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# ADM(RS) Assessment of MAP Status: 2015 Deschamps External Review and 2018 OAG Inappropriate Sexual Behaviour

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# Acronyms and Abbreviations

ADM(RS)	Assistant Deputy Minister (Review Services)	ERA	External Review Authority
CAF	Canadian Armed Forces	GBA+	Gender-Based Analysis Plus
CCMS	Conflict and Complaint Management Services	ICCM	Integrated Conflict and Complaint Management Level One
CDS	Chief of the Defence Staff	L1	Management Action Plan
CFPM	Canadian Forces Provost Marshal	MAP	Office of the Auditor General
CMP	Chief of Military Personnel	OAG	Office of Collateral Interest
CO	Commanding Officer	OCI	Office of Primary Interest
COVID-19	Coronavirus Disease 2019 (SARS-CoV-2)	OPI	Sexual Misconduct Response Centre
CPCC	Chief, Professional Conduct and Culture	SMRC	Vice Chief of the Defence Staff
CSRT-SM	CAF Strategic Response Team on Sexual Misconduct	VCDS	
DAC	Departmental Audit Committee		
DAOD	Defence Administrative Orders and Directives		
DND	Department of National Defence		
DPMC OpH	Director Professional Military Conduct (Operation HONOUR)		
EAC	External Advisory Committee		



# Purpose

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- To provide an overview of the status of the Management Action Plan (MAP) implementation of the two external assessments on sexual misconduct and sexual harassment in the Department of National Defence/Canadian Armed Forces (DND/CAF):
  - ❑ The Mme Deschamps' 2015 External Review into Sexual Misconduct and Sexual Harassment in the Canadian Armed Forces (the Deschamps external review); and
  - ❑ The 2018 Office of the Auditor General (OAG) Report on Inappropriate Sexual Behaviour in the Canadian Armed Forces.
- To provide an objective assessment of the current level of implementation of MAPs from the Deschamps and OAG reports factoring in the current context and recent developments.
- To provide insights and considerations into the establishment of structures and processes for the newly created Chief, Professional Conduct and Culture (CPCC), and help inform the recently launched Independent External Comprehensive Review of DND/CAF mandated by the Minister, and led by Mme Louise Arbour.



# Bottom Line Up Front

**Overall assessment: While the Defence Team has made some progress in addressing the recommendations stemming from the Deschamps' 2015 External Review and the 2018 OAG Report, further work is required to achieve full implementation across all actions.**

This assessment considered the current context and developments as of May 2021, as well as the key interdependencies between OAG and Deschamps MAPs. In light of the interdependencies and of the current context, all MAPs were jointly re-assessed and in some instances resulted in a lower level of implementation than previously reported and self-assessed by management. Based on the current objective assessment, the majority of MAPs were assessed as partially implemented overall. Progress was noted where MAPs have addressed policy, framework and key principles components. Namely, new policies have been established, sexual misconduct defined and, finally, the Sexual Misconduct Response Centre (SMRC) and Operation HONOUR were stood up. What remains to achieve full implementation includes effective strategies that both communicate and embed the framework and tools at all levels, including training, comprehensive processes and reporting that enable ongoing improvements and effect the required cultural change. Existing mandates and processes will continue to be leveraged but will need to be updated in light of newly established organizational structures.

The adjacent table provides a summary of the assessed levels of implementation for the actions from both reports (refer to **Annex B** for definition of implementation levels). Some considerations for moving forward include:

Overview of MAP Status	Preparation for Implementation	Substantially Implemented	Fully Implemented	Total
Deschamps External Review	3	7	-	10
OAG Report	4	3	-	7
<b>Total</b>	<b>7</b>	<b>10</b>	-	<b>17</b>

- Clear delineation and communication of the respective roles of the CPCC, SMRC, Conflict and Complaint Management Services (CCMS), Ombudsman, Ethics & Integrity, and other stakeholders will be particularly important;
- Consideration should be given to the suite of policies that still require Gender-Based Analysis Plus (GBA+) analysis and how the CAF is progressing in achieving its goal of 25% representation of women;
- Monitoring the efficacy of training will be an important part of ensuring progress toward the required cultural change. Consideration should be given to making the training mandatory and renewed on a regular basis with the use of experts to design and deliver it; and
- For persons affected by sexual misconduct, aspects of support policies and processes need to be examined, resolved, integrated/simplified and better communicated.



# Context

- The present circumstances demonstrate that sexual misconduct remains an ongoing issue. Therefore, while this assessment mostly followed the standard MAP follow-up process as described at Annex A, it was done with consideration for the current context and for the newly established structures, initiatives and the discontinuation of existing ones.
- Management provided a self-assessment that all Deschamps MAPs and all but one OAG MAP had been fully implemented indicating, based on this self-assessment, that all processes and structures are operating as intended. Based on recent developments and the recognition that gaps remain to achieve full implementation, Assistant Deputy Minister (Review Services) (ADM(RS)) was tasked with objectively assessing the implementation of the management action plan in response to the 10 Deschamps and 7 OAG recommendations.
- Given the discontinuation of Operation Honour and the newly established CPCC, the Offices of Primary Interest (OPIs) and the Offices of Collateral Interest (OCIs) referred to in this assessment may change as the accountabilities, roles and authorities are determined.
- Further, given that both Deschamps and OAG recommendations and corresponding MAPs have key interdependencies and overlap in some areas, the MAPs were considered globally, providing an opportunity for a horizontal assessment presented by theme which goes beyond the standard MAP follow-up exercise, with considerations for the way forward.
- As a result, a number of actions that were previously assessed as fully or substantially implemented have been re-examined and in some instances re-assessed to lower levels of implementation as applicable.

## Overview of Deschamps and OAG Reports

- In 2015, Justice Marie Deschamps was engaged to conduct an external assessment and set out to examine CAF policies, procedures and programs in relation to sexual harassment. The report resulted in 10 recommendations and the establishment of an action plan and a Strategic Response Team on Sexual Misconduct. The MAPs completion dates were not specified within the report. While Operation HONOUR was promptly established in response shortly after the release of the Deschamps report, a formal action plan at the recommendation level was only established in early 2020 to demonstrate how each individual recommendation was being addressed, and the MAPs were developed independently by the OPIs given the external nature of the review. As a result, this assessment also considered the recommendation where required to ensure alignment between the MAPs and recommendation.



