what seems to have created the difficulty in figuring out how to deal with them appropriately.

Would that be a fair statement?

LCdr Raymond Trotter: Yes, sir, and I do have an additional portion to explain about that other incident if you want me to relay that to you.

• (1355)

Mr. Randall Garrison: Please go ahead.

LCdr Raymond Trotter: Okay.

After that female complainant came forward to me to make the report about the red room incident, as I understood it, someone else came forward about the incident. However, there was no entry in the database about it. I was the first one to put an entry into the database, and the investigation of the complaint was assigned.... There was a separate complaint.

That was assigned to a chief petty officer who is a subordinate to the senior officer who made the initial comment about the red room, who is the respondent. When I raised the concerns about the conflict of interest of the investigator—the chief petty officer—a senior officer who I was speaking with minimized the incident, say-

ing the respondent didn't know what he was talking about and wasn't referring to a sexually explicit movie. It seemed to me that this was prejudging and predetermining an outcome.

It was a little later that I contacted a separate senior person at formation headquarters on the coast here who's a civil servant but also a retired naval captain. When I contacted them about my report about OPHTAS to make sure that all the reporting I had made was correct, that senior person raised his voice and spoke to me in a very demeaning manner, indicating—and pardon my language—that I had fucked up and I had ruined the respondent's career over nothing.

Mr. Randall Garrison: In earlier testimony you referred to your feeling that Operation Honour wasn't fully accepted by everyone within the Canadian Forces, so is this kind of reaction what you're talking about when you say that you feel that it's not always fully accepted?

LCdr Raymond Trotter: I'm sorry. Could you pose the question? I didn't understand whether there was a question there.

Mr. Randall Garrison: You said earlier in testimony that you felt that Operation Honour wasn't always fully accepted within the Canadian Forces by everyone, and I'm asking whether you believe this reaction to your attempt to report something, which was clearly required by the policies laid out, is an example of that lack of full acceptance, or maybe full understanding, of what is required to stamp out sexual misconduct.

LCdr Raymond Trotter: I think there are two parts to that answer, sir.

The first part is the acceptance of Operation Honour amongst the majority of the forces, the working class of the forces, and the veracity of it and whether it's working. Then the second part of that answer is, when reporting on senior officers within OPHTAS, which is the reporting mechanism for Operation Honour, it almost seemed to me, as a result of that phone call, that there is a dual standard of reporting in OPHTAS such that maybe if it's a sergeant it would be okay, but if it's a colonel or captain(N), it's not okay to put that sort of name into that central repository.

Mr. Randall Garrison: With regard to once you've filed a complaint or an allegation in the system, is there a way that this gets reported back to you as to where it has been assigned, who's taking care of it and what the outcome will be?

LCdr Raymond Trotter: That's a very good question, sir. What typically happens is that, as a unit office of primary interest for OPHTAS, I collect the information and put it into the database. It is then passed to my L2 and L1, because they have what I guess you would call “uber users” who verify the information.

Where it ultimately ends and gets investigated, again, it might be above my pay grade to answer the question, depending on who the respondent is—not only the rank of the respondent but what the allegation is. It's probably above my pay grade and outside my subject matter expertise to answer how that investigation could be conducted.

• (1400)

The Chair: All right. Thank you very much.

We will go to Madam Gallant, please.

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Thank you, Madam Chair.

Through you to our witness, Amelie said the complaint with respect to the chief of the defence staff would be taken to the minister, to the department assistant's office that directly supports the minister and directly engages with his staff. That's who Amelie is. I just want to confirm that you knew who she was.

LCdr Raymond Trotter: To answer your question, ma'am, I don't. With my rank and position and my access to the GEDS database, it was very difficult for me to authenticate the information, but based off the conversation that I was having and the fact that she was calling me back with information about my initial calls.... She explained her name to me and her role. I thought I was speaking with the chief of staff to the Minister of National Defence at the time.

Mrs. Cheryl Gallant: Okay. If she is the assistant that directly supports the minister's office and directly engages with his staff, and if she said she was taking the issue to the minister, she definitely did have access to the minister. I'm just stating that as a fact.

Did she tell you that she was taking the issue to the minister?

LCdr Raymond Trotter: Yes, ma'am.

Mrs. Cheryl Gallant: Okay.

Did that person explain why she didn't take your complaint the first time you called?

LCdr Raymond Trotter: She did try to redirect me to a more appropriate place. I can't get into the headspace about why she did or didn't want to. Again, because this is a difficult situation for me to know where to report it, I needed to hear it out. I needed to hear the points of view.

I'm sorry. I hope that answers your question.

Mrs. Cheryl Gallant: [*Technical difficulty—Editor*] National Defence follow up with you after they advised you to report the allegation to the Canadian Forces national investigation service?

LCdr Raymond Trotter: I'm sorry, ma'am. The first three seconds of your question were cut out there.

Could you repeat it?

Mrs. Cheryl Gallant: Did anyone from National Defence follow up with you after they advised you to report the allegation to the CFNIS?

LCdr Raymond Trotter: Nobody from the Canadian Forces outside of the CFNIS has followed up with me about it, other than once the story hit the news and my name got into the news. Then I had tons of support from the chain of command about it, but not necessarily about this incident.

Mrs. Cheryl Gallant: Okay.

In your experience, is there a two-tier reporting system for sexual misconduct in the Canadian Armed Forces?

LCdr Raymond Trotter: Could you try to reframe that so I better understand it?

Mrs. Cheryl Gallant: You mentioned that somebody said if you were a sergeant maybe this would have made sense. That kind of

implies that there may be some sort of two-tier reporting system for sexual misconduct in the Canadian Armed Forces. Has that been your experience in reporting?

LCdr Raymond Trotter: I would say that's above my pay grade, but what I can comment on is only what I observed. From my limited experience, I can say that it appears that senior officers seem to get special treatment when there are sexual misconduct allegations. I think that's maybe because the people who are responsible for dealing with sexual misconduct allegations are senior officers and they may have some background or professional connections with respondent officers. I've heard in terms of sort of the old boys' network amongst the senior ranks....

Mrs. Cheryl Gallant: In the first incident that you reported in February—not the red room incident, but the first one—when was that incident supposed to have occurred? It got reported later on in time than when it immediately happened, so was there an indication? What was the indication of the time that it had occurred and then was subsequently reported to you?

• (1405)

LCdr Raymond Trotter: Ma'am, are you speaking about the actual act of the sexual misconduct or the report that came to me?

Mrs. Cheryl Gallant: I am speaking about the actual act.

LCdr Raymond Trotter: Again, because the matter is with the Canadian Forces national investigation service, and I have an obligation to the complainant, if I get into any detail, I could be put in a position where I'm either breaching CFNIS—

Mrs. Cheryl Gallant: Is it a matter of years or months?

LCdr Raymond Trotter: That, again, ma'am, I am going to have to refer to CFNIS.

The Chair: I'm sorry. Unfortunately your time is up.

[*Translation*]

Mr. Robillard, you have the floor.

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

LCdr Trotter, thank you for your service, and I thank you for being here today. I'd also like to thank you for your courage and for your sense of duty. You're a role model for all officers to be allies to survivors, and for that I thank you as well.

Now, here's my question. According to the Canadian Armed Forces, The Path to Dignity and Respect strategy was created to move Operation HONOUR towards a broader, more sustained institutional approach focused on culture change within the Canadian Armed Forces.

Do you think initiatives like Operation HONOUR have changed the underlying culture of the Canadian Armed Forces with respect to sexual misconduct? If so, why, and if not, why not?

[English]

LCdr Raymond Trotter: Sir, I can speak to my experiences and I'll keep it to that.

I think Operation Honour is a step in the right direction. It has enabled people who would otherwise potentially feel uncomfortable by giving them a platform.

In recent history, the #MeToo movement and how it played out in Hollywood, how it's played out in other industries about sexual misconduct.... Operation Honour was a step in the right direction, but in my humble opinion, we are at a turning point now where we've put it on paper. We've said this is what the policy is, but it's going to take the courage of a lot of individuals to step forward to really delve into the issues and solve the problem, once we can get to a point of solving the problem.

[Translation]

Mr. Yves Robillard: According to the Canadian Armed Forces, The Path to Dignity and Respect strategy includes a new performance measurement framework that will be used to assess the effectiveness of the strategy during its implementation. How are members and leaders of the Canadian Armed Forces being made aware of The Path to Dignity and Respect strategy? Would you say that the Canadian Armed Forces are giving priority to its implementation?

[English]

LCdr Raymond Trotter: Sir, I believe the Canadian Armed Forces is prioritizing its implementation, but I think your question is referring to how management and leadership are passing the information with respect to, say, the analytics that fall out of OPH-TAS: where the problem areas are, how we can address them, how we can tackle them.

I think it is well above my pay grade to answer that question. That's probably at the L1 or L0 level, to speak about that sort of topic.

• (1410)

[Translation]

Mr. Yves Robillard: To what extent are actions that contribute positively to the achievement of the strategy's objectives reflected in the performance evaluation?

[English]

LCdr Raymond Trotter: I'm sorry, sir. I'm going to have to ask you to rephrase that question because I didn't completely understand. I don't want to give you the wrong answer.

[Translation]

Mr. Yves Robillard: To what extent are actions that contribute positively to the achievement of the strategy's objectives reflected in the performance evaluation?

[English]

LCdr Raymond Trotter: Again, I want to answer this. When you speak about performance evaluations, which performance evaluations are you speaking about: an individual's personnel evaluation at the end of the year, or the evaluation of an op task itself?

Mr. Yves Robillard: I mean the first one.

LCdr Raymond Trotter: I don't know, and I haven't seen necessarily in other peoples' personnel evaluation reports about Operation Honour or the implementation of it.

I really can't speak to that because those evaluations are protected B information, but I can't recall ever seeing mentions about metrics or how people were performing in those areas.

The Chair: Thank you.

Mr. Yves Robillard: Thank you, sir.

The Chair: We'll move to Mr. Fortin.

Before we continue, Lieutenant-Commander, could you just move your mike up slightly, so that it's slightly above your mouth, rather than right at mouth level? The interpreters are getting a popping sound when the mike is right in front of the mouth. If you could just move it up slightly, then they won't get that popping sound. It'll be a lot easier on their ears.

I'll ask the same of you, Mr. Robillard.

[Translation]

It's the same problem.

[English]

Thank you.

We'll move to Mr. Fortin.

[Translation]

Mr. Rhéal Fortin: Thank you, Madam Chair.

LCdr Trotter, why did the person who initially complained come to you? Did you already know her?

[English]

LCdr Raymond Trotter: Yes sir, I did know her from previous service. We have a really good professional and personal connection. I can't get into her head, but she felt that she could trust me with the information.

Yes, I did know her, but about the how.... I don't want to get into that because, again—

[Translation]

Mr. Rhéal Fortin: No problem.

To your knowledge, is this the only time this person has complained about a similar situation?

[English]

LCdr Raymond Trotter: Sir, could you rephrase that? Do you mean this situation or multiple situations?

[Translation]

Mr. Rhéal Fortin: I don't know how else to ask you the question. Perhaps you should ask the interpreter to rephrase it.

To your knowledge, is this the only time this person has complained about a similar situation?

[*English*]

LCdr Raymond Trotter: Sir, again, I think if I were to answer that question, it may put the complainant into a position where she may be uncomfortable or that may identify her, so I'm going to have to refer back to CFNIS for that information.

[*Translation*]

Mr. Rhéal Fortin: Okay.

You said earlier that you were surprised and shocked to learn of the allegations against Jonathan Vance. If I understood correctly, you learned about that situation after reporting Mr. McDonald's.

Am I right?

[*English*]

LCdr Raymond Trotter: Sir, I'd have to look at the timeline again, but the report made to me about the sexual misconduct regarding Admiral McDonald was on February 3. I'd have to look back at the newsfeeds on when it came out about General Vance. I can't answer that right now. I'm sorry.

• (1415)

[*Translation*]

Mr. Rhéal Fortin: Is—

The Chair: Excuse me.

[*English*]

We will move on to Mr. Garrison, please.

Mr. Randall Garrison: Thank you very much, Madam Chair.

I'd like to pass my time in this round on to my neighbour, MP Elizabeth May.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): I am deeply grateful, Randall, for the opportunity.

Thank you, Lieutenant-Commander Trotter. Your testimony has been extremely helpful.

I want to dig a little into the issue that Randall has already described as the narrative of “knocking on the wrong door” and how it is working. When you finally get the door open, does anyone answer?

You made the comment that the issue of the Zoom call—and what you viewed as inappropriate sexual innuendo concerning a female officer and the background of the room—had been raised by someone else. This person had come forward and was prepared to go on the record, but when you filed your complaint you found that it was the first entry, and there was nothing else in the data bank.

I inferred from what you said that you had good reason to believe that someone actually complained but that their complaint was not recorded. I'd like to make sure I have correctly understood what you said, which was that you had good reason to believe that someone had complained on the record but the complaint was not recorded.

LCdr Raymond Trotter: Ma'am, that's correct. Again, I can't infer who, how or what, but I was made aware by the complainant who made the complaint to me that she had received an email from the chief petty officer doing the investigation. He didn't get the in-

formation from her, so there must have been somebody else who made a complaint about it. Whether it was on the record or not, I have no idea.

Ms. Elizabeth May: The culture you have described here is one in which the petty officer would be investigating his boss, if he took it seriously. Was this issue being treated by the culture as something that you shouldn't have complained about and, therefore, minimizing it?

It strikes me that this is an incident worth the committee's attention as a very clear indication of a cultural problem. This was essentially a public call where a senior officer thought it was okay to communicate sexual innuendo with female officers, and he did not understand what he was doing was wrong.

Is that your sense from that experience?

LCdr Raymond Trotter: Ma'am, again, I believe that incident is under investigation. I think it would be inappropriate for me to make inferences about what people thought and comment on them.

Ms. Elizabeth May: Okay. I'm sure my time is just about up.

I just want to thank you, again, for coming forward and for standing up for women victims within the armed forces to clean up the culture there. We need more people like you.

Thank you.

The Chair: Go ahead, Mr. Benzen, please.

Mr. Bob Benzen (Calgary Heritage, CPC): Thank you, Madam Chair.

Thank you, Commander Trotter, for being here today.

Admiral McDonald only stepped aside after the investigation about him was made public in the press.

Commander Trotter, did the Canadian Forces national investigation service contact you and have any discussions about how this information was leaked to the press?

LCdr Raymond Trotter: No, sir.

Mr. Bob Benzen: I am curious why you felt it was necessary to have a lawyer here with you today on your appearance?

LCdr Raymond Trotter: I don't believe he's actually on the call with me today.

I am not a lawyer. I drive warships for a living. If somebody wants to learn how to do that, I can teach them. However, when it comes to parliamentary stuff, I obviously needed some sort of legal advice so I didn't say anything that was out of bounds. That's why.

Mr. Bob Benzen: Okay.

I am curious about some of the testimony you gave about threats against you. Do you fear returning to work in the Canadian Navy after your testimony here today?

• (1420)

LCdr Raymond Trotter: That is a very good question, sir.

I have received phone calls from senior officers I trust, on this coast, within senior levels, who have relayed to me that they have their trust in me and that I'm an asset to the organization, but internalized to me.... I mean, you can tell somebody who is depressed "just don't be depressed". Well, okay.

The chain of command can reassure me and they can do a lot of things for me to say you're an asset to this organization, but ultimately I'm here in front of the country talking about very sensitive things. I would say that my future is uncertain. I don't know how I feel about returning to work. Obviously, I'm going to have to have a discussion with my integrated health team providers and my chain of command. I don't want to get too long-winded, but I hope that answers your question.

