



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

45th PARLIAMENT, 1st SESSION

Standing Committee on National Defence

EVIDENCE

NUMBER 019

Thursday, December 11, 2025

Chair: Charles Sousa



Standing Committee on National Defence

Thursday, December 11, 2025

• (0815)

[English]

The Chair (Charles Sousa (Mississauga—Lakeshore, Lib.)): I call this meeting to order.

Welcome to meeting number 19 of the House of Commons Standing Committee on National Defence. Pursuant to the motion adopted on October 23, 2025, the committee is meeting to resume its consideration of Bill C-11, an act to amend the National Defence Act and other acts.

Today's meeting is taking place in a hybrid format. Members are attending here in person, and our vice-chair is attending remotely through the Zoom application.

Before we continue, I wish to ask you to please consult the guidelines on your table to prevent audio and feedback incidents and protect the health and safety of our interpreters.

I'd also like to remind the witnesses and the members to please wait until I recognize you by name before speaking. If you wish to speak, please raise your hand. The clerk and I will manage the speaking order as best we can. For interpretation, please use your earpiece. Select the appropriate channel for floor, English or French. Again, all comments should be addressed through the chair.

I would now like to welcome our witness, the Honourable Sean Fraser, Minister of Justice and Attorney General of Canada.

Sir, I invite you to make your opening remarks. You have up to five or seven minutes, however long you will require to make it known how great you are and how great the Government of Canada is in trying to help the witnesses and our most vulnerable victims in the CAF.

Go ahead.

Hon. Sean Fraser (Minister of Justice and Attorney General of Canada): I'll leave those statements for others to make.

[Translation]

Thank you, Mr. Chair.

Thank you all.

I am very pleased to be here to discuss Bill C-11.

I would like to start by saying that public safety is a top priority for our government and for Canadians.

[English]

This fall, public safety and criminal justice reform have been major items on Parliament's agenda. You'll have seen, as we move forward, that part of that agenda involves criminal justice reform. We also want to ensure that as we move forward, we're making investments in the front line, whether that's in the RCMP, our border officials or the frontline organizations that support victims. We also want to make upstream investments in affordable housing, mental health and addictions, and programs for at-risk youth to help end crime and violent crime in the long term.

A major part of this strategy is adopting stronger criminal laws. Over the course of the past few months, you have seen several major pieces of criminal justice legislation move forward through the parliamentary process. These include the combatting hate act, which is going through the committee process, and the bail and sentencing reform act, which has a sweeping set of reforms to strengthen the sentencing regime and make it harder for violent repeat offenders to be released on bail.

Most recently, you have seen Bill C-16, the protecting victims act, which addresses a range of different offences and penalties, touching on intimate partner violence, the exploitation of children, sexual offences and the penalties for sexual offences. These include higher maximums and the restoration of mandatory minimum penalties, which have been struck down by the Supreme Court of Canada, in a constitutionally compliant way.

Importantly, the bill addresses delays in the criminal justice system, with a particular focus on those cases that involve sexual assaults. We know these cases have long suffered from challenges as a result of resource shortages at different levels of government and procedural timelines that have unfortunately led to too many cases being rejected—not because someone's been acquitted but because of a delay. We want to address these problems by implementing meaningful reforms that will deal with the delays in the system, but at the same time, do a better job of ensuring that perpetrators are brought to justice at the end of the day.

In a parallel way, at the same time that we've proposed these amendments to Canada's criminal laws in a civilian context, there are certain overlaps that will amend rules in the military justice system. Some of those changes take place not in Bill C-11 but in Bill C-14 and Bill C-16, which I've mentioned, as we try to break down silos within the government to ensure that we're solving the problem more broadly and not just in one department or another.

Other reforms respond directly to the reports commissioned by leading experts in their field, including Supreme Court justices Fish and Arbour, to make changes to the military justice system. There are two main ones that I expect will be the focus of today's conversation, though I'm happy to take questions on other matters.

The first area of reform is moving outside of the military justice system's jurisdiction for complaints involving sexual offences. We have seen real challenges, which were raised in the Arbour report in particular, that demonstrate why it's not well positioned to have the complaint system and the tribunal exist within the chain of command. Though there are challenges in both the civilian and the military systems, this was presented by Justice Arbour as a false choice with the fear of retribution. The potential interference that could happen within the chain of command creates a culture of people not willing to come forward and report sometimes egregious cases of sexual assault or serious sexual offences that deserve to be investigated and prosecuted in a manner that the complainant believes will be taken seriously.

This is not to say that all of the problems in one system are absent in the other; it's only to say that this is the path forward recommended by those who have dug into the issue and who have substantial expertise. They have recommended a particular path forward, which was previously in Bill C-66 and is now making its way to this committee through Bill C-11.

The second area of reform that I expect members may wish to dig into is about the structural changes to have certain actors within the military justice system appointed through the Governor in Council process. Again, this escapes the challenges that exist when you have someone in these positions within the chain of command. This would more closely mirror the process that's used in the civilian system, which allows—notwithstanding the GIC appointment—a certain level of independence in its day-to-day operations.

There are other matters that I'm happy to discuss, but suffice it to say, I hope this is a matter on which we can all work together to find the best path forward to allow victims of sexual violence or sexual assault to have their complaint fully investigated, have an environment where they feel comfortable moving forward with their complaint and, ultimately, when a crime has been committed, have justice prevail.

Mr. Chair, those are my comments.

● (0820)

[*Translation*]

Thank you for the opportunity to participate in this discussion today.

[*English*]

The Chair: Thank you, Minister.

I should also mention to the members in the committee that we have Mr. Matthew Taylor, senior general counsel and director general, criminal law policy section, Department of Justice; and Mr. Owen Ripley, senior assistant deputy minister, policy sector, Department of Justice. I see there's also Colonel Geneviève Lortie, deputy judge advocate general, military justice modernization, Canadian Armed Forces.

Mr. Bezan, our vice-chair, is online.

You have up to six minutes, sir.

James Bezan (Selkirk—Interlake—Eastman, CPC): I'll pass my time over to Mr. Caputo.

Frank Caputo (Kamloops—Thompson—Nicola, CPC): Thank you.

Thank you to the witnesses for being here.

Through you, Mr. Chair, I direct the following questions to the minister.

Minister, you were asked to appear and you refused, yet you are here today. Why the change of heart?

Hon. Sean Fraser: I'm very happy to be here. I'm glad to discuss this legislation. With the legislative agenda that we've been moving forward with, including engagement with other parliamentary committees and making sure that we had the capacity to appear, informed, to discuss matters, it's not a coincidence that I'm here days after we've tabled Bill C-16, the third piece of criminal justice legislation this fall. There are many priorities that we're trying to pursue simultaneously, and to make time for this committee is something that is a pleasure for me.

Frank Caputo: To be clear, you've said it candidly; you blew off the committee until Bill C-16 was tabled.

Hon. Sean Fraser: No, I have a wildly different characterization. I would never blow off a committee but would ensure that we have the opportunity to appear where my testimony is most relevant and where we have the opportunity to manage the workflow through government. Keeping in mind that this bill is technically the responsibility of one of my colleagues who has already testified at this committee, making sure we can advance multiple priorities at once is really part of the reason for my appearance today.

Frank Caputo: The issue is, Minister, you declined to be here and then you accepted. You just said that it coincided with Bill C-16 coming forward. As a minister of the Crown, you should be prepared to be here at any point in time. I don't think it gives Canadians reassurance when the minister can pick and choose when they're coming in.

With that being said, Minister, I'm not sure about you, but I believe you would probably agree with this: that we should be listening to the people on the ground. They're the ones who are going to tell us whether something's working or not, whether something is good or not. We can probably agree on that, such as listening to victims and things like that.

• (0825)

Hon. Sean Fraser: I think it's important that we engage to understand the perspectives of many people who have experience in the system, who've been tasked specifically with identifying solutions to conduct investigations, including people who have lived experience. Bringing those perspectives together to identify the best path forward is part of the role of governing.

Frank Caputo: The role of government is to listen. If we are going to listen to groups like victims and like the Canadian Association of Chiefs of Police, the reality is that the testimony that's been heard at this committee has been very clear. It's been unequivocal in fact from what I've been told that victims and the Canadian Association of Chiefs of Police have said that victims should have the choice. They should have the choice of whether to participate in an overburdened system that has repeatedly let them down or participate in the military justice system, but Bill C-11 denies them that right. Are you prepared to listen to victims, to listen to the Canadian Association of Chiefs of Police and agree to that amendment?

Hon. Sean Fraser: I want to understand their perspectives, but I also am cognizant of the fact that the former Supreme Court justice who we've had look into this more or less described this as a false choice. We see such a low level of reporting because of one system's existence, which includes the fear of retribution and includes a history of failing victims, including potential interference within the chain of command and including the ability to share info with the military police throughout the process. A lot of people are making the choice not to come forward at all because of the personal consequences that might exist should they—

Frank Caputo: A lot of people are choosing not to come forward at all because of the last 10 years of failure, when we had so few victims of sexual assault.... I was in the trenches for part of that time, and I can tell you how difficult it is for a victim to navigate the system. Sections 276 through 278 of the Criminal Code are very difficult as it is, and from what I understand, Minister, only one of the three justices said that there should be no choice. Victims want a choice. The police want the choice. The provost marshal general suggests a choice. The director of defence counsel services wants a choice.

Despite all that, Minister, we all want victims to be represented. I have no doubt that you want that, so why aren't we just going to listen to victims in this case and give them the choice?

Hon. Sean Fraser: This is an important conversation. Listening to victims has to be part of the process, but it's not lost on me that Justice Arbour, in coming up with her recommendation, worked with many victims who have experience as well. Their voices should also be listened to. Trying to figure out the best path forward—informed not only by the lived experiences of some witnesses who very courageously share their perspectives but also by listening to the experts who've talked to a thousand witnesses or victims or more in order to inform the recommendations that they've been tasked to provide—is an important part of the process. I think that's part of the path of getting to the right solution.

Frank Caputo: Let's get into that, Minister.

I apologize for interrupting you, but I do have limited time.

Justice Arbour said that, but Justice Fish and Justice Deschamps, both of whom sat on the Supreme Court of Canada, said that victims should have the choice.

On the one hand, you're prepared to listen to Justice Arbour's recommendation, and obviously we respect and thank her for the work she's done on human rights and on this. However, two other justices said to give them the choice. This panel has consistently had people come and say to give victims the choice. If you're going to hang your hat on Justice Arbour's position, how can you ignore the position of Justice Fish, the position of Justice Deschamps and the people who've appeared here at this committee? Why are you preferring one to the other, Minister?

Hon. Sean Fraser: In addition to the extensive engagement that Justice Arbour undertook to land on this particular recommendation, the reasons that she attached to her report are compelling. When I understand that there is the real fear of reprisal within a person's career, when I understand that there's potential for interference within the chain of command, when I understand that very sensitive personal information can be shared outside of that particular justice process, it gives me real cause for concern that, on balance at the end of the day, continuing through this broken system is going to do harm to more people.

There is no perfect solution that will solve overnight the epidemic of gender-based or sexual violence that exists in Canada, but I believe sincerely that this is a path in the right direction to ensure that justice prevails.