# Context (continued)

- In 2018, the OAG conducted an audit to determine whether the CAF adequately responded to inappropriate sexual behaviour through actions to respond to and support persons affected by sexual misconduct, and to understand and prevent such behaviour. The audit identified seven recommendations with anticipated completion dates for MAPs set within 2 years of issue of the report. The OAG report considered actions already implemented or in progress as a result of the Deschamps external review, such as the establishment of the Sexual Misconduct Response Centre and of Operation HONOUR.
- Both reports and recommendations centred around key common themes, namely Responsibility and Accountability, Policies and Guidance, Training, and Support and Processes for affected persons. OAG's new recommendations were designed to address ongoing issues and gaps identified, expanding on aspects raised under the Deschamps recommendations through a procedural and control framework lens to support cultural change within the Defence Team.
- The assessment contained in this report focuses primarily on the implementation level of the MAPs with consideration for the recommendations that they were designed to address. The effectiveness of the recommendations and the MAPs in addressing the underlying issues identified by the Deschamps external review and OAG report will be covered as part of the new Independent External Comprehensive Review.

## New Level 1 and External review

- Recent publicized allegations and investigations have triggered the launch of the Independent External Comprehensive Review to be led by (retired) Justice Arbour. This review will consider "current policies, procedures, programs, practices and culture within the CAF and DND to identify the causes for the continued presence of harassment and sexual misconduct despite efforts to eradicate it, identify barriers to reporting inappropriate behaviour and to assess the adequacy of the response when reports are made, and to make recommendations on preventing and eradicating harassment and sexual misconduct. To that end, a review of the recruitment, training, performance evaluation, posting and promotion systems in the CAF, as well as the military justice system's policies, procedures and practice to respond to such allegations will also be conducted." (*source: Terms of Reference of the Review*)
- In May 2021, the CPCC was established to rapidly define the scope of work and priorities, and develop a detailed plan to align Defence culture and professional conduct with core values and ethical principles, supported by the Initiating Directive for Professional Conduct and Culture.
- Budget 2021 announced the provision of \$236.2 million over five years, starting in 2021/22, and \$33.5 million per year ongoing to DND and Veterans Affairs Canada, to expand their work to eliminate sexual misconduct and gender-based violence in the military, and to support survivors.



# Overall MAP Status Assessment by Theme

The Deschamps and OAG recommendations can be categorized under four broad themes, and the following section provides a horizontal analysis of progress on MAPs by theme. See **Annex C** for an overview of the implementation level by theme.

## Responsibility and Accountability – Substantially Implemented

The MAPs were mostly assessed as substantially implemented with two as preparing for implementation. The establishment of the SMRC and of the CAF Strategic Response Team on Sexual Misconduct (CSRT-SM) which became the Director Professional Military Conduct (Operation HONOUR) (DPMC OpH) occurred shortly after the issue of the Deschamps report. This was supported by a documented Mandate and Operating Agreement between DPMC OpH and SMRC which defined accountabilities, roles and responsibilities. While the recent appointment of a new CPCC demonstrates the department has acknowledged the serious and continued problem of sexual misconduct, further work is needed to demonstrate the accountability framework is working as intended.

→ **Way Forward:** Clear delineation and communication of the respective roles and responsibilities of the CPCC, SMRC, CCMS, Ombudsman, Ethics & Integrity and of CAF members and civilians will be key to developing an organizational-wide understanding and accountability. Finally, effective information and reporting mechanisms will be required to enable effective oversight, decision making and ongoing improvement, especially in light of the discontinuation of Operation HONOUR which included a performance and monitoring framework.

## Policies, Guidance and Culture – Partially Implemented

The MAPs were mostly assessed as preparing for implementation. The “Path to Dignity and Respect” was developed and approved, to enable organizational change. Defence Administrative Orders and Directives (DAOD) were developed to define key concepts and terminology relevant to sexual misconduct, including DAOD 9005-1 and DAOD 5019-1. While a policy and directive on GBA+ was instituted, no evidence was identified to demonstrate that GBA+ had been integrated in all defence activities across the CAF and DND. Policies provide the baseline and operating principles but need to be supported by effective organizational change strategies to enable the required cultural shift. Aspects of cultural change were also partially addressed through actions focussed on training and education which is covered in the next theme.

→ **Way Forward:** Consideration should be given to the suite of policies that still require GBA+ analysis and to how effectively the CAF is progressing in achieving its goal of 25% representation of women. The development of cultural change management strategy will also be critical.





## Overall MAP Status Assessment by Theme (continued)

### Training and Education – Partially Implemented

All MAPs were assessed at the ‘preparing for implementation’ level. Efforts were made to prioritize the delivery of the Respect in the CAF Workshop and to maximize participation. The MAPs included a commitment to exploring other education focused on affected persons and training options outside of the workshop and to identify approaches in the education and training developed in other domestic and international organizations. Additional effort and evidence is needed to demonstrate the effectiveness of training is being regularly assessed and reported on, to internal and external stakeholders. Although the SMRC plays an advisory role, there is presently no clear ownership and central authority in overseeing the development and monitoring of a training and education curriculum. Training will be a key component reviewed through the recently launched External Comprehensive Review.

→ **Way Forward:** Monitoring the efficacy of training will be an important part of ensuring progress toward the required cultural change. Consideration should be given to making the training mandatory and renewed on a regular basis as well as ensuring that training is designed and delivered by experts.

### Support and Processes for affected persons – Substantially Implemented

All MAPs were mostly assessed as substantially implemented with one assessed as preparing for implementation. Structures and processes have been established with the SMRC responsible for supporting affected persons and were integrated within at least some parts of the organization, and some achieved results have been identified. An extension to June 30, 2021 was requested on implementation of the national support plan for affected persons and for completing work related to class action consultation group. It also remains to be resolved how to address the obligation to report versus allowing affected persons to disclose and seek support without the obligation to trigger a formal report and complaint process with better protection required to respect their choices. Further efforts are required to demonstrate how cases are being transferred to civilian authorities as requested and examples of the rationale provided when requests are denied.

→ **Way Forward:** For affected persons, certain aspects of support policies and processes remain to be resolved, integrated, simplified and communicated. In light of the Heyder Beattie settlement agreement, restorative engagement practices to be embedded in the response processes would further enhance practices focussed on affected persons. Finally, addressing the boundaries of ‘duty to report’ to ensure affected persons’ choices are respected will be critical to build trust in the processes.



