

# Class of 65 Newsletter

## Bulletin d'Information—Classe de 65

Number/Numéro 140



June/juin 2021

*Disclaimer: This Newsletter is produced for members of the RMC Class of 1965 and is based primarily on inputs from members of the Class of 65. It is not an official publication of the Royal Military College nor does it purport to represent the views or opinions of all members of the Class. Unfortunately, the Editorial staff lacks the linguistic skills to produce a bilingual version. Items are published in the official language in which they are received.*

### Editor's Corner/Coin du rédacteur

I am pleased to report that this edition contains a lot of interesting inputs so I will refrain from the usual preliminary “filler” other than to note a couple of errors from Edition 139. First, due to a mix-up in College numbers I inadvertently consigned **6651 Ron Leitold** to the list of departed classmates. I gather that he is alive and well. Sorry Ron! It was also pointed out that I mis-spelled **6545 Ron Kittl's** name. My apologies for that. I also rather smugly reported that I had finally got the year right in the header only to have **6392 Brian Rigby** note that Page 3 still thought it was 2020. Thanks Brian—your subscription is cancelled!

### The Teaching Excellence Award Selection Process by 6496 Charles Emond

The RMC Class of 1965 Teaching Excellence Award (TEA) is offered at both Canadian military colleges thanks to the generous donations of class members. I thought that you might be interested in knowing more about the process of choosing each year's winner. Here therefore is a report on this year's RMC Class of 1965 Teaching Excellence Award (TEA) deliberations.

The Selection Committee (SC) was convened and expertly chaired by Dr Phil Bates, Vice Principal, Academic, who holds a non-voting position. The voting members included myself, as the representative of the RMC Class of 1965, three previous recipients of the TEA, this year all from Science or Engineering departments, and three officer-cadets, all 3rd years and each studying the Social Sciences or Humanities, aberrations from the norm or mostly 4th years and a mix of academic pursuits, likely the result of Covid's impact on cadet availability.

Throughout the process, every effort was made to ensure that the officer-cadets understood that their opinions were valued and their unreserved participation was essential to the success of the process. These officer-cadets never disappointed; the quality of their contributions showed a maturity beyond their years. While the Chair's work is spread throughout the year, for the other members of this year's SC, work began in late April with the receipt of the 8 nomination files. This was followed by our first Zoom call on 4 May to narrow the field of candidates to a more manageable number. We generally aim for 3, but occasionally it is agreed that a fourth ranked candidate deserves further consideration as well.



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### TEA Selection (Continued)

The Chair then informed the finalists, asking each of them to submit additional personal information to the SC, notably a one-page statement of their teaching philosophy. This revealing document gives the SC a sense of the nominee's personal formula for giving their students the best possible learning environment, a pedagogical methodology that is invariably echoed in some way or another by their students.

At the same time, the Chair advises the nomination group for each finalist to prepare to meet with the SC to offer verbal testimonials to supplement their initial written nomination submission. The number of presenters varies. It is rarely less than 3 or over 6 and the presenters are almost exclusively the nominee's current students. On rare occasions a past student might be available to attend. If a staff member or other supporters attend, their contributions are normally brief. The scheduled time is intended to allow for follow-up questions by the members of the SC.

In the interval, we met briefly for a second Zoom call on 6 May to prepare for the final selection interviews. This is particularly valuable to those members of the SC who are participating for the first time, notably the officer-cadets, but also the most recent recipient of the TEA.

The last Zoom session was held on 10 May 2021 between 1330 and about 1800. Each nominating group was given 10-15 mins to make their presentation, allowing about 15 mins for follow-up questions by members of the SC. The officer-cadets were asked to take the lead in further exploring areas of interest, with the others members joining in afterwards if there was time, each trying to elicit insights that might distinguish this candidate from the others. After each nominating group was dismissed, 15 mins were allowed for the SC to exchange personal impressions.

An aspect of our deliberations this year that might interest you concerned the use of Canada's two official languages. Half, so 4, of the candidate files contained written material in French. The nominating members for one finalist were all francophones. One of the nominees was a language teacher. Language teachers have recently become part of the Academic Wing and a number of them have broader teaching responsibilities than when they were organizationally a separate entity. In this case the nominee was a French (as a second language) teacher who was the first ever at RMC last year to be nominated and this year received an equally enthusiastic follow-on nomination.

The officer-cadets assigned to the SC were all anglophones, interestingly, each of a different ethnicity, each reasonably bilingual, likely a consideration when they were chosen for the task. Throughout our deliberations, the 3 officer-cadets and 4 academic members demonstrated that they had absorbed all of the French written submissions. They had also prepared to put their questions to the francophone presenters in French and were eager to listen to their presentation and exchange with them. However, to our surprise, the francophone presenters, likely not wanting to take a chance with the mostly anglophone members of the SC not clearly understanding every word of their enthusiastic nominating "pitch", chose to give their remarks, quite competently, in their second language, English. While 2 of this group had almost native English speaking skills, the lead presenter, a non-commissioned member from the infantry studying along side the "redcoats" clearly did not, but his enthusiasm still made him an effective communicator. In the follow-on questions period, the members of the SC returned the favour by putting their questions to the group in French. So all round, an interesting illustration of bilingualism at the working level.



