

SUBMISSION

To The House of Commons –

Standing Committee on National Defence

Bill C-41

An Act to amend the National Defence Act and to make consequential amendments to other Acts

Monday, February 28, 2011

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(Biography attached)

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PART A - GENERAL

Bill C-41 is a smorgasbord of amendments that attempts to put into effect some of the recommendations made by the (late) Right Honourable Antonio Lamer P.C., C.C., C.D. from his independent review of the *National Defence Act* in 2003¹ and, at the same time address several of the recommendations made by the Senate Committee on Constitutional and Legal Affairs in the May 5, 2009 in a Report entitled “*Equal Justice, Reforming Canada’s system of court martials.*”

While some of the proposed amendments are beneficial, in many ways the Bill has skimmed several areas of very high importance. Remarkably, though this is undoubtedly true, in his February 7, 2011 appearance before the House of Commons Standing Committee on this topic, the Honourable Peter MacKay disputes this stating that with Bill C-41 he has “moved on 94% of the recommendations” of the Lamer Report.

Bill C-41 had the opportunity to reform a system in desperate need of repair. In its current state, Bill C-41 may represent a step forward, but it is more of a shuffle forward than a great bound. Bill C-41 has missed opportunity to address three major structural shortcomings:

- a. Reform to the Summary Trial System;

¹ *The First Independent Review by the Right Honourable Antonio Lamer P.C. C.C., C.D. of the provisions and operation of Bill C-25, An Act to amend the National Defence Act and to make consequential amendments to other Acts, as required by section 96 of Statutes of Canada 1998, c. 35, 3 September 2003*

- b. Reform of the CF Grievance System; and
- c. Strengthening of the Military Police Complaints Commission.

PART B - FIRST THE GOOD NEWS

Bill C-41 proposes several changes that contemporize the *National Defence Act* (the Act) and which will transform some of the punitive provisions and limitation periods within the Act to make them more consistent with their non-military statutory counterparts. For example, s.72.1 of Bill C-41 will incorporate civil defences to justify an act or omission under the *Code of Service discipline*. This is a worthwhile improvement because it preserves the rights of an accused to mount a defence, and will prevent some offences that attract absolute liability such as leaving one's post for medical reasons, or being late for an appointment because of car troubles.

There are several other positive changes proposed in the Bill. Notably:

- The fundamental purpose of sentencing is defined in s.203(1)(a)(b) of the Bill, which will only increase the perception of fairness to an accused, and introduces consistency in sentencing that is a tenet of our legal system.
- Increasing the limitation period to commence an action under the *National Defence Act* from six (6) months to two years under s.269(1) of the Bill strikes a balance that is sensitive to victims' rights, and is also more consistent with other statutory limitation periods in civil jurisdictions.
- Section 203.8(1) will enable a tribunal to grant an absolute discharge if it is in the 'best interests' of the military and not 'contrary to the public interest.' This provision recognizes that Military discipline is unique because punishments must not only be fair, but also must strengthen military values of discipline, respect of command and protection of the collective good.
- Section 148(1)(a) and (b) will allow a tribunal to impose intermittent sentences for sentences of fourteen (14) days or less. This provision reflects the unique demands of military life. It is important that a tribunal is able to structure a sentence while having regard to the contemporary 'moment in time' needs of the Canadian Forces.
- Section 203.6(1), (2) and (3) enable a court martial to consider a victim impact statement when determining a sentence. Permitting a victim impact statement will help the court martial determine the gravity of an offence based on the resonating effect the accused's conduct had on the victim and on the broader community.

PART C - MAJOR GAPS AND OMISSIONS

Though the Bill proposes many amendments that will be of value to military discipline in general, there are some major gaps in the Bill that do not address some of the more pressing concerns that face our current system. Also, some proposed changes just miss the mark. Consider the following:

SUMMARY TRIALS

a. Summary Trials

It is a concern to me that, despite the time taken to carefully examine the needs of the Canadian Forces, Bill C-41 is silent and evasive on the issue of Summary Trials, the most common form of trial in Canada's military justice system. This concern has been echoed by the Senate Committee on Constitution and Legal Affairs in its October 2009 report and most recently during the discussion of the Standing Committee on Bill C-41 on February 7, 2011.