The Chair: Thank you, Minister.

Thank you, Mr. Caputo.

Mr. Watchorn, you have up to six minutes, sir.

[*Translation*]

Tim Watchorn (Les Pays-d'en-Haut, Lib.): Thank you, Mr. Chair.

I would first like to say that we are here to find the best way to support victims of sexual offences, and the work on Bill C-11 must reflect that.

During this study, I talked about the Quebec model and the specialized court for sexual and domestic violence. A few witnesses have told us that it might be a good idea to do something similar. However, it is essential that the federal government respect provincial jurisdictions. I think my colleague would agree with that.

Minister, can you tell us what jurisdiction such a tribunal would fall under? Second, can you tell us how we could work with the provinces to encourage this kind of initiative?

• (0830)

Hon. Sean Fraser: When it comes to the criminal justice system, we share some jurisdiction with the provinces. For example, the administration of justice is a provincial responsibility, but the federal government is responsible for making changes to the Criminal Code and appointing superior court judges, among other things.

The decision to create a specialized tribunal rests with the provinces. They have different specialized courts. So this is an opportunity to collaborate and discuss best practices in order to learn from what the provinces have learned.

Tim Watchorn: The purpose of my intervention is to say that the people who intervene in sexual offences must be trained. The provinces have trained prosecutors, judges and stakeholders.

How could we promote that?

Hon. Sean Fraser: If, in an imaginary world, the federal government had the power to create specialized courts in the provinces, but the professionals in those courts were not trained, that would not improve the situation of victims.

[English]

We need to make sure that there are systems that are ready with people who are trauma-informed, with people who have appropriate training and with people who have safeguards in place to ensure that people can share their stories, know that they're going to be taken seriously and know that they'll be given whatever testimonial aids may be necessary for them to fully share their perspective.

[Translation]

It is not simple. If the federal government insisted that the provinces create specialized courts, but the training was not adequate, that would not be a good thing. However, if the provinces created such courts with investments to improve the experience of victims, then it would be possible to improve the criminal justice process.

Tim Watchorn: That is excellent.

This week, I had the opportunity to attend, with you, the announcement of Bill C-16. How will the provisions in that bill help improve victims' confidence in the civilian sexual justice process?

[English]

Hon. Sean Fraser: There's actually a lot of overlap between the different criminal bills we put forward in a civilian context that actually amend certain features of the military justice system as well, so this may apply in both contexts.

With Bill C-16 in particular, we're focused on the creation of a new category of offences that would lead to a constructive first-degree charge, which we're grouping together as femicide charges, and there's a new offence of coercive control. Having these offences exist will help give confidence to victims. Similarly, on a range of sexual offences and offences tied to the exploitation of children, the existence of those offences will certainly give confidence. However, we will also have better guidance for stronger penalties, both maximum and minimum, in circumstances involving sexual charges.

Specifically to your question, Bill C-16 does two things that will very directly improve confidence in the system, not just in the law. The first is addressing the problem with delays: Concerns have become exacerbated after the Jordan decision, which has seen almost 10,000 cases thrown out for delay. We can change that, both by shrinking the time by improving the processes, but also by having the courts look at remedies other than a stay of proceedings when there is a delay.

In addition, moving forward with changes to the Victims Bill of Rights will give confidence, so that people know they will receive the information they're entitled to proactively, have access to those testimonial aids and have a voice—victim impact statements. Even on parole, when people are being moved from one level of a security facility to another, making sure that they continue to have a right that's baked into the Victims Bill of Rights will give a higher degree of confidence in the civilian system. To your question, although there are similar changes mirrored in a military context, these will give confidence that they will be able to fully participate in the process and that there will more likely be an outcome based on the evidence adduced at trial, rather than a stay issued as a result of delays.

• (0835)

[Translation]

Tim Watchorn: Thank you.

The Chair: Thank you.

Mr. Maxime Blanchette-Joncas, you have the floor for six minutes.

Maxime Blanchette-Joncas (Rimouski—La Matapédia, BQ): Thank you, Mr. Chair.

Good afternoon, Minister.

Every serious expert who has looked at this, such as Ms. Arbour, Mr. Fish, Mr. Drapeau and Ms. Deschamps, has said that there needs to be an independent body outside of the chain of command to investigate, receive complaints and protect victims from reprisals.

Why is your government refusing this critical mechanism when 80% of survivors never come forward and trust is broken?

Hon. Sean Fraser: I want to ensure I understand the question.

[English]

Are you saying we're rejecting that there should be a process outside of the chain of command?

[Translation]

Maxime Blanchette-Joncas: Mr. Chair, I do not know if there is a problem with the interpretation. The minister does not seem to understand the question being interpreted. I do not want to lose any of my time.

[English]

Hon. Sean Fraser: Maybe you could repeat it so that I understand. I want to make sure....

[Translation]

Is it possible to repeat the question?

Maxime Blanchette-Joncas: Every serious expert who has looked at this, such as Ms. Arbour, Mr. Fish, Mr. Drapeau and Ms. Deschamps, has said that there needs to be an independent body outside the chain of command to investigate, receive complaints and protect victims from reprisals.

Why is your government refusing this critical mechanism when 80% of survivors never come forward and trust is broken?

Hon. Sean Fraser: I disagree. That is why we want to change the system. We want to avoid the risks that have been raised with respect to the military justice system. We want to change the rules to make sure that people can go to the criminal justice system in general.

[English]

The civilian system exists outside of the chain of command and provides the opportunities that you've very rightly pointed to.

[Translation]

Maxime Blanchette-Joncas: Your own 2023 national principles on concurrent jurisdiction require consideration of the victim's perspective and the public interest.

Why does Bill C-11 do the exact opposite by imposing a transfer, even in cases where victims have clearly expressed their preference for the military system or they do not want a criminal investigation to take place?

[English]

Hon. Sean Fraser: I may be repeating myself from a previous answer.

My position on this reflects the issues that Justice Arbour raised. These create a false choice. Inside the military system, there are fears of reprisal. A person may potentially face very serious personal consequences. There is a culture wherein people lack confidence in the system, which is causing them to not come forward to report.

The choice being presented—to continue through a military system—is not one I'm comfortable with, given its history of failing victims and given the low level of reporting of offences overall. My honestly held belief, after reviewing not only the recommendations but also the reasons given, is that there will be a better outcome for victims if we move into a civilian system.

[Translation]

Maxime Blanchette-Joncas: Minister, your own data shows that before your miracle bill was introduced, 58 alleged military sexual offences were not investigated by civilian police forces for lack of resources.

I would like you to explain to me on what basis you claim that the civilian criminal justice system will be able to process all cases in a timely manner, that it will not fail to investigate any of them, and that no case will end up being thrown out due to the Jordan decision.

[English]

Hon. Sean Fraser: To put it into context, the incremental add to the civilian system—which would be in the range of, potentially, 100 cases a year compared with the tens of thousands that exist—

would not fundamentally change the ability of the civilian system to handle this.

There are existing problems with the civilian system, and we are working to address those. I don't want to be understood to be saying that one system is perfect and the other is not. The bill we're putting forward would change what courts should be looking at, in terms of the remedy if those delays are exceeded. It would also attack the underlying problem of delays. It would require continued work with provincial governments to ensure they make the investments to move through cases expeditiously.

[Translation]

Maxime Blanchette-Joncas: Minister, Bill C-11 downloads a heavy, complex and costly burden onto police, prosecutors and civil courts.

In concrete terms, why should Quebec and the provinces have to absorb all the costs of a federal reform?

• (0840)

[English]

Hon. Sean Fraser: I have conversations with my counterparts in every part of the country, and everyone wants to see these cases prosecuted. I have not had any provincial counterpart come to me and say that it's going to be too expensive to prosecute sexual assault cases. I sincerely believe that every one of my counterparts, without exception and regardless of province or party, wants to see these challenges addressed.

No one is happy with the delays, and there seems to be a willingness to work together to identify how we can move forward to avoid these kinds of challenges.

[Translation]

Maxime Blanchette-Joncas: So you are confirming that the new responsibilities will come with money being allotted.

[English]

Hon. Sean Fraser: I've made no funding commitments. We work with provincial governments consistently to understand what their needs are. There are elements we have responsibilities for, including the expeditious appointment of judges to superior courts. There are administrative issues that provinces have conduct of, including running the provincial court trials.

[Translation]

Maxime Blanchette-Joncas: Minister, since the 2015 Deschamps report, no senior officer or minister has taken any political responsibility in the face of systematic scandals.

How can you ask survivors to trust a government-led reform that has allowed this culture to flourish for a decade?

[English]

Hon. Sean Fraser: What's important is that people look at the plans and text of the laws being put forward. We're not asking people to blindly trust anyone. People who've been through traumatic sexual assaults are obviously right to question the sincerity of the actors in the justice system and the political system.

What we're asking people to do is to review the changes we are proposing and identify whether they're going to have a meaningful impact on the process victims experience as they go through such a challenging and traumatic experience, often reliving the underlying criminal infraction that led to their being before the court, particularly in a sexual assault context.

[Translation]

The Chair: Thank you, Mr. Blanchette-Joncas.

[English]

Ms. Gallant, you have up to six minutes.

Cheryl Gallant (Algonquin—Renfrew—Pembroke, CPC): Through you, Mr. Chairman, to the minister, I never thought I'd hear the day Liberals said that they would deny a woman's right to choose. Women want choice in this matter. The concern is that people will get away with the less egregious assaults and it will escalate over time.

Have provisions been made so that lesser assaults will be addressed fully within the military system, since they won't be addressed in the court system?

Hon. Sean Fraser: First, I don't think it's necessarily appropriate to try to meld together conversations about women's reproductive rights and the different court systems.

More broadly, I find this point very important, and I made it several times: I don't think a real choice exists today. Justice Arbour's position on this explains the so-called choice being presented to victims. If they go through the military justice system, the choice is one that is in a culture where there are very serious fears of reprisal and personal consequences that could come to the victim, in their life and career. Outside the criminal justice process, there is the potential for sensitive information to be shared about their assaults.

Cheryl Gallant: Yes, we've heard that from the witnesses themselves.

With that, we saw in the news recently that former General Dany Fortin was acquitted of what he was accused of. If it had taken place in the actual civilian courts, he would not have had the right to defence counsel, whereas the way it's handled now the accused are covered by military defence attorneys. Is there money going to be allocated to ensure that people have the same rights and protection in having their court case defended as they do now through the military defence counsel?

Hon. Sean Fraser: Look, I obviously can't comment on individual cases, but it would go through the civilian context. This is not a scenario where different governments cover the legal costs of defendants who find themselves before the court.

Cheryl Gallant: Actually, it is. Had you actually spoken or consulted with the Minister of National Defence prior to your introducing Bill C-11 in the House?

Hon. Sean Fraser: We had spoken on a number of occasions and actually on an ongoing basis, because it's not just Bill C-11 that has concern for a common problem we're trying—

Cheryl Gallant: Can you just speak about Bill C-11? We all talk with each other, but did you specifically speak about Bill C-11?

Hon. Sean Fraser: In combination with other bills...yes.

• (0845)

Cheryl Gallant: Okay.