Mr. Bob Benzen: I think it's a worry, when you're coming forth to give this kind of information to this committee and to Canada, that you have to think about the fact that there might be reprisals to you when you go back to work. That's what you're worried about. There could be setbacks for your career at this point and you feel that's a possibility.

LCdr Raymond Trotter: To answer your question, sir, yes, but the "why" is probably better. When I took a commission as an officer in the Canadian Armed Forces I swore an oath to Queen and country to fulfill my duties, and there's the old adage of service before self. There may be blowback. There may be career implications—that's just supposition, I don't know—but I have had assurances from some people in my chain of command that they have my back and that they trust me.

Mr. Bob Benzen: Because of the threats against you, did you feel at any point, or do you feel now, that you have to take any personal protective measures to protect yourself from any of these threats?

LCdr Raymond Trotter: Yes.

Mr. Bob Benzen: What kinds of protective measures are you taking, or have you taken?

LCdr Raymond Trotter: So far, I am very engaged with my integrated health care team to make sure that my mental fitness is good, because if my mental fitness isn't good, I'm not good. I'm working on physical fitness as well, but with respect to my future employment within the Canadian Forces, everybody needs to pay bills. I have four young children and I have a wife who is a registered nursing student, so I have concerns. As for how those things transpire, I can't tell the future.

The Chair: Thank you very much.

We will move on to Mr. Baker, please.

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

Thank you, Mr. Trotter, for being here today and for your testimony.

I want to ask a few questions on a range of topics and hopefully I have enough time.

I understand that you've been asked by a number of MPs at this committee about the timing of the alleged event and you've not wanted to talk about it, understandably, because you're trying to protect the person who has come forward.

Tell me if you can't answer this. Are you able to share with us if this is an incident that happened after the appointment to chief of the defence staff?

LCdr Raymond Trotter: It happened prior to the appointment as chief of the defence staff, but to get into any further specifics about timeline I'm basically going to provide the same answer about it being under investigation with CFNIS.

• (1425)

Mr. Yvan Baker: That's understood. That's understandable.

We know that you spoke about someone called Amelie who contacted you. I think we know now that this is someone who is the chief of staff to the departmental assistance office. She works within the department, not for the minister's office.

I know that you've agreed to have your lawyer look at your timeline of events and then share that with us. Can you talk to us a little bit about the timing? This is from the time that you reported this allegation to the time that the CFNIS contacted you. Can you tell me about that?

LCdr Raymond Trotter: Yes, I can. My initial contact with the SMRC...because, as I understand it, the first contact from CFNIS to me was from a warrant officer in Ottawa who got the message passed to him from SMRC. The first time I talked to the SMRC was at nine o'clock in the morning Pacific time on February 4. The second time I talked to the SMRC, which was when they called me back to verify that they're not a reporting tool, was at 12:52 p.m. Pacific time. There was, say, a four-hour time difference between the two SMRC calls.

In terms of being contacted by CFNIS in Ottawa, that was roughly, say, 3 p.m. on February 4. It was another two hours from.... Now, again, I don't know whether it was my first call or my second call that made it to CFNIS.

Mr. Yvan Baker: Forgive me if I misunderstood, but just for my clarity, did all this happen on the same day? Am I understanding that correctly?

LCdr Raymond Trotter: It did all happen on the same day, sir.

Mr. Yvan Baker: Okay. Thank you.

In my view, it's important that this committee right now understand how we can address this issue of sexual harassment, sexual assault, within the Canadian Armed Forces. I'm wondering if you could share with us some of your thoughts. You've spoken to...

I don't want to put words in your mouth. Can you just share with us what type of process should be undertaken when someone brings forward a complaint? What resources should be available to the person bringing forward the allegations? How should that investigation process be handled in terms of the reporting, investigation and so on?

Could you share your advice with us?

LCdr Raymond Trotter: Again, that kind of analysis in terms of policy implementation and procedures is well above my pay grade. It's at the coal face of it that you need to have somebody within your chain of command, hopefully an officer if not a senior enlisted member, to trust to come forward to. That's what I can speak to. There has to be that trust relationship.

Above that, it's well above my pay grade to answer those questions.

Mr. Yvan Baker: I appreciate it. Thank you.

The Chair: Thank you very much.

Mr. Bezan, go ahead please.

Mr. James Bezan: Thank you, Madam Chair.

I would like to thank Lieutenant-Commander Trotter for his very brave coming forward. I really appreciate that.

You exemplify what we expect of all our members of the Canadian Armed Forces: truth, valour, bravery and honour. You're doing all the right things and standing up for those who were subjected to sexual misconduct. I applaud you for that.

I know that there are many more in the Canadian Armed Forces, men and women, who would do exactly the same thing, so you are leading by example.

We do know about, and you talked about, the call with Amelie Armstrong.

Madam Chair, this is an individual of interest now. I believe that we need to have her before the committee so that we can get her side of the story. Definitely, you felt that you were talking to the minister's office. As someone who used to be the parliamentary secretary to the Minister of National Defence, I can tell you that the office of the chief of staff to the Department of National Defence is closer to the minister's office than the parliamentary secretary's office is.

I know that Ms. Vandenberg would agree with that. We have an office that's down across the floor but everybody is on the same floor. They're on the executive floor within the Department of National Defence, so there was nothing to say that she didn't walk down to the minister's office, past the elevators, and have that conversation with the minister's staff. That's why we need to talk to Ms. Armstrong.

You mentioned, Commander, the special treatment that commanding officers seem to get and the exemptions that they're given through the claims of sexual misconduct. I don't know if you saw *The Fifth Estate* report last night. They were talking about the issues of.... Do we have bells or is that just the House closing?

I'm sorry about that.

That story, again, was about women being sexually assaulted and experiencing other forms of sexual misconduct. Through Operation Honour, rather than properly providing punitive penalties, all too often it is just administrative measures and the careers of these perpetrators have been able to continue up the path.

Would you agree, Commander, that there's not a harsh enough line being taken to change the culture within the Canadian Armed Forces when it comes to sexual misconduct?

• (1430)

LCdr Raymond Trotter: I would have to say that the answer to that question is probably well above my pay grade. It may be something that would require a look from an independent body outside of the Canadian Armed Forces.

I've never experienced a situation where there was inappropriate behaviour and the respondent was promoted and the complainant was left out. I've never personally come across those situations. I have the information that you have from *The Fifth Estate*.

Again, I don't think I'm in a position that I could provide—

Mr. James Bezan: You did mention...not in the case we're dealing with of the chief of the defence staff right now, but you made reference to the other situation that happened on the Zoom call. You then had the chief petty officer investigate his boss, which we know wouldn't result in a fair process for the victim. Again, that speaks to a bigger issue that, when you go to higher levels of command, they can influence and obstruct justice more, and any investigations that need to take place.

Would you agree with that?

LCdr Raymond Trotter: In the instance that I spoke about, I would agree that there was a conflict of interest, and that the appointed investigator was not the appropriate person. I can speak to that one.

Mr. James Bezan: Okay. I appreciate that.

Commander, without going into any detail, and you've been very good at making sure that we don't interfere in the investigation against Admiral McDonald, would you say that in the vetting process of trying to determine who would be the next chief of the defence staff, if they had dug deeply enough, they would have uncovered the accusations or the allegations against Admiral McDonald before they appointed him CDS?

Do you feel that this was one of those situations that nobody else knew about?

LCdr Raymond Trotter: I don't know the answer to that question, sir.

The Chair: Thank you very much.

We'll go on to Mr. Spengemann, please.

Mr. Sven Spengemann (Mississauga—Lakeshore, Lib.): Thank you very much, Madam Chair.

Lieutenant-Commander Trotter, thank you for being with us. Thank you for your service. Thank you for your service in Afghanistan and the courage you displayed there. Thank you for your courage today. I want to echo many of my colleagues and their comments that you exemplify the ethic that should be systemically present within the Canadian Forces on this particular issue.

You've had some exchanges with colleagues on the fact that these are allegations against senior officers, and I just want to refer you to and get your thoughts on the Department of National Defence administrative directives. There's a series 9000 and, in particular, 9005-1 on reporting of sexual misconduct.

Was that framework useful? Did you consult that when you made your decisions? If it wasn't useful, what were some of the obstacles in that framework that potentially should be looked at and maybe changed?

• (1435)

LCdr Raymond Trotter: Sir, yes, the framework was useful within that defence order. I had read it when it came out. I familiarized myself with it again when I undertook the training to be the op task coordinator, op task OPI, for my unit.

With respect to the reporting on the Admiral McDonald incident, I didn't necessarily have it sitting in front of me, and I don't think there was much guidance in there to help me in that situation. I think it's useful and a step in the right direction. The guidance in there is clear.

I hope that answers your question.

Mr. Sven Spengemann: Thank you. It's helpful. Thank you, Lieutenant-Commander.

I want to thank you for your allyship. I think in a broader and deeper sense, it's incredibly important that this committee recognize—and I think it has in so many ways—that women cannot and should not be doing this work alone, not just the most serious cases of allegations of harassment or assault but also the general issue of gender equality, diversity and inclusion in the Canadian Forces.

I'm wondering if you could maybe spend a bit of time taking the committee through your career path, how your thoughts have evolved on this question of gender equality, how you've seen the culture evolve or change—or maybe it hasn't changed at all—from when you started serving to where it is now and if there are some good things that happened.

What should the committee focus on with respect to recommendations to make sure that these good things are consolidated but also broadened to really change the system to be much more reflective of what you're doing today in terms of coming forward and eliminating this kind of conduct?

LCdr Raymond Trotter: My military service to this point started out at the Royal Military College of Canada after basic training. It had been a number of years since women were introduced into the military college, naval service and submarine service. For me, when I came into that environment.... I can only speak for me. I think it was a very good and trusting environment. That's the generation in which I grew up in the navy.

My experience after leaving the Royal Military College was that, upon joining the fleet out here on the west coast, I had mentors and tutelage with respect to navigation and bridge watchkeeping on the bridge of a ship. There were female executive officers. There have been other great examples of great female leadership. With respect to my experiences, they've been very positive.

Now, I can't speak to how the women feel about those experiences. I think what's important here is that there is likely a generational divide within the Canadian Armed Forces about issues surrounding women in the service, LGBTQ, openness and sexual misconduct. There is a certain.... As soon as you hit a certain rank and age level, above that is one type of culture, and then below that is a different type of culture. There might be a bit of a grey zone there where people were raised in both.

I would say that definitely I'm in the lower half of that where it's been positive for me but, again, I can't speak for the females who served alongside me.

Mr. Sven Spengemann: Lieutenant-Commander, thank you.

I think I'm very short of time. If I could sneak in a very quick question—

• (1440)

The Chair: No. I'm sorry, Mr. Spengemann. It's not going to work today.

Mr. Sven Spengemann: Okay. Thank you.

[*Translation*]

The Chair: Mr. Fortin, you have the floor.

Mr. Rhéal Fortin: Thank you, Madam Chair.

Having experienced the frustration of being a member of a party that the House does not recognize for a few years myself, I think I will follow the example of my colleague Mr. Garrison, and leave my time to our colleague Elizabeth May, who always has relevant and important questions to ask.

Ms. Elizabeth May: Thank you, my dear friend.

[*English*]

Thank you.

Lieutenant-Commander Trotter, again, I want to go back to your conversation. I never heard of this. I will be honest with you. I just looked up Amelie Armstrong. Other friends of mine around this table have put forward their views on this sort of thing, but I have heard the term “chief of staff” in a political context only in relation to chief of staff to a minister so I certainly understand why you would have thought that. I have never heard of a chief of staff to a department before, but that is, apparently, Amelie Armstrong's role. I thank my colleague, Mr. Bezan, for suggesting she might be a witness.

When you contacted her, and she was responding to the news that you were actually speaking to her about a sexual misconduct complaint about the newly appointed chief of staff, you said she expressed surprise.

At that point, were you surprised it was only the next day, as I go through my notes, that you were called upon at the Esquimalt base to report to an interview at what you thought would be the wrong place to go, the Canadian Forces national investigation service, if I'm not mistaken. You showed up there and had your interview there.

In terms of the circumstances of how that was conducted, could you give us more details on that experience.

LCdr Raymond Trotter: Yes. It was conveyed to me by the warrant officer at CFNIS in Ottawa that he was in a liaison role with the SMRC. Maybe my trust with the SMRC and their role, and how it translated to him because he's a liaison with them and then the way he transferred me to an appropriate authority within CFNIS on the coast....

Like I said in my opening remarks, for a full 24 hours or more I had been running in circles. I thought enough was enough, and that I just needed to make a statement. It was videorecorded. There were other members.

The information was there, and I had to give my information because at that point I didn't think I had anywhere else to turn.

The Chair: Thank you very much.

I'm afraid your time is up, Madam May.

[*Translation*]

Ms. Elizabeth May: Thank you.

[*English*]

The Chair: Mr. Garrison, go ahead please.

Mr. Randall Garrison: Thank you very much, Madam Chair.

Again, I want to thank Lieutenant-Commander Trotter for his testimony today. I think he has shed very valuable light on, as Ms. May pointed out, what I like to refer to as the wrong door defence, that somehow complainants and those who are reporting complaints are going to the wrong place.

Also, there was the very unfortunate but useful testimony on the reaction of hostility toward attempts to file a second complaint, and the thing we can't talk about today, which is the reality of threats that were made against you as a result of doing so.

I think you have also cast both a positive and negative light on the culture of the Canadian Forces, and I want to state again how I do think you are a role model, the role model who we expect to see in the Canadian Forces.

I have a couple of simple questions here. We talked about the SMRC. We talked about the CFNIS. Was it clear to you, and would it be clear to most members of the Canadian Forces, who these organizations report to?

LCdr Raymond Trotter: I don't think it would be entirely clear to absolutely everybody in the Canadian Forces who these organizations report to. Even about the SMRC, I was unaware that they fell under the deputy minister. I thought it was just an independent body that was stood up by the Canadian Forces. I can't infer what other people think.

With respect to the Canadian Forces national investigation service, I understand there have been comments made in the media that they are independent of the chain of command and they are separate from the military police. From what I know, and I have been able to look into the Canadian Forces structure, the CFNIS reports to the provost marshal, the provost marshal to VCDS, and the VCDS to CDS, but that's only because I did a little bit more dig-

ging when somebody made that statement. Whether other people know that, again, I would have to ask them.

● (1445)

Mr. Randall Garrison: Would you agree that it would be fair to say that anyone dealing with these difficult issues of sexual misconduct wouldn't presume that these organizations were actually independent of the chain of command that they're being forced to complain about, when it involves senior officers?

LCdr Raymond Trotter: I can't get into other people's heads. I don't want to make decisions for other people about whether they trust them or not. I'm going to have to leave that up to those individuals.

The Chair: Thank you very much.

We will go on to Madam Gallant, please.

Mrs. Cheryl Gallant: To the witness, you made mention of the tracking system, that you had looked at it and there weren't any other entries for this particular incident.

Is that the way they're shown in this tracking system? Could you see chronologically? How would you even know that the incident had previously been reported or not reported?

LCdr Raymond Trotter: Without getting into too much detail about how the incident was reported to me, it was not only reported to me, but it was reported to me that this chief petty officer was put in charge of the investigation. Correspondence was sent to me about the conduct of what he was investigating and how he was going to be investigating it.

There was no reference to a file in the OPHTAS being created. If I log in to the Operation Honour tracking system, I wouldn't necessarily be able to look into other people's because it is very compartmentalized to protect information.

From what I understand in my current knowledge is that my report was the only report. Simply based on the conversations I had with senior formation officers and public servants, it was my report in Operation Honour that I was reprimanded and minimized for. That led to the fact that nobody else had reported this in Operation Honour—only I did.

Mrs. Cheryl Gallant: Thank you, Madam Chair.