# Deschamps MAP Status Assessment



# Deschamps MAP Status Assessment

All MAPs were self assessed by OPI Management as “Fully Implemented” whereby ‘the structures and processes are fully implemented and are operating as intended and may be closed.’ Based on recent independent Internal Audit re-assessment, seven MAPs were considered as substantially implemented, with three MAPs assessed as preparing for implementation. The assessment jointly considered actions established for both the OAG and Deschamps reports in light of the current context and recent developments. See **Annex B** for definitions of implementation levels.

Deschamps Report – Recommendations and Management Actions	Analysis of MAP Implementation Status	Internal Audit Rating
<b>ERA1 Acknowledge that inappropriate sexual conduct is a serious problem that exists in the CAF and undertake to address it.</b>		
<p><b>OPI:</b> CDS <b>OCI:</b> DPMC OpH</p> <ul style="list-style-type: none"> <li>Formation of the CAF Strategic Response Team on Sexual Misconduct (CSRT-SM) which later became the DPMC OpH.</li> <li>CAF leaders at all levels, directed by senior leadership, will ensure that all CAF members continue to be fully cognizant of the threat that sexual misconduct poses to members’ health and well-being, the operational effectiveness of the institution, and the long-term success and viability of the CAF.</li> </ul>	<ul style="list-style-type: none"> <li>The CAF has acknowledged and recognizes that sexual misconduct exists. The Defence Team also accepts that more work needs to be done.</li> <li>The recent appointment of a new Chief of Professional Conduct and Culture demonstrates a renewed commitment to addressing the problem. The Heyder Beattie apology and the commitment to restorative engagement will also be key to this acknowledgement.</li> </ul>	<p><b>Level 4 – Substantial Implementation</b></p>
<b>ERA2 Establish a strategy to effect cultural change to eliminate the sexualized environment and to better integrate women, including by conducting a gender-based analysis of CAF policies.</b>		
<p><b>OPI:</b> DPMC OpH (Culture Realignment Strategy); Corp Sec (GBA+) ; CMP (Op GENERATION) <b>OCI:</b> DPMC OpH and the SMRC, Diversity Champion</p> <ul style="list-style-type: none"> <li>Convey the Chief of the Defence Staff’s (CDS) intent in plain language, to include a more consistent approach to existing rules and regulations that address inappropriate sexual behaviour.</li> <li>Clarify and strengthen current policies and programs. This policy and program review will include gender-based analysis to highlight the differential impacts for both men and women serving in the CAF. Integrate GBA+ in all defence activities across DND/CAF.</li> <li>Set clearer boundaries on what constitutes acceptable/unacceptable behaviour; longer term sustained senior leadership engagement, enhanced education/ training, to effect lasting cultural change.</li> <li>CAF members affected by sexual misconduct will be better supported with discretion and empathy, and informed about the resources available from an effective, comprehensive and coordinated network.</li> <li>Plan to achieve women representing 25% of the CAF, as part of overall effort to better integrate women.</li> </ul>	<ul style="list-style-type: none"> <li>Formal plans for organizational changes have been created and approved at a senior level.</li> <li>While the “Path to Dignity and Respect” directs that CAF policies must go through a GBA+ assessment, it has not been demonstrated that GBA+ assessments have been integrated in all defence activities across DND/CAF. An inventory of relevant policies and supporting approach to prioritize and assess the policies is needed.</li> <li>A key component outstanding to progress toward substantial implementation is for a cultural strategy to be implemented that demonstrably achieves results towards its intended impact.</li> </ul>	<p><b>Level 3 – Preparation for Implementation</b></p>



# Deschamps MAP Status Assessment

Deschamps Report – Recommendations and Management Actions	Analysis of MAP Implementation Status	Internal Audit Rating
<b>ERA3 Create an independent centre for accountability for sexual assault and harassment outside of the CAF, responsibility for receiving reports of inappropriate sexual conduct, as well as prevention, coordination and monitoring of training, victim support, monitoring of accountability, research, and to act as a central authority for the collection of data.</b>		
<p><b>OPI:</b> SMRC <b>OCI:</b> DPMC OpH, CMP</p> <ul style="list-style-type: none"><li>• The SMRC is established and is a recognized Centre of expertise that provides support services or facilitates access to support services for CAF members who are affected by Sexual misconduct, with confidentiality and anonymity parameters in place.</li><li>• The [DPMC OpH] will conduct a detailed study of how other domestic and foreign organizations deal with inappropriate sexual behaviour and consult with leading experts in the field in Canada and abroad with a view to developing a centralized capability that would work within the Canadian context.</li><li>• The [DPMC OpH] will be examining alternative mechanisms for members that may not wish to report inappropriate sexual behaviour through the chain of command.</li></ul>	<ul style="list-style-type: none"><li>• The SMRC was created and supported by the Mandate and Operating Agreement between DPMC OpH, with processes established to receive confidential reports and be the centre of expertise for all matters related to sexual misconduct.</li><li>• Progress has been achieved on the stated actions with further action needed to fully address the recommendation with regard to the training framework, support to affected persons and data collection.</li><li>• There is also an opportunity to strengthen the monitoring and collection of data that is part of the recommendation through the centralized authority of the SMRC.</li></ul>	<b>Level 4 – Substantial Implementation</b>



# Deschamps MAP Status Assessment

Deschamps Report – Recommendations and Management Actions	Analysis of MAP Implementation Status	Internal Audit Rating
<b>ERA4 Allow members to report incidents of sexual harassment and assault to the independent centre or simply request support services without triggering a formal complaint.</b>		
<p><b>OPI:</b> SMRC <b>OCI:</b> DPMC OpH</p> <ul style="list-style-type: none"><li>• Concurrent to researching how our Allied partners have succeeded in encouraging increased reporting of incidents of sexual harassment and sexual assault, a process will be developed to better explain and guide CAF members to current and evolving procedures, including but not limited to, possible outcomes of reporting incidents of inappropriate sexual behaviour. These could include an incident investigation, potential disciplinary action and/or administrative measures, as well as accessing support already available through the Canadian Forces Member Assistance Programme.</li><li>• The [DPMC OpH] will conduct a detailed study of how other domestic and foreign organizations are organized, and how they are able to ensure formal complaints are not triggered when faced with an incident of inappropriate sexual behaviour. The [DPMC OpH] will study how these procedures can be incorporated within a Canadian context.</li></ul>	<ul style="list-style-type: none"><li>• The SMRC has been set up to receive disclosures.</li><li>• The Mandate and Operating Agreement between DPMC OpH and SMRC requires clarification/resolution of the conflict between the obligation to report versus the ability for affected persons to report incidents and request support services without having to trigger a formal complaint process, with better protection needed to respect their choices.</li><li>• While Section 9.3 of DAOD 9005 lists potential consequences, it does not explain when each might be applicable, such as a framework that would aid in ensuring consistent discretion in the application of outcomes.</li></ul>	<b>Level 3 – Preparing for Implementation</b>



