Strong message to the CAF and DND leadership in recent report from the Honourable Louise Arbour

Ottawa (May 30, 2022) - On May 20, 2022, the Honourable Louise Arbour (C.C., G.O.Q.), former Supreme Court of Canada justice, and now Senior Counsel at Borden Ladner Gervais LLP, delivered to the Minister of National Defence her report on the Independent External Comprehensive Review of the Department of National Defence and the Canadian Armed Forces.

Mme Arbour found that the military has failed to keep pace with the values and expectations of a pluralistic Canadian society. “The CAF’s rigid adherence to traditional hierarchical practices has produced a leadership rooted in old ways, which has rewarded excellence in operational delivery, at the expense of professional conduct” she says.

Arbour’s recommendations focus on two key issues, sexual misconduct and leadership. The common thread of all her recommendations is the requirement for external input. “It [the CAF] should consolidate the command and control needed to run its operations by focussing on what it does best, and letting go of what others can do better”, she says. Highlights include giving civilian authorities exclusive jurisdiction over the investigation and prosecution of criminal sexual offences, and privileging access to the Canadian Human Rights Commission and Canadian Human Rights Tribunal to address complaints of sexual harassment and discrimination by members of the Defence Team. She makes recommendations to improve recruitment, training, performance evaluation and promotion and recommends a detailed review to determine whether undergraduate programs should continue to be offered at military colleges. In the same way as the issues of sexual misconduct and leadership are inter-related, so are most of her recommendations. Each one is based on the assumption that others will also be implemented.

Mme Arbour also recognizes that there are a number of external bodies that play an oversight role over the CAF. They range from the Prime Minister, the Privy Council Office, the Minister of National Defence, and various parliamentary committees on the political side, to the Department of National Defence, notably the Assistant Deputy Minister (Review Services), the CAF/DND Ombudsman, the Auditor General, the courts, academics, media, and various interest groups on the civilian side. As such, she does not see the need to add another entity to that space. Instead, she recommends that the Minister immediately appoint a person external to the Defence Team mandated to oversee the implementation of the recommendations in this Report.

Mme Arbour is grateful for the contributions of the many stakeholders – survivors, victims, past and present Defence Team members, academics and others, who generously shared with her their knowledge, experiences and insights.

Read backgrounder with additional details about the Report here.

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