If there's any time, I will share it with Ms. Alleslev.

Who else has access to that reporting system besides you? You said it's compartmentalized. Can each individual who logs into it only see what he or she logs, or can people see what other people log?

LCdr Raymond Trotter: The way the system is designed, from what I understand—and again there are probably people who can better explain it—I have to sign in using my public key infrastructure card and it's then authenticated. I can only see investigations or complaints that have to do with my unit. I may also be able to view something if there's a respondent in another unit, say at CFB Halifax. I wouldn't be able to see their file, but I could potentially see a respondent pending on postings or something like that. It's not like I can look into another unit's files.

Mrs. Cheryl Gallant: It's your unit and then whoever is commanding various units. Would the person higher above be able to log in to any.... Maybe you don't know.

Could somebody conceivably use one of those cards to log in and see what's happening in every unit underneath them?

LCdr Raymond Trotter: There are designated OPHTAS users. There are the unit users and then there are L2s—the regional commander on this coast—and then the L1, which is the navy. They have designated users as well. Yes, they can see what's under their purview, because they need to be able to control the information flow and brief commanders on how files are progressing, and for analytics.

You can't simply take one of these cards and pop it into the system. There are additional verification factors that go along with those cards. You can't just grab one, pop it in the system and away you go.

● (1450)

Mrs. Cheryl Gallant: Do you know if there are any audits done? Can somebody track who else has logged in to the different parts of the database? There must also be some auditing or reporting system to check to see who has logged on and looked.

LCdr Raymond Trotter: That's well above my pay grade to answer that question.

Mrs. Cheryl Gallant: The agency responsible for that database, is it the CFNIS? Is it the military police? Who is in charge of that? Who is responsible for maintaining that, and its integrity?

LCdr Raymond Trotter: From what I understand, the ultimate report and analytics database is at L0 level, at the chief of the defence staff office. It's then delegated to each L1 to have their own system, and then further delegated to the L2s. Ultimately, it's the chief of the defence staff.

The Chair: We will now move to Ms. Vandenberg.

Ms. Anita Vandenberg: I have a short comment to the committee regarding the issue of Ms. Armstrong.

She is, in fact, the chief of staff to the departmental assistant, which is under the deputy minister. It is typical in this committee that the deputy minister would come here and speak for departmental staff. We're very fortunate that in a few minutes we will have the deputy minister, so I would imagine that those questions could potentially be posed to her.

Finally, to Lieutenant-Commander Trotter, you are exemplary of the best of the Canadian Armed Forces. Your testimony today was very courageous. On behalf of all members of this committee, I want to thank you very much for being an ally, for your service and for coming here today.

LCdr Raymond Trotter: Thank you.

The Chair: I am going to reiterate what Ms. Vandenberg said, as well as what most of the members here have said. We thank you for the courage it took to come here and for your commitment to making the Canadian Forces an even better place to work, Lieutenant-Commander. We very much appreciate it.

If there are no objections, we will suspend.

● (1450)

(Pause)

● (1500)

The Chair: I'm calling this meeting back to order. As we resume the meeting, the committee is continuing its study of addressing sexual misconduct issues in the Canadian Armed Forces, including the allegations against former chief of the defence staff Jonathan Vance.

With us today by video conference for the last two hours is the Honourable Harjit Sajjan, Minister of National Defence. As well, from the Department of National Defence, we have Jody Thomas, deputy minister, and Rear-Admiral Geneviève Bernatchez, judge advocate general of the Canadian Armed Forces.

Ten minutes will be given for opening remarks, after which we will proceed with rounds of questions.

Welcome, Minister Harjit Sajjan. I now invite you to make an opening statement of up to 10 minutes. Thank you.

Hon. Harjit S. Sajjan (Minister of National Defence): Thank you, Madam Chair and members of the committee.

I want to thank the committee for inviting me back for this two-hour session.

There are points that I hope all members in this committee agree upon. Sexual misconduct and harassment are unacceptable. They're not acceptable in Canadian society. They're not acceptable in the Parliament of Canada and they're definitely not acceptable in the Canadian Armed Forces or the Department of National Defence. We want to prevent it and we support their network. We want to ensure that those who come forward feel safe and confident when sexual misconduct and harassment are reported and investigated.

Eliminating all forms of misconduct and abuse of power and creating a safe work environment for everyone in the defence team has always been my top priority as Minister of National Defence. However, recent media reports show that still too many members of the Canadian Armed Forces do not feel safe to come forward.

I want to be clear that I had no knowledge of these allegations before they were reported. I know, we know, that we must do more to make sure that every Canadian Armed Forces member feels safe to come forward and that we will be ready to support them if they do.

I spent my lifetime serving Canadians, as a police detective, as a Canadian who served in uniform and as a member of Parliament. I know that perpetrators must be held accountable. I know that any organization, including the Canadian Armed Forces, must work hard to eliminate the toxic masculinity that creates an unacceptable culture. We have taken action to change this culture of toxic masculinity and it tackles sexual misconduct in the Canadian Armed Forces, but we have more work to do and every option is on the table. We owe it to our members and to Canadians to get this right.

As I stated previously, I disagree with parts of Mr. Walbourne's testimony concerning our meeting in 2018. Last week, the former ombudsman presented his version of the facts. In my previous testimony I wanted to respect the confidential nature of my meetings with the former ombudsman, but in light of his testimony, there are issues I need to set straight.

I did meet with Mr. Walbourne on March 1. At the end of a regular meeting with staff, Mr. Walbourne asked to meet alone. The majority of this private meeting did not concern General Vance. Rather, in this private meeting, Mr. Walbourne spent the majority of his time focused on the investigation into claims of misconduct involving him and his office.

As I have said before, any investigation needs to run its course, no matter the rank, no matter the position of those involved. It must be free of political interference. That also applied to the investigation of the ombudsman's office, as I told him at that time. Politicians inserting themselves into an investigation is wrong.

At the very end of this private conversation, Mr. Walbourne brought up concerns of misconduct involving the former chief of the defence staff. He did not give me any details. I did not allow him to give me any details. I very purposely respected the investigative process to ensure that it remained independent.

Drawing an elected official, a politician, into the sequence of an investigation would have been wrong and dangerous. Politicizing any investigation threatens a just outcome for those who come forward. Given his position and experience, Mr. Walbourne should have known this. In our society, the last thing we want is for elected politicians to make decisions that investigators need to make independently.

In Mr. Walbourne's testimony, he stated that he came to me for advice on what to do. I advised him exactly what to do. I said that Mr. Walbourne should use the already existing powers and processes to address the complaint. As Mr. Walbourne stated in his testimony, he knew the powers he had as ombudsman.

● (1505)

According to the directives that govern his office, in matters involving a potential criminal act or breach of code of service discipline, the ombudsman can report these complaints to the judge advocate general, the provost marshal or the military police complaints commission. To my knowledge, Mr. Walbourne did not take these complaints to any of these bodies.

I provided the advice that Mr. Walbourne said he sought. Investigations into complaints like this should start with proper investigative authority, not with an elected official.

To provide Mr. Walbourne with additional support, senior officials in the Privy Council Office were informed of the complaint regarding the former chief of the defence staff. By Mr. Walbourne's own admission, he was asked to provide details regarding this complaint to those appropriate authorities the very next day. Unfortunately, he did not do so. Mr. Walbourne said he sought top cover to show the complainant that we took this allegation seriously.

Madam, Chair, it is because I took this concern so seriously, as I would with any allegations of misconduct, that I raised it to the ap-

propriate independent authority outside of the Department of National Defence and the Canadian Armed Forces.

Mr. Walbourne suggested that if he had received feedback, he would have gone back to the complainant to see if they would provide specific information. We did, in fact, provide that feedback. At no time, according to Mr. Walbourne's testimony, did he say he went back to the complainant to ask if they were willing to make a formal complaint following his meeting with these senior officials. I've learned that at no time did the appropriate authorities receive information.

Finally, Mr. Walbourne stated that there was no follow-up. That is not true. Senior officials followed up. Actionable information was asked for. Information was not shared. At the core of our democratic and justice systems, at their very heart, is the belief that any investigation into potential wrongdoing should never come under the sway of political influence. Being involved can prejudice a just outcome for those who come forward. When any concerns or allegations are brought to my attention, I have always followed the proper processes. I would never want to be the reason that somebody who came forward did not get the just outcome they deserve.

As for the suggestion that the board of inquiry or summary investigation would be the appropriate venue, that suggestion is absolutely wrong. In fact, under the defence administrative orders and directives into boards of inquiry and summary investigations, we are prohibited from using a board of inquiry or summary investigation to seek evidence related to a potential breach of the code of service discipline or assign criminal responsibility.

Madam Chair, let me quote article 2.7 from directive 7002-0:

2.7 A [board of inquiry] or [a summary investigation] must not be conducted if any purpose of the [board of inquiry] or [summary investigation] is to:

- a. obtain evidence relating to a potential breach of the Code of Service Discipline; or
- b. assign criminal responsibility.

As well, the board of inquiry is prohibited from recommending that a charge be laid. These are critical points.

When individuals come forward, they rightfully expect that their complaints will be acted upon while respecting their wishes and, if warranted, the appropriate charges should be laid under either the code of service discipline or criminal charges. Any interference in this process, which is what has been suggested, puts into jeopardy a just outcome. That would mean a complainant, a survivor, could be denied the just outcome they deserve.

That is why it would have been extremely inappropriate and damaging to discuss any allegation with General Vance.

● (1510)

A just outcome is what those who come forward deserve, an outcome that Canadians, including Canadian Armed Forces members, expect, an outcome our society needs, an outcome that I—and our entire government—want. We have processes to investigate regardless of the rank or position of the person involved.

However, despite the cries from some of the members, investigations should not be politicized, not by a minister and not by anyone in political office. Any investigation should be conducted independently by the relevant and appropriate authorities. This is a fundamental part of our justice system, a principle some of the members seem to forget.

I have always insisted that we have more work to do to ensure that any member of the Canadian Armed Forces feels safe to come forward. Though we have made meaningful progress, we need to accelerate these changes. We need a complete and total culture change. We need to improve our policies and processes to prevent misconduct and to prevent abuses of power.

That is why we are moving forward with an independent external review, to ensure we can comprehensively address the fact that members still do not feel safe to come forward. As we have said, we'll be moving forward with an independent reporting structure to look at allegations of misconduct. All options are on the table. For those who have experienced misconduct, we will do everything possible to rebuild the confidence we have lost.

We're focused on doing everything possible to prevent and eliminate sexual misconduct in the Canadian Armed Forces. We will have a complete and total culture change. We will eliminate the culture of toxic masculinity that still exists. We will make sure that those who have experienced misconduct feel safe and supported if and when they come forward. We will build a more inclusive Canadian Armed Forces that better reflects and represents the Canadians that they protect each and every day.

Thank you, Madam Chair.

• (1515)

The Chair: Thank you very much.

We will go on to Mr. Bezan, please.

Mr. James Bezan: Thank you, Madam Chair.

Minister, I'm glad you're at committee. You seem to have a change in the story of exactly what happened with these allegations against General Vance. In your opening statement, you failed to acknowledge the victim's wishes, which were to keep it confidential. She was not prepared to give the ombudsman the ability to go forward with the claim until she knew there was a way to protect her.

You know, Minister, and you failed to recognize in your opening statement, that the chief of the defence staff has control over the entire armed forces and only answers to you, as the Minister of National Defence. You ignored the impact of the chain of command and how it would skew the victim's ability to come forward with her story. You were also the superior of the former ombudsman, Gary Walbourne, so he had to get direction from you—which didn't occur.

I just want to confirm the facts here because what you said on February 19 was different from what you are saying today.

Did you meet with Gary Walbourne on March 1, 2018, yes or no?

Hon. Harjit S. Sajjan: Madam Chair, as I said in my statement, I did meet with the ombudsman. However, to address the comments

the member just made, it is absolutely inappropriate for any elected official—

Mr. James Bezan: Minister, I am sorry but—

Hon. Harjit S. Sajjan: —in an investigation—

Mr. James Bezan: I'm sorry, but we're not buying that. You are the minister. You've sworn an oath to be the minister and to manage, under the National Defence Act, the Department of National Defence and the Canadian Armed Forces.

Minister, did Gary Walbourne address the issue of sexual misconduct allegations against General Vance in the March 1, 2018, meeting?

Hon. Harjit S. Sajjan: Madam Chair, as I stated, after a formal meeting in which staff were present, the ombudsman asked me to meet with him alone. I agreed, and the majority of the discussion was about the investigation into him and his office. At the conclusion of that—

• (1520)

Mr. James Bezan: Instead of smearing the character of Gary Walbourne, will you please just answer the question? Did he raise the issue of sexual misconduct—

Hon. Harjit S. Sajjan: Madam Chair, he asked about the meeting, and I'm trying to address what the meeting was and to properly explain what has taken place. What I'm here to tell you is that at the end of that meeting, Mr. Walbourne raised concerns about the former chief of defence staff. That is when I told him that I could not be involved in an investigation. It is improper for any politician to be part of the investigation. More importantly—

Mr. James Bezan: Minister, you know very well that there is an impossibility for an independent investigation to happen within the Department of National Defence when everybody reports up to the chief of the defence staff.

When he tried to raise this and present you with the evidence, what did you do with that information on March 1, 2018?

Hon. Harjit S. Sajjan: With all due respect, Madam Chair, the member is missing a point here. When a complaint is received by the ombudsman, investigation automatically starts. Because of that, no politician, including me, should ever be put in that position. That information should have gone to the appropriate authorities, as I stated. There are many options, which are actually in his own guidance—and he stated that he does know his job—where he could have gone to the judge advocate general, the provost marshal or the independent Military Police Complaints Commission. That did not happen.

What I didn't want to do, Madam Chair, was to possibly undermine a just outcome by my getting involved in an investigation.

Mr. James Bezan: You've made that point, Minister.

We want to know who you told about these allegations.

Hon. Harjit S. Sajjan: Madam Chair, I'm trying to answer the question here.

I was trying to protect the integrity of the investigation, the person who has come forward. If anybody raises a concern regarding the chief of the defence staff, it has to be taken seriously. That is exactly what I did, making sure that I, as a politician, an elected official, was not involved in the investigation; that it was directed to the appropriate authorities—in this case the Privy Council—so that the allegation could be looked at; and that if he needed greater advice, to actually get it from the appropriate people. That's how seriously we took this, because we needed to make sure the appropriate—

Mr. James Bezan: Minister, we know you're trying to burn up time here and you don't want to answer the tough questions.

Hon. Harjit S. Sajjan: No, you're not understanding.

Madam Chair—

Mr. James Bezan: I understand quite well. I believe that I understand exactly what happened. It's been widely reported on. I've read the National Defence Act. I've been on this file for quite some time. I understand how the department works and what your responsibilities are, and that you're failing to do that.

Again, you talk about not wanting to do any information, but we know that PCO did get this information. Who did you tell about the allegations of sexual misconduct against General Vance after that meeting on March 1?

Hon. Harjit S. Sajjan: As I stated, I didn't accept the information from the ombudsman. He came for advice. I gave him the advice on exactly who he needed to go to.

Mr. James Bezan: Did you ever follow up with—

Hon. Harjit S. Sajjan: To make sure, I went back to my office and got in touch with my chief of staff to make sure that the appropriate authority—in this case, PCO—was informed of this, and in his own testimony it was confirmed that they followed up with him immediately on this matter.

Mr. James Bezan: Madam Chair, through you to the minister, you gave the information, handed it off to the PCO, and the PCO actually wrote a memo on March 16 clearly outlining that the ombudsman doesn't have the power to investigate sexual misconduct. We also know from testimony here that the ombudsman asked to meet with you seven more times after March 1, and you refused. Why?