# Deschamps MAP Status Assessment

Deschamps Report – Recommendations and Management Actions	Analysis of MAP Implementation Status	Internal Audit Rating
<p><b>ERA5 With the participation of the centre for accountability for sexual assault and harassment, develop a simple and broad definition of sexual harassment, develop a definition of adverse personal relationship and give guidance on the requirement for consent.</b></p> <p><b>OPI:</b> DPMC OpH <b>OCI:</b> SMRC, ICCM</p> <ul style="list-style-type: none"><li>• The [DPMC OpH] will coordinate an in-depth review of definitions to simplify the associated language where possible and will seek clarity with respect to the complex issue of consent.</li><li>• The CAF will also ensure that revised policies and definitions are incorporated in its education, training and leadership development.</li><li>• Develop a simple, broad definition of sexual harassment that effectively captures all dimensions of the member’s relationship with the CAF.</li><li>• Develop a definition of adverse personal relationship that specifically addresses relationships between members of different rank, and creates a presumption of an adverse personal relationship where the individuals involved are of different rank, unless the relationship is properly disclosed.</li><li>• Define sexual assault in the policy as intentional, non-consensual touching of a sexual nature.</li><li>• Give guidance on the requirement for consent, including addressing the impact on genuine consent of a number of factors, including intoxication, differences in rank and the chain of command.</li></ul>	<ul style="list-style-type: none"><li>• DAOD 9005-1, Sexual Misconduct Response, published in November 2020, includes a broader definition of sexual harassment, defines what is an adverse personal relationship, and provides guidance on the requirements for consent.</li><li>• The definition of adverse personal relationships does not specifically address relationships between members of different ranks. While these specific relationships are mentioned in the Operation HONOUR manual, they are not defined in detail or reference the presumption of being adverse in nature.</li></ul>	<p>Level 4 – Substantial Implementation</p>
<p><b>ERA6 With the participation of the centre for accountability for sexual assault and harassment, develop a unified policy approach to address inappropriate sexual conduct and include as many aspects as possible of inappropriate sexual conduct in a single policy using plain language.</b></p> <p><b>OPI:</b> DPMC OpH <b>OCI:</b> SMRC</p> <ul style="list-style-type: none"><li>• The CAF will conduct an extensive review of existing policies with the objective of integrating as many policies as feasible, simplifying language where possible and developing new, plain language policies where required to deal with inappropriate sexual behaviour.</li><li>• The [DPMC OpH] will coordinate the development of a comprehensive guide to navigating the policy framework and communicate this to CAF members.</li><li>• The CAF will continue the development/updating of new policies and products relating to sexual misconduct, including related DAOD (OAG MAP).</li></ul>	<ul style="list-style-type: none"><li>• DAOD 9005-1 Sexual Misconduct Response, published in November 2020, defines sexual misconduct in plain language and includes various aspects such as reporting, roles and responsibilities, training and compliance.</li><li>• A key component outstanding to progress towards full implementation is evidence showing the communication of the new policy.</li></ul>	<p>Level 4 – Substantial Implementation</p>



# Deschamps MAP Status Assessment

Deschamps Report – Recommendations and Management Actions	Analysis of MAP Implementation Status	Internal Audit Rating
<p><b>ERA7 Simplify the harassment process by directing formal complaints to Commanding Officers (CO) acting as adjudicators in a grievance, and reducing the emphasis on Alternative Dispute Resolution.</b></p> <p><b>OPI:</b> ICCM <b>OCI:</b> DPMC OpH</p> <ul style="list-style-type: none"><li>• The CAF recognizes the benefit of improving and simplifying the manner in which sexual harassment is reported, investigated and addressed.</li><li>• The [DPMC OpH] will evaluate the impact of lowest level resolution at the unit level, and will examine other potential solutions to ensure sexual harassment complaints are reviewed by COs.</li><li>• Integrated Conflict and Complaint Management (ICCM) will examine the potential of unifying and simplifying the harassment, alternative dispute resolution and grievance system. The [DPMC OpH] will coordinate activities with ICCM's efforts and will provide input to ensure that inappropriate sexual behaviour is fully considered within the ICCM's mandate, especially as it refers to aspects of the grievance process and effectiveness of alternative dispute resolution.</li><li>• Will simplify the harassment process, through the creation of a Directorate of ICCM. Creation of CCMS Centres in strategic locations across Canada.</li></ul>	<ul style="list-style-type: none"><li>• Through the ICCM, a network of 16 CCMS centres located in major military population centers were established across Canada.</li><li>• The ICCM program offers a centralized approach to address a wide range of issues and complaints, supported by a clear mandate, roles and responsibilities.</li><li>• While the creation of the ICCM has simplified the harassment reporting process, the evidence does not reference directing formal complaints to COs acting as adjudicators, or reducing the emphasis on Alternative Dispute Resolution.</li></ul>	<p><b>Level 4 – Substantial Implementation</b></p>