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### TEA Selection (Continued)

After these 4 presentations, deliberations began to determine the ultimate winner. Each member of the SC was asked to rank the nominees and send these privately to the Chair. The Chair had prepared a set of simple algorithms to collate the individual submissions into several aggregated rankings. These were used as an aid, together with discussions, to determine which files merited further discussions. Only exceptionally does one candidate emerge quickly as a winner. The objective more often is to narrow the field to the top 2 contenders. Members continue to exchange views until a sufficiently endorsed decision emerges. I will not offer any further details of our deliberations this year in order to respect the confidentiality that surrounds our final choice until it is officially announced at Convocation on 20 May 2021.

One of the issues that emerged during our final deliberations was : Under what circumstances would the Class of 1965 allow the outcome to be a tie? A tie has been the outcome only once before in 2008, before my and the Chair's involvement. I expressed what I believed to be the Class' view, one shared by the Chair, that every possible effort needed to be made by the SC to select only one winner, that a tie should remain the rare exception and, if it came to that, such an outcome should have the endorsement of all voting members. Any less of any effort to avoid a tie would have the potential to undermine the high respect in which the Class of 1965 TEA is held.

Because a tie is exceptional, neither I nor the Chair thought to include the details of how we would handle it in the recent review of the TEA's terms of reference. The expectation is that the prize money would be divided. As many classmates have already come to appreciate, the prestige of being selected the Class of 1965 TEA recipient far exceeds the significance of the amount of the monetary prize.

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Le Prix d'excellence en enseignement (PEE) de la promotion 1965 du CMR du Canada est offert séparément aux deux collèges militaires canadiens grâce aux contributions de nos membres. Je croyais que vous seriez peut-être curieux de connaître comment ce choix est fait. Voici donc un compte-rendu des délibérations de cette année au CMR du Canada.

Le comité de sélection (CS) a été convoqué et présidé de manière diligente par le Dr Phil Bates, vice-recteur, académique. Il occupe un poste sans droit de vote. Les membres ayant le droit de vote comprenaient moi-même, en tant que représentant de la promotion du CMR du Canada de 1965, trois anciens récipiendaires du PEE, cette année, par coïncidence, tous issus des départements de sciences ou d'ingénierie, et trois élèves-officiers, tous de la 3e année et chacun un étudiant soit des sciences sociales ou les Humanités, une aberration par rapport à la norme, probablement le résultat de l'impact de Covid sur la disponibilité des élèves-officiers qui seraient autrement principalement de la 4e année et ayant des poursuites académiques plus variées.

Tout au long du processus, tous les efforts ont été déployés pour s'assurer que les élèves-officiers comprennent que leurs opinions étaient valorisées et que leur participation sans réserve était essentielle au succès du processus. Ces élèves-officiers n'ont jamais déçus; la qualité de leurs contributions a montré une maturité au-delà de leur âge.



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### TEA Selection (Continued)

Alors que le travail du président est réparti tout au long de l'année, pour les autres membres du CS, cette année, comme est typiquement le cas, les travaux ont commencé en fin avril avec la réception des 8 dossiers de nomination des candidats. Cela a été suivi par notre premier rencontre, cette année via un appel Zoom, le 4 mai, avec le but de faire une première sélection les meilleurs candidats. Nous visons généralement 3 finalistes, mais il est parfois convenu qu'un candidat classé quatrième mérite également un examen plus approfondi.

Le président a ensuite informé ces finalistes, demandant à chacun de soumettre des renseignements personnels supplémentaires au CS, notamment un énoncé d'une page de leur philosophie d'enseignement. Ce document révélateur donne au CS une idée de la formule personnelle qu'utilise le candidat pour offrir à ses étudiants le meilleur environnement d'apprentissage possible, une méthodologie pédagogique qui est invariablement reprise d'une manière ou d'une autre dans le témoignage de leurs étudiants. Dans le même temps, le président avise le groupe de mise en candidature de chaque finaliste de se préparer à rencontrer le CS pour offrir des témoignages verbaux supplémentaires. Le nombre de présentateurs varie. Il est rarement inférieur à 3 ou supérieur à 6 et les présentateurs sont presque exclusivement les étudiants actuels du candidat. En de rares occasions, un ancien étudiant peut être disponible pour faire une contribution. Si un membre du cadre enseignant ou d'autres notables sont présents pour appuyer sa candidature, leurs contributions sont généralement brèves. Le temps prévu est destiné à permettre des questions de suivi par les membres du CS.