As noted, summary trials continue to be the dominant disciplinary method used to try offences by the Canadian Military. In 2008 – 2009, a total of 1865 cases (96%) were determined by summary trial, while only 67 were heard by Court Martial (4%). Assuming that each summary trial has a different respondent, this means that of a force of approximately 65,000 strong, in 2008 – 2009 approximately 1 in 34 CF members were subject of disciplinary action, and 96% of these cases were heard at the Summary Trial level. For a disciplinary method of such significant, it is shocking that Bill C-41 is silent on Summary Trials.

As recognized at page 19 and 20 of the Senate Report, there are important differences between court martial proceedings and summary trial. For example, at Summary Trials:

- a. there is no requirement for the presiding officer to be legally trained
- b. the accused may not be represented by counsel, although they are entitled to a CF assisting officer;
- c. the level of disclosure provided to the accused is less complete than the level provided for the purposes of court martial;
- d. there is no ability for the accused person to make Charter arguments; and
- e. there is no appeal from a verdict or sentence;

There are more:

- f. the Presiding Officer is normally the Commanding Officer who knows the accused and the witnesses and probably is well aware of all of the circumstance of the offence before the trial opens;
- g. there are no transcripts;
- h. there are no rules of evidence;
- i. there is no possibility of grievance; and

- j. an accused can be sentenced to 30 days detention, fines, reprimand, demotion etc.

I am not opposed to summary trials *per se*, but continue to be concerned by their structure, process that deviates considerably from the civilian statutory equivalents,² and perhaps even their constitutionality.

GRIEVANCES

The current Canadian Forces grievance structure is broken, unable to provide redress within the existing statutory delays. Not surprisingly, there is a growing backlog of grievances awaiting adjudication at the initial or final level.

Last year alone, there were approximately 700 new grievances registered by the Director General Canadian Forces Grievance Authority (DGCFGA). This means that from just last year, approximately one in (95) ninety-five Canadian Forces members has submitted a grievance.³

In his report, released and tabled in Parliament in November 2003, the former Chief Justice Lamer discussed the purpose of the Canadian Forces grievance process:

Soldiers are not second class citizens. They are entitled to be treated with respect, and in the case of the grievance process, in a procedurally fair manner. This is a fundamental principle that must not be lost in a bureaucratic process, even a military one. Grievances involve matters such as benefits, personnel evaluation reports, postings, release from the Canadian Forces, medical issues and harassment – all matters affecting the rights, privileges and other interests of CF members. From the grievor's point of view, pursuing a grievance takes time, often costs money, and in many cases is very stressful. Further, unlike in other organizations, **grievors do not have unions or employee associations through which to pursue their grievances**, nor do grievors generally have recourse to the Federal Court or to the Ombudsman while a redress of grievance is within the grievance process. **It is essential to the morale of CF members that their grievances be addressed in a fair, transparent, and prompt manner.**

Although a new grievance process was introduced by Bill C-25, the redress of grievances is not part of Canada's military justice system. While grievances must be treated fairly and with administrative justice, **grievances should be seen as a human resource issue as they involve matters that affect the morale, well-being and quality of life of Canadian Forces members.** Unlike military justice, which is by its very nature adversarial, the grievance process should be approached by the grievor, the Canadian Forces, **including the CDS** and the Canadian Forces Grievance Authority, as well as the Grievance Board **in a cooperative manner. Effectively responding to grievances is critical to maintaining a high morale among Canadian Forces members.**

This current grievance process was never intended to be as complicated and bureaucratic as it is presently. It was intended to be an informal procedure through which matters that affect a CF member can be dealt with quickly. While the manner in which the Canadian Forces organizes its grievance process is not for me to determine, I am concerned that the process be organized so as to deal with grievances in an informal and expedient manner. **[My emphasis]**

² In light of the ruling in *R. v. Trépanier*, a ruling founded on the principle of making the military justice system mirror the civilian justice system as much as possible, our Committee feels that improvements should be made to the summary trial system under the NDA. Page 21.

³ The DGCFGA, an officer in the rank of Colonel, has been delegated by the CDS to decide several of the Final Authority level grievances. In 2010, 60% of the grievances at the Final Authority level were decided by this delegated officer.

b. Military Grievances External Review Committee

Section 29.16(1)(10) of C-41 purports to rename the Canadian Forces Grievance Board to the Military Grievances External Review Committee. This is (a) unnecessary and (b) misleading, for largely the same reason.