Why hasn't the Minister of National Defence asked for your input on this particular bill?

Hon. Sean Fraser: We're members of the same cabinet. We have input into each other's decisions in all instances.

Cheryl Gallant: Have you assessed the impact of moving the misconduct cases from the military justice system to the civilian court system, including the cost and the greater possibility that the cases are going to be thrown out because they just run out of time due to the Jordan decision?

Hon. Sean Fraser: We have considered it. When you look at the comparative volume in the range of a hundred cases annually in the military context compared to tens of thousands of complaints that are made publicly in the civilian context, the incremental difference for the system is not great, although the impact on the individuals is obviously of a significant magnitude.

On the issue of the impact on delays, that is a problem we want to solve. We have confidence that the reforms that have been included in Bill C-16 will have a meaningful impact both to reduce the delays that people experience and to change the outcome as a result of the Jordan decision.

Cheryl Gallant: When you take away the choice of where the case is going to be tried, what happens is that it is often a career decision when a woman decides whether or not she is going to take the case and have it go forward. If they don't have that choice, that condemns a number of women to being kicked out of the forces because they actually spoke. Has that been taken into consideration? If so, have you spoken to victims about this?

Hon. Sean Fraser: That is a real phenomenon that is motivating part of the decision to move away from the military justice system for these kinds of cases.

It's our view that when you present people with a system where superior officers potentially have the opportunity to engage in the justice system, where you have information that can be shared that's very sensitive and that can be shared throughout the chain of command, it creates a culture where the exact phenomenon you're concerned about impacts people's—

Cheryl Gallant: Yes, we know that—

Hon. Sean Fraser: —life and career, and we think there's a better—

Sherry Romanado (Longueuil—Charles-LeMoine, Lib.): I have a point of order, Mr. Chair. For the sake of the interpretation, I'd ask that the member allow the minister to answer so that I can actually hear the translation.

Thank you.

The Chair: Please proceed, Minister.

Hon. Sean Fraser: That was my answer.

Cheryl Gallant: With that, they have a chain of evidence. We've heard of several situations where the evidence was thrown out because they didn't trust the chain or trust that it was secure all the way through. What in Bill C-11 ensures that in any investigation, initial contact with a victim will be preserved in such a way that it won't be thrown out of court?

Hon. Sean Fraser: You would be dealing with the protections that exist within the criminal justice system more broadly. You have the opportunity to have an independent investigation. You have the opportunity to have the independent Crowns, who are going to be laying charges and be moving through the criminal justice process.

That system, in my view, being separated from the military justice system, being separated from the military chain of command, has a greater degree of independence than currently exists within the military system today.

Cheryl Gallant: There's still the transfer, and it's in the transfer of one system to the next that the evidence may be thrown out. Are there provisions in the bill to take care of that?

Hon. Sean Fraser: Yes, but what matters is who will actually be running the investigations. When you have the ability for the investigation to exist in an independent context, I have a greater degree of faith that the path forward will be more of an improvement in the civilian context than under the military system.

Cheryl Gallant: Even if it happens in theatre...?

Hon. Sean Fraser: There's a difference between what may happen inside of Canada and outside of Canada, and that is an area that may be helpful ground for this committee to study further.

Cheryl Gallant: It could be on exercise. Yes.

The Chair: Thank you.

Ms. Viviane Lapointe, you have up to five minutes.

Viviane Lapointe (Sudbury, Lib.): Thank you, Chair.

My Conservative colleagues seem to indicate that this is an either-or situation where you pit one witness testimony against another, and nothing can be further from the case. All witness testimony is important, and all of them go forward in developing the recommendations and the legislative changes that are before us today.

Minister, you mentioned opportunities with the provinces to improve the civilian justice system. Bill C-16 introduces further measures to strengthen independence, oversight and accountability within the military justice system. Can you tell us how Bill C-16 complements the reforms in Bill C-11 and responds to some of the concerns raised about consistency, transparency and trust in the complaint and investigative process?

• (0850)

Hon. Sean Fraser: Certainly. I mentioned at the outset that when we sit down to try to identify the right legislative path forward as a government, we're trying very hard to work across departments to break down silos. We're trying to focus the conversation on what problem we are trying to solve rather than on who has a responsibility for what policy.

In this instance, we're trying to solve a very real problem with victims in both civilian and military contexts who don't feel comfortable coming forward and reporting sexual assaults, or sexual of-

fences more broadly, and with victims who often, at the end of the day, don't receive justice when entering the system. In a military context, that obviously can have a very serious impact on a person's life and career. In a civilian context, there are other challenges we're addressing, through delays for example.

We're trying to bring these together not only by having the common adoption of new offences and incorporating them by reference in a military context, but also by addressing things like delays through similar means and by adjusting the Canadian Victims Bill of Rights and the equivalent entitlement to certain processes in a military context.

We want to ensure, regardless of which system a person finds themselves in and regardless of the context in which an assault takes place, that people have access to a system that will be run independently, that they trust and that will allow them to see justice at the end of the day.

We have work to do in both a military and a civilian context, but we are doing that work now. Bill C-16 offers significant reforms that will improve, in my view, both systems.

Viviane Lapointe: As Parliament currently considers both Bill C-11 and Bill C-16, what should Canadian Forces members and survivors understand about the government's broader plan to modernize the military justice system and ensure that independent, accountable and trauma-informed processes are in place?

Hon. Sean Fraser: It would be, first, we want to address the problem, but second, we want to build a system that people can trust. There is not a lot of trust for survivors of sexual assault in Canada, in either a civilian or a military system, and it's no wonder why. People will try to report crimes, and they're not believed.

They're dealing sometimes with frontline officers who may have good intentions but don't have appropriate training. They could be dealing with Crowns who may not be trauma-informed and can sometimes be viewed as coldly assessing the likelihood of conviction in a circumstance where a person's being retraumatized, telling their story, yet again, to another actor within the system. Should they find themselves before a court or a tribunal, they're being asked to tell their story again, being cross-examined, questioned and having doubt cast upon the most traumatic experience in their lives.

We want people to know that the changes we're making are informed by people who have lived experience and people who've spent their careers working in the field. We have, based on those engagements, good reason to believe that we can and will improve the system.

It's going to take some time for some of these changes to take hold. Some will have a positive impact more quickly. Others will not be fully implemented over the course of the next few days but will take time—potentially a few years—for the people in the systems to be fully trained. Again, it will depend on which provinces are making which investments, what supports they are tapping into from the federal government and what processes are being fully baked into not only the system on paper but also the culture and practice.

This is a problem we are committed to solving. We think the bills we've put forward—Bill C-11, Bill C-16 and Bill C-14—will have a meaningful impact, and we hope people see that we're working hard.

Cheryl Gallant: I have a point of order. I just wish to let the minister know that when Bill C-16 comes up for debate, and when it comes before us, we'll invite him to this committee to talk about the bills that we haven't debated in the House yet as well.

Thank you.

The Chair: It's not a point of order, but proceed, Mr. Minister.

Hon. Sean Fraser: Certainly, and I'll wait for the direction of the House to determine which committee will be studying which bill. I expect fully that I will appear at one committee or another on all of the bills that I have responsibility for, and in this instance, some bills that my colleagues have responsibility for. I'm happy to show up at these things, and I honestly believe Parliament has a role to improve the quality of legislation that's going forward.

I know Mr. Caputo is no longer here, but my experience working on his private member's bill showed that collaboration can help strengthen legislation to, hopefully, get to a point where multiple parties can support changes that are in the best interests of victims of crime.

Viviane Lapointe: Chair, I'd like to go back to my time of asking questions of the minister.

Some witnesses highlighted gaps around information sharing, timelines and oversight. Can you tell us how Bill C-16 helps address these issues and how its measures will work alongside Bill C-11 to create a clearer and a more survivor-centred system?

• (0855)

James Bezan: I have a point of order, Mr. Chair.

We are talking about Bill C-11, not Bill C-16, so I would expect that questions are directed about Bill C-11.

Viviane Lapointe: I did reference Bill C-11 in my question, but thank you, colleague.

James Bezan: No, you said Bill C-16.

Viviane Lapointe: I said to “work alongside Bill C-11 to create a clearer..more survivor-centred system.” Perhaps you didn't hear that part of my question.

The Chair: Thank you, Ms. Lapointe. It's your time.

Proceed.

Hon. Sean Fraser: Thank you, Chair.

There are a number of different ways that Bill C-16 and Bill C-11 are tackling similar issues. Typically when I appear, I'm able to take questions on my portfolio more broadly. Bill C-16 actually does have measures that are of direct concern to this committee. Look, for example, at the work that we're doing to combat delays when it comes to records in sexual offending, for example. In a civilian context, we're streamlining and strengthening procedural rules in sexual assault trials—the adducing of evidence, for example; the production of private records of a person's individual medical or psychological records; exchanges between the complainant and the victim that can be adduced to streamline the process to make it go forward.

We have very similar reforms that are included in a military context in Bill C-16. We believe that when we actually have those align well with one another, we're going to be able to ensure that there's some consistency among processes. Importantly, at the end of the day, regardless of which system we're dealing with, people understand that the process will be timely, that it will be fair and that it will be reducing the trauma that people are required to re-experience as they share their story, once again, in the justice system after having lived through it personally.

The Chair: Thank you, Ms. Lapointe.

Monsieur Maxime Blanchette-Joncas, we go back to you. You have two and a half minutes.

[*Translation*]

Maxime Blanchette-Joncas: Minister, you just said that consistency in processes is a way to ensure public trust. I would point out, though, that there is a contradiction between what you are saying and the 2023 statement of principles and presumptions for the exercise of concurrent jurisdiction by Canadian prosecuting authorities.

Before determining which court will handle the case, the statement requires that the concurrent jurisdiction assess eight factors, including the victim's preference, geography and public trust.

Why, then, does Bill C-11 eliminate the flexibility that was provided for by your own prosecutors? Explain that to me.

Hon. Sean Fraser: I am going to give you the same answer I gave in response to another question.

[*English*]

I don't believe there's a real choice. This is not just my opinion; this is a reflection of the arguments that Justice Arbour laid out in coming upon the recommendation to move into a civilian context. It is about the fear of reprisals. It is about the culture of distrust that exists. It is about the potential interference when you're dealing with actors who exist within a chain of command. These are very real concerns that cause me to believe that it's not a real choice that's being put to victims today.

[*Translation*]

Maxime Blanchette-Joncas: Minister, do you acknowledge that you are renouncing your own principles, which were not adopted 10 years ago, but two years ago in the 2023 statement?

[English]

Hon. Sean Fraser: Are we talking about the interim directive? This was put in place to get legislation through a minority Parliament, and we're working hard to implement the permanent fixes now.

[Translation]

Maxime Blanchette-Joncas: Minister, since you are looking at your phone, I understand that you do not have the answer and that people are trying to pass it on to you. It is embarrassing, unfortunately.

The government wants to restore public confidence in a fundamental principle, which is victim reporting. However, you are talking about passing legislation in a minority government. How serious is it?

How can you go back to a principle that your own prosecutors adopted just two years ago?

Explain to me how people can trust your government.