Dans l'intervalle, nous nous sommes rencontrés brièvement pour un deuxième appel Zoom, le 6 mai, afin de préparer les entretiens de sélection finaux. Ceci est particulièrement précieux pour les membres du CS qui participent pour la première fois, notamment les élèves-officiers, mais aussi le plus récent récipiendaire du PEE.

La dernière session Zoom a eu lieu le 10 mai 2021 entre 13 h 30 et environ 18 h. Chaque groupe de nomination disposait de 10 à 15 minutes pour faire sa présentation, ce qui a permis environ 15 minutes pour les membres du CS de poser des questions de suivi. On a demandé aux élèves-officiers de prendre l'initiative pour poser leurs questions, les autres membres du CS se joignant par la suite s'il y restait du temps, chacun essayant d'explorer des idées qui pourraient distinguer ce candidat des autres. À la conclusion de chaque session de nomination, 15 minutes ont été accordées au CS pour échanger nos impressions personnelles.

L'un des aspects de nos délibérations de cette année qui a piqué mon intérêt concernait l'utilisation des deux langues officielles du Canada. La moitié, donc 4, des dossiers de candidature contenaient des documents écrits en français. Les membres du comité de nomination pour un des finalistes étaient tous francophones. L'un des nominés était un professeur de langue seconde. Je note que les professeurs de langue seconde ont récemment fait partie du groupe académique et un certain nombre d'entre eux ont des responsabilités d'enseignement plus larges que lorsqu'ils étaient une entité organisationnelle distincte. Dans ce cas, le candidat était une enseignante de français (langue seconde) qui était, l'année passée, la première à être mise en nomination au CMR du Canada et qui a reçu cette année une nomination de suivi tout aussi enthousiaste. Par hasard, cette année, les 3 élèves-officiers affectés au CS étaient tous anglophones, chacun appartenant à une ethnie différente, chacun ayant une maîtrise raisonnable du français, ce qui a probablement été pris en considération lors de leur sélection pour la tâche. Tout au long de nos délibérations, les 3 élèves-officiers et les autres



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### PEE sélection (conclu)

membres du CS ont démontré qu'ils avaient absorbé toutes les soumissions écrites en français. Ils s'étaient également préparés à poser leurs questions aux présentateurs francophones en français et étaient impatients d'écouter leur présentation et d'échanger avec eux. Cependant, à notre grande surprise, les présentateurs francophones, ne voulant probablement pas prendre de risque avec les membres majoritairement anglophones du CS ne comprenant pas clairement chaque mot de leur témoignage fort enthousiaste, ont choisi de faire leurs remarques, avec beaucoup de compétence, dans leur deuxième langue, l'anglais. Alors que 2 de ce groupe avaient une solide maîtrise de la langue anglaise, le présentateur principal, un militaire du rang de l'infanterie, étudiant aux côtés des élèves-officiers en «Écarlates», n'en avait manifestement pas la même maîtrise, mais son enthousiasme faisait de lui néanmoins un communicateur impressionnant. Lors de la période de questions de suivi, les membres du CS ont rendu la faveur en posant leurs questions en français. Donc dans l'ensemble, une illustration intéressante du bilinguisme au niveau du travail au Collège.

Après ces 4 présentations, les délibérations ont commencé pour déterminer le lauréat. Il a été demandé à chaque membre du CS de classer ces 4 finalistes et d'envoyer leur liste en privé au président. Le président avait préparé un ensemble d'algorithmes simples pour rassembler les soumissions individuelles en plusieurs classements agrégés. Ceux-ci ont été utilisés comme une aide pour orienter initialement nos discussions afin de déterminer quels dossiers méritaient des discussions plus approfondies. Ce n'est qu'exceptionnellement qu'un candidat émerge rapidement comme gagnant. L'objectif est de réduire le champ au moins aux 2 meilleurs prétendants. Les membres continuent d'échanger jusqu'à ce qu'une décision suffisamment endossée émerge. Je n'offrirai pas plus de détails sur nos délibérations de cette année afin de respecter la confidentialité qui entoure notre choix final jusqu'à ce qu'il soit officiellement annoncé lors de la Convocation du 20 mai 2021.

L'une des questions qui ont émergé au cours de nos délibérations finales était la suivante: dans quelles circonstances la promotion de 1965 permettrait-elle que le résultat soit égal? Une égalité n'a été le résultat qu'une seule fois en 2008, avant ma participation et celle de la présidence. J'ai exprimé ce que je croyais être le point de vue de notre promotion, partagé incidemment par le président, que tous les efforts possibles devaient être faits par le CS pour ne sélectionner qu'un seul gagnant, qu'une égalité devrait rester la rare exception et, s'il en était ainsi, un tel résultat devrait être approuvé par tous les membres votants. Moins d'efforts pour éviter une égalité aurait le potentiel de saper le respect élevé dans lequel le PEE de la promotion de 1965 est tenue.