# Deschamps MAP Status Assessment

Deschamps Report – Recommendations and Management Actions	Analysis of MAP Implementation Status	Internal Audit Rating
<b>ERA8 Allow victims of sexual assault to request transfer of complaint to civilian authorities; providing information explaining the reason for the transfer is not effected.</b>		
<p><b>OPI:</b> DMP <b>OCI:</b> DPMC OpH, CFPM</p> <ul style="list-style-type: none"><li>• The CAF will look into increasing the influence of victims in terms of whether it is military or civilian authorities that process their complaints, and will explore means to better inform victims of their reporting options. Victims of sexual assault are already able to make complaints to either military or civilian authorities under certain circumstances.</li><li>• Educating CAF members on their options is therefore key. The [DPMC OpH] will work with the Canadian Forces Provost Marshal (CFPM) to ensure the victim’s choice is respected and the victim kept informed, where possible.</li><li>• The [DPMC OpH] will conduct a detailed study of how other domestic and foreign organizations deal with this aspect and consult with leading experts in Canada and abroad to assess how this may work within the Canadian context.</li></ul>	<ul style="list-style-type: none"><li>• The CAF Progress Report on Addressing Sexual Misconduct was submitted and is dated February 26, 2019 and makes reference to reporting options for complainants.</li><li>• This recommendation was self-assessed as achieved to the extent possible within existing CAF legal and jurisdictional limitations.</li><li>• A key component outstanding to progress towards full implementation is evidence to demonstrate how cases are being transferred as requested and examples of the rationale provided when requests are denied.</li><li>• As well, more evidence is needed to show whether and how CAF members are being educated on their options.</li></ul>	Level 4 – Substantial Implementation
<b>ERA9 Assign responsibility for providing, coordinating and monitoring victim support, including advocating, to the centre for accountability for sexual assault and harassment.</b>		
<p><b>OPI:</b> SMRC <b>OCI:</b> ICCM</p> <ul style="list-style-type: none"><li>• The SMRC is a recognized centre of expertise that provides support services or facilitates access to support services for CAF members who are affected by sexual misconduct.</li><li>• The [DPMC OpH] will conduct a detailed study of how other domestic and foreign organizations deal with victim support and advocacy on sexual assault and harassment and consult with leading experts in Canada and abroad to assess how this may work within the Canadian context.</li><li>• The [DPMC OpH] will explore options for the development of a centralized capability that would provide support to CAF members alleging inappropriate sexual behaviour.</li></ul>	<ul style="list-style-type: none"><li>• With the establishment of the SMRC, the Mandate and Operating Agreement between DPMC OpH and SMRC, and the 2019 Annual Reports for the SMRC and ICCM are in place and demonstrate responsibility has been assigned for the key aspects covered under the recommendation.</li><li>• Further evidence is needed to show that other domestic and foreign organizations that deal with support and advocacy on sexual assault and harassment for affected persons have been studied.</li><li>• To support full implementation and demonstrate effective support for affected persons, evidence is required to show options were explored for the development of a centralized capability.</li></ul>	Level 4 – Substantial Implementation





# Deschamps MAP Status Assessment

Deschamps Report – Recommendations and Management Actions	Analysis of MAP Implementation Status	Internal Audit Rating
<p><b>ERA10 Assign to the centre for accountability for sexual assault and harassment, in coordination with other CAF subject matter experts, responsibility for the development of the training curriculum and the primary responsibility for monitoring training on matters related to inappropriate sexual conduct.</b></p>		
<p><b>OPI:</b> SMRC <b>OCI:</b> DPMC OpH</p> <ul style="list-style-type: none"> <li>• The current approach to education and training related to sexual assault and sexual harassment in the CAF must be improved.</li> <li>• The [DPMC OpH] will examine the approach to education and training that has been developed in other domestic and international organizations, to identify approaches that may best be employed within the Canadian context.</li> <li>• CAF education and training institutions will be consulted to assess the current curriculum on inappropriate sexual behaviour and to identify gaps.</li> <li>• Additional education and training packages will be developed based on a needs assessment. Content will be tailored and delivered to enhance the learning of CAF members on this issue from the time they enter the CAF until they are released.</li> <li>• Effectiveness of training will be regularly measured and reported to CAF leadership and communicated to internal and external stakeholders.</li> </ul>	<ul style="list-style-type: none"> <li>• The Mandate and Operating Agreement between DPMC OpH and SMRC, includes language referring to monitoring and providing advice on training.</li> <li>• Although the SMRC plays an advisory role, there is no clear ownership/ single authority overseeing the development and monitoring of a training and education curriculum.</li> <li>• A key component outstanding to progress towards full implementation is evidence to support that:             <ul style="list-style-type: none"> <li>• DPMC OpH examined the education and training developed in other domestic and international organizations;</li> <li>• gaps in the curriculum have been identified and training has been developed based on a needs assessment; and</li> <li>• the effectiveness of training is being regularly assessed and reported on, to internal and external stakeholders.</li> </ul> </li> </ul>	<p><b>Level 3 – Preparation for Implementation</b></p>



# OAG MAP Status Assessment



# OAG MAP Status Assessment

All MAPs except for MAP 2 have been self assessed by the OPI (VCDS) Management as level 5 “Fully Implemented”. SMRC requested an extension of the MAP 2 target date to June 30, 2021 due to COVID-19 limiting progress on the communication strategy and the implementation plan, and work of the class action consultation group. Internal Audit re-assessed three MAPs as substantially implemented and four MAPs as preparing for implementation. The assessment jointly considered actions established for both the OAG and Deschamps reports in light of the current context and recent developments.

OAG Inappropriate Sexual Behaviour Report– Recommendations and Management Actions	Analysis of MAP Implementation Status	Internal Audit Rating
<p><b>OAG1 The Canadian Armed Forces should work with the Department of National Defence to review the balance, and clearly define the roles and responsibilities, of the Strategic Response Team on Sexual Misconduct and the Sexual Misconduct Response Centre to improve efficiency and avoid duplication of effort. The Canadian Armed Forces should also ensure that these roles and responsibilities are communicated across the Forces to ensure better understanding for all members.</b></p>		
<p>The SMRC Charter and CSRT-SM Terms of Reference will be revised to clarify the roles and responsibilities of each organization, and these changes will be clearly communicated. Key interim milestones:</p> <ul style="list-style-type: none"> <li>• Victim Support Services divested by the CSRT-SM and assumed by the SMRC no later than December 31, 2018.</li> <li>• The SMRC Charter updated no later than March 31, 2019.</li> <li>• The CSRT-SM terms of reference updated no later than March 31, 2019.</li> </ul>	<ul style="list-style-type: none"> <li>• The roles and responsibilities of the Strategic Response Team and SMRC have been clearly defined and supported by the establishment of the Mandates and the Operating Agreement between DPMC OpH and SMRC. Funding was also re-assigned to SMRC for support services for affected persons.</li> <li>• Some structures and processes are in place and integrated with some parts of the organization, and some achieved results have been identified.</li> <li>• What is needed to achieve full implementation is a documented communication strategy to ensure that all parties across DND/CAF are aware and understand the roles and responsibilities including the newly established CPCC.</li> <li>• As well, roles will need to be revisited with the discontinuation of Operation HONOUR, and the newly established CPCC.</li> </ul>	<p><b>Level 4 – Substantial Implementation</b></p>



