



PROTECTED B

National Defence

Défense nationale

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Ottawa (Ontario)
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*DRAFT
Not signed*

MARC: 5000-1 (DNPR 2-2)

April 1998

Distribution List

HARASSMENT INVESTIGATION - REQUEST FOR ADDITIONAL REVIEW

- References: A. MARL: 1080-1 (FMPM&TO) 25 Oct 97
- B. [redacted] (Pers) 25 Jul 97
- C. CFAO 19-39

1. At the request of your Formation Headquarters, I have taken the opportunity to familiarize myself with your circumstances, the existing harassment investigation, and your request for additional investigative action. I would like to convey to you my observations and concerns as they pertain to your complaint, your own well-being, and the personnel challenges facing the Navy as we approach the next century. I do believe that much has been accomplished over the past few years in the area of improving our inter-personnel relationships, and that the course ahead is clearly defined.

2. I will start by stating clearly that I can see no substantial benefit in further investigating the allegation against [redacted]. The alleged incident, as described, has obviously caused you considerable distress and anxiety for over two years now. While everyone in your chain of command remains deeply concerned, particularly given your current medical circumstances, the event itself was unwitnessed and no amount of further investigation at any level is likely to shed further light on exactly what transpired. Introducing external investigators will not alter this fact.

3. Your efforts to clarify the offending behavior at reference B are appreciated. As I understand the allegation, [redacted] unzipped his trousers, or made a similar motion, while making a lewd and disrespectful comment out of earshot but directed towards the Buffer. He did not actually expose himself in any way. This allegation, proven or unproven, certainly represents a form of disrespect and inappropriate behavior targeted by the departmental policy on harassment. Regrettably, such incidents may occur occasionally as they are often viewed as mere banter between co-workers directed against their supervisor. To counter this misconception, however, the Department's mandatory SHARP training program (a Standard for Harassment and Racism Prevention) for all CF personnel is nearing completion. Renewed emphasis has similarly been placed on the Navy's Divisional System, and individual respect for one's peers, subordinates, and superiors. Finally, your Formation Commander is striving to introduce a Good Working Relations (GWR) program to the east coast fleet this summer. Attacking such behavior even when directed at third parties, as was allegedly the case for you, can serve to avert enormous damage to unit cohesion and individual performance. For this reason, training and the provision of suitable resources will remain a priority for both the CF and the Navy. For obvious reasons, the focus will remain on resolving all forms of conflict at the lowest possible and least formal level.



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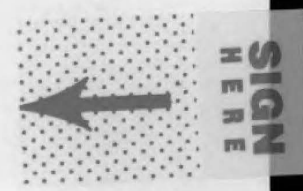
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4. To again address your personal circumstances, it is acknowledged that the ship's initial investigation was not conducted in strict accordance with the Department's recommended guidelines. It is regrettable that you chose not to pursue a complaint at the time of the alleged incident, waiting instead a full year before raising the issue at MARLANT. It remains the Commanding Officer's (CO) responsibility to assess the specific allegation and conduct an appropriate investigation. In this case, given the ship's operational commitments and the lengthy passage of time, the CO opted for an informal investigation. The resultant report, although incomplete, was able to establish that [redacted] denied the allegation and that there had been no witnesses to the alleged incident. I must also conclude, as stated earlier, that no amount of additional investigation will further clarify the events in question. While not minimizing in any way the impact this alleged incident may have had on you personally, it is important to remember that only relatively minor administrative and/or disciplinary actions would have been considered against [redacted] should the specific allegation been proven or admitted.

5. In response to your continuing concerns regarding [redacted]'s sexuality, and your offer to solicit similar views from others, I believe this would do nothing to resolve the issue or promote improved relationships onboard. Individual sexuality is no longer a cause for career action within the CF and this is specifically addressed in the SHARP training program. Similarly, there is no recognized requirement to further segregate the sleeping arrangement onboard ship. In fact, a decision to do so could be viewed as harassment or an invasion of privacy in itself, drawing unwelcome attention to individual sexuality.

6. Finally, I regret that this alleged incident has had such a negative impact on your personal and professional life. I am confident you have had access to the very best administrative and medical counsel, and sincerely hope that you have availed yourself of both. Although small consolation, your allegation and circumstances illustrate the need to continue without faltering in our efforts to promote tolerance, respect for individuals, and a positive workplace environment throughout the Navy.



G.V. Davidson
Commodore
Director General Naval Personnel
for the Chief of the Maritime Staff

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