Étant donné qu'une égalité est exceptionnelle, ni moi, ni le président n'avons pensé à inclure les détails de la manière dont nous le gérerions dans le récent examen du mandat du PEE. On s'attend à ce que le prix en argent soit divisé. Comme de nombreux camarades de classe l'ont déjà compris, le prestige d'être sélectionné comme récipiendaire du Prix d'excellence en enseignement de la promotion 1965 dépasse de loin l'importance du montant du prix en argent.





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### The Military Justice System

In Edition 139, **6533 Gord Forbes** provided one of his interesting blogs on the military justice system. It has generated the following three responses from classmates with personal thoughts and recollections on the system.

**6541 Fraser Holman:** One of Gord Forbes' pieces last month made me think we might have dated impressions of how military justice operates these days. So I had a look into it, and offer the following as an update to our experiences. It doesn't directly address the surge in investigations of the senior leadership's apparent lapses in conduct, nor how to handle issues at the CDS level, but I think it is reassuring that the system is really quite aligned with the independence requirements of the 82 Charter, and with current civil court procedures.

*Reading Gord Forbes' critique of the military justice system he remembers from his long service with the RCN made me want to confirm how the system has evolved since our time. In researching the topic I realized that some considerable adjustments have taken place, largely since 1999 when we had all retired from the military. Major amendments to the National Defence Act (NDA) include measures to assure the independence of Military Judges, Prosecutors, and Defence Counsel, and to take decisions to prosecute charges and to convene courts martial out of the hands of the chain of command. For instance military judges are appointed by Order-in-Council and can only be removed for cause on the recommendation of an independent inquiry committee; their remuneration is set based on the recommendation of a separate public service committee and aligns reasonably with that of the civilian judges, not with military pay scales. Thus the overt influence of rank and chain of command is eliminated. As a result of these and other changes the military justice system has been consistently held by the Supreme Court of Canada to be both an important part of Canada's legal mosaic and compliant with the 1982 Charter of Rights and Freedoms. New protections that have been created in the civilian courts have been paralleled in adjustments to military justice through various amendments to the NDA. The old scheme of Courts Martial has been simplified from four distinct types to just two: Standing Courts Martial heard by a military judge alone; and General Courts Martial which include a panel of military members that make findings of fact somewhat like a jury, but with legal determinations and sentencing decisions made by a military judge. For certain classes of offence the accused has the choice. Where a panel is required members are chosen by a civilian Court Martial Administrator, not by the chain of command. The 1999 amendments established a periodic review to be accomplished by an independent review authority. The first such authority was retired Chief Justice Antonio Lamer. The most recent independent review was initiated in December, 2020 under the leadership of Justice Morris Fish, another retired Supreme Court justice. His report is expected next month, so we can keep an eye on the progress to date and recommendations for the future. By the way Justice Lamer had 88 recommendations in his report - all of which I believe were implemented. In any event it was reassuring to see the degree of evolution in our old military justice system. I believe an enduring shortcoming is the infrequency of trials, leading as Gord said to a lack of practice by judges and all concerned. However addressing the urgent needs of maintaining discipline even while deployed confirms for me the enduring need for a distinct system of military justice.*



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### The Military Justice System (Continued)

**6440 Tony Goode:** *As many of you may recall, one of the highlights of my career in the Navy was my appointment as Commandant of Royal Roads Military College in 1984. Without a doubt, it was the most challenging position in my career to that point as it involved many aspects of leadership and management that I had previously not encountered even after commanding 4 ships. Two things stood out: learning how to deal with the academic wing of the College while working with a new Principal whose previous connection to the military ended when he graduated from RMC in 1954 and with a Senate that was determinedly independent of the formal DND chain of Command; and, leading and managing the introduction of female cadets into the last military college in North America to admit women. The latter presented many challenges that ranged from changes to Nixon Block to accommodate females, maintenance of physical fitness and establishing policies for integrating women into the very macho atmosphere on which RRMC prided itself. In the eyes of the cadets, it was a tough institution with traditions that went back to its origins as a wartime training establishment for young RCN officers, a reputation that the senior cadets were determined to maintain even with the introduction of female cadets.*

*In today's "woke" environment, the tough, perhaps brutal treatment of new cadets by their seniors would have been treated as harassment or bullying, but in that day, it was accepted as a rite of passage that engendered pride in those who survived recruit year. I wanted to make sure that the demanding nature of the First-year experience at Roads was not watered down while at the same time ensuring that the usual tough love approach did not descend into harassment of either sex. To that end, I spoke to all the senior cadets in person and laid out my expectations clearly. My policies were not well received by many seniors, particularly those in Fourth Year, one of whom was Jonathan Vance. Given that they had all been raised by mothers who had come of age during the heady days of women's liberation in the '60's, I was surprised by their attitudes towards female cadets who their eyes did not belong at the College. The heart of my approach was to ensure that common standards were applied to all Wing activities such as obstacle courses, inter flight competitions etc. and to reinforce at every opportunity, policies against harassment. Never once did a female cadet come last in all wing events. Still there were ongoing challenges and we lost some of the 12 female cadets who started the year. Things improved over time so that more of them graduated by the time I left in 1987.*