[English]

Hon. Sean Fraser: I think there's a real answer that's important here. We wanted to be able to move quickly to offer some relief in the short term while we move forward to implement permanent fixes. The permanent solutions are included in Bill C-11. I think there was value in moving forward expeditiously on an interim basis so we can provide some relief immediately as we work to establish a permanent change to the regime under which these cases are heard.

[Translation]

Maxime Blanchette-Joncas: Minister, your answer confirms that you are once again reacting to a crisis. You have done no planning. You are still lagging behind a crisis.

You have been in government for 10 years. You did nothing and you let it get worse. Right now, you are not even able to explain a contradiction to us in relation to your own prosecutors.

Personally, I would like people to be able to trust the system. However, today, you are not showing us that it is possible.

• (0900)

[English]

Hon. Sean Fraser: I have a fundamentally different point of view. We know that there has been a long-standing challenge when it comes to sexual offences in the military for generations. Particularly upon what was Minister Anand's appointment at the time, there was quick action taken to ensure that we had the right information to ground permanent changes, including the generation of reports that were put forward by those who did deep study and who were experts in the field, using their recommendations to ground both a short-term fix in the interim and now the long-term solutions that are going to be found in Bill C-11. I believe this is the right path to move forward.

[Translation]

Maxime Blanchette-Joncas: What you just said—

The Chair: Thank you.

[English]

That's it. I'm sorry.

Mr. Kibble, you have up to five minutes.

Jeff Kibble (Cowichan—Malahat—Langford, CPC): Thank you, Mr. Chair.

It's disappointing we're focusing so much on Bill C-16 and showcasing that before it's being debated and not Bill C-11 and the particular instances of military sexual trauma.

We've heard heartbreaking testimony from many victims and survivors, Minister. Overwhelmingly, they have said they want a choice. We've had the testimony of Justice Deschamps and Justice Fish, who say they support choice between the military and civilian justice systems. You only focus on Justice Arbour's report. I think that everybody's voices should be included. I think that all of those recommendations should be included and not just have cherry-picking. Victims have said overwhelmingly they will not bring many of their cases forward to civilian courts, including the low-level ones. In fact, many of them have reported that their cases have been turned away from the civilian system.

Why will you not hear the voices of everyone and hear the majority of voices? Why do you insist on taking away choice so that victims cannot choose? This is military sexual trauma, which is very different from just sexual trauma. Why do you insist on taking that choice between those two systems away from them?

Hon. Sean Fraser: Very respectfully, I have a sincerely held different view. The choice that I see playing out right now in the military context is that so many people do not come forward at all for the reasons that I have outlined.

Jeff Kibble: I appreciate that, but—

Hon. Sean Fraser: Mr. Chair, do I have time to offer a response similar to the length of the question?

Jeff Kibble: —this isn't about your view. This is about the view of victims of military sexual trauma.

Hon. Sean Fraser: Mr. Chair, do I have an opportunity to offer responses?

Sherry Romanado: I have a point of order.

You have my apologies, Chair, but interpreters cannot do the work that they need to do when we have two people talking over each other.

The Chair: Mr. Kibble, I will give you a few extra minutes but let the minister respond, please.

Hon. Sean Fraser: Thank you, Mr. Chair.

On this issue, my view is informed by the reports that have engaged a thousand victims or more. My conclusion is that there are many people who are choosing not to come forward for the reasons that I've articulated previously in this session. That includes the fear of reprisals. It includes a lack of independence when you have actors in the justice system who are subject to the chain of command. There are very real consequences to a person's life and career. It's causing them not to come forward.

When we see 100 cases nationally, in that ballpark, coming forward, I expect that there's a significant number that go unreported compared to the tens of thousands that we see reported across the country in a civilian context. I'm not arguing that one system is perfect. I think there is a better path than exists today.

Jeff Kibble: Thank you.

I appreciate that, but this shouldn't be about your view of this. This should be about the views of the victims. I appreciate that you've heard from thousands of victims. Overwhelmingly, they have supported choice.

Also, earlier in your testimony, I was glad to hear that you said the civilian police have appropriate training in dealing with sexual assault—I think that's very important—and that they're trauma-informed. You acknowledge that. However, military sexual trauma is very different. The Victoria police have the potential to deal with the cases at CFB Esquimalt the second-largest base in Canada, and the Victoria police chief has said that they would need specialized training in dealing with military sexual trauma, that they would need funding to support the extra work and that they do not have the capability to deal with this. These are hundreds of cases potentially that are coming.

Will the government give them support, ensure that they have the training to deal with military sexual trauma and its differences, to deal with the different evidence handling, records, personnel records and access to information?

Hon. Sean Fraser: We have programs that support this kind of training through the victims fund. I'm not aware of whether or not there will be an application forthcoming, but that is an opportunity for us to work to ensure that there is an appropriate level of training for people who understand the unique context, and I accept that the context would be different in the military.

Jeff Kibble: There's training available, but I'm speaking about funding in the millions of dollars, specifically, that civilian police forces and provincial justice systems are going to need to take on this extra load and extra training. Will the government provide those millions of dollars?

Has it even asked anybody about the extra load, training and dollars that will be needed to support this being thrown onto the civilian justice system?

• (0905)

Hon. Sean Fraser: The creation of the victims fund was partially motivated by the need to address these very specific kinds of things, because we're seeing specialized courts pop up in different parts of the country to address these kinds of concerns.

Obviously, we don't have a funding announcement to make at this parliamentary committee hearing, because we would require an application to come in and be assessed and to actually work with the proponent that would be seeking to tap into these federal funding opportunities. There are funding opportunities, to answer your question directly. Whether we have a specific one in Victoria for the local police force or court systems would depend on the engagements that would need to take place in advance of funding applications.

Jeff Kibble: I'll pass over my time.

The Chair: It's expired.

Mr. Anderson, go ahead if you want to ask a quick question.

Scott Anderson (Vernon—Lake Country—Monashee, CPC): I don't have one question. I have a bunch of questions.

The Chair: You'll have to wait for your time if that's the case.

Mr. Malette, you now have five minutes.

Chris Malette (Bay of Quinte, Lib.): Thank you, Chair.

We've been listening this morning to our friends across the way, who are suggesting that an apparently overwhelming majority of witnesses and victims who testified here said they could not get adequate redress in either the civilian or military system. They want the choice.

We've heard just as much in-depth testimony from victims who were assaulted, Mr. Minister, and feared that the system in which they were assaulted is now the system in which they're seeking redress for that assault. They're doing so before the very people who assaulted them or in the very institution in which they were assaulted. This has consistently been one of the observations I've made in our deliberations here on this matter.

I've drawn the parallel before that, specifically, in the cases of the sexual assault courts martial that I have witnessed, the women—it was always women involved—were women in uniform filing a complaint against someone in the same uniform and appearing before a tribunal of everyone wearing that same uniform.

Where is the trust if we don't remove it from that system? That's the fundamental question here.

Hon. Sean Fraser: First, in your preamble, you described questions coming from our friends, and I think that's important to remember. I think we are friends who want the same outcomes. What we have to figure out is the right path to obtain those outcomes.

You make a very important point. It's hard for a person to have trust in the system where their assault took place if they know a chain of command exists in which that complaint will take place, and within that chain of command, there are individuals who would potentially have the authority to severely limit the personal consequences, outside of the criminal implications, of the assault that person may have lived through. Imagine putting yourself in the shoes of someone in that system. You'd say, "If I open my mouth, I could be fired, I could be denied a promotion or I could be chastised by my peers."

Putting this entire process in the hands of the independent civilian process, which will not be subject to the chain of command, is going to lead not only to potentially better outcomes for the people who come forward, but to potentially more people coming forward because they'll have greater trust in the independence of the system. I think that is precisely the right point.

Chris Malette: Further to that, we heard testimony from at least one witness who testified to exactly that point. In fact, it was the victim's immediate superior officer who was alleged to have perpetrated the offence.

If I can move along, we heard witnesses talk about the importance of having specialized resources for sexual violence crimes, but also that judges need the necessary training to handle these types of cases. Minister, what training is currently available in the civil system, and are we looking at methods of enhancing that training?

Hon. Sean Fraser: Before we get into the specific resources available, knowing there is a system that has the expertise to handle these kinds of cases is key to developing the trust I referred to in my response to your last question.

In my first few years as a member of Parliament, I sat on the status of women committee. We conducted a lengthy study about the experience of women who've been subjected to gender-based violence. The lack of expertise in policing among Crown prosecutors in the courts is a major problem within the justice system more broadly. The training that exists in the level of specialization—

• (0910)

The Chair: Mr. Anderson, I can hear you. Just keep it down. Thank you.

Hon. Sean Fraser: May I continue? Thank you.

The level of training and expertise that exists within the civilian system can be inconsistent among different provinces in Canada. This is something we should seek to address, and we should borrow best practices from one another. We are seeing some unique practices emerge. One of our colleagues referenced the specialized tribunals that exist in Quebec. Other provinces are launching specialized courts to deal with these kinds of cases.

We have made resources available for this kind of training, but we're not trying to predetermine where provinces should be spending resources. We're trying to put funds on the table and say, "When you develop—with the full knowledge of the culture that exists in your region—the ability to deliver results with this training, we're making resources available to help address the priorities that emerge at a local level and that will best meet the challenges that exist at a local level."

Chris Malette: Further to—

The Chair: Mr. Malette, that's time.

Mr. Anderson, it's back to you now.

Scott Anderson: Oh, that's good.

Thank you, Minister.

Do you have any military experience?

Hon. Sean Fraser: No, I have not served in the military.

Scott Anderson: Okay.

Do you understand the difference between chain of command and the military prosecution system?

Hon. Sean Fraser: I know those are distinct concepts, but, in this instance, there could be interplay.

Scott Anderson: Well, not really....

You used the term "interference within the chain of command". How do you understand the chain of command relationship?

Hon. Sean Fraser: Is that in general terms?

Scott Anderson: It's in general terms.

Hon. Sean Fraser: You have a reporting officer you take orders from, and they may have an officer superior to them, and so on.

Scott Anderson: What is the relationship to the military justice system?

Hon. Sean Fraser: There is a potential for information sharing to take place.

Scott Anderson: No, it's not about potential.

What is the relationship between the two?

Hon. Sean Fraser: My concern is not just to—

Scott Anderson: No.

I'm asking you what your understanding of the relationship between chain of command and military justice system is?

Hon. Sean Fraser: Though there are distinctions, my concern is that information can bleed between one and the next, and that the folks who act within the chain of command could have reprisals. These could come to the individual who makes a complaint within the military justice system.

Scott Anderson: Okay. That's extremely tenuous, given the relationship between the two of them.

Are you aware that each case transferred to the civilian system has hundreds of investigatory hours attached to it?

Hon. Sean Fraser: It would depend on the specifics of the individual case. It would be possible, certainly, depending on how advanced the investigation is.

Scott Anderson: You're transferring 100 cases there. It's as if it's nothing compared with the tens of thousands.... It actually is, if you do the math. It's—

Hon. Sean Fraser: I don't want to be understood to say that it's nothing. Every one of those cases is a big deal and very meaningful, particularly to the individuals involved. The comparative volume is a factor we should consider.