# OAG MAP Status Assessment

OAG Inappropriate Sexual Behaviour Report– Recommendations and Management Actions	Analysis of MAP Implementation Status	Internal Audit Rating
<b>OAG2 The Canadian Armed Forces should establish an integrated, national approach to victim support to ensure it fully addresses the needs of any member who is affected by inappropriate sexual behaviour. The approach should ensure that members have access to a consistent level of service and specialized support regardless of where they are serving.</b>		
<p>A national victim support plan will be fully implemented to ensure access to a minimum level of support services to all CAF members, regardless of location and will include services for specialized groups. A comprehensive case management service will be fully implemented. Key interim milestones:</p> <ul style="list-style-type: none"><li>• April 1, 2019 – launch of Phase 1 of case management services (following completion and adjustments from a pilot).</li><li>• October 1, 2019 – implementation plan for national victim support plan developed.</li><li>• March 31, 2020 – Case Management System implemented.</li></ul>	<ul style="list-style-type: none"><li>• Mandates to implement a national approach to support for affected persons were approved in July 2019, and a formal Operating Agreement is in place. An update is needed due to the discontinuation of Operation HONOUR.</li><li>• The SMRC also implemented the Response and Support Coordination Program in the Fall of 2019 which coordinates and monitors support for affected persons, including advocating on their behalf in the complaint and investigation process.</li><li>• What is required to achieve full implementation includes the effective implementation of the plan and work on the class action consultation group. The SMRC requested an extension of the target date to June 3, 2021 (from April 1, 2020) due to COVID-19 limiting progress on remaining deliverables.</li></ul>	<b>Level 4 – Substantial Implementation</b>



# OAG MAP Status Assessment

OAG Inappropriate Sexual Behaviour Report– Recommendations and Management Actions	Analysis of MAP Implementation Status	Internal Audit Rating
<p><b>OAG3 The Canadian Armed Forces should make victim support a top priority by:</b></p> <ul style="list-style-type: none"><li>• <b>introducing comprehensive and integrated victim case management services from the time the victim discloses an incident to the conclusion of the case; and</b></li><li>• <b>ensuring that members, service providers and responsible officials have a clear understanding of what the complaint processes are, how they work, and what the possible outcomes are for both the victim and the alleged perpetrator.</b></li></ul>		
<p>A CAF campaign plan will be developed that will designate Victim Support and the implementation of an integrated, national case management system as the main effort. Operation HONOUR related resources and policies will provide a clear and comprehensive suite of information and direction related to sexual misconduct, and their content will be regularly reviewed to ensure accuracy. Key interim milestones:</p> <ul style="list-style-type: none"><li>• The Campaign Plan will be completed no later than October 1, 2019.</li><li>• The SMRC Charter will be updated no later than March 31, 2019.</li><li>• The first version of the Operation HONOUR Manual will be released to the CAF no later than March 31, 2019.</li><li>• DAOD 5019-5 will be issued no later than Jun 21, 2019.</li></ul>	<ul style="list-style-type: none"><li>• The DAOD, the Mandates and Operating Agreement DPMC OpH and SMRC, and Operation HONOUR Strategic Campaign Plan provide clarity on affected persons’ support strategies and plan, with all case management services for affected persons now under SMRC’s mandate.</li><li>• To fully implement this action, further work will be required to ensure all CAF members and responsible stakeholders are made aware of the complaints processes. Bill C-77 further reinforces the need to support affected persons.</li></ul>	<p><b>Level 4 – Substantial Implementation</b></p>



# OAG MAP Status Assessment

OAG Inappropriate Sexual Behaviour Report– Recommendations and Management Actions	Analysis of MAP Implementation Status	Internal Audit Rating
<p><b>OAG4 The Canadian Armed Forces should establish clear guidance for members on the regulation to “report to the proper authority” in the context of inappropriate sexual behavior. The guidance should clarify who is considered the “proper authority” under which circumstances. The goal should be to balance the need to protect the organization’s safety with the need to support victims by allowing them to disclose and seek support without the obligation to trigger a formal report and complaint process.</b></p> <p>The CAF will examine the relevant regulations and develop an appropriate approach to clarify the obligations relating to the reporting of incidents of inappropriate sexual behaviour. The chosen approach will aim at ensuring that the views of the victims concerning the actions to be taken are considered and respected to the extent possible taking into account the:</p> <ul style="list-style-type: none"><li>• Interest in ensuring that victims receive the support they need;</li><li>• Roles and legal obligations of the various individuals and entities who may become aware of such incidents; and</li><li>• Need to ensure the operational effectiveness of the CAF and the safety of its members and of the public.</li></ul> <p>The CAF will identify and begin developing the chosen approach no later than November 2018 with a view to conclude the process by October 2019.</p>	<ul style="list-style-type: none"><li>• The DAOD 9005-1 states that it is the duty of all CAF members to report incidents to proper authority and provides guidance to members. It also outlines who is deemed the “proper authority”.</li><li>• What is needed to achieve full implementation is the updating of relevant policies to address the option for affected persons to disclose and seek support without the obligation to trigger a formal report and complaint process, with more protection required to respect their choices.</li></ul>	Level 3 – Preparation for Implementation
<p><b>OAG5 The Canadian Armed Forces should make it a priority to offer the Respect in the Canadian Armed Forces Workshop to all members in a timely manner. It should also explore other victim-focused education and training options to ensure that all members receive appropriate training that supports the goals of Operation HONOUR.</b></p> <p>A coordinated plan for the delivery and validation of the Respect in the CAF Workshop to CAF members will be completed no later than March 31, 2019. The SMRC Charter will be amended no later than March 31, 2019.</p>	<ul style="list-style-type: none"><li>• Relevant training was prioritized with increased participation noted as a result of this recommendation in response to the stated actions.</li><li>• What is needed to address all aspects of the recommendation is the research and development of effective training that is focused on affected persons.</li><li>• An update to the Charter is needed due to the now discontinued Operation HONOUR. Further, training will be a core component looked at as part of the new external authority review.</li></ul>	Level 3 – Preparation for Implementation