*Coming back to the subject of Gord's comments, during my second year in command, a 3<sup>rd</sup> year cadet, after an evening of imbibing decided to enter a first-year female cadet's cabin, which was forbidden under the rules. After a thorough investigation by College staff and MP's, it was decided to charge the male cadet with sexual assault, but due to the rules that were in effect at that time, the case was referred to the Crown prosecutor in Victoria and the case was taken over by civilian authorities including civilian police. From my perspective, this was a positive step as it took the case from the Military Justice system and placed it in the hands of those who had a lot of experience in dealing with similar cases. We relied upon the MPs to keep us informed of what was happening.*

*Once I had reported the situation to NDHQ and informed my boss of my actions, I thought that all I had to do was to send up dates and ensure that the cadet was supported in the legal system. Unfortunately, the female*



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### The Military Justice System (Concluded)

*cadet's mother was the Provost Marshal at 1 Canadian Mechanized Brigade Group in Calgary. She was not happy with the fact that the male cadet would not be dealt with rapidly by the Military Justice system as well as the fact that he would remain at the College pending the outcome of his trial. I explained the situation to her on several occasions that did nothing to counter her anger at what was happening at the College. The situation then escalated with calls from the Brigade Commander and from my superiors in Ottawa to take charge and bring the cadet to trial within the military system. This was command interference at very high levels and did nothing for my career when I refused to change the decision to have the civilian authorities deal with the case. In the event, the case was eventually dealt with by the court, resulting in a dismissal due to lack of evidence.*

*My experience with this case fully supports Gord's suggestion that such cases be transferred into the civilian system as was the situation until the 1990's when the CAF assumed responsibility. Not sure why that happened, but I think it was a mistake that can be addressed in short order if senior leadership decided to make it happen.*

**6173 Jack Flannagan:** *I have been amazed by the recent reports of hijinks attributed to our generals and admirals lately, and in some cases quite amused (for example - father of two of her children? This is not hanky-panky, this is big-amy).*

*I don't know what the long term solution is to the problem of members of the military sexually abusing their subordinates. It has certainly been going on for a long time, and not just at the current level of exaltedness. I'm sure most of us have seen some evidence of a usually male senior taking advantage of a usually female junior, in return for the junior receiving some military benefit such as early promotion etc. I don't condone this behavior, but I have seen it.*

*I really wanted to comment on Gord Forbes solution to the problem - I can tell you from personal experience that handing the case to the civilian authorities is not the solution, except in obvious and extreme cases. In a time long ago, in a galaxy far away, I was appointed as the president of a court martial which was to try a male senior for the sexual abuse of a female junior. In this case the accused was a very senior NCO instructor, and the complainant was a very junior student at a basic trades training course. He was accused of inappropriately touching the young woman, against her will, and threatening her with dismissal if she dared to report the incident(s). Seemed to me to be, if true, a fairly obvious case of sexual assault. Problem was, there were no outside witnesses. The military justice system at the time was not allowed to handle cases of sexual assault, so this case was referred to the civil authorities. The provincial police and the local prosecutors refused to investigate the case or to go to trial with it, since it would be purely a 'he said, she said' situation. Right or wrong that was the civil justice system's decision.*

*Some time later, the military decided they had to do something, since the complainant had apparently been driven from the service when she reported the situation, and apparently had suffered emotionally ever since. A decision was made to attempt to resolve this situation by convening a court martial and determining if military crimes had been committed. Enter yours truly. The court was convened, and immediately the lawyers started raising points of law which had to be discussed out of the hearing of the court. So I and, I believe it was four Captains, sat around for an entire day waiting for the legal beagles to fight it out. In the end the JAG officer who had been appointed to guide me in the intricacies of the law, and whose legal opinion I was required to accept, told me that it was his legal opinion that this was a case of sexual assault, and under the rules in place at that time, I had no authority to hear the case, since it had to go to the civil authorities. So I had to sit in the courtroom, in front of the young woman who had been dragged through this whole process one more time, and tell her that 'my' decision was that the court had no jurisdiction and was adjourned.*

*I don't know what the solution is, but calling in the civil authorities doesn't seem to be it.*





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### Statement on Sexual Misconduct and Culture Change in the Canadian Armed Forces/**Déclaration sur l'inconduite sexuelle et le changement de culture au sein des Forces armées canadiennes**

*The following is published with the permission of the Canadian Defence Associations & the CDA Institute.*

May 10, 2021

A Strong and effective Canadian Armed Forces are essential to the defence and security of Canadians. The ongoing crisis with sexual misconduct and harmful behaviours within the ranks and failures in leadership at all levels have undermined confidence in the institution. Trust has been lost with many serving and retired members, and Canadians are asking legitimate questions about organizational culture that is too often not meeting the espoused CAF values of “Duty with Honour”.