Hon. Harjit S. Sajjan: Madam Chair, as I just stated, my meeting about this is interference in an investigation.

Mr. James Bezan: The investigation hadn't started yet.

Hon. Harjit S. Sajjan: With all due respect to the member, Madam Chair, when an ombudsman receives a complaint, the process has started. It is the job of the ombudsman to conduct those investigations. I didn't want to be put into a position where I potentially interfered with an investigation—

Mr. James Bezan: The PCO's own memo said quite clearly he doesn't have the power to carry it out—

The Chair: Okay, stand by. That's enough now. We have to try to respect each other's opportunity to ask questions and answer accordingly. We're making the life of the interpreters challenging as well.

Thank you very much.

We move on to Mr. Spengemann, please.

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

Minister, thank you for being with us again today and providing us with your testimony. I have a couple of quick questions at the outset.

Minister, I think you'll be aware that your former chief of staff has also been invited to appear at this committee. I'm wondering if you would think that she would have anything to add beyond the testimony that you've given, or are about to give.

Hon. Harjit S. Sajjan: Madam Chair, as you know, after the ombudsman spoke to me, I informed my chief of staff so that she could follow up with the appropriate individuals within the Privy Council, as she did. She also informed Elder Marques at the Prime Minister's Office. I'm here today to provide you with my testimony on this, but also on behalf of my staff involved in this matter.

Mr. Sven Spengemann: Minister, thank you.

What about Elder Marques? Would he have anything further to add beyond your testimony?

• (1525)

Hon. Harjit S. Sajjan: Madam Chair, as I have said, my chief of staff at the time informed the PMO of what was transpiring. There would be nothing further for him to add.

Mr. Sven Spengemann: Minister, I want to thank you for your strong position on the issue, your openness to considering all options and your recognition of the need to rebuild trust fundamentally. I certainly wouldn't want to profess to speak for any of my colleagues individually, but I have a sense that, as a whole, the committee is strongly aligned with your recognition of the need for change within the Canadian Armed Forces on the issue of sexual misconduct.

Minister, women join the Canadian Armed Forces in order to serve. Many of them will have been proud to follow in the tradition of their families from generations before them; however, because of the systemic nature of this issue of sexual misconduct, there's a high risk that they will be met with abusive, dehumanizing and degrading behaviour, and then with a feeling that they have nowhere to turn.

I would like to ask you, Minister, what is being done at the moment to empower survivors of sexual misconduct to come forward, and equally to empower those to come forward who see a duty to report or who may want to come forward because they no longer accept this culture of sexual misconduct?

Hon. Harjit S. Sajjan: Madam Chair, thank you very much for that question.

This is something we have taken to heart from day one: making sure that everybody who joins the Canadian Armed Forces, especially women, can have an inclusive environment to serve, to reach their full potential and ultimately to give that potential to the Canadian Armed Forces.

Through our conversations we have been having about processing stuff, what we haven't been discussing much are the women who have actually come forward and the courage that has taken. More work needs to be done.

What we have done is change the policies in place to make sure that people will be held to account. The military police have a special unit now that's designed to investigate situations of sexual misconduct such as this. We've also passed the declaration of victims rights bill, Bill C-77, to make sure they have appropriate support.

Madam Chair, I think the most important thing coming out of this is that we need greater representation at all senior levels. Something I've been focused on from day one is creating a pipeline where more women can come to the senior levels. When I became Minister of National Defence, we had six female generals. Today we have 14. We need to grow that number still, because we know that once we have more women and increase our numbers, and more importantly, they're in senior, meaningful positions, culture change will happen because women will be at the table.

Mr. Sven Spengemann: Minister, thank you very much for that.

I'm wondering if I could ask you a follow-up question on the issue of culture. You called for a total culture change. The committee, in this Parliament and the previous one, has heard a lot of testimony about culture, in part about toxic masculinity and sexual misconduct and negative aspects, but also positive aspects: the culture of excellence and of discipline, the culture that goes with a chain of command and with deployability in very challenging circumstances, the culture of working with our friends and allies overseas and the culture of serving the Canadian public, as the Canadian Forces did so admirably during the COVID-19 pandemic.

Can you unpack the idea of total culture change as you see it, focusing, presumably, on the negative elements, but also on how that intersects with positive aspects of culture that are present in the Canadian Forces today and should be preserved?

Hon. Harjit S. Sajjan: Madam Chair, thank you very much for that question.

When it comes to a total culture change, I've received this question quite often. For me it's about making sure we eliminate the poisonous pieces that we are currently dealing with in the Canadian Armed Forces, with all types of misconduct.

The culture change we're talking about is very simple. It's to allow everybody who joins to reach their full potential in the Canadian Armed Forces in an inclusive environment. When there is any type of wrongdoing, they can come forward, things can change and they will be heard. More importantly, they can have a just outcome. That's what we have been focusing on.

We know we have a lot more work to do. We have women who felt that they could not come forward. That is probably the most disturbing piece to come out of this. We need to do more on this.

I look forward to hearing much advice. We will be taking greater action on this so that we can create the culture change that is needed.

Mr. Sven Spengemann: Minister, in the 30 seconds I have left, what would you say to a young woman today who was contemplating a career in the Canadian Forces?

Hon. Harjit S. Sajjan: My message to them is that they, and every other Canadian citizen, have a right to serve in the Canadian Armed Forces, a right to wear that uniform and to come in and be treated with dignity and respect. That's exactly what we're doing.

More importantly, we're creating that pipeline so they have an opportunity to reach the highest ranks. Madam Chair, we've had women in the Canadian Armed Forces for some time. They never reached the highest levels. This is one of the things we wanted to change, and we have, making sure we create a pipeline from the bottom up—which, by the way, cannot be reversed regardless of governments or ministers that come into these positions. We know that by having them at the table we can actually start creating that culture change directly.

• (1530)

The Chair: Thank you.

We'll go on to Mr. Fortin, please.

[*Translation*]

Mr. Rhéal Fortin: Thank you, Madam Chair.

Mr. Minister, you just told us what message you would send to a young woman who wants to enlist in the Forces. The message is all well and good, but you are telling her in the same breath that the day she is sexually harassed by the highest-ranking officer in the army, the Chief of the Defence Staff, and she complains to the ombudsman, he will not be able to do anything. And you, as the Minister, can do nothing but tell the ombudsman to look after his own affairs and contact the appropriate authorities.

Do you think the young woman will be reassured?

[*English*]

Hon. Harjit S. Sajjan: Madam Chair, I think the member is missing one point in this.

The ombudsman's role is to investigate—

[*Translation*]

Mr. Rhéal Fortin: Mr. Minister, I do not want you to give me a lecture on how things work. I am asking you if you think that the lady—

[*English*]

Hon. Harjit S. Sajjan: I'm trying to answer the question.

[*Translation*]

Mr. Rhéal Fortin: —will be reassured.

[*English*]

Hon. Harjit S. Sajjan: I am trying to answer the question.

Mr. Rhéal Fortin: You don't.

[*Translation*]

Do you think the lady will be reassured?

[*English*]

It is yes or no.

Hon. Harjit S. Sajjan: No. If you let me answer the question....

[*Translation*]

Mr. Rhéal Fortin: No? That's what I thought. Now—

[*English*]

Hon. Harjit S. Sajjan: No. If you want to let me answer my question....

[*Translation*]

Mr. Rhéal Fortin: Mr. Minister, I'm asking the questions.

[*English*]

The Chair: Mr. Fortin, we have to stop this. If we're going to ask the question—

[*Translation*]

Mr. Rhéal Fortin: Yes, but I—

The Chair: Mr. Fortin, please ask your questions.

Mr. Rhéal Fortin: Yes, Madam Chair.

I have five minutes. Earlier, the minister made a 10-minute presentation, and I do not want him to repeat it.

Minister, on March 1, 2018... You say that Mr. Walbourne told you that a sexual harassment complaint had been filed against the highest-ranking officer in the military, the Chief of the Defence Staff. That's a big deal.

Because the ombudsman was dealing with this matter and was not sure how to handle it, he asked you for advice. According to him, you told him not to bother you anymore, and not to come back to you and tell you what to do. You are telling us that it's not what happened. According to you, you told him to go see the Canadian Forces provost marshal or the military police, an independent body. He then left.

Did you check with them to see if they had received this complaint? Did the provost marshal, the judge advocate general or the military police hear from the ombudsman in connection with this matter? Did you check that?

[*English*]

Hon. Harjit S. Sajjan: Madam Chair, first of all, the ombudsman is to investigate and be independent of the chain of command regardless of the rank.

To answer your question directly about follow-up, absolutely not. That's called interference in an investigation by involving myself. If you're asking me to interfere in an investigation, I will tell you straight, absolutely not. As a former police officer, I would not—

[*Translation*]

Mr. Rhéal Fortin: Mr. Minister, that's not what I'm asking you. Don't get defensive about that, because I'm not accusing you of intervening.

[*English*]

Hon. Harjit S. Sajjan: That's what you did ask me. You asked me if I followed up.

[*Translation*]

Mr. Rhéal Fortin: I'm not accusing you of intervening. What I'm saying is that, in my opinion, you didn't intervene enough, but that's another issue.

The ombudsman told you there was a problem, and you told him to go see three other authorities: the judge advocate general, the Canadian Forces provost marshal and the military police, but you didn't follow up on it. After that, did you ask the ombudsman to—

Actually, Mr. Minister, did you think that what the ombudsman told you about the chief of the defence staff was serious and important?

[*English*]

Hon. Harjit S. Sajjan: Absolutely it was important, Madam Chair. That's why I took it so serious—

[*Translation*]

Mr. Rhéal Fortin: Why didn't you follow up?

[*English*]

Hon. Harjit S. Sajjan: Madam Chair, if I can't answer my question....

Can I answer the question or not?

Mr. Rhéal Fortin: The question is this.

[*Translation*]

What did you do? Why didn't you intervene?

[*English*]

Hon. Harjit S. Sajjan: I cannot intervene because it would be obstruction of an investigation. No politician should do that. If you want to do something like that, that is your prerogative. I can assure you, I will not. You cannot. I'm trying to tell you—

• (1535)

[*Translation*]

Mr. Rhéal Fortin: You can't solve the problem, but you can—

[*English*]

Hon. Harjit S. Sajjan: If you let me finish, I'll be able to explain this a little bit better if you give me the opportunity. This is important.

Mr. Rhéal Fortin: Go.

Hon. Harjit S. Sajjan: Those things that I pointed out are not just for me. Those are the directives given to the ombudsman office that was created when the office was created. If an allegation comes in, it's in those directives where the ombudsman can go for that advice.

[Translation]

Mr. Rhéal Fortin: The ombudsman asked you, and he told you—

[English]

Hon. Harjit S. Sajjan: Coming to me for advice is not.... It's supposed to be the other way around.

[Translation]

Mr. Rhéal Fortin: The ombudsman told you that he was in a difficult position and that he didn't know how to do his job because it was the chief of the defence staff. He asked you to advise him because you are the minister. You were the only superior, the only authority he could ask. As I understand it, you didn't help him.

Did you at least try to talk to him after that and ask him if he found a solution to the problem?

[English]

Hon. Harjit S. Sajjan: I gave him the direct advice, which was to go to the appropriate authorities, in this case here, the Privy Council Office, which is in charge of Governor in Council appointments. In his own testimony he said they followed up immediately the next day.

Madam Chair, it is extremely important to look at those directives that our ombudsman must comply with. He should not have to come to me for advice. It's the ombudsman's job and role to give the minister advice.

[Translation]

Mr. Rhéal Fortin: Mr. Minister, in your opinion, how many times has the chief of the defence staff been the subject of a sexual harassment complaint?

Before Mr. McDonald and Mr. Vance, were there others that you know of?

[English]

Hon. Harjit S. Sajjan: I don't know, because investigations are supposed to be done independent of elected officials.

The Chair: Thank you very much. Time is up.

[Translation]

Mr. Rhéal Fortin: Aren't you surprised?

Thank you, Madam Chair.

[English]

The Chair: We go on to Mr. Garrison, please.

Mr. Randall Garrison: Thank you very much, Madam Chair. I thank the minister for being here today. Let me reassure him that the answer to any questions I ask today will not be something about what the ombudsman did or did not do.

The committee is seeking accountability for what the government did or did not do to make sure that women can serve equally in the Canadian Armed Forces.

We have made some progress in the hearings that we've held. We do know, today, that in 2018, both you, Mr. Minister, and the Prime Minister knew that there were allegations of sexual misconduct

against the chief of the defence staff, and neither of you took any effective action on those allegations.

You're telling us today that your reason for not taking action was that you referred the complaint to the appropriate independent investigating authority. Mr. Minister, do you seriously think that we will accept that the Privy Council Office, which reports to the Prime Minister and has no investigative capacity whatsoever on its staff, was in any way an appropriate investigating authority?

Hon. Harjit S. Sajjan: As I stated, the ombudsman is independent of the chain of command to conduct investigations. In this case here, in his own directives as ombudsman, the ombudsman had the option of where to get the appropriate advice.

In this case here, the information was passed to PCO for the one very important reason that we took this very seriously, because Governor in Council appointments are conducted at PCO. They followed up with him the very next day to give any further advice that might be needed by the appropriate people who deal with Governor in Council appointments.

Having said this, absolutely not, it is inappropriate for any of us to be involved in any investigation.

Mr. Randall Garrison: The Privy Council Office is neither an investigating authority nor independent. That is the key point here.

I want to turn to the part of Mr. Walbourne's testimony that you have actually confirmed today, and this is that you refused to look at the evidence he was presenting on the accusations of serious sexual misconduct against the chief of the defence staff.

You refused to look at that information. I have tried, for the life of me, to figure out why you would not look at that. There was no investigation taking place at that time. What could the possible reasons be?

I'm going to suggest there are two possible reasons. One is that you didn't want to see the evidence of misconduct against General Vance because you have a long personal, professional and career relationship with the general. The second possibility is that you did not want to see the evidence because, as Major Brennan has told the media, knowledge of General Vance's sexual misconduct allegations was widespread among the senior leadership.

Did you not want to see this evidence because you were afraid you knew what was there?

• (1540)

Hon. Harjit S. Sajjan: Madam Chair, let me answer this very directly.

Please do not allow any other member to define my experience or my service in the Canadian Armed Forces. I don't like other men telling me what my experience was like.

I can assure you, and I am sorry to get angry about this, that I would go after anybody, regardless of rank or position, if allegations were brought forward.

The reason...and you said the investigation was not started. I disagree. When the ombudsman receives a complaint, the process has started. For me to accept any information at that time is interference in the investigation.

I am sorry, Madam Chair, but please don't have this member define my experience in the Canadian Armed Forces or what it was like. I would not do it about what happened in your life either, okay? I'm sorry. I've had many people, many white men, trying to tell me what my experience is.

Right now, I want to talk about the women and what better we can do for them.

Please don't do that, Mr. Garrison, to me.

Mr. Randall Garrison: Well, Mr. Minister, I said nothing about your honourable service in the Canadian Forces, nothing whatsoever. What I asked you about today—

Hon. Harjit S. Sajjan: You said that I was hiding something because of service.

Please don't do that. Don't define my experience in the Canadian Armed Forces.

Mr. Randall Garrison: Not because of service....

Hon. Harjit S. Sajjan: You have no idea what my life was in the Canadian Armed Forces.

Thank you.

Mr. Randall Garrison: With respect, Mr. Minister, I'm asking about why you did not look at the evidence, and you have given us no reason for not looking at the evidence, other than to continue to spin this line about the ombudsman.

It is not true that once the ombudsman gets a complaint he starts an investigation. That's simply not a fact. Ombudsmen quite often do not investigate things that come to their office because they don't have the authority.