# OAG MAP Status Assessment

OAG Inappropriate Sexual Behaviour Report– Recommendations and Management Actions	Analysis of MAP Implementation Status	Internal Audit Rating
<p><b>OAG6 The Canadian Armed Forces should develop a performance measurement framework to measure, monitor and report on Operation HONOUR. The Forces should use the information it gathers to continuously improve its response to inappropriate sexual behaviour and work toward its goal to eliminate this behaviour across the Forces.</b></p>		
<p>The Operation HONOUR Performance Measurement Framework will be completed no later than October 1, 2019. The Performance Measurement Framework will be designed to measure the activities and outputs as well as the effectiveness (outcomes) of the Campaign Plan.</p>	<ul style="list-style-type: none"> <li>• While a performance measurement framework was established to provide reports on Operation HONOUR, no support was provided to demonstrate how it was used to improve the response to inappropriate behaviour and measure outcomes.</li> <li>• To implement actions in full, further work is required in the context of Operation HONOUR being discontinued with the need to update performance and ongoing improvement frameworks accordingly.</li> </ul>	<p>Level 3 – Preparation for Implementation</p>
<p><b>OAG7 The Canadian Armed Forces should expand its use of external subject matter experts, in addition to using internal information sources and evidence, to ensure it has a wider variety of performance information and to ensure it receives an independent assessment of its response to inappropriate sexual behaviour.</b></p>		
<p>The SMRC Charter will be amended to address this additional mandate no later than March 31, 2019.</p> <p>The External Advisory Committee (EAC) meets on a regular basis and will provide expert, independent advice on sexual misconduct.</p> <p>One important source of independent information is the 2018 Statistics Canada Survey on Sexual Misconduct in the Canadian Armed Forces. Data collection was completed November 15, 2018 and results will be released at the end of May 2019. For the 2020 Statistics Canada survey, data collection will commence in late fall 2020. (Update: due to the COVID-19 pandemic, the next iteration of the survey is now expected for late 2022 or early 2023).</p>	<ul style="list-style-type: none"> <li>• The CAF utilized various external subject matter experts through the creation of the EAC, as well as the SMRC.</li> <li>• The mandates and operating agreement between DPMC OpH and SMRC, the Record of Decision for the Defence Strategic Executive Committee, as well as Records of Discussion for two EAC meetings demonstrate the involvement of external subject matter experts.</li> <li>• What is needed to achieve full implementation includes further work to demonstrate how performance information is being gathered and used to inform decision making and on-going improvements with the new structures being set up.</li> <li>• In response to the recent and ongoing independent assessment (Fish and Arbour reviews), management commitment to timely action and monitoring of progress will be essential.</li> </ul>	<p>Level 3 – Preparation for Implementation</p>



# Summary of Key Observations

The MAP assessment found that while progress has been made in the areas addressed by the Deschamps and OAG recommendations, more effort is needed to bring about the needed cultural change. Moving forward, consideration should be given to:

- Delineation and communication of the respective roles and responsibilities of the CPCC, SMRC, CCMS, Ombudsman, Ethics & Integrity, as well as of CAF members and civilians;
- Identifying and prioritizing CAF and DND policies that would most benefit from GBA+ analysis;
- How to progress in achieving the goal of 25% representation of women;
- Monitoring the efficacy of training and identifying areas where enhanced training is needed and where training alone is insufficient to bring about required cultural changes;
- For affected persons, certain aspects of support policies and processes remain to be resolved, integrated, simplified and communicated;
- Ensuring the implementation of the Declaration of Victim's Rights achieves the desired outcomes; and
- Monitoring progress and ensuring performance information is used for updating policies, processes and training, as required; this will need to be done in conjunction with continued clarification of respective roles and responsibilities across the CAF and DND.

The recently launched Independent External Comprehensive Review led by retired Justice Arbour will be examining recruitment, training, performance evaluation, posting and promotion systems as well as military justice policies and procedures to probe further into root causes and identifying barriers to the reporting of inappropriate behaviour.

Previously raised recommendations and corresponding actions may be consolidated with the recommendations raised by the two Independent Reviews (Arbour & *National Defence Act* Review), and may also be subsequently re-assigned as responsibilities and accountabilities are reviewed given the discontinuation of Operation Honour and the newly established CPCC.





# Annexes



# Annex A – Assessment Methodology

The process followed is based on the Assessment Methodology used for the semi-annual MAP Status Update.

## Level 1 (L1) Organization Self-Assessment

- L1 organizations perform a self-assessment on all their open MAPs and submit a MAP status update to ADM(RS), which includes:
  - The implementation level of each MAP between level 1 to 5 (Refer to Annex C);
  - A description of actions implemented and rationale for their implementation level;
  - In cases where the MAP is self-assessed as fully implemented (level 5), the supporting evidence;
  - In cases where the MAP is not implemented by the target date, the outstanding actions; and
  - In cases where the MAP is self-assessed as “Obsolete” or “Management accepts risk”, the justification and supporting evidence, as applicable.

## ADM(RS) Assessment

- For MAPs self-assessed by L1s as being **fully implemented (Level 5)**:
  - ADM(RS) validates supporting documentation provided by the L1 to determine if the MAP can be closed.
  - Specifically, the evidence is assessed against the following criteria;
    - Any studies or analysis listed in the MAP was performed
    - Determine if the implemented MAPs were operating as intended
  - MAPs deemed as being fully implemented will be closed.
  - If the validation result is unsatisfactory, ADM(RS) will provide the rationale, request additional information and/or lower the L1 self-assessed implementation level.
- For MAPs self-assessed by L1s at a level of implementation **other than fully implemented (Level 1 to 4, Obsolete or Superseded/To be replaced)**:
  - ADM(RS) reviews the L1 self-assessment to determine if the implementation level of each of MAP is reasonable.
  - While supporting evidence is not required for these MAPs, ADM(RS) uses professional judgment to identify any major concerns on the implementation progress of these MAPs.
  - On an as-needed basis, ADM(RS) may contact the L1 organization to seek additional clarification.
- All MAPs that have not been closed will continue to be part of the follow-up process.
- ADM(RS) validation results are shared with L1s and tabled at the Departmental Audit Committee (DAC). Non-classified and classified MAPs are tabled in separate reports.
- Overdue MAPs will be highlighted and when required, L1s may be invited to attend the DAC meeting to explain the implementation delays of their MAPs.