Fixing these systemic problems must be done first and foremost because taking care of those who serve in our armed forces is the right thing to do. It is also an operational imperative, because in the military, mission success can only be guaranteed by cohesion in the ranks and trust in leadership, both of which have been seriously shaken. Our armed forces won't be fully effective unless all Canadians wishing to serve feel welcomed and safe within the institution, regardless of gender.

We welcome the appointment of former Supreme Court Justice Louise Arbour to conduct an independent review and believe unequivocally that she must be given all the necessary resources to deliver on her mandate. This includes envisioning a system that rebuilds trust in the reporting and investigation of sexual misconduct as well as dealing with the consequential discipline and corrective measures for harmful behaviours.

Many former senior members of the CAF and DND serving with CDA and the CDA Institute recognize that we did not do enough to address this scourge that is eating away at a storied and essential national institution. To those who raised the alarm and raised their voices, we want to say that we have heard you, and we believe you. We also realize, as former senior leaders, that we collectively failed those that have been harmed during their military service. We missed opportunities to take sufficient action that may have prevented the current crisis facing the Defence Team.

We also recognize that, while the existing Sexual Misconduct Response Centre (SMRC) is administratively and technically independent of the military chain of command, many do not see it as sufficiently independent and it is not trusted.

We encourage the Minister of National Defence to take interim policy and legislative changes towards making the SMRC fully independent along the lines of the Office of the Ombudsman while Justice Arbour makes recommendations within the scope of her mandate over the coming year. The creation of another independent review must not slow down or postpone this essential first step, but rather serve as a means to dive deeper into the issues and to consider adding new tools and administrative mechanisms moving forward. All Canadians expect that the government will be transparent in the rapid and full implementation of Madam Arbour's recommendations.

Many former CAF senior leaders believed for operational reasons that the investigation and prosecution of sexual misconduct cases should rest within the system of military justice. It is increasingly clear that the status quo is not acceptable and we believe that the only way forward is to ensure that all allegations of sexual crimes involving CAF members should be handled or have oversight by civilian authorities. We look forward



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### Statement on Sexual Misconduct and Culture Change in the Canadian Armed Forces (Continued)

to recommendations from Justice Arbour, as well hearing from Justice Fish in his ongoing 10-year review of Canada's System of Military Justice. It is critical that the Canadian Armed Forces have a renewed military justice system to ensure discipline on operations at home and abroad. This would help the chain of command, the Judge Advocate General and the Military Police to better serve and ensure fairness and justice for all members of the Armed Forces.

While there are many important international security challenges facing Canada and our Allies and it is critical to continue the work of implementing the capability needs for our armed forces as outlined in Strong Secure and Engaged, the Conference of Defence Associations and the CDA Institute believe that culture change is foundational and must continue to be addressed as a priority effort for CAF/DND.

We applaud the creation of the Canadian Forces Chief of Professional Conduct and Culture. The mandate of this office will only be achieved if every member of the armed forces along with the community of institutional supporters and stakeholders take an interest and get involved in this critical transformation of Canada's Profession of Arms.

Leading the Defence Portfolio, the Department of National Defence as well as the Canadian Armed Forces is a tremendous challenge. In our view, it will be critical to have courageous and some fresh innovative thinking from the political, military and public service leadership to guide these efforts.

We encourage the Government, the Department and the CAF to be unrelenting in tackling all these problems and pledge our organizations' support in confronting the crisis and shaping lasting, positive changes in the CAF."

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Il est essentiel pour la défense et la sécurité des Canadiennes et des Canadiens exige que nos Forces armées canadiennes (FAC) soient fortes et efficaces. La crise actuelle portant sur l'inconduite sexuelle et les comportements dommageables au sein des rangs militaires et les échecs du leadership à tous les niveaux ont miné la confiance envers l'institution. Le lien de confiance avec beaucoup de membres en service et retraités a été brisé et les Canadiennes et les Canadiens posent des questions légitimes à propos d'une culture organisationnelle qui, trop souvent, ne répond pas aux valeurs épousées par les FAC et à l'éthos « Servir avec honneur ».

La résolution de ces problèmes systémiques doit être effectuée d'abord et avant tout parce que prendre soin de ceux qui servent dans nos forces armées est la bonne chose à faire. C'est également un impératif opérationnel, car le succès des missions dépend avant tout de la cohésion au sein des rangs et la confiance dans le leadership, qui ont toutes deux été sérieusement ébranlées. Nos forces armées ne seront pas entièrement efficaces à moins que tous, peu importe leur genre, s'y sentent bienvenus et en sécurité.