Hon. Harjit S. Sajjan: How? Please explain. If you can explain how that's supposed to work—

Mr. Randall Garrison: If they don't have the authority, then they do not investigate. How it's supposed to work—

Hon. Harjit S. Sajjan: The ombudsman has the ability, then, as I stated, in their own directives, given to them when the ombudsman office was set up, to go to the judge advocate general for advice, who can give advice, or to go to the provost marshal. Nowhere does it say the Minister of National Defence, and for a very good reason, because no politician should ever be part of an investigation.

I can assure you, not having been involved in any investigation.... I don't know what the information was, nor should I, because I don't know what it is. If I take a chance, there's an actual chance I might inadvertently make a mistake and disrupt the just cause that might come from that.

I'm sorry, but when it comes to investigations, I haven't conducted investigations. I made that call at that time and it was a right call not to intervene with an investigation but to make sure that it was followed up by the appropriate authorities.

Mr. Randall Garrison: With respect, Mr. Minister, the defence act does give you the responsibility. You say that you couldn't use a board of inquiry because it would have involved potential criminal charges or potential code of service violations, but when you hadn't looked at the information, you couldn't possibly have known that.

The only way you could know that it was not a course of action open to you was to have actually considered the evidence, not investigate the evidence but consider the evidence that the ombudsman tried to present to you because he did not have the authority to proceed further.

Hon. Harjit S. Sajjan: Mr. Garrison, with all due respect, there were many options available to the ombudsman, and more importantly, as it was, when it was passed on to PCO for the appropriate people to give the appropriate advice, they would have told him. There are many things that could have been done.

I'm not here to speculate. What I can only do is to make sure that any allegation that comes forward is immediately looked at, and that's exactly what we did.

I can assure you, for one thing, that I don't care about the position or the rank of any individual. I care about the people who have been impacted and I want to make sure that they get the just outcome.

That is why, when I was serving, it was my focus, while I was serving in the police, and why, right now, as Minister of National Defence, it has been my number one priority from day one.

When we put people as chapter one of the defence policy, the reason that was done was to focus on this, to tell the entire chain of command, the entire structure, that everything that you do must be focused on them: the change in policy, the resources and how you roll out this behaviour.

Here's the thing, though. I know how much you care and I've seen the passion you have, but you also know my passion as well. We want to improve our processes. We have a lot more work to do and we will get it done.

The Chair: Thank you very much.

We'll go on to Madam Alleslev, please.

Ms. Leona Alleslev: Thank you very much.

Minister, who does the CDS report to?

Hon. Harjit S. Sajjan: The chief of the defence staff reports to me, as Minister of National Defence.

Ms. Leona Alleslev: Who does the ombudsman report to?

• (1545)

Hon. Harjit S. Sajjan: The ombudsman provides reports to me.

Ms. Leona Alleslev: Do military members deserve a chief of the defence staff who behaves in accordance with the code of service discipline?

Hon. Harjit S. Sajjan: Absolutely.

Ms. Leona Alleslev: That's excellent.

Who is legally accountable to ensure that the CDS behaves in accordance with the code of service discipline?

Hon. Harjit S. Sajjan: You can't....

Madam Chair, when it comes to allegations, as the Minister of National Defence, I do not investigate. They need to go to the appropriate authorities.

Ms. Leona Alleslev: Who is ultimately accountable? Who do we look to to make sure that the chief of the defence staff behaves in accordance with the code of service discipline?

Hon. Harjit S. Sajjan: My job is to make sure that everybody....

Ms. Leona Alleslev: Did you direct the ombudsman to investigate the allegations that he brought to you?

Hon. Harjit S. Sajjan: Madam Chair, as I stated before, when the information was brought forward, one, I could not hear it. However, I gave very clear advice on exactly what needed to be done.

Ms. Leona Alleslev: Minister, this is not advice. Did you or did you not direct the ombudsman to investigate?

Hon. Harjit S. Sajjan: Madam Chair, as I stated, I cannot direct in an investigation. That would be political interference.

Ms. Leona Alleslev: You can. Did the Prime Minister—

Hon. Harjit S. Sajjan: No, actually you cannot.

Ms. Leona Alleslev: On March 10 in the House of Commons, the Prime Minister said that the minister—you—directed the ombudsman to independent officials who could investigate. Is that true?

Hon. Harjit S. Sajjan: Information was provided to PCO officials because they are in charge of Governor in Council appointments. That is a very important—

Ms. Leona Alleslev: In your mind, Minister, who was charged with being responsible for investigating this allegation?

Hon. Harjit S. Sajjan: Only the appropriate authorities can do an investigation.

Ms. Leona Alleslev: Who are the appropriate authorities to investigate allegations against the code of service discipline of the chief of the defence staff?

Hon. Harjit S. Sajjan: It would be the military police, the NIS, or if it occurs outside.... When it comes to an investigation, if any other—

Ms. Leona Alleslev: Whose responsibility is it to make sure they know to investigate?

Hon. Harjit S. Sajjan: I'm sorry. Could you repeat that question, please?

Ms. Leona Alleslev: Who tells them to investigate? Who makes them aware, so they know to investigate?

Hon. Harjit S. Sajjan: I do not direct or inform in any type of investigation. I cannot. That would be political interference. I have to remove.... People need to go—

Ms. Leona Alleslev: Minister, the RCMP were called in to investigate Admiral Norman, and he was suspended when a file was created by the RCMP. Charges were laid, and Admiral Norman was tried publicly in court.

Can we expect the same process to proceed for General Vance, or is 20 years of alleged sexual oppression and abuse of authority not

as serious of an offence as allegedly leaking shipbuilding procurement documents?

Hon. Harjit S. Sajjan: When it comes to the investigation of Admiral Norman, that was, again, done absolutely independently of our office. This case here will also be done independently of our office.

Ms. Leona Alleslev: It will be done by whom, Minister? By whom will it be done? Whose authority and responsibility is it to ensure that it gets done?

Hon. Harjit S. Sajjan: A military police investigation.... It depends upon the allegation.

Ms. Leona Alleslev: Did you follow up with the military police to make sure that the investigation was ongoing?

Hon. Harjit S. Sajjan: I cannot—

Ms. Leona Alleslev: Did you follow up with anyone to ensure that the investigation was completed?

Hon. Harjit S. Sajjan: With all due respect, I cannot interfere.

Mr. Yves Robillard: I have a point of order, Madam Chair.

The Chair: Go ahead, Mr. Robillard.

[*Translation*]

Mr. Yves Robillard: Thank you, Madam Chair.

[*English*]

As a member of this committee, I want to have the answer from the minister and not from the member. Please be polite and let the minister talk.

The Chair: Madam Alleslev, continue.

Ms. Leona Alleslev: I will ask my question again.

Minister, whom did you follow up with to ensure that the investigation of the chief of the defence staff was under way, so that you could take appropriate disciplinary action, if required?

Hon. Harjit S. Sajjan: As the Minister of National Defence, I do not follow up because that would be interfering in an investigation.

Ms. Leona Alleslev: By law you are accountable to make sure the chief of the defence staff is behaving in accordance with the code of service discipline.

How do you do that if you don't have the information, follow up on it and ensure that military members can serve with a CDS who is in accordance with the law?

• (1550)

Hon. Harjit S. Sajjan: I'm not supposed to get that information. That would be inappropriate.

Ms. Leona Alleslev: Is it against the code of service discipline for a senior officer—

The Chair: Thank you, but your time is up.

We will move on to Mr. Baker, please.

Mr. Yvan Baker: Thank you, Madam Chair.

Thank you, Minister, for being here today.

I wanted to share something, Minister, to follow up on what you were saying to Mr. Garrison. I have spent some time studying your career. I know you have spent your career protecting people as a Vancouver detective and a leader in the Canadian Armed Forces. I also know from the actions you have taken—you have spoken to some of them here today—how committed you are to ensuring that all equity-seeking groups, including women, feel safe and protected. I wanted to thank you for that service, and I wanted to voice my confidence in your work in that regard.

I also wanted to correct the record. I think Mr. Garrison indicated that the Prime Minister knew of allegations. There has been no evidence presented to this committee of that at all, and I think it's highly inappropriate for Mr. Garrison to suggest something of the sort.

I also want to ask you a question, Minister. A tweet from Mercedes Stephenson on March 3, 2021, describes:

...the evidence that the former military Ombudsman is referring to. It is not an allegation of sexual assault. It is the email chain between the then CDS and a then Cpl where he allegedly proposed going to a clothing optional vacation destination.

Can you confirm, Minister, that what the ombudsman tried to show you was not what Kellie Brennan came forward with?

Hon. Harjit S. Sajjan: Madam Chair, I don't know the information that was brought forward, because it would have been inappropriate for me to even accept it. It would have been interference in the actual process.

My goal at this time, in any allegation that comes forward, if a chief of defence staff is even mentioned, is to immediately take it extremely seriously, to make sure that it goes to the appropriate authorities for a proper investigation. That is exactly what we have done. I've said a number of times, even in previous years, that regardless of rank and regardless of position, we will take every allegation seriously.

Mr. Yvan Baker: Thank you, Minister.

We heard from the ombudsman during his testimony that he was reached out to by the Privy Council Office the very day after he raised his concern with you. Can we assume from this that you took immediate action?

Hon. Harjit S. Sajjan: Absolutely. This is where, one, the advice that I gave directly back to the former ombudsman...but also, the reason I had my staff immediately contact the PCO is that this is where the Governor in Council appointments are managed. It was making sure that they knew, and then, if there were any other mechanisms that they had, they could provide the appropriate advice and also look at the allegation. But it was my understanding that no information was provided.

Mr. Yvan Baker: Minister, I know you've spoken to this, but I think this is important to underline, so I will ask you this question. We've heard during our committee hearings from witnesses, from the ombudsman himself, that you could have done a board of inquiry. Could you please explain why you didn't go that route? I

think it's really important that people, and the public watching, understand that.

Hon. Harjit S. Sajjan: I think this is a really important point. There are powers that the Minister of National Defence has, but those powers have to be regulated in a certain way. We're in a rule of law country.

I already stated in my statement the reasons why, but I think it would be even more appropriate if I had the JAG answer that question in more detail.

[Translation]

Rear-Admiral Geneviève Bernatchez (Judge Advocate General, Canadian Armed Forces, Department of National Defence): Madam Chair, may I have the floor?

The Chair: Go ahead.

RAdm Geneviève Bernatchez: Thank you.

[English]

First, I would like to specify that I will not comment on the current situation. However, I think it's important to indicate that the publicly available defence administrative order and directive DAOD 7002-0, dealing with boards of inquiry, provides, in paragraph 2.7, that:

2.7 A [board of inquiry]...must not be conducted if any purpose of the [board of inquiry]...is to:

- a. obtain evidence relating to a potential breach of the Code of Service Discipline; or
- b. assign criminal responsibility.

The reason for this is that any allegation must be handled carefully and in a manner that preserves the ability to conduct a fair and independent disciplinary or criminal investigation, and, if charges are laid, to have those charges prosecuted and tried fairly and in a manner that respects the rights of both the accused and the victim.

Thank you, Madam Chair.

● (1555)

The Chair: Thank you very much.

[Translation]

Mr. Fortin, you have the floor.

Mr. Rhéal Fortin: Thank you, Madam Chair.

Mr. Minister, this is what you said in your testimony.

[English]

“I didn't follow up because I wasn't allowed to.”

[Translation]

You didn't follow up. However, you also said that, the next day,

[English]

“I had my staff immediately inform PCO.”

[Translation]

My understanding is that you asked your chief of staff or someone in your office to contact PCO to tell them about the situation. Thank you for that information. That gets us somewhere.

After that, Mr. Minister, did you follow up with PCO or ask your chief of staff to do so to see where the investigation was at?

[English]

Hon. Harjit S. Sajjan: I did ask to...making sure the connection was made, but we also had to make sure that we stayed out of any type of investigation—asking too many questions—to allow the process to take its course. That's extremely important.

Over time, I do remember asking a number of questions about where things were at. I also knew, at the same time, that they did have the information and that it was being looked at and taken seriously.

[Translation]

Mr. Rhéal Fortin: We know that Mr. Walbourne talked to you on March 1, 2018. The next day, there was a phone call between Mr. Walbourne and PCO. After that, how many times did you talk with someone at PCO to see how the complaint was being handled?

[English]

Hon. Harjit S. Sajjan: Once it was confirmed that the Privy Council Office had the information, this is where I had greater faith that the proper process would take its course.

Over a number of months, I believe I asked a number of times. I don't actually have the exact number of how many times I asked that question, but I did know that they had it and it was being followed up.

[Translation]

Mr. Rhéal Fortin: From March 1, 2018, until just recently, nobody heard anything about it. Didn't it worry you that, in 2018, the chief of the defence staff was the subject of a sexual assault or sexual harassment complaint? A complaint was made against the chief of the defence staff in March 2018, but by the end of 2020, nobody had heard about it. Didn't that worry you?

[English]

Hon. Harjit S. Sajjan: Any allegation is deeply concerning. This is one of the reasons we had to immediately make sure that the appropriate process was actually followed here. Later on I was advised that nothing had come from it.

This is one thing that, regardless, I can only take action based on the information as the proper process takes its course. In this case here, something was followed.

[Translation]

Mr. Rhéal Fortin: Were you worried—

[English]

The Chair: I am afraid Mr. Fortin—

[Translation]

Mr. Rhéal Fortin: Madam Chair, as you know, there are lots of delays because of interpretation.

In many committees, people get a few extra seconds of speaking time when questions are asked in French and answered in English. Francophone members are always at a disadvantage because of these delays. With all due respect, I would ask you to give us a little more time during the next round of questions. Thank you in advance.

The Chair: Thank you, Mr. Fortin.

[English]

I always try to give a little bit more time because of the interpretation issue, but I'll pay even more attention to that. Thank you for bringing it to my attention.

[Translation]

Mr. Rhéal Fortin: Thank you, Madam Chair.

[English]

The Chair: We will go on to Mr. Garrison, please.

Mr. Randall Garrison: Thank you very much, Madam Chair.

I want to return to saying very clearly to the minister that I have always had the utmost respect for his service in the Canadian Forces and, in particular, his service in Afghanistan. I think the minister knows that. I am not sure where that reaction comes from, although I have to say that I did see it once before when I raised questions about his failure to order an inquiry into the transfer of Afghan detainees.

I will assure you that what I am asking about is what you did or did not do as minister. It's not about your previous service.

I raised the question about who knew what about General Vance because I have been told literally dozens of times that General Vance's indiscretions were the worst-kept secret in the Canadian military. During the course of this hearing today, I have actually received messages from veterans conveying that once again. It is very hard for me to accept that you knew nothing about this and that the Prime Minister knew nothing.

Mr. Baker says that there is no evidence that the Prime Minister knew about these allegations. The Prime Minister said so himself in question period. He said so himself in his presser—that he knew there were allegations. He just didn't know the details.

Mr. Minister, I want to ask you this: In addition to contacting the Privy Council Office, did you or your chief of staff inform the Prime Minister's office of these allegations?

• (1600)

Hon. Harjit S. Sajjan: First of all, as the Prime Minister has stated, he was informed that I had raised those concerns with the Privy Council Office, but he learned of those complaints through the media.

Also, Madam Chair, given the preamble that the member stated, I'm sorry. If you had any information on this, you should have reported it.

I'm here to tell you that, no, I did not have any of the information. If, at any time, any type of information was brought forward, I would always bring it to the appropriate authorities—and I always have—regardless of rank and position.

Mr. Randall Garrison: I just want to go back to the very specific question. Did you personally raise this with the Prime Minister or did your chief of staff raise it with the Prime Minister's Office?