Scott Anderson: Have you heard the chief of police in Victoria saying that they simply can't handle this without any resources?

Hon. Sean Fraser: I think we would need to understand how to make sure the civilian system is equipped to handle these. Some of the changes we're making will improve that.

Scott Anderson: Do you make sure by transferring money to them?

Hon. Sean Fraser: It would potentially be through the training programs I discussed at this committee earlier, and by changing the processes to speed up getting through trial in order to avoid the consequences of stays for delay.

Scott Anderson: I going to return to choice.

The idea that removing choice is a benefit to the victim seems, to me, to be one of the most paternalistic.... It's almost mansplaining, saying there shouldn't be a choice, in spite of the fact that every victim, except for one who turned up here, said that they prefer having a choice, that they would feel much more secure having a choice and that there are many instances in which they may want to remain within the system.

Furthermore, we heard testimony from the military justice system itself—from the prosecution, the defence and the provost marshal—that it has the capacity, that the culture has changed over the past five or 10 years, and that they are significantly more ready to prosecute these things in the military, if necessary, if the victim chooses to do that.

We seem to be going around in circles. You're giving us all sorts of reasons you feel this way, in spite of the evidence and the testimony. Are you prepared to make a choice, if you re-examine the evidence, that victims should have a choice? Is that open in your mind at all, or is this a closed book?

• (0915)

Hon. Sean Fraser: The evidence that we've reviewed includes the report that was commissioned for the specific purpose of addressing this challenge.

Scott Anderson: Yes, there have been several reports, many of which have thousands of victims. That's not the question.

Are you prepared to contemplate putting choice back into this bill?

Hon. Sean Fraser: My point of view, informed by the reports that were commissioned to address this issue, is that the system will be improved on the whole if we move these sexual offences into a civilian context.

Scott Anderson: You intend to remove choice.

Hon. Sean Fraser: There is a false choice that exists. You continue to say there's a choice.

Scott Anderson: No, sir, there is not a false choice.

Hon. Sean Fraser: The choice so many people are making right now is not to come forward, because they do not believe it will result in justice. They believe that they will be retraumatized.

Scott Anderson: Tell me what happens then, because nobody else can seem to answer this. On a low-level thing, we've removed jurisdiction from the military for sexual assault in Bill C-11. Is that correct? It says that we have.

Hon. Sean Fraser: I understand what you're saying. There's some unique context around the interim directive and the process that continues to exist today.

Scott Anderson: That's correct. A low-level thing like a pat on the bum is not going to be prosecuted. We got that, definitely, from one of the justices who appeared here. Two pats on a bum probably won't be prosecuted as a criminal offence. What does the victim do? How are you planning to change the culture in the military if all of the low-level stuff is simply ignored because the military doesn't have jurisdiction to deal with it?

Hon. Sean Fraser: I still think it's important that you maintain a complaints process.

Scott Anderson: To who?

Hon. Sean Fraser: It will depend on the context. Sometimes, if there's a serious sexual assault—

Scott Anderson: What context?

Hon. Sean Fraser: —it could be a full-blown prosecution.

The Chair: I'm sorry; we're going to be wrapping up soon.

Sherry Romanado, you have the last point, and then we'll suspend.

Sherry Romanado: Thank you, Mr. Chair.

Through you, I'd like to thank the minister for coming today.

Minister, you know that I have two sons and a daughter-in-law serving in the Canadian Armed Forces.

We also know that, in 1998, we moved the investigation and prosecutions of sexual assault from the civilian system to the Canadian Armed Forces. We also know that, from 1998 until 2021, when we had significant reckoning in the Canadian Armed Forces, many members of the Canadian Armed Forces who were victims of sexual assault never came forward, as you said, in terms of the false choice. Their choice was to stay quiet or risk losing their job and being ridiculed. They chose to serve this country, and they did not come forward because they knew they had no choice. We heard that in testimony.

In 2021, we had the interim directive to move these investigations and the prosecutions to civilian courts. We've implemented a significant culture change. At that time, the CDS also engaged with over 14,000 members of the Canadian Armed Forces and former members to get their input in terms of how we should move forward in changing that culture. The goal is not about making sure that investigations and prosecutions happen; it is to ensure that this behaviour stops. We are asking men and women to put their lives on the line. We're asking families who support members of the Canadian Armed Forces to trust the system. There was no trust in the system in 2021. We are rebuilding that.

My question for you is this. Other than the RCMP, is there any other workplace that would investigate and prosecute their own? I don't believe there is, and that is why we are moving forward with Bill C-11, to give victims, both male and female, justice. It's also improving the culture in the Canadian Armed Forces. Would you agree that the implementation of Bill C-11 and the recommendation strictly from Arbour's report to make sure that prosecution and investigations are taken out of the hands of the Canadian Armed Forces and moved to the civilian system will help bring back the importance of believing in the system, trust in the system and faith in the system?

Hon. Sean Fraser: In a word, yes.

You're right to focus on solving the problem and not just choosing one system or another, and trust is an essential ingredient to solving this problem. Switching to one system overnight is not going to solve the problem in and of itself, but it is an essential first step if we're going to rebuild that trust, which will take time.

We're also going to need to address very serious systemic challenges that exist within the civilian system. There's no question of that, but from where I sit—having seen the report, having seen the engagement with 14,000 members of the CAF and having seen a thousand victims participate in Justice Arbour's considerations—it's pretty clear that the existing system is not working. Whether it could even be rebuilt with all the resources in the world, given the fundamental lack of trust, is a very real question. I've concluded that it's not possible for people to see trust when they believe there will be reprisals for speaking out.

In addition to the impact on the individual victim who doesn't see justice, at a time when we're actively trying to recruit people to join the Canadian Armed Forces, telling women their experience will be something different from what it has historically been would not be honest. People will leave the service. People will not join the service. If they go through a traumatic experience, such as a sexual assault, the incentive is to stay quiet, because otherwise you may be punished. This is not justice. This is a system that will simply not serve the interests of the country, the forces or the individual.

In my view, moving this into a civilian context is an essential path forward, but we need to do lots of additional work after we make that essential change.

● (0920)

The Chair: Thank you, Minister.

Thank you all for your participation. Thank you to the other witnesses as well.

I will suspend for a few moments while we move over to the Coast Guard witnesses.

Thank you.

● (0920)

(Pause)

● (0930)

The Chair: If I may, we will resume. Welcome back.

Pursuant to the motion adopted on September 16, 2025, the committee is meeting to continue its study of the integration of the Canadian Coast Guard into the Department of National Defence.

I would now like to welcome our witnesses: from the Department of National Defence, Natasha Kim, associate deputy minister; Mario Pelletier, commissioner, Canadian Coast Guard; and Katia Jollez, director general, change management and oversight, Canadian Coast Guard.

I would now like to invite Ms. Kim to make her opening remarks.

You have up to five minutes.

Natasha Kim (Associate Deputy Minister, Department of National Defence): Thank you very much, Mr. Chair, and good morning to committee members.

I'm very pleased to appear before you today with my colleagues from the Canadian Coast Guard as part of your study on the CCG's integration into defence. On behalf of Deputy Minister Stefanie Beck and myself, I really do want to start by saying just how absolutely delighted we've been to welcome the Coast Guard to the Department of National Defence over the past months.

On September 2, as you know, through an order in council, approximately 6,700 personnel from the Coast Guard and about 450 employees from the Department of Fisheries and Oceans transferred to the Department of National Defence. Every day, we're discovering how fortunate we are to have these highly skilled and dedicated individuals as part of our team.

I'd like to begin by giving the committee an update on the status of the transition process, which has been progressing well.

[*Translation*]

This transition is guided by a people-first approach, which includes clear communication and continuous engagement with staff, and proactive measures to safeguard operational continuity.

DND and DFO have developed a memorandum of understanding, which sets out key principles, priorities, roles and responsibilities to guide this transition, ensuring operations and programs continue to run smoothly and Coast Guard and DFO personnel are onboarded to DND in a coordinated process.

Significant progress is being made to ensure DFO personnel are welcomed, well equipped and trained for their work in the Department of National Defence.

For many employees, their day-to-day operations have changed very little. They often continue in the same work locations, and they are being onboarded with DND equipment and into DND systems in a phased manner to ensure minimal disruption.

The departments are also working together to assume custodianship of approximately 1,000 real property assets. The transfers will begin towards the end of this fiscal year.

[*English*]

A core principle guiding this transition has been DND's commitment to preserving the Coast Guard's unique identity and culture. This will be reflected in things such as their identification cards, honour systems, heraldry and traditions.

Preserving the Coast Guard's unique identity and distinct role is also important in discussions on its mandate as part of the Department of National Defence. I'd like to underscore that the Canadian Coast Guard remains a civilian special operating agency. Importantly, the Coast Guard reports to the deputy minister and not to the chief of the defence staff. While the Coast Guard continues to work closely with members of the Canadian Armed Forces, it is outside of the military chain of command.

There are also no plans to militarize the Coast Guard or assign it an enforcement role. It will continue to deliver its core services, such as search and rescue, icebreaking, marine communications and traffic services, while protecting Canada's marine environment and supporting other departments in their important roles such as marine and ocean science. It continues to provide these services in accordance with the existing legislative frameworks such as the Oceans Act, the Canada Shipping Act and the Wrecked, Abandoned or Hazardous Vessels Act.

As the committee will be aware, Bill C-12 introduces an amendment to the Oceans Act to formalize the Canadian Coast Guard's mandate related to security, as well as to facilitate the authority to collect, analyze and share information and intelligence for security purposes. This change supports and complements the move of the CCG to DND, but would be important in any event to facilitate operations that safeguard the safety and security of our waters and coastlines and our sovereignty in the Arctic.

To be clear, the purpose of integrating the Canadian Coast Guard into National Defence is to enhance the safety and security of Canadians by extending our reach, improving coordination with security and intelligence partners, and increasing interoperability with the Canadian Armed Forces. Coast Guard and CAF personnel have long worked side by side, as we saw earlier this week with the dramatic rescue of a sailor on the west coast. Importantly, this integration will also better enable strategic planning, resource-sharing, procurement opportunities and economies of scale for marine operations.

The Coast Guard brings a significant fleet, deep expertise in Canadian waters and a strong presence across all coasts, including the Great Lakes, the St. Lawrence Seaway and Canada's Arctic, where it works closely with indigenous peoples to leverage local knowledge.

[Translation]

These capabilities will improve Canada's awareness of emerging threats, including in northern maritime approaches in the Arctic.

Thank you to all members of the committee for this opportunity to speak about the Canadian Coast Guard and this transition.

We look forward to your questions.

Thank you.

● (0935)

[English]

The Chair: We will start our first round with Mr. Kibble. You have up to six minutes.

Jeff Kibble: Thank you, Commissioner Pelletier, for returning with your team. I appreciate that you mentioned core services in the statement and I commend the Coast Guard for doing an excellent job. I followed that story of the rescue. The Coast Guard indeed continues to do excellent work for Canada in its core services.

What I'd like to explore today are some of the new roles and taskings that are being added to your plate. I would like to start by asking the commissioner about acquiring DND equipment.

Could you be specific as to what equipment is being acquired?