Nous soutenons la nomination de l'ancienne juge de la Cour suprême, Louise Arbour afin qu'elle procède à un examen indépendant. Nous estimons sans équivoque qu'elle doit disposer de toutes les ressources nécessaires pour remplir son mandat. Cela inclut de concevoir un système qui rétablisse la confiance dans le signalement et l'enquête des cas d'inconduite sexuelle, ainsi que dans la gestion corollaire des mesures disciplinaires et correctives pour les comportements dommageables.



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### **Déclaration sur l'inconduite sexuelle et le changement de culture au sein des Forces armées canadiennes (conclu)**

Plusieurs anciens membres supérieurs des FAC et du ministère de la Défense nationale (MDN) actifs auprès de la CAD et de l'Institut de la CAD reconnaissent que nous n'en avons pas fait assez pour remédier à ce fléau qui ronge une institution nationale historique et essentielle. Pour les personnes qui ont tiré la sonnette d'alarme et ont élevé leur voix, nous voulons vous dire que nous vous avons entendues et nous vous croyons. Nous réalisons également, en tant qu'anciens dirigeants supérieurs, que nous avons collectivement laissé tomber les victimes qui ont été blessées lors de leur service militaire. Nous avons manqué certaines occasions d'entreprendre des mesures qui auraient pu prévenir la crise actuelle à laquelle l'équipe de la Défense est confrontée.

Nous reconnaissons également que, bien que le Centre d'intervention sur l'inconduite sexuelle (CIIS) existant soit administrativement et techniquement indépendant de la chaîne militaire de commandement, plusieurs considèrent qu'il n'est pas suffisamment indépendant et qu'il n'est pas digne de confiance.

Nous encourageons le ministre de la Défense nationale à apporter des changements provisoires aux politiques et aux lois afin de rendre le CIIS entièrement indépendant, à l'instar du Bureau de l'ombudsman, pendant que la juge Arbour formule des recommandations dans le cadre de son mandat au cours de la prochaine année. La création d'un autre examen indépendant ne doit pas ralentir ou reporter cette première étape essentielle, mais bien servir de moyen permettant d'étudier davantage les enjeux et d'envisager l'ajout de nouveaux outils et mécanismes administratifs pour aller de l'avant. Toutes les Canadiennes et tous les Canadiens s'attendent à ce que le gouvernement fasse preuve de transparence dans la mise en œuvre rapide et entière des recommandations de madame Arbour.

Plusieurs anciens dirigeants supérieurs des FAC croyaient pour des raisons opérationnelles que l'enquête et la poursuite des cas d'inconduites sexuelles devaient relever du système de justice militaire. Il est de plus en plus clair que le statu quo n'est pas acceptable et nous croyons que la seule manière d'avancer est de s'assurer que toutes les allégations de crimes sexuels impliquant des membres des FAC soient traitées ou surveillées par des autorités civiles. Nous attendons avec impatience les recommandations de la juge Arbour, ainsi que les commentaires du juge Fish dans le cadre de son examen décennal du système de justice militaire du Canada. Il est essentiel que les Forces armées canadiennes disposent d'un système de justice militaire renouvelé pour assurer la discipline dans les opérations au pays et à l'étranger. Cela aiderait la chaîne de commandement, le Juge-avocat général et la police militaire à mieux servir et à assurer l'équité et la justice pour tous les membres des forces armées.

Bien que le Canada et ses alliés soient confrontés à plusieurs défis importants quant à leur sécurité internationale et qu'il soit impératif de poursuivre le travail de mise en œuvre des besoins en capacité de nos forces armées, tel que décrit dans la politique de défense *Protection, Sécurité, Engagement*, la Conférence des associations de la défense et l'Institut de la CAD croient qu'un changement de culture est fondamental et qu'il doit continuer à faire l'objet d'un effort prioritaire de la part des FAC et du MDN.

Nous applaudissons la création du poste de Chef en matière de conduite professionnelle et culture des Forces canadiennes. Le mandat de ce bureau ne sera accompli que si chaque membre des forces armées aux côtés de la communauté des soutiens institutionnels et des parties prenantes s'intéressent et s'impliquent dans cette transformation critique de la profession des armes du Canada.

Diriger le portefeuille de la Défense, le ministère de la Défense nationale et les Forces armées canadiennes représente un défi de taille. À notre avis, il sera essentiel que les dirigeants politiques, militaires et de la fonction publique fassent preuve de courage et d'un esprit novateur pour guider ces efforts.

Nous encourageons le gouvernement, le Ministère et les FAC à s'attaquer sans relâche à ces enjeux et nous promettons le soutien de nos organisations pour contribuer à affronter cette crise et apporter des changements positifs et durables au sein de FAC.