Hon. Harjit S. Sajjan: No politician should ever get involved in any type of investigation. The information here was given to the appropriate authorities. That is what we need to trust.

I understand that in politics these things go on, but I can assure you that I have always kept the people who are coming forward at the heart of everything that we do. It is making sure that we follow the proper process, so that they can have a just outcome. The last thing you want in a case when somebody has the courage to come forward is for somebody to mess up the process and they don't get the justice that they deserve.

Mr. Randall Garrison: Well, actually, the last thing—

The Chair: Thank you very much.

It's on to Madam Gallant, please.

Mrs. Cheryl Gallant: Madam Chair, thank you very much.

Through you to the minister, did you request information on the Op Honour tracking system? Do you have access to it?

Hon. Harjit S. Sajjan: I don't have personal access to it, but I do have regular briefings when I speak with Dr. Preston—a number of times—to get updates on how things are going, to see the progress, to look at the changes that need to be made and, more importantly, to ask what the resources are that we need to provide.

As the Minister of National Defence, my direction is very clear. I want to make sure that resources are given to the appropriate places, especially when it comes to Dr. Preston or if there are any policy changes, so that action and progress can continue.

Mrs. Cheryl Gallant: Minister, you said that you directed the ombudsman to investigate the allegations against the CDS. Would you kindly provide this committee with the directive that you gave indicating that he should investigate?

Hon. Harjit S. Sajjan: First of all, I'm not directing the ombudsman to conduct investigations. I advised him of where he could go for that information. In fact, it is actually clearly stated in his own directives what the ombudsman can do. For example, the ombudsman can get advice from the judge advocate general, can go to the provost marshal and can also go to the independent police. If you'd like, I could have my JAG here to explain that information to you.

Mrs. Cheryl Gallant: Thank you, Minister. We know that the CDS is at the top of that chain of command, so it doesn't work.

Who—

Hon. Harjit S. Sajjan: Actually, no. I just want to explain that. The ombudsman is actually independent of the chain of command. The chain of command also includes the chief of the defence staff.

Mrs. Cheryl Gallant: Okay. Who can direct the CFNIS to open an investigation?

Hon. Harjit S. Sajjan: That is only they themselves. No one should interfere with CFNIS—

Mrs. Cheryl Gallant: The ombudsman could not do that.

Hon. Harjit S. Sajjan: —for an investigation.

Mrs. Cheryl Gallant: He could not start an investigation into the criminal allegations himself.

• (1605)

Hon. Harjit S. Sajjan: No, but the information.... In the directives to the ombudsman, as information comes in, the ombudsman can go to the provost marshal, which is the military police, and can go to the judge advocate general for more advice as well, so any criminal investigation can be started by the military police when they receive information. However, the information that the ombudsman receives is the internal investigation, and then they go further out from there, but as Mr. Walbourne said, he knows his job and what needed to be done.

Mrs. Cheryl Gallant: He sought direction from you, given the rank of this individual.

Hon. Harjit S. Sajjan: No. Why would you ask advice from the Minister of National Defence? The ombudsman's job is to advise—

Mrs. Cheryl Gallant: He was asking you for direction on this, and that's what was testified to.

Hon. Harjit S. Sajjan: I can't give directions on investigations.

Mrs. Cheryl Gallant: I don't want to argue with you.

I have a couple of quick questions for Deputy Minister Thomas, but first, one for you. When did you actually serve in Afghanistan? What years was your deployment, Minister?

Hon. Harjit S. Sajjan: It was in 2006, 2009 and then 2010-11.

Mrs. Cheryl Gallant: Okay, so you were there at the same time as General Vance.

Hon. Harjit S. Sajjan: For one of the deployments, yes.

Mrs. Cheryl Gallant: Were you friends? Did you socialize?

Hon. Harjit S. Sajjan: I'm going to say this again. Please don't insinuate what my experience was.

Mrs. Cheryl Gallant: I am not insinuating. I'm just asking if he was your friend.

Hon. Harjit S. Sajjan: No, he was not my friend. He was my boss.

Mrs. Cheryl Gallant: All right.

For Deputy Minister Thomas, she understandably would have a professional working relationship with the staff in the Prime Minister's Office. I'm wondering which members of the Prime Minister's Office she might have a more personal relationship with, above and beyond what the normal professional working relationship would be.

Ms. Jody Thomas (Deputy Minister, Department of National Defence): Madam Chair, thank you for the question.

I wouldn't characterize my relationship with any members of the Prime Minister's Office as a friendship or anything beyond a working relationship.

Mrs. Cheryl Gallant: Okay. It has been put on the record that you had the information at some point on the allegations against the chief of the defence staff. On either a professional or a personal level, when did you share the allegations that Mr. Walbourne relayed against the CDS with the people in the PMO?

Ms. Jody Thomas: Madam Chair, I was not involved in that information. I did not provide allegations or information to the Prime Minister's Office about this particular situation.

Mrs. Cheryl Gallant: Deputy Minister Thomas, as for the envelope from the minister, the envelope that the ombudsman had supposedly given to the minister, to what envelope was she referring?

Maybe, Deputy Minister, you could tell the committee what envelope he brought in during that meeting on March 1, or maybe subsequently, that related to the allegations against the chief of the defence staff.

Ms. Jody Thomas: Madam Chair, I was not at that meeting on March 1. I don't know what envelope is being referred to.

The Chair: Thank you very much. Your time is up.

Mr. Bagnell, please. You have the floor.

Hon. Larry Bagnell (Yukon, Lib.): Thank you, Madam Chair.

For the minister, there were a couple of times where I didn't think you had the chance to completely answer questions. Before I start, if you want to complete your answers to any of the questions, please go ahead. Don't take too long, though, or I won't be able to get my questions in.

Hon. Harjit S. Sajjan: I'm happy to answer any of your questions.

Hon. Larry Bagnell: Thank you for your quick action on the same day or the next day. Thank you also for your sensitivity in making sure that you don't get technically involved and a perpetrator can't get off on a technicality.

The big study, the big problem we're looking at here—and I think all the committee members agree—is that we want women in the military to be comfortable, be able to come forward, be treated fairly, have the appropriate sentence for the perpetrator and not have it affect their careers.

I want you to speak to your passion about this in a minute, but I know that you've already done a lot—perhaps more than in history—with Bill C-77, the creation of the SMRC, the path to dignity and respect strategy and the response and support coordination for CAF members. All that had been done before we even started our hearings over the year, but obviously, for everyone on the committee and for yourself—and you've stated this—it's not enough.

We need new answers. I think members from all parties have brought this up. The procedures need to be clarified, and most importantly—as all the experts have said—the culture needs to be changed.

I would like you to speak about your passion. I know the members of the committee from all parties have that passion. They can't

imagine a woman having something terrible happen in her career and for her not to be comfortable to come forward under our present system, as we've seen in a lot of the documentation before this committee and in this committee.

Speak to your passion about getting this problem solved or moving it forward as much as we can. It is a passion that I know committee members share.

• (1610)

Hon. Harjit S. Sajjan: From day one, I have wanted to focus on how we can create a better environment for everyone in the Canadian Armed Forces, especially women, visible minorities, members of the LGBTQ community and indigenous people. We have seen the type of misconduct that has taken place, and we have to work on the changes. I could go through the list of changes, but we know that we have much more work to do.

That is what I want to focus on, the changes that we need to make. I would also like to be able to talk here about what greater independence looks like and how we can put greater trust into our people so that they can come forward. This is clearly something we need to work on. There is tremendous ability, even on your committee, to provide that advice.

We will be looking at all opportunities and at what the changes are that we need to make, for example, within the promotion system, as I have stated, having more women in key leadership roles, increasing our number and changing the policies that impact retention. We currently have a military justice review taking place by Justice Fish. We'll also have a separate, independent panel that will look at systemic racism and at gender bias, including issues facing LGBTQ members. That panel will also give us advice on systemic issues that we need to change.

As we look at addressing the immediate problem, which we absolutely have to do, the goal of this is to create that culture change and ultimately prevent these situations. That's the only way to get to a true zero-tolerance policy.

Hon. Larry Bagnell: Thank you, Minister.

The independence of various processes has been brought up a number of times, so I'm happy to hear from any witnesses or from anyone on the committee about how we can improve that. It has to be looked at.

I'd just like to ask a question of Ms. Bernatchez. Can the military police look into anonymous complaints?

[Translation]

RAdm Geneviève Bernatchez: Hello, Madam Chair. May I answer the question?

The Chair: Please go ahead.

[English]

RAdm Geneviève Bernatchez: We at National Defence and the Canadian Armed Forces encourage all members to report any incident of inappropriate sexual behaviour. Allegations of service offences are investigated when a complaint is made or where there are other reasons to believe that a service offence may have been committed.

In that sense, an affected person can make a complaint to the military police. A victim or survivor can make a complaint to the military police. A third party can make a complaint to the military police, and an anonymous person can make a report to the military police.

Thank you, Madam Chair.

The Chair: Thank you very much.

We'll go on to Mr. Benzen, please.

Mr. Bob Benzen: Thank you, Madam Chair. I will be sharing part of my time with my colleague Alex Ruff.

Minister, I'd like to turn to General Vance's pay raise and the order in council on May 9, 2019, that gave him a \$45,000 a year pay raise, a significant pay raise. You were responsible for bringing that to cabinet. I'm wondering, before the decision was made, did you inform the cabinet of the uninvestigated sexual misconduct allegations against Mr. Vance so they could take that into consideration before they gave him his raise?

Hon. Harjit S. Sajjan: Madam Chair, I'm not involved in any of the performance pay. It has nothing to do with cabinet.

Mr. Bob Benzen: You're not responsible for bringing that to cabinet.

Hon. Harjit S. Sajjan: I'm not. Performance pay has nothing to do with.... I'm the Minister of National Defence. It has nothing to do with me when it comes to those things.

Mr. Bob Benzen: You have no part in his performance review.

• (1615)

Hon. Harjit S. Sajjan: I don't have any part in his performance pay.

Mr. Bob Benzen: Would there be a review done before he was given a raise?

Hon. Harjit S. Sajjan: I would not know because I'm not part of that process.

Mr. Bob Benzen: Okay. Thank you very much.

It seems to me that you really didn't take the allegations seriously—and you said you have—because clearly you know that the system right now that we have is dysfunctional, and that's why we've had all these reports done. You simply did not follow up on seeing if these allegations were ever investigated. I'm just curious why. You say you took it seriously, but it appears you didn't take it seriously at all.

Hon. Harjit S. Sajjan: No, I absolutely took it seriously. I completely disagree with the assertion. When any inappropriate information comes, it is to make sure that I take immediate action. That was taken.

Doing follow-up, my intervening, is a potential interference with an investigation, and that's why you don't do those things.

Mr. Bob Benzen: The one thing we've learned in the last month from all the testimony we've heard here is that there is no way an independent investigation could have been done appropriately and independently. We know that. The system is toxic and dysfunctional. You're the one person who was stepped out of that who could have helped that happen, but you didn't do it.

Hon. Harjit S. Sajjan: No, that's absolutely wrong. In fact, as the Minister of National Defence.... I'm sorry, but no politician should ever be directing an investigation or getting involved in investigations. That's absolutely wrong, and I will unequivocally state this and, even as a private citizen, will fight that no politician should be involved.

Take it this way, Madam Chair, through you. The military police are police officers in the Canadian military, just like there is a police force in our civil society. We don't go directing them. We don't get to ask for briefings from them. Information is provided to them. They make the decisions as to which way an investigation goes. It goes to a judicial process. It goes to court if it gets to that level, and the information does come out. That's exactly what is happening.

What we need to make sure is that any allegation gets to the appropriate independent authority so that appropriate action can be taken. Anything otherwise, like our getting involved, is impeding an investigation, and you don't want politicians to get involved in that.

Mr. Bob Benzen: Thank you.

I'll cede the rest of my time to Alex Ruff, please.

Mr. Alex Ruff (Bruce—Grey—Owen Sound, CPC): Thank you, Madam Chair.

Minister, what is the slogan of The Royal Canadian Regiment?

Hon. Harjit S. Sajjan: I don't know.

Mr. Alex Ruff: It's "Never Pass a Fault".

When did Operation Honour start?

Hon. Harjit S. Sajjan: I believe it was during the Conservative time.

Mr. Alex Ruff: It was February, 2015.

What is the mission statement of Operation Honour?

Hon. Harjit S. Sajjan: Why don't you tell me.

Mr. Alex Ruff: It's "To ensure sexual misconduct is never minimized, ignored or excused so that the CAF cultivates the inclusive and respectful work environment that embodies the ethical principles and core values of the profession of arms."

Who does the CDS report to?

Hon. Harjit S. Sajjan: The CDS reports to the Minister of National Defence.

Mr. Alex Ruff: Who is accountable and responsible for the Department of National Defence?

Hon. Harjit S. Sajjan: Me.

Mr. Alex Ruff: In your opinion, who is responsible and accountable for the failure of this allegation being investigated?

Hon. Harjit S. Sajjan: Madam Chair, through you, with all due respect for the line of questioning, what you're trying to do is talk about a police investigation and judicial process and make it seem like I have the ultimate authority.

With all due respect, that's not true. My job is to make sure that for any allegations that come forward there's a proper process in place.

Madam Chair, the member knows very well that in terms of this we have clear processes in place to have the independence of our police, that it has to be independent of our political system, and our judiciary needs to be independent.

Yes, I'm absolutely responsible.

The Chair: Thank you very much.

We'll move on to Mr. Robillard.

[*Translation*]

Mr. Yves Robillard: Thank you, Madam Chair.

Thank you, Minister, for being here today.

I would like to start by acknowledging your passion for the Canadian Armed Forces, the equality of men and women and the protection of all its members. I apologize in advance if my questions seem to be repetitive, but I believe it is important that there be no doubts whatsoever.

The ombudsman confirmed that he was aware of the directives that governed him. He had already stated as much before this committee in 2014, and he issued a press release about how to manage cases of sexual harassment in 2015.

Do you know why he would have bypassed the options available to him and went to see you?

• (1620)

[*English*]

Hon. Harjit S. Sajjan: Madam Chair, I don't have the answer to this question. I would hope that the ombudsman or anybody who has any information would go to the appropriate authorities. In this case, just like in civil society, you go to the police, and in this, for us, there are proper processes in place. You go to the military police and we have a separate investigative service for this that's independent of the chain of command.

The ombudsman is also independent of the chain of command. Where they say that, well, the chief of the defence staff reports to me, the chief of the defence staff is part of the chain of command. That should have no bearing on any actions that need to be taken. If a complaint comes forward, regardless of rank, it needs to be taken seriously. In this case here, that's exactly what took place, and as needs to take place, the very next day the appropriate authorities in this case here, who govern Governor in Council positions, were informed of this to make sure that the proper follow-up was done.

This is to take it out of the political sphere and put it in the hands of independents so that the information can go to the appropriate place, whether that's the police authorities or any other action that can be taken independently.

[*Translation*]

Mr. Yves Robillard: Minister, the ombudsman stated that he came to you for advice on how to deal with allegations of this nature.

I was wondering if you could clarify the following: Is it the ombudsman's role to ask for advice from the minister?

[*English*]

Hon. Harjit S. Sajjan: I took a look at this. When the ombudsman's office was created, it was created so that there was a separate entity from the chain of command that members of the Canadian Armed Forces could go to to have their concerns heard and action could be taken independent of the chain of command.

Also, the ombudsman's office does a lot of other work as well, for example, taking a look at members' issues of pay or other types of issues that need to be changed to give the minister the advice. The role of the ombudsman is actually to give advice to the minister, not the other way around.