# Annex B – MAP Implementation Rating Scale

<b>Level 1 – No progress or insignificant progress</b>	Actions such as striking a new committee, having meetings and generating informal plans should be regarded as insignificant progress.
<b>Level 2 – Planning stage</b>	If formal plans for organizational changes have been created and approved by the appropriate level of management (at a sufficiently senior level, usually executive committee level or equivalent) with appropriate resources and a reasonable timetable, the entity has achieved the planning stage.
<b>Level 3 – Preparation for implementation</b>	If the entity has made preparations for addressing the recommendation by hiring or training staff, or developing or acquiring the necessary resources to implement the MAP, regard this as having achieved preparation for implementation.
<b>Level 4 – Substantial implementation</b>	If the structures and processes are in place and integrated within at least some parts of the organization, and some achieved results have been identified, this should be seen as substantial implementation. The entity will probably also have a short-term plan and timetable for full implementation.
<b>Level 5 – Full implementation</b>	Rate the progress as full implementation if the structures and processes are <b>operating as intended</b> and are fully implemented.
<b>Obsolete</b>	Rate as obsolete if the recommendation is no longer applicable because the process or issue has become outdated as a result of having been superseded by something newer.
<b>Superseded (Supplanted)</b>	Rate as supplanted if action items are being overseen by another engagement, being monitored by an alternative independent oversight/monitoring mechanism or being consolidated as part of another broader MAP action item from different engagements that are similar in nature and addressed to one same L1 organization.



# Annex C – Recommendations Rated by Theme

The recommendations and corresponding MAPs have been grouped by theme and show implementation levels per the following scale:

Level 5 – Full Implementation

Level 4 – Substantial Implementation

Level 3 – Preparation for Implementation

## Responsibility and Accountability

<b>ERA1*</b>	Acknowledge that inappropriate sexual conduct is a serious problem that exists in the CAF and undertake to address it.
<b>ERA3</b>	Create an independent centre for accountability for sexual assault and harassment outside of the CAF with the responsibility for receiving reports of inappropriate sexual conduct, as well as prevention, coordination and monitoring of training, victim support, monitoring of accountability, research, and to act as a central authority for the collection of data.
<b>OAG1</b>	Define and communicate the roles and responsibilities of the Strategic Response Team on Sexual Misconduct and the Sexual Misconduct Response Centre to improve efficiency and avoid duplication of effort.
<b>OAG6</b>	Develop a performance measurement framework to measure, monitor and report on Operation HONOUR, and use it for continuous improvement.
<b>OAG7</b>	Expand the use of external subject matter experts, in addition to using internal information sources and evidence, to ensure a wider variety of performance information, and to ensure an independent assessment of response to inappropriate sexual behaviour.

## Policies, Guidance and Culture

<b>ERA2</b>	Establish a strategy to effect cultural change to eliminate the sexualized environment and to better integrate women, including by conducting a gender-based analysis of CAF policies.
<b>ERA5</b>	With the participation of the centre for accountability for sexual assault and harassment: <ul style="list-style-type: none"> <li>Develop a simple, broad definition of sexual harassment that effectively captures all dimensions of the member’s relationship with the CAF. Define sexual assault in the policy as intentional, non-consensual touching of a sexual nature.</li> <li>Develop a definition of adverse personal relationship that specifically addresses relationships between members of different rank, and creates a presumption of an adverse personal relationship where the individuals involved are of different rank, unless the relationship is properly disclosed.</li> <li>Give guidance on the requirement for consent, including by addressing the impact on genuine consent of a number of factors, including intoxication, differences in rank and the chain of command.</li> </ul>
<b>OAG4</b>	Establish clear guidance for members on the regulation to “report to the proper authority” in the context of inappropriate sexual behaviour. The guidance should clarify who is considered the “proper authority” under which circumstances. The goal should be to balance the need to protect the organization’s safety with the need to support victims by allowing them to disclose and seek support without the obligation to trigger a formal report and complaint process.
<b>ERA6</b>	With the participation of the centre for accountability for sexual assault and harassment, develop a unified policy approach to address inappropriate sexual conduct and include as many aspects as possible of inappropriate sexual conduct in a single policy using plain language.

\* External Review Authority (ERA) refers to Deschamps recommendations



## Annex C – Recommendations Rated by Theme (continued)

Training and Education		Support and Processes for affected persons	
<b>OAG5</b>	Offer the Respect in the CAF Workshop to all members in a timely manner. Explore other victim-focused education and training options to ensure all members receive appropriate training that supports the goals of Operation HONOUR.	<b>ERA9</b>	Assign responsibility for providing, coordinating and monitoring victim support to the centre for accountability for sexual assault and harassment, including the responsibility for advocating on behalf of victims in the complaint and investigation processes.
<b>ERA10</b>	Assign to the centre for accountability for sexual assault and harassment, in coordination with other CAF subject matter experts, responsibility for the development of the training curriculum, and the primary responsibility for monitoring training on matters related to inappropriate sexual conduct.	<b>OAG2</b>	Establish an integrated, national approach to victim support to ensure that it fully addresses the needs of any member who is affected by inappropriate sexual behaviour. The approach should ensure that members have access to a consistent level of service and specialized support regardless of where they are serving.
		<b>OAG3</b>	Introduce comprehensive and integrated victim case management services from the time the victim discloses an incident to the conclusion of the case; and Ensure that members, service providers and responsible officials have a clear understanding of what the complaint processes are, how they work, and what the possible outcomes are for both the victim and the alleged perpetrator.
		<b>ERA4</b>	Allow members to report incidents of sexual harassment and sexual assault to the centre for accountability for sexual assault and harassment or simply to request support services without the obligation to trigger a formal complaint process.
		<b>ERA7</b>	Simplify the harassment process by: <ul style="list-style-type: none"><li>· Directing formal complaints to COs acting as adjudicators in a grievance; and</li><li>· Reducing emphasis on Alternative Dispute Resolution.</li></ul>
		<b>ERA8</b>	Allow victims of sexual assault to request, with the support of the centre for accountability for sexual assault and harassment, transfer of the complaint to civilian authorities; provide information explaining the reasons when transfer is not effected.