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### Letters

**6314 Stu Smart:** I and my entire family is well and thriving, all the adults having received at least the first of a vaccination for the COVID.

I and my wife have reached the ripe old age of 81 and are in reasonably good health, my wife having suffered through rheumatoid arthritis and me having gone through a quad bypass heart operation. I'm only happy I was born when I was and not 20-30 years earlier. Otherwise, I would be on the departed list.

**6632 Don Hansen:** Thank you for your work. I look forward to your letters. In the current world Truth, Duty, Valour is as important as ever.

**6584 Keith Ambachtsheer:** 80 names on the deceased list.....out of maybe 300 entries (the college numbers go from roughly 6400 to 6700).....25% mortality rate....or better, a 75% survival rate so far....I wonder who will get to blow out the final candle some 25yrs from now...

**6715 Yvan Gagnon:** Thanks, Michael, for an edition that I find a bit depressing to see that so many of our classmates are gone... I never would have guessed that many.

Also, about Freedom, I have a whole chapter of my book on this topic, but to make it short, the Freedom **to** do what you want stops where somebody's freedom **from** being harmed begins. The old saying, the freedom to raise my fist stops where your nose begins!

When someone abuses his/her positive freedom **to** do something, the government has to intervene with a law, with cops, courts, fines and jails, to prevent people **from** being harmed. The less people abuse their positive freedom to harm others, the less laws, cops, judges and jails we need. That is the wish of the true anarchists, no need of government if no one abuses their positive freedom. This of course will never happen, but something in between anarchism and the rule by a strong state with polices and jails ( the US system is a good example ) is possible.

Political obligation, or the reasons why people should obey the laws, should be thought in High schools. There are 6 classical reasons why people should obey the laws and negative sanctions with fines and jails are only one of them, and the only one we can really rely on, and that is very sad... It should be a last resort reason and not the only one.

Anyway, that is what I discussed with a generation of RMC students...

Yvan, the oldest cadet of our class, I think? 80 years and 7 months old! (*Ed note: apparently not. See Stu's letter above*)

**6548 Cordell Lukey:** We sold our house last summer not to take advantage of the market frenzy. Rather than buying we are now renting just off the Vanier Parkway. We had been planning to move for three years and the move and market frenzy just happened to coincide. Just before the move, I developed sciatica which has dogged me for the past nine months. I now found out that it is piriformis syndrome otherwise known as pseudo sciatica. I prefer the syndrome name since pseudo sounds like fake sciatica. In any case with a revised diagnosis, I am getting more focused treatment and hope to get back to the gym soon. Perhaps with Covid, if I had to deal with Sciatica or piriformis syndrome, this was the best time. With no exercise, I am having problems managing my calories. Not putting on a lot of weight but it doesn't take much.



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### Letters (Concluded)

**6533 Gord Forbes**, had the following to say on comments by **6575 LT Taylor** to his Freedom article in Edition 139.- *Larry has some very good points. Having a daughter who is a social worker for Children's Aid in Calgary and a son who is a builder in Victoria, I am obviously very concerned about their health in these times. My other son, who is an author, can stay home as has his wife with her provincial government job, but again, they have children who are out to school every day. So far they have all remained healthy. Would I like to see them get a vaccine before me? Of course. And that goes for store clerks, service providers, teachers, and all "productive" members of our society. I have thought this way since they started compiling the priority lists. But unfortunately, Larry and I were not asked for our input. The priorities were set. With this in mind, by the time you read this, I will have had my first shot.*

### New Commandant for RMC

From eVeritas 14 May 21



RMC congratulates Commodore Josée Kurtz who will be appointed commandant of RMC this summer, following today's announcement of Senior Appointments by National Defence HQ. Promoted to MGen on April 26, Lise Bourgon (announced in early March as incoming Cmdt of RMC) is now Deputy Commandant of the Military Personnel Command in Ottawa. Truth. Duty. Valour.

<https://www.rmc-cmr.ca/en/college-commandants-office/new-incoming-commandant-rmc>

Le CMR félicite le commodore Josée Kurtz qui sera nommée commandante du CMR cet été, suite à l'annonce aujourd'hui des Nominations supérieures par le QG de la Défense nationale. Promue au grade de mgén le 26 avril dernier, Lise Bourgon (annoncée en début mars à être nommée commandante du CMR) est

maintenant commandante adjointe du Commandement du personnel militaire à Ottawa. Vérité. Devoir. Vaillance.

<https://www.rmc-cmr.ca/fr/cabinet-du-commandant/nouvelle-commandante-entrante-du-cmr>

### Closing Notes

Some pretty thoughtful stuff this time around. Special thanks to contributors and commentators. I hope you and yours are staying healthy and safe as a light starts to emerge at the end of this pandemic tunnel.