[*Translation*]

Mr. Yves Robillard: Minister, you and the Prime Minister said that politicians should not interfere in investigations. We saw opposition members, such as our esteemed colleague Mr. Bezan, criticize you for not getting involved in this matter. Yet, he stated previously that political interference undermines the justice system.

Could you clarify for this committee what he should already know, and tell us why politicians should not investigate allegations of misconduct?

[*English*]

Hon. Harjit S. Sajjan: That is such a dangerous path to ever go down, to have elected officials be able to start and direct investigations. We normally look at other countries that can do this, and we've seen other countries that go down this path. There's an absolute reason in our democracies....

We have separate systems. We have the political systems that all of us are a part of. We have our police that are independent, and then we have our judicial system that is independent. Inside the military, our military police are trained police officers just like in civil society. Information needs to go to them, and they conduct investigations independent of the chain of command.

For any politician, including me.... Yes, I'm in charge of the ministry and the entire national defence. For me to launch an investigation on any individual, as a politician, or to direct an investigation, my God, that's absolutely wrong. We should never be doing that. Anybody suggesting that is also wrong, but it's up to them if they want to pursue that and explain that to Canadians.

Mr. Yves Robillard: Thank you very much.

The Chair: Thank you.

We move on to Monsieur Fortin, please.

• (1625)

[*Translation*]

Mr. Rhéal Fortin: Thank you, Madam Chair.

Minister, I understand that your position is that you cannot investigate. I don't believe that anyone here thinks that you should have investigated. However, as you mentioned, we believe that you were responsible for what was happening and what was ultimately within the realm of the Department of National Defence.

I understand that you do not agree with us. You say that you could not get involved as that would have constituted interference.

However, you also told us that you ensured that the Privy Council was informed. You told me earlier that you had some discussions about this matter—you do not know how many—with people at Privy Council afterwards.

We also know that nothing ever happened. General Vance was never investigated and he never faced any charges.

In the end, would you say that the Privy Council was not up to the task, Minister?

[*English*]

Hon. Harjit S. Sajjan: When it comes to my role, as you were talking about, yes, I am in charge of national defence.

[*Translation*]

Mr. Rhéal Fortin: Minister, in your view, did the Privy Council do its job? We have just a few seconds.

[*English*]

Hon. Harjit S. Sajjan: Madam Chair, I'm sorry the interpretation was slow. I apologize.

In this case, what I can do is talk about my actions here. The information was provided to them. We can also, with Mr. Walbourne's testimony—

[*Translation*]

Mr. Rhéal Fortin: Do you believe that the Privy Council did its job?

Are you disappointed—

[*English*]

The Chair: I'll let it go a little longer, so please let the minister answer. I'll give you a few seconds extra at the end, please, Monsieur Fortin.

Hon. Harjit S. Sajjan: I can't talk about the actions of others. I can talk about what we did. One thing I can assure you, which has already come out in testimony, is that they did follow up with them and that the right people had the information to go forward. I don't know why the ombudsman would not provide the information or take other steps. That is not for me to decide. I have to remain independent from that.

[*Translation*]

Mr. Rhéal Fortin: You told us that you informed the Privy Council, and that those people were informed the next day. That is

what you are saying in your defence. You are telling us that you subsequently spoke to them about this matter several times. Yet, we know that no action was ever taken.

I asked you if you were disappointed. Would you say that the Privy Council did not do its job? Is that what I am to take away from this?

[*English*]

Hon. Harjit S. Sajjan: First of all, I never spoke to the Privy Council. It's only through my staff I would ask the question. I did not want to, because that would be interference with it. I'm not here to describe their actions, because I can't.

The Chair: Thank you very much.

We move to Mr. Garrison, please.

Mr. Randall Garrison: Thank you very much, Madam Chair.

With respect, Mr. Minister, your whole argument today seems to turn on the existence of what I would call a “unicorn”, and that's the magical, independent authority that exists to investigate claims of sexual misconduct against the chief of the defence staff.

When you cite the ombudsman's office, we know that the military ombudsman has no legislative authority. It was created by a directive from the minister and reports to the minister. The PCO, as I mentioned before, reports to the Prime Minister, and with regard to order in council appointments, really, does little more than assemble résumés and check references. It's not an investigative body in any way.

My final proof that this body doesn't exist is that in her report on sexual misconduct in the Canadian military, in April 2015, Madam Justice Deschamps called for the creation of an independent authority, and for that independent authority to be given responsibility for services to victims, responsibility for taking complaints and responsibility for investigations.

Nearly six years ago we had a recommendation that such an independent authority be created. Today you're trying to say it already exists when, if it did, why did Madam Deschamps make this recommendation? Of course, if it doesn't, why haven't we followed up on her recommendation six years later?

Hon. Harjit S. Sajjan: Madam Chair, I'll have the deputy minister talk about some of the aspects of SMRC and Madam Deschamps' report. The work they have been doing with Dr. Preston is significant progress, but we know we have more work to do.

The member talked about a “unicorn”. I'm sorry. When it comes to independence of investigations from politicians, if you think that's a unicorn, that's for you to decide. For me, it is absolutely fundamental to make sure that the politicians are not involved with any type of investigation because it needs to be absolutely independent.

There is a process in place. Having said this, we need to make improvements to it and we will.

Deputy Minister, could you add some thoughts to that, please?

• (1630)

Mr. Randall Garrison: No, thank you very much, Minister.

You know good and well that I'm not saying that lack of political interference is the unicorn. I'm saying there is no independent authority and that authority....

Hon. Harjit S. Sajjan: I'm having a hard time understanding what you're saying because—

Mr. Randall Garrison: Well, it's because Madam Deschamps called for this.

Hon. Harjit S. Sajjan: You're telling me to take action but I'm telling you it's interference, and you're saying that my doing this is creating this unicorn. I'm sorry. You're trying to paint me into a corner and trying to paint this picture.

Madam Chair, I'm not going to let the member try to do this. It is absolutely wrong. I'll be honest with you. I know the member well and for him to do this I find it wrong. I'm happy to answer questions, but the line of questioning he's taking is trying to tarnish.... If there is legitimate wrong, I'm happy to answer those questions, but he's not allowing me to.

You can't paint a picture and then expect me not to respond to that.

Mr. Randall Garrison: I'm asking about the recommendation of Madam Deschamps.

The Chair: Thank you very much.

Hon. Harjit S. Sajjan: I was trying. The deputy minister would have given you information on that if you would have allowed it.

The Chair: All right. Thank you.

We'll go to Mr. Bezan, please.

Mr. James Bezan: I'll just follow up on Mr. Garrison's comments. I want to talk about the directive and the role of ombudsman.

It says right in the DAOD 5047-1 under part 4 that the ombudsman "(a) shall investigate any matter referred to the Ombudsman by written direction of the Minister".

A memo was circulated by the media that came through access to information. It's a memo from the Privy Council Office, dated March 16, 2018. It says here, in the very last bullet:

The directive suggests this would prevent the Ombudsperson from investigating. Typically, the Ombudsperson would investigate a complaint to the effect that one of those processes failed a complainant.

That is that they didn't give consent.

Minister, do you believe that? You keep blaming the ombudsman, but until he had consent from the complainant, he couldn't move forward. He also needed written direction from you. Did you provide that written direction?

Hon. Harjit S. Sajjan: That's not true. Just because you read that directive here, that investigation does not include investigation powers when it comes to claims like this, especially when it comes to criminal or police investigations.

That is absolutely wrong. The ombudsman does not need my permission to conduct—

Mr. James Bezan: You're confirming then, Minister, that the ombudsman can't direct, but you can. Why didn't you direct it to an outside police force to make sure it was investigated properly?

Hon. Harjit S. Sajjan: We made sure the information that the person had can actually go directly. Me getting involved in the evidentiary chain is wrong.

JAG, I don't know if you want to add to—

Mr. James Bezan: I want to ask questions to the minister.

Michael Wernick, the former clerk of the Privy Council, has confirmed he was aware on March 2 and was part of the memo that was circulated in the media through access to information.

Did you ever speak to the former clerk of the Privy Council about these allegations around General Vance? Are you aware of anyone else from your office who was speaking to him?

Hon. Harjit S. Sajjan: I did not speak to the former clerk regarding this because my asking any more questions about any type of allegation or investigation like this would be considered interference.

Mr. James Bezan: Is it okay for your political staff—your former chief of staff, Zita Astravas—to have those conversations on your behalf with the ombudsman and with the Privy Council Office?

Hon. Harjit S. Sajjan: Let's be clear here. My chief of staff made sure the Privy Council was informed. That's exactly what we needed to do because, as the member knows, because he stated that he knows the National Defence Act extremely well and he was the parliamentary secretary for national defence....

By the way, I have a few questions regarding his actions at—

Mr. James Bezan: I get to ask the questions here, Minister, as you know.

Hon. Harjit S. Sajjan: Let me answer the question here.

Mr. James Bezan: Minister, I just want to go forward.

We know that on March 5, your former chief of staff emailed the ombudsman to follow up on a conversation she had with Janine Sherman. How many people in your office were aware that Ms. Sherman had followed up with Mr. Walbourne?

Hon. Harjit S. Sajjan: Our job was—as my chief of staff had forwarded the information—to make sure that was done. At that time, we needed to make sure that the independence of the investigation was to occur. Once we had confirmation that they had received the information, our involvement was to be left out, because our getting further involved is an impediment of the investigation.

What we needed to do was to make sure it got there, and in Mr. Walbourne's own testimony, they contacted him the next day.

• (1635)

Mr. James Bezan: At any point were there any meetings or conference calls between senior members of your office or the deputy minister's office and the Privy Council Office on this topic?

Hon. Harjit S. Sajjan: I can speak on my behalf of my team that we had made sure we did a follow-up to make sure that the Privy Council had the appropriate information, and they did.

Mr. James Bezan: Were any of your political staff or staff from the Prime Minister's Office involved in those meetings and conference calls with the Privy Council Office, the ombudsman's office potentially and/or the deputy minister's office?

Hon. Harjit S. Sajjan: As I stated, me, the Prime Minister or any politician should not get involved in an investigation. What we needed to do—and we did—was to make sure the information got to the Privy Council Office, who are responsible for governor in council appointments, and you obviously would know this—

Mr. James Bezan: I get quite a kick out of this memo from Privy Council that keeps referring to General Vance as a GIC appointee instead of using the name, so it's kind of like code words like we had with Admiral Mark Norman.

We know that sometime in March, your former chief of staff contacted Elder Marques, who was a senior adviser to the Prime Minister, regarding these allegations against General Vance. Were you aware that senior staff from your office were also talking to the Prime Minister's Office? How were they involved?

Hon. Harjit S. Sajjan: During the time when this incident took place, my chief of staff not only contacted the Privy Council Office but also contacted Mr. Marques to inform him of what was transpiring.

Mr. James Bezan: You and the Prime Minister had your first conversation about General Vance—

The Chair: Thank you. Time is up. We let that go for a little while longer than normal.

Go ahead, Madam Vandenberg.

Ms. Anita Vandenberg: Thank you very much, Madam Chair.

Thank you, Minister, for being here today.

Minister, we know that you've spent your entire career protecting people and serving, serving our country and our people, and your dedication to equality and inclusion is something that has run throughout your career. It's evident today that you took every effort possible to make sure that this investigation was not politicized and that the proper processes were followed.

At the end of the day, when you have somebody who doesn't want to go through a formal investigation and complaint, what it does tell us is that—and we've heard this from other places—there is an issue in the Canadian Armed Forces of people who, for whatever reason, are afraid to come forward. They're afraid of reprisal. They're afraid of what it will do to their careers. I know that you talked about all options being on the table and of making sure that we continue to do the important work to fix this problem.

You mentioned in your opening remarks an independent external review. You also mentioned independent reporting structures. Are

there other things? For instance, we know that peer support is very important. We know that sometimes what women need is to just talk to other people who have been through the same thing, because it can feel very difficult when you feel like you're the only one. I know that some very brave volunteers have been doing this kind of peer support.

Is there anything in the works that would help to provide either funding or support to these kinds of groups similar to what combat trauma experiences would be? Is there anything you're working on to make sure that happens?

Hon. Harjit S. Sajjan: This is the heart of everything that we should be focused on: How can we make the lives of our women and men in the Canadian Armed Forces, especially women who have dealt with such horrible situations...?

Even though we have made great progress, for example, in having great representation and creating a pipeline of more women to go into those positions. I sign off on general officer promotions. We started with six general officers and now we have fourteen, and we are going to have a vice-chief of the defence staff who will be a female.

My goal was to make sure that the pipeline goes throughout the Canadian Armed Forces so that you have greater representation, but we also need to deal with what is in front of us. We need to have a place where people don't get bounced around and we have empowering stories like this where they know exactly where to go to get to a place where they can have their stories heard and be empowered to know that they can go forward, and if they don't want to, that they can get the right support when they need it, and more importantly, get the legal advice and get the police connection too if it's needed. One place, that's what we are working towards.

We also need to look at the independence. We're seeing more often now, and through the most recent examples, that people felt that there were going to be reprisals. Even though we have very aggressively dealt with this, we clearly have much more work to do on this. We have an independent military justice review that is currently ongoing, but ultimately, I feel that total culture change is going to happen when we have more women who are well-supported inside the Canadian Armed Forces, so that this cannot continue. If it does, they will know that every single one of them has the ability—so they cannot ever be told they can't say anything—to come forward and know that actions will be taken. If somebody doesn't listen to them seriously, there will be consequences for anybody who interferes with that.

That's where we need to get to. It is actually happening now, but obviously, it is not happening to the extent that we want.

• (1640)

Ms. Anita Vandenberg: Minister, while there have been a number of resources and number of things that are in place for survivors, we've heard a number of survivors say that they don't know what those are.

I've heard mention of “no wrong door”. Is there something that you are planning to do—maybe something online—that would allow people, the women and the male allies, to know exactly what resources are available and where they can turn?

Hon. Harjit S. Sajjan: Yes. In fact, we do have a website on this and there are other mechanisms in place, but we do need to do better. I'll ask my deputy minister to elaborate on some of the more detailed work that has been done.

Ms. Jody Thomas: Thank you.

This is as much in the judge advocate general's field as it is in mine. There is a consolidated website that now shows all the access opportunities for anybody who wishes to report a situation, and also lists, in detail, all of the support mechanisms for those who have experienced trauma or wish to talk about their trauma, as part of our Bill C-77 response.

I think it would be more appropriate at this time if the judge advocate general were to detail that.

[Translation]

RAdm Geneviève Bernatchez: May I answer, Madam Chair?

[English]

The Chair: Go ahead.

RAdm Geneviève Bernatchez: Thank you.

As mentioned by the minister and the deputy minister, we've been hearing, as of late, that the main problem for those who wanted to take action was to know what to do and where to turn to take action. We very rapidly looked at a way to have a consolidated resource available.

There is a web page that was launched three days ago. It is found on the Government of Canada website. If you google “victims and survivors of service offence”, it will bring you directly to that incredibly important and useful tool, which we will keep on improving as time goes by. We will want the input of those who visit the web page to let us know what they want to see more of on it.

[Translation]

Thank you, Madam Chair.

The Chair: Thank you.

We'll move on to Madam Alleslev.

[English]

Ms. Leona Alleslev: Thank you very much.

Janine Sherman testified to the committee that your office would have taken any orders in council through cabinet regarding appointees. Does that include a May 2019 order in council that raised General Vance's salary?

Hon. Harjit S. Sajjan: I'm not aware of that.

Ms. Leona Alleslev: Minister, Her Excellency the Governor General, on the recommendation of the Prime Minister, fixes the remuneration and certain conditions of employment of General Vance, the chief of the defence staff, as set out in the annex schedule. The salary is in the range of \$260,600 to \$306,500, effective April 1, 2018. I guess it was backdated.

Is it your testimony that you did not take this OIC to cabinet?