Mario Pelletier (Commissioner, Canadian Coast Guard, Department of National Defence): Absolutely. Specifically, it will be around sensors. It will be around being able to detect early on. It will be around having access to more information and more data points in order to have a better marine domain awareness.

Jeff Kibble: I appreciate that. What specific equipment are you requiring? Is it air search radar, sonar, sonobuoys, comm intercept and equipment like that? These are types of military equipment that would support surveillance, which is the new mission.

What specific surveillance equipment will give you capability?

Mario Pelletier: At this point, we're still assessing with our colleagues from the forces, so we haven't landed on specific equipment. We do know that we're going to have to have a better secure communication system in order to exchange that information.

Jeff Kibble: You're saying that you know you need to have better secure communications equipment. We asked this two or three months ago. It was the same question. We're now hearing that you're acquiring DND equipment, but we don't know what that equipment is. That causes me a bit of confusion.

However, perhaps let's go to taskings. What specific taskings...? I know it says surveillance and security. What in that are you going to do with the equipment that you have yet to decide to purchase?

Mario Pelletier: We already have sensors on our ships as well.

For tasking, we've already been working side by side with our colleagues from the CAF, whether it's the navy or the other services. There's already some data being captured that we are able to share from a safety perspective.

Jeff Kibble: Beyond navigation radars and binoculars, I'm not seeing any military equipment that's going to add to the military mission outside of your roles. You previously testified that in the presence of any sort of threat, the Coast Guard would be defended by the navy or would leave the area, yet these are the very threats you would be conducting supposed surveillance and security operations on.

How do you justify those two? You're searching for a threat in your role as surveillance and security. You have no capability to deal with it and then you would just leave and hand that over to the navy, even if they're not there.

Mario Pelletier: Identifying the threat is the first step. Assessing the threat and deciding what to do with it has now become a broader dialogue.

To your point about the sensors you don't see, there are a lot of sensors on Coast Guard ships that, actually, you don't see. The off-shore oceanographic science vessel we just had delivered from Vancouver is actually one of the better-equipped science vessels around the world.

Jeff Kibble: Thank you. I appreciate it. I've reviewed the equipment that vessel carries, but I'm talking specifically about military operations, which is part of the new role of surveillance and security.

Do you see your new mission for the Coast Guard as unarmed combatants? Is our Coast Guard personnel comfortable with that role?

Mario Pelletier: The feedback I got from the personnel is that they are very comfortable in where we are going and the evolution of our current culture. It's not military. We're never going to be military, so to say that we're moving towards a military.... I can't remember the word you used.

Jeff Kibble: You're not going to be military. You're moving away from military, yet your mission is to work under DND and provide surveillance and security. You've stated that if there's a threat detected, which is your job, then you would leave.

• (0940)

Mario Pelletier: I didn't say we would leave. I said—

Jeff Kibble: You would stay if there were a threat detected.

Mario Pelletier: We need to assess the threat and—

Jeff Kibble: What happens if a threat is detected, an armed threat is detected? What does the Coast Guard do in its mission?

Mario Pelletier: We're not going to get within arm's length. We do not today and we will not in the future. This is not our road. Our ships are not built nor equipped for that.

Jeff Kibble: Threat weapon ranges are very similar to detection ranges, so you would be in range. Would the Coast Guard then leave, or would you stay in the area?

Mario Pelletier: Again, following the threat assessment, we would decide on the course of action. We have very rigid—

Jeff Kibble: What would the course of action be if you're unable to defend yourself in any way?

Mario Pelletier: That we're not going to put our employees at arm's length of—

Jeff Kibble: Just clarify, you would leave, then, if you're not going to put yourself at risk. Your mission is to detect threats through surveillance and security and, then, leave. The two don't seem to go together, I guess. What I'm trying to do is establish....

Maybe you can answer. I'll just ask directly. What value-add are you going to bring to military surveillance and security operations if you're going to be leaving at the sign of a threat?

Mario Pelletier: It's not only the ships. We have 126 ships, but we also have sensors installed, fixed aids to navigation, and we have radar sight. There's a lot of equipment that we operate that will help in getting a broader picture of the marine—

Jeff Kibble: Are sensors on aids to navigation able to detect threats—let's say submarines or military aircraft—that might be coming into Canadian airspace? We don't even know what equipment we're going to have in supporting this military mission. We don't even identify what types of secure communications. I'm not feeling a lot of confidence that the capability to do surveillance and security will add to the military's role and support military operations.

I don't know. I guess I'm probably out of time. I was going to form a question there, but....

The Chair: You are, and I know.

Mr. Watchorn, you have up to six minutes.

[*Translation*]

Tim Watchorn: Thank you, Mr. Chair.

Thank you for being here before us for a third, fourth or fifth time. I cannot remember. That is very kind of you.

I would like to hear you talk a little bit more about the strategic role of the Coast Guard in the Arctic. You were interrupted a number of times. What are your observations so far? How are you going to make sure that you gather the necessary information in the Arctic sector?

Mario Pelletier: I will start by saying that we already have a very significant presence in the Arctic. Quite often, we are the only federal presence in some of the communities. We also have the ability to see everything that is happening on the maritime movement side.

I am going to look into the future. The acquisition of the two polar icebreakers will increase our presence in the Canadian Arctic and enable us to be everywhere in the region 12 months of the year. The polar icebreakers, the polar helicopters that will be on board, the drones and all the equipment we will be able to install on those ships will contribute all the more to giving us a general picture of what is going on in the maritime space.

Tim Watchorn: I have been to the Halifax International Security Forum. I met with representatives of Canadian companies that manufacture sensors and naval drones.

Are you considering acquiring this type of equipment over the next few years to improve your information-gathering capacity?

Mario Pelletier: Absolutely. It is on the to-do list. I cannot be more specific about the type of equipment, but we will benefit from the expertise of our military colleagues and see what equipment they are already using. We do not want to reinvent the wheel or try to find what they need. So it is a collaborative effort. We need to maximize the mechanisms that are in place for procurement.

Tim Watchorn: That is excellent.

One of your roles in the Arctic is to protect the environment. The Coast Guard is about sovereignty, security and the environment.

What are your capabilities when it comes to environmental protection in the Arctic, and even on the other two coasts?

Mario Pelletier: That is a very good question.

When we started talking about moving the Coast Guard into National Defence, with the expanded security mandate of the Coast Guard, it was always very clear that we needed to maintain that security mandate, which includes protecting the environment. All of our ships have pollution control equipment. It is not just to deal with pollution from the ship; it is to deal with events from other ships. In the Arctic, we have about 40 caches. Where we have equipment in the communities, they can have access to it even before we arrive. Every ship that sails in the Arctic must have equipment to fight pollution that could come by accident.

We have a lot of equipment. We also have large caches in three locations across the Arctic, where we can put equipment that is also flown in. We can deploy much larger equipment in the event of a major spill.

For the east and west coasts, as well as the Great Lakes, companies are required to have an agreement with an environmental response organization. In the Arctic, there are still not enough people for that. That responsibility falls to the Coast Guard, and that is why it has caches all over the place to access equipment or to give local communities access to equipment.

● (0945)

Tim Watchorn: Thank you.

We know that, in the Arctic, we often collaborate with the United States and Greenland.

How does your coordination work with the coast guards of those two countries?

Mario Pelletier: I would say it is quite natural. Any operation in the Arctic requires good planning. The closing meeting for the Arctic operating season is currently taking place in Halifax. We are going to have an opening meeting for the next operating season in the Arctic in May. We invite all our colleagues and partners there so that they can communicate their needs and so that we can talk about opportunities for collaboration. The U.S. is there.

As for Greenland, we support the U.S. air base there by escorting vessels to refuel it. It serves Canada as well, because the armed forces use it as a stopover when they travel in the Arctic.

There is also the whole search and rescue component in Greenland. Because we share a common border, we are often called upon to collaborate in search and rescue cases. To prepare for that, we always plan exercises. Operation NANOOK is one of them.

This summer, we will once again do something jointly with the United States, as we do year after year. With Greenland, as well, there is something called the Arctic Coast Guard Forum. The member countries meet there once a year. In addition, we try to conduct exercises on a regular basis.

Tim Watchorn: Thank you.

[English]

The Chair: Thank you.

Monsieur Maxime Blanchette-Joncas, you have up to six minutes, sir.

[Translation]

Maxime Blanchette-Joncas: Thank you, Mr. Chair.

Madam Deputy Minister, in order to reassure employees and communities in Quebec, can you table with the committee a detailed list of all the changes planned in Quebec as part of the integration of the Canadian Coast Guard with the Department of National Defence? These are both the ones that have been done and the ones that need to be done, as well as the impact of this integration on positions, budgets, scientific units, operational functions and, particularly, on the people at the Maurice Lamontagne Institute, the people back home whom I proudly and with dignity represent.

Natasha Kim: Thank you for your question, Mr. Blanchette-Joncas.

I think it is possible to provide more details about the transfers. However, just to clarify things, I would like to say that Fisheries and Oceans Canada's functions remain with Fisheries and Oceans Canada.

We transferred a few employees from Fisheries and Oceans Canada, almost 450, for support functions, such as human resources management, financial management, legal services and real property services. These functions do not fall under the mandate of Fisheries and Oceans Canada. The employees were transferred to support the Coast Guard's integration.

Maxime Blanchette-Joncas: Can you assure us that no position, budget and operational function, among other things, will be transferred, centralized or reduced as part of the integration of the Coast Guard with the Department of National Defence?

Natasha Kim: I am sorry. I missed the question.

Maxime Blanchette-Joncas: Mr. Chair, I will repeat my question. I hope I can count on your indulgence regarding my speaking time.

Can you guarantee that no position, operational function and budget will be reduced or eliminated as part of the consolidation of the Coast Guard into the Department of National Defence?

Natasha Kim: We have no intention of eliminating any of the positions that have been transferred to National Defence.

Mr. Pelletier may want to add something.

Mario Pelletier: Absolutely. At the Maurice Lamontagne Institute, the Coast Guard has a small IT and electronics team. We also have a small team that maintains small vessels. All of that equipment continues to operate. We may even have more equipment to maintain in the future.

● (0950)

Maxime Blanchette-Joncas: Mr. Pelletier, I am going to pick up where I left off. As you know, the Maurice Lamontagne Institute conducts assessments of endangered species. Are you going to be able to continue fulfilling that mandate?

Mario Pelletier: Absolutely. That is in the agreement we have with Fisheries and Oceans Canada. We also have agreements with the Department of the Environment and other departments, as well as the RCMP. As part of those agreements, we commit to allotting a certain amount of time on our ships to support programs. That will continue.

Fisheries and Oceans Canada will determine the priorities of its program as part of its use of our vessel. For our part, we will make the platform available to the department and ensure that we meet its needs.

Maxime Blanchette-Joncas: Thank you.

Madam Deputy Minister, can you guarantee that no civilian Coast Guard mission, such as search and rescue, environmental response and icebreaking services, will ever be subordinated to military priorities?

Natasha Kim: As I said, the Coast Guard is not part of the armed forces. It is part of National Defence. Its mandate is set out in a legislative framework.

An amendment to the Oceans Act is being considered in the House of Commons. However, there will be no change in the Coast Guard's traditional role.