Hon. Harjit S. Sajjan: I don't get involved with the salaries of public officials.

Ms. Leona Alleslev: Minister, orders in council are decisions that are made by cabinet. Recommendations to the Prime Minister, to the Governor General, on an increase in salary are made by cabinet. Cabinet ministers would have signed this order in council.

Are you saying, Minister, that you were not one of the ministers who took this to cabinet?

• (1645)

Hon. Harjit S. Sajjan: As I stated, I am not involved with salaries for public officials.

Ms. Leona Alleslev: Some minister signed it. It's interesting, then, that the Minister of National Defence did not make a recommendation to the Prime Minister to take it to the Governor General to increase the chief of the defence staff's salary. Is that your testimony?

Hon. Harjit S. Sajjan: As I stated, I don't get involved with the salary of public officials.

Ms. Leona Alleslev: You didn't advise—

Hon. Harjit S. Sajjan: I can't give any more than that, unfortunately.

Ms. Leona Alleslev: Did you advise any of your cabinet colleagues, including the Prime Minister, that there were unresolved sexual misconduct allegations against General Vance?

Hon. Harjit S. Sajjan: Madam Chair, as I've stated, when it comes to any information, it's always brought to the appropriate authorities so that independent investigations can be taken.

Ms. Leona Alleslev: Did you make anyone aware that the investigation into the allegations had yet to be resolved around General Vance?

Hon. Harjit S. Sajjan: I reported this to the appropriate authorities. When it came to informing the Privy Council Office, the PMO was informed in terms of...that I had raised these concerns with the Privy Council Office. The Prime Minister only heard of this in the media like everybody else.

I don't get involved with the salaries of public officials.

Ms. Leona Alleslev: Minister, does this investigation into these serious allegations remain outstanding today, or has the investigation into General Vance been completed and resolved?

Hon. Harjit S. Sajjan: I don't get involved with investigations. I don't get briefed—

Ms. Leona Alleslev: You don't get involved, Minister, but it is your responsibility to ensure that they occur, as is the good order and discipline of the Canadian Forces.

Hon. Harjit S. Sajjan: You are expecting the ultimate power to be given to a minister. That is absolutely wrong. The power to investigate is separate. I completely disagree with your assertions that this should be the case. Independence of the investigation should be done—

Ms. Leona Alleslev: Minister, is it against the code of service discipline for a senior officer to have a sexual relationship with a subordinate?

Hon. Harjit S. Sajjan: Any inappropriate behaviour by any member of the Canadian Armed Forces is wrong.

Ms. Leona Alleslev: Then you're saying that, yes, it is against the code of service discipline.

Hon. Harjit S. Sajjan: As I say, any inappropriate behaviour such as this is wrong.

Ms. Leona Alleslev: Thank you.

Is there anyone in the Canadian Armed Forces who is not a subordinate of the chief of the defence staff?

Hon. Harjit S. Sajjan: Obviously, you know the answer to that. The chief of the defence staff is the top general.

Ms. Leona Alleslev: Thank you.

Conservatives called for a freeze on all senior officer promotions and postings to ensure that only deserving behaviour was rewarded, but the general and flag officer promotions were just released.

Can you guarantee that no one on that list is complicit, through their actions or their silence, in any form of sexual or other misconduct?

Hon. Harjit S. Sajjan: First of all, when it comes to promotions, it is important that, one, members who have been working diligently within the Canadian Armed Forces continue to get the recognition they deserve. When it comes to promotions, we do ask the question, in an attestation, whether there has been misconduct in their previous career. Also, making sure there's culture change, we ask, if there was misconduct inside the chain of command and how they dealt with it. We want to make sure that the leaders we're selecting are the ones who will take things seriously.

Those are the things that, in attestations, we have taken seriously. I also have, on the question—

The Chair: Thank you very much. The time is up.

We'll go to Mr. Baker, please.

Mr. Yvan Baker: Thank you, Madam Chair.

Minister, I have a couple of questions for you. I will try to save 30 seconds for Ms. May to ask a question, so I'll work through this as quickly as I can.

Minister, in Gary Walbourne's testimony, he stated that he was surprised that PCO was reaching out to him. He also stated, in response to a question from Mr. Garrison, that PCO "let the matter drop" after the meeting on March 2.

Subsequent to this testimony, Global News reported that he engaged in a number of email exchanges with PCO regarding the investigation. Amanda Connolly reported that Mr. Walbourne wrote PCO on March 6, 2018, stating as follows:

As with all cases given to the Ombudsman's office we only move forward with the complainant's written consent to do so.

According to Connolly's reporting, he also stated:

Options have been proposed I now await directions as to their wishes on how to move forward. Once they have made a decision, and with their permission, I will engage as directed.

It seems to me that Mr. Walbourne's reported actions after the March 1 meeting are not consistent with an individual who was surprised that PCO was investigating the allegations. Do you have any comment on what took place after your conversations with Mr. Walbourne?

• (1650)

Hon. Harjit S. Sajjan: Obviously, I can't talk about what took place afterwards. What I can say is that, in Mr. Walbourne's own testimony, even though to my recollection he did not ask for advice, I gave it, which was also to go to the appropriate authorities, including when it comes to PCO, so there shouldn't have been any surprise there.

Also, when an allegation has come forward, we expect anybody to take it seriously and to take it to its furthest conclusion.

Mr. Yvan Baker: Thank you, Minister.

We've heard that one option presented by the ombudsman was that you could have pursued confronting former chief of the defence staff General Vance directly about the allegations. Do you have any thoughts on whether that could have been done while maintaining the confidentiality of the complainant?

Hon. Harjit S. Sajjan: There are a lot of people who think the right thing to do is to.... From my own experience as a police officer, when somebody has brought information forward—in this case, they didn't want to have their identity unveiled—going to the actual person when you don't have information could potentially, or absolutely would, jeopardize the investigation. That would be absolutely inappropriate.

Mr. Yvan Baker: Thank you, Minister.

Chair, I'd like to turn over the rest of my time to Ms. May. I think about two minutes and a bit remain.

The Chair: No, I'm afraid we're actually running out of time. I'm sorry.

Ms. Elizabeth May: Could I have 30 seconds, please, Madam Chair?

The Chair: Okay. You can have 30 seconds, Ms. May. Go ahead.

Ms. Elizabeth May: I think a lot of fair-minded Canadians have this question in mind, Mr. Minister. I ask this open-heartedly. It appears as a contradiction. On February 19, when you testified to this committee, you said you were "as shocked as everyone" by the allegations of sexual misconduct by defence chief General Vance. We've been told by Gary Walbourne that on March 1, 2018, he told you about them.

I'd like to maintain in my mind that you're both honest men, and I would love you to explain what appears to be a contradiction.

Hon. Harjit S. Sajjan: Thank you for that opportunity, because I don't want anybody to ever think that information was what we heard back then. That was not the case. I didn't know any of that information. That's why I can honestly put hand on heart and say that I was just as shocked.

More importantly, to see that members of our Canadian Armed Forces for two decades were dealing with this...? That was not the meeting that took place on March 1. This is what—

The Chair: I'm sorry. We're running out of time here.

[*Translation*]

Mr. Fortin, you have the floor.

Mr. Rhéal Fortin: Thank you, Madam Chair.

Minister, a military police officer, Mr. Zillman, was interviewed in a *Fifth Estate* story. He stated that he was assigned to sexual assault cases. You had recommended the ombudsman turn to them. He stated that officers regularly tried to interfere in his work and that he developed a distrust of the military justice system.

What can you tell us about that, Minister?

[*English*]

Hon. Harjit S. Sajjan: Madam Chair, that's absolutely unacceptable. Regardless of rank and regardless of your position, no one can interfere with an investigation of police. The military police are independent of the chain of command. They also have the ability—

[*Translation*]

Mr. Rhéal Fortin: All right, thank you, Minister. That answers my question.

If a woman who is sexually assaulted in the military cannot turn to the military police because the police officers are under the impression that officers will interfere in anything they do; if she cannot turn to the ombudsman because he says he can do nothing if the chief of the defence staff is involved; if she cannot turn to you, the Minister of National Defence, because you say that, as a minister, you cannot interfere; and if she cannot turn to the Prime Minister, because he says that he knows nothing about it and that the minister did not tell him anything, who should she turn to?

When the chief of the defence staff behaves in a disgraceful manner, who should the person turn to if no one in your government is responsible?

• (1655)

[*English*]

Hon. Harjit S. Sajjan: Let me be very clear. Regardless of rank, from the top all the way down to the lowest private, the rank doesn't matter. Any person who has an allegation has the ability and should go to the military police so that they can independently investigate—

[*Translation*]

Mr. Rhéal Fortin: The military police says it cannot investigate because, according to its members, officers interfere in their work and lawyers negotiate unacceptable agreements. I am not the one saying so.

[*English*]

Hon. Harjit S. Sajjan: No, that is not true. They have the ability. Anybody—

[*Translation*]

Mr. Rhéal Fortin: I am not the one who said so, Minister; it was your police officer. It was a member of the military police who said so.

[*English*]

Hon. Harjit S. Sajjan: —who interferes with an investigation should be held accountable. No one should interfere with an investigation.

[*Translation*]

Mr. Rhéal Fortin: You are telling us that you have been aware of this since 2018. Minister, the only thing you did was inform the Privy Council, which did nothing and, three years later, you are telling us that you are surprised.

[*English*]

The Chair: The time is up.

We will move on to Mr. Garrison, please.

Mr. Randall Garrison: Thank you very much, Madam Chair.

I just want to state on the record, given the tone in the minister's opening statement and some of the remarks he has made, that certainly in the case of opposition members here, we're all trying to get to a Canadian military where women can serve equally because an end comes to the tolerance of sexual misconduct. I just think we all need to be very clear about that. I have spoken to too many women, as I know others on the committee have, whose careers were cut short by the tolerance of sexual misconduct in the military.

I know that this is the end of today's session, and I want to ask the minister about something in retrospect. What happened here is that not just one accusation of sexual misconduct against General Vance but several have been dealt with or are being dealt with. We appear to have now a situation where, from 2018, we have had someone who served as chief of the defence staff, who was ostensibly in charge of all the programs to root out sexual misconduct, and who in fact had been multiple times involved in allegations of sexual misconduct.

In retrospect, does the minister have any suggestions of what might have happened to avoid this period, which has now caused a crisis of confidence in the senior leadership's commitment to root out sexual misconduct?

Hon. Harjit S. Sajjan: Mr. Garrison, I'm glad you raised that question. This is exactly what we need to get to the bottom of. This is why we're going to conduct an external review to get to the bottom of this while not interfering with the independence of the investigation. It is absolutely concerning.

I apologize if I came on strong. Your passion for the changes you want in the Canadian Armed Forces I truly believe, but you also have to understand where I come from as well. It is a very different experience from what people perceive. Ultimately, throughout all this, we've had a great conversation, but very little of it was actually talking about the changes we need. I am glad you brought that focus back, because this is where we need to look at those recommendations.

We do have an independent justice review going on by Justice Fish. We have an independent panel that's looking at all systemic issues, including gender bias and LGBTQ2 members as well. We have to look at that greater independence. For me, probably the biggest concern that I have and that I need to fix is that members could not come forward because they were fearful of the chain of command. We need to look at what that independence will look like. We have some ideas. We've already had some meetings. I would love to be able to get advice from all of you as you look at the various studies.

Ultimately, I do believe all of us can agree on this, that we want to make sure we create an inclusive environment for everybody and—

The Chair: All right. Thank you very much. I'm sorry.

Go ahead, Mr. Bezan, please.

Mr. James Bezan: Thank you, Madam Chair.

Being the last one up on our side, I just want to say that I am incredibly disappointed with the tone from the minister today, as well as his statement. I just want to say that there were a few things he said he'd like to talk about in Bill C-77, the victims of crime bill and the Victims Bill of Rights in that. That passed a couple of years ago and here we are. It has still not been brought into force. That's a failure on his behalf not to have made sure that happened.

I want the minister to produce some documents. One is the order in council approved by cabinet that gave the change in remuneration to General Vance, on May 2019. I'd also ask that he provide any written directive to the ombudsman that instructed him to go out and do an investigation following the March 1, 2018, meeting.

You know, Minister, you looked the other way for three years. You knew there were allegations against General Vance and you never once took action other than to pass it off to your chief of staff, who took it to the Privy Council. We know how you acted when there were allegations against Vice-Admiral Mark Norman. You called an RCMP investigation and he was suspended.

• (1700)

The Chair: Mr. Bezan, what is your question?

Mr. James Bezan: It's my time, Madam Chair. I can make a statement if I want.

With Admiral McDonald, when the allegations became known, it was three weeks from the time the investigation started until he actually stepped aside, and again it made the news. Admiral McDonald stepped aside so that the chain of command would not be compromised, which compromised the investigation, because we know the national investigation service in the Canadian Forces and the military police report to the provost marshal, who reports to the vice-chief of the defence staff, who goes to the chief of the defence staff.

Over the three years that you knew there were serious allegations, why did you not have a board of inquiry and appoint a military judge to conduct that investigation or ask the CDS, General Vance, to step aside so that we could have a proper internal investigation without any influence coming through the chain of command?

Hon. Harjit S. Sajjan: With all due respect, I take every allegation very seriously. What I'm focused on is dealing with what's in front of us, but we also need to talk about prevention.

One question is always burning for me, and it should be for all members. The media reported there was an investigation in 2015, when the member was parliamentary secretary of national defence. This is when the selection process for General Vance was done. If an investigation was done, there are a lot of questions we should be asking.

What was the decision in the selection process for General Vance at that time, when there was an actual investigation, which, apparently, was reported in 2015?

Mr. James Bezan: It was the same process for Admiral McDonald. That was very public as well.

Hon. Harjit S. Sajjan: Here's the other thing. I did not order any investigation of the RCMP—absolutely not. I have no authority to direct the RCMP.

You can make a statement, Mr. Bezan, but I'm not going to allow you to put all these false assertions to the public.

The Chair: Thank you very much.

Madam Vandenberg.

Ms. Anita Vandenberg: Minister, I would like to end off by talking about the fact that, as we know, you've spent your entire career protecting people. Now we have a situation, and it's coming forward that there are women in the Canadian Armed Forces that have not felt protected.

As somebody who has been committed to equality for his entire life, how does that make you feel? What would you say to the women of the Canadian Armed Forces?

Hon. Harjit S. Sajjan: Ultimately, when I'm talking.... I know that women members of the Canadian Armed Forces are probably watching this right now, and they see men arguing with one another, when what we should be doing is talking about how we're going to make their lives better.

From day one, when I came into this role, my whole thing was about how we can make things better. One of the first aspects of doing this was putting people first in our defence policy, and members of the committee contributed to this. We made changes. We learned things about policies put in place.

Imagine this: Under previous governments, when women wanted to have a family and went on maternity leave, they got it but it wasn't included as part of their service. They had to serve longer for the months they were pregnant. They had to add that time to their service. That's ridiculous. We changed that.

There are many things we could talk about, but ultimately it's not about what we did in the past. We have to talk about what we're going to do now and into the future to create a culture change for all women.

The courage of the women who have come forward should be the impetus for everyone in the Canadian Armed Forces to see how seriously we all take this. Every survivor who has had any type of inappropriate conduct happen to them should feel they can come forward, they will be heard, the police force will investigate and they will be protected. If they don't want to come forward at this time, they're going to get the right support for this.

We want to give them back the power in this case, but ultimately we want to bring a whole culture change so that when anybody

joins the Canadian Armed Forces, they know that they're going to be protected and will be able to advance.

The Chair: Thank you for the testimony today and appearing for this study.

Is the committee in agreement to adjourn?

All right. The meeting is adjourned.

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