Maxime Blanchette-Joncas: In the event of a conflict between a military priority and an urgent civilian mission, such as a rescue or an environmental incident, for example, who will have the last word? Will it be the commissioner of the Coast Guard or the military chain of command?

Mario Pelletier: Operational orders for ships are issued under my authority, and that will remain the case. Obviously, saving a life will always take precedence over everything else. That was the case in the past and it will continue to be so. The priorities and service levels that we adhere to are published on our website. We have always adhered to that, even throughout the pandemic, with all the challenges we had to overcome. We have always maintained our service levels.

Maxime Blanchette-Joncas: Mr. Pelletier, will that put you in conflict with the future authority?

Mario Pelletier: I do not see a conflict. The only thing that has been added to our mandate is security. For security purposes, we can share information that we generate. Before, it was produced only for security reasons, not for safety reasons. From now on, we will be able to share that information with our colleagues. However, the rest of our mandate remains intact.

Maxime Blanchette-Joncas: Okay.

Madam Deputy Minister, why did the government undertake the integration of the Coast Guard with National Defence when no independent analysis has been published to show that this integration would actually improve services to citizens?

Natasha Kim: The idea of integrating the Coast Guard into National Defence will remain for years, perhaps even decades. That integration allows for really beneficial synergies. There were synergies between the Coast Guard and Fisheries and Oceans Canada as well, but if you weigh the pros and cons, it is really—

Maxime Blanchette-Joncas: Madam Deputy Minister, you were the one who authorized or oversaw the pre-analysis of the integration of the Coast Guard into National Defence. Can you provide the committee with all the analysis, technical documents and briefings you conducted and communicated to the government before it approved this decision?

Natasha Kim: Such a change, that is to say the integration of one part of a department into another, is a matter for the machinery of government. So it is cabinet confidence.

Maxime Blanchette-Joncas: It is about trust and transparency, Madam Deputy Minister. Would you agree? You authorized or oversaw the analysis, if any was done. Or maybe it was just a simple order from the government. We are used to seeing this government operate, which, as you know, circumvents legislation. That would not be unusual. However, if necessary, is it possible to provide the committee with all the documents that led to the decision to undertake a major organizational and structural change?

Natasha Kim: I cannot commit to providing all the documents, but I can say that we are very pleased to have integrated the Coast Guard.

Maxime Blanchette-Joncas: Madam Deputy Minister, just for the—

[English]

The Chair: Thank you, Ms. Kim and Monsieur Blanchette-Joncas.

It's been six minutes and 15 seconds now. Time is up. I apologize.

Mr. Anderson, you have five minutes.

Scott Anderson: Thank you very much.

The Coast Guard is civilian and it's staying civilian, but there is equipment, including, I think you mentioned, radar stations that are stationary on the coast as well. Is that correct?

That's for Mr. Pelletier.

Mario Pelletier: Radar what...?

Scott Anderson: You mentioned that you had stationary radar as part of the Coast Guard.

That's correct.

All of those are feeding information to the military. The Coast Guard is under DND's budget. The Coast Guard is doing DND work. The Coast Guard is co-operating with the navy and is conducting exercises with the U.S. Coast Guard, which I understand is militarized. You're claiming that it's a civilian organization, though.

It's also a legitimate military target, given the circumstances in which it's operating. Some of my colleagues have mentioned this before. There is a real logical break between trying to claim that you're civilian on one side and doing military work on the other—and also doing civilian work that has nothing to do with DND.

Could this not all have been changed and done? You said that you're already co-operating with the navy as it is. Could this not be simply changed outside of the DND system? In what way is moving it inside DND's budget improving capability, which couldn't be done without doing that?

• (0955)

Natasha Kim: Perhaps I can start, Mr. Chair, and the commissioner can add if he wishes.

Just to start, as I said, the Coast Guard is a civilian special operating agency. That's clear in the legislative framework, so to actually make it a militarized organization would require some kind of change there.

Scott Anderson: Exactly, so my question is this: Why are you bringing it under DND's budget if it has nothing to do with that and it's structurally apart? Why is it under DND at all?

Natasha Kim: As I said, it does offer synergies with defence, including—

Scott Anderson: I'm sorry for interrupting, but that could happen without its being brought under the DND budget, which seems completely superfluous. I'm looking for an improvement that bringing it under the DND budget actually achieves.

Natasha Kim: One of our core defence objectives is to enhance and exercise our sovereignty around our territorial borders, which include our maritime boundaries. As I said, the extensive presence of the Coast Guard in the Arctic is a key benefit that we would see in terms of exercising our sovereignty in those waters and having that extended reach and awareness of what's going on in the maritime domain.

Scott Anderson: Absolutely. I don't dispute that, but I'm wondering how bringing it under the DND budget improves its capabilities.

Natasha Kim: We're hoping to find all sorts of benefits when it comes to procurement opportunities. When we think about things like secure communications and being able to ensure interoperability amongst the fleets, both the Coast Guard fleet and perhaps the RCN fleet, our ability to have those communications in our broader network will enable certain synergies that we see as beneficial. The infrastructure side of it is also important when we look at things like wharfages and warehousing, where we can find those kinds of benefits from being housed side by side. That's one thing that we will also be exploring.

Scott Anderson: As far as being a legitimate military target, I think my colleague mentioned that we're the first unarmed combatant in the theatre.

How are you going to...? I mean, you can claim to be civilians until the other side starts firing because they're firing at a legitimate military target. In 1943, I think it was, the British put up radar stations all along the coast, and the Germans took great pleasure in bombing them because they were legitimate military targets. You are creating a situation in which the Coast Guard is a legitimate military target.

I go back to my colleague's question: What are your rules of engagement when you're actually engaged? Do you just move away and somehow let the navy take part? How does that work?

Natasha Kim: Concerns around the international law of armed conflict and international humanitarian law are a key part of how we look at concepts of operations. The Coast Guard is not a military target because it is unarmed.

Scott Anderson: I am sorry, but if you are operating with the military and feeding information to the military, the enemy is not going to nuance that. They are going to fire missiles at you. You know that. You all know that.

I'm wondering why you're putting the Coast Guard in danger. The downside far outweighs the upside of this move. Maybe you can explain. Maybe you can open my eyes. How is moving this under the DND budget somehow improving Canada's capability at the Department of National Defence?

Mario Pelletier: I think it's improving the ability to get a broader picture of what's happening in Canadian waters.

Scott Anderson: I'll pass my time then.

The Chair: Time is over. I apologize.

Ms. Lapointe, you now have five minutes.

Viviane Lapointe: Thank you, Mr. Chair.

I'd like to hear the perspectives of Ms. Kim and Mr. Pelletier on how the new security information mandate for the Canadian Coast Guard, which was introduced earlier this fall, formalizes a security-related information role.

From a departmental perspective, what governance structure ensures that this new authority is clearly integrated alongside the Department of National Defence's existing organizations while keeping the Coast Guard's civilian mandate distinct?

• (1000)

Mario Pelletier: It's a line that we've added into the Oceans Act. Before I explain how it benefits the department, I'll go interdepartmental.

As you know, we've been a member of the marine security operation centres since 2004. This is where we sit with our colleagues from the CBSA, the RCMP, DND, Fisheries and Oceans Canada, and Transport Canada. We brought a lot of information to the table, but that information was not allowed to be used for security purposes, only for safety purposes.

Now, by having our security mandate, we will have access to some of their information. They'll have access to some of our information, and the Coast Guard will be able to build a much better picture of what's happening out on the water.

Natasha Kim: I would wholeheartedly agree with that. The security mandate is something that builds on what the Coast Guard is already doing. As the commissioner mentioned already, they have a support role, and they support other departments in different facets of their mandate. Security is something that's been part of that. The mechanisms to do that may change over time—for example, needing to have specific information-sharing agreements to share certain types of information.

The proposed amendment clarifies being able to collect and share for security purposes, which will facilitate that sharing of intelligence and help our ability to have maritime domain awareness.

Viviane Lapointe: Ms. Jollez, it's my understanding that you're responsible for change management and oversight with the Coast Guard. As the Coast Guard assumes an expanded mandate, what is the Department of National Defence's role in ensuring consistent implementation across the regions and the fleet operations so that the security-related functions are integrated smoothly into the day-to-day work?

Katia Jollez (Director General, Change Management and Oversight, Canadian Coast Guard, Department of National Defence): Thank you for the question.

Our approach in change management is twofold. First, it's putting people first: making sure they understand what the transition means for them, what the expanded mandate means for them and making sure they have the tools and they're empowered to make a contribution. Second, it's the continuity of service. As the commissioner and the associate have already referred to, as we take on this new role, how do we make sure that we're continuing to deliver the suite of domestic programming we already offer?

The Coast Guard is being onboarded in the Department of National Defence in many ways. We've felt the warm welcome. There's training that's available to employees to understand how to operate within the new department, whether that's looking at the authorities they're going to have, how they're going to staff their teams or the different tools they're going to have.

From a security perspective, the work is ongoing. The bill is still before Parliament. As we're looking at this bill passing and at developing a maritime security program for the Coast Guard, we'll be working closely with colleagues in the Department of National Defence to define what that will mean for employees.

[*Translation*]

Viviane Lapointe: Mr. Pelletier, given the significant presence of the Coast Guard in the Great Lakes and on the St. Lawrence, how will your expanded maritime domain awareness role strengthen co-operation with partners on these waterways on issues such as international activities, the border and community safety?

Mario Pelletier: The Great Lakes-St. Lawrence Seaway is a place where we can make a significant contribution. On the coasts, we already have telecommunications networks and a lot of radars, but on the lakes, it is a bit lacking. We work very closely with our colleagues to the south in the United States. If they have gaps to fill, we are always there to help them, and vice versa. We also have international agreements that allow us to help each other in the event of a spill or a search and rescue operation.

On the community side, we will continue to be very much present, but we will be increasing our surveillance network, and that information can be made available to our security partners in Canada.

[*English*]

Viviane Lapointe: Ms. Kim, as the new role that we're discussing here becomes part of the Department of National Defence and the security enterprise, how is the Department of National Defence approaching the integration of these new capabilities into Canada's wider posture, including planning, coordination and support of other departments?

Natasha Kim: That's an excellent question. I'll say that there are three main lines of effort we're pursuing.

First, as we've talked about already, is that people are making sure that we're welcoming the personnel in an orderly and coordinated fashion as they come on board into DND systems. That will take some time, and we want to make sure we're doing it the right way.

Second, I'd say, is the planning side of it—having that ability to strategically plan ahead in terms of whether it's procurement plans, project plans or infrastructure plans. From that side of the equation, there will be many synergies. We now are, I think, the bulk of the national shipbuilding strategy, so having those relationships with shipyards as well is something that we'll want to leverage.

Third, on the operational side, which we've talked about a lot today, I think there will be many opportunities to have that transition develop over time.

• (1005)

The Chair: Thank you.

Mr. Blanchette-Joncas, you have two and a half minutes, but don't rush. The interpreters are asking us to play catch-up. I'll give you extra time.

[*Translation*]

Maxime Blanchette-Joncas: Thank you, Mr. Chair.

Madam Deputy Minister, you are refusing to provide the committee with all the analysis and documents that would have justified integrating the Coast Guard into the Department of National Defence, and there is nothing in the available information to show that an independent impact analysis was conducted to support such a structuring decision.

How can the committee fulfill its oversight role if these decisions appear to have been made without an objective assessment available to Parliament?

Natasha Kim: Thank you for your question.

We are really here to answer any questions about the benefits and challenges of that integration.

Maxime Blanchette-Joncas: Madam Deputy Minister, with all due respect, I would ask you to provide the committee with the documents justifying this decision. Was there an independent analysis, yes or no?

Natasha Kim: Academics and others have opined on this, but we have had opinions within the department as well.

Maxime Blanchette-Joncas: When such a question is avoided, people see the lack of transparency for what it is. This leads me to believe that this was done internally by the department, that you have received a political directive and that there is no real independent analysis justifying this major change. That is what I am trying to clarify.

Was it a political directive, or was a rigorous analysis really done to justify this structural change?

Natasha Kim: I can tell you that there are really rigorous and robust analyses, but they do not all come from the Department of National Defence, so I do not have all the documents.

Maxime Blanchette-Joncas: Can you send the committee all the documents, the rigorous analyses, as you say, so that we can analyze them?

Natasha Kim: As I said, a few of those documents are from the machinery of government and part of cabinet confidences.

Maxime Blanchette-Joncas: Who can have access to that information if your department refuses to provide those documents to the committee?

Natasha Kim: I am not sure who—

Maxime Blanchette-Joncas: This is serious, Madam Deputy Minister. You are saying that members of Parliament who are required to scrutinize government decisions cannot even access documents.

Do you acknowledge the seriousness of your words and your refusal to provide documents to this committee?

Natasha Kim: We can provide a formal response to the committee on what is available—

Maxime Blanchette-Joncas: Will you commit today to providing the committee with all the documents and analyses that served to justify this decision?

Natasha Kim: We can give you some analyses—

Maxime Blanchette-Joncas: Will you undertake to do so, yes or no, Madam Deputy Minister? You have to take responsibility at some point. Do you want to be transparent and explain to us how you made that decision? The public has a right to know.

Natasha Kim: Yes, we can provide you with analyses.

Maxime Blanchette-Joncas: Will you give us all the analyses?

Natasha Kim: I do not know if that is possible, but—

Maxime Blanchette-Joncas: Who would know, Madam Deputy Minister?

Natasha Kim: —we can look into it and get back to the committee. *[English]*

The Chair: Thank you for that.

Ms. Gallant, you have up to five minutes.

Cheryl Gallant: Thank you, Mr. Chairman.

We've been told that national security is a whole-of-society effort, that even ships' captains know whom to contact if they observe suspicious activity at sea in Canadian waters and that some of those ships are even armed. If the only difference between the Coast Guard before it changed to the Department of National Defence and the present is going from the fisheries column in the ledger to the defence column in the ledger, why aren't they including commercial ships and private yachts in the ledger's defence column as well so that they can bring us closer to the required NATO contribution?

Natasha Kim: I can start, Mr. Chair, and the commissioner may wish to add to it.

I'll just say that even when the Canadian Coast Guard was with the Department of Fisheries and Oceans, a significant portion of

their budget, I think a majority, was included in the NATO definition—for example, icebreakers—and we see that portion of the budget increasing over time. We would have seen an increasing proportion of the Coast Guard's budget included in any event.

With the change, we are now seeing 100%, obviously, but with the security mandate, we would have been close to that in any event. The security mandate is not necessary to the transfer, but it certainly would have been complementary to what we were trying to achieve.

● (1010)

Cheryl Gallant: Then the Canadian Coast Guard was doing nothing differently before the change of command from fisheries to defence. There's been no actual change from what you were doing previously. You were doing security work previously as well. Is that correct?

Natasha Kim: The Coast Guard was. I'll say as well that as part of the 2% announcement that the Prime Minister made in June, there was also an investment into Coast Guard capabilities that would support its security function.

Cheryl Gallant: The new capabilities, other than detection, now, as Mr. Anderson said, make these ships a target. By virtue of being part of the Coast Guard and under the Department of National Defence, they are seen as a target. Are there no future plans to add any protective equipment to these ships that our sailors are on?

Natasha Kim: To be clear, there are no plans to arm the Coast Guard, which would be what would make it a target. Certainly, we would be concerned if there was targeting within our domestic waters.

Mario Pelletier: As the threat evolves, we'll reassess. There's no plan to arm, and that's quite clear. If we need extra equipment, we will.... Our ships are not warships. Our ships are not designed to go to war or sustain combat. We're talking not only about people on board a ship but also about the equipment.

Cheryl Gallant: The last time you were here, I asked what the Coast Guard would do if their vessel was fired upon. We were told the vessel would simply leave.

What if they're in a situation where they can't leave? What if they're a target, they're being fired upon and they're not able to leave where they are? How do they defend themselves?

Mario Pelletier: How did we defend ourselves in the past? We have standard operating procedures on board that aim to protect the safety of our people. We'll put everything in place to do exactly that.

Cheryl Gallant: In the past, the world was different. We didn't have the Chinese Communist government sending out its coast guard vessels, attacking other coast guard vessels. We didn't see the types of confrontations that we're seeing now and that are being brought to our shores.

Mario Pelletier: I can tell you that we've been in the north Pacific near Japan for the last three years, doing illegal fisheries enforcement. We're talking about ships where we don't know exactly what the threat is, but we've been doing this very successfully while protecting the safety of our people.

Cheryl Gallant: Did you have other forces aboard to do an actual interdiction with armed people?

Mario Pelletier: We do that on the east coast right now, through the north Atlantic fisheries patrols.

Cheryl Gallant: If there's the potential for danger, do you bring aboard armed forces?

Mario Pelletier: Yes, we do that. We've been doing that for years. The organization has an enforcement mandate in order to do the work.

The Chair: Thank you, Ms. Gallant.

Mr. Malette, it's up to you, and time is running out.

Chris Malette: Thank you, Chair.

I will be sharing my time with my colleague Ms. Romanado.

Ms. Kim and Commissioner Pelletier, thank you for coming here repeatedly. Apparently, no one told you the coffee here is terrible, but you're always welcome at our table.

There's been a suggestion—it's a repeating theme among our friends—that, in the case of a threat, we should somehow expect our Coast Guard personnel to stand and fight.

Has that ever been in any of the discussions for this transition bringing the Canadian Coast Guard under the umbrella of DND?

• (1015)

Natasha Kim: No, that has not been part of the purpose of the integration of the Canadian Coast Guard. As I mentioned, having the Coast Guard extends our reach—our eyes and ears—across our waters, which is extremely beneficial. The purpose is not to engage in conflict.

One of the other benefits I'd add is this: Being part of defence enables better intelligence sharing, which can help bring a threat-informed approach to the concept of operations.

Chris Malette: Thank you.

I will turn my time over to Ms. Romanado to wrap it up. I think we're getting close on time.

Sherry Romanado: Thank you very much.

Through you, Mr. Chair, I'd like to thank the witnesses for being here again today.

We've heard some questions about why the Coast Guard is being moved under the Department of National Defence.

Would you agree that, in terms of Arctic security, this change addresses new security challenges? Arctic waters are opening up in terms of interoperability. We are strengthening co-operation with international partners like the U.S. and NATO. In terms of integrated defence, it combines civilian and maritime expertise with military defence capabilities for a more holistic approach to maritime security. Would you agree that this is an accurate assessment?

Mario Pelletier: Absolutely. This is all part of the discussion.

Sherry Romanado: There seems to be some confusion with respect to a question of security versus a question of surveillance. The security aspect will allow, now, for information received by the

Coast Guard to be shared with our Five Eyes partners. Is that correct?

Will this change allow for the sharing of information and for the use of secure communications to transmit that information?

Mario Pelletier: That's part of it—absolutely.

Sherry Romanado: Regarding how the integration is going, could you give us a quick update on how the personnel are feeling about the integration with the Department of National Defence? How are things going? I anticipate we're actually going to be ramping up and looking for more people to grow the Coast Guard.

Monsieur Pelletier or Ms. Jollez, could you give us an update?

Katia Jollez: Thank you for the question.

The integration is going quite well. We've been committed to putting people first, sharing information with them and making two-way communication possible so they can ask their questions around what this means for them and what the opportunities are now that they're part of defence.

We've talked a little bit about some of the synergies this transition will bring. What we've heard from employees is that they're excited to see how we leverage procurement opportunities, how we share infrastructure and how we come together on recruitment and retention strategies. It's very positive feedback.

The Chair: Thank you to our witnesses for participating today.

Time is running out. I wanted to bring to the awareness of individuals watching on TV and elsewhere and to thank the staff and the team who participated in making these things happen. I also want to thank our analysts for the great contributions they make, and all of the members of this committee who understand the pre-occupation and the priority for us to protect our men and women in uniform and those who are participating in the Coast Guard to protect our sovereignty every day and enable us to expand Canada's reach, protection and involvement in the work we do worldwide.

I know we're coming up on the holidays, and some of our men and women are stationed abroad. They too should be recognized and thanked for their contributions. I know we have former members of the military who know that first-hand. We thank them.

I'd also like to advise the committee that we are losing our clerk, Ariane, who is moving on to other services on behalf of government. We'll be served by a new clerk in the coming year. On behalf of all of us, I'd like to thank her for her tremendous contribution and her service to our committee. Thank you, Ariane.

Before we adjourn, Maxime, you have your hand up. We're running out of time.

[Translation]

Maxime Blanchette-Joncas: Mr. Chair, given the alarming comments we have heard today, I would like to move the following motion:

That the committee order the Department of National Defence and the Canadian Coast Guard to table, within 30 days, all analyses and documents that served as the basis for the decision to integrate the Canadian Coast Guard into the Department of National Defence, including all independent or external analyses, risk assessments, recommendations, and briefing notes; that these documents be transmitted unredacted; and that any refusal or redaction be accompanied by a detailed written justification.

Transparency is essential, Mr. Chair, and I think that taxpayers who fund the federal government deserve the truth. Part of that truth is for parliamentarians to have access to documents so that they can do their work.

• (1020)

[*English*]

The Chair: Very well. That motion's been tabled.

Ladies and gentlemen, with your permission, the meeting is adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

The proceedings of the House of Commons and its committees are hereby made available to provide greater public access. The parliamentary privilege of the House of Commons to control the publication and broadcast of the proceedings of the House of Commons and its committees is nonetheless reserved. All copyrights therein are also reserved.

Reproduction of the proceedings of the House of Commons and its committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the Copyright Act. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the Copyright Act.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the House of Commons website at the following address: <https://www.ourcommons.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Les délibérations de la Chambre des communes et de ses comités sont mises à la disposition du public pour mieux le renseigner. La Chambre conserve néanmoins son privilège parlementaire de contrôler la publication et la diffusion des délibérations et elle possède tous les droits d'auteur sur celles-ci.

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la Loi sur le droit d'auteur. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre des communes.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la Loi sur le droit d'auteur.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web de la Chambre des communes à l'adresse suivante :
<https://www.noscommunes.ca>