At present, the Canadian Forces Grievance Board does not provide a means of external review. Currently, the Board is staffed entirely of retired CF officers – some of whom having retired relatively recently after a long and successful career in the profession of arms. This is far from an external committee, because all of its members have a military background. If the CF Grievance Board is to be and be perceived as an external and independent ‘oversight’ civilian body – as it was designed to be in the first instance – then the appointment process needs to be amended to reflect that reality. To that end, the *National Defence Act* should provide for the nomination of some or all board members from ‘civil society.’

By way of analogy, the *US Unified Military Code of Service Discipline* specifically stipulates, for instance, that judges appointed to the Court of Appeals for the Armed Forces be drawn from ‘civilian life’.⁴ A similar stipulation should be inserted in the *National Defence Act* to keep such an essential and very sparse independent civilian oversight bodies, civilian.⁵

c. The Delegation of Power by the Chief of Defence Staff to settle a grievance

The power to decide grievances at the Final Authority level is specifically designated to the Chief of the Defence Staff (CDS) under *the National Defence Act* s.29.11.

Bill C-41 proposes to allow the CDS to delegate his power as the Final Authority in the grievance process. We see this delegation as a repudiation of the CDS’ overarching responsibility ‘to look after his people’, people who, he alone in the affairs of the state, has the legal power to order into harms’ way.

There is nothing more immediate and pressing importance for a military leader than to become cognizant with and to redress the grievances of his subordinates. Soldiers who have an unlimited duty to the state and an inescapable duty of obedience, discipline and loyalty to their officers, need to know that, in the final analysis they may present their grievances about oppressions and injustices to their supreme commander and received from him full assurances of redress. Even when rumblings and then roars of dissent rise from the ranks, a commander who is seen and perceived as being attentive and personally sensitive to the grievances of the rank and file will gain and maintain their trust .

⁴ The *US Uniform Code of Military Justice* provides that judges be drawn from ‘civilian society.’ (Art. 142)

Each judge of the Court shall be appointed **from civilian life . . .**

(4) For purposes of appointment of judges to the court, **a person retired from the armed forces after 20 years or more years of active service shall not be considered to be in civilian life.**

[My emphasis]

⁵ Ditto for the Military Police Complaints Commission which, until recently, was chaired by a retired military officer. The incumbent to the DND/CF Ombudsman position is also a retired general officer.

As demonstrated in *Zimmerman v Attorney General (Canada)* 2011 FCA 43, the role of the CDS as the Final Authority may now be limited because any decision to deviate from the Grievance Board recommendation must now be justified with consideration given to the Grievance Board recommendation. However, notwithstanding, the *Zimmerman* decision, the fact remains that the CDS, as the supreme commander of the armed forces, cannot and must not lose touch with the vagaries and exigencies of service life by delegating his role as the Final Authority to a more junior officer.

d. CDS requires financial authority to settle grievances

The CDS presently lacks the authority to resolve any and all financial aspects arising from a grievance. This is in opposition to another recommendation made by the late Mr. Justice Lamer in his 2003 Report:

A further measure that would reduce the red tape in reviewing grievances and speed up the grievance process would be to ensure that the CDS . . . has the necessary internal management authority to make decisions regarding financial compensation and claims, including claims against the Crown and ex gratia payments. Currently, the CDS has not been given the necessary authority to settle financial aspects of grievances.

Recommendation

(81) I recommend that the Chief of Defence Staff be given the necessary financial authority to settle financial claims in grievances and that the Chief of Defence Staff be entitled to delegate this authority.

The then Minister of National Defence, John McCallum, responded to the Chief Justice's report, stating that he supported this recommendation and that action was underway to have it implemented. Specifically, the Minister stated:

Of the eighteen recommendations in former Chief Justice Lamer's Report that deal with the Canadian Forces Grievance Process, sixteen are supported and action is underway to implement them. The remaining two recommendations in this area - those dealing with funded judicial review to the Federal Court and subpoena power for the Canadian Forces Grievance Board - require further study and consultation.

Despite the fact that the Minister of National Defence of the time agreed that the Chief of the Defence Staff should have the authority to settle financial claims in grievances, the Department of National Defence has not actually taken any concrete steps over the past eight years to implement former Chief Justice Lamer's recommendation.

Is it fair to the men and women of the Canadian Forces that the Chief of the Defence Staff must defer this portion of their grievance to the Director Claims and Civil Litigation, a Justice Canada lawyer at DND? The short answer is no.

We believe it is unreasonable and unfair that Director Claims and Civil Litigation, whose role is to provide **advice**, has more decision-making power than the Chief of the Defence Staff on matters concerning the well-being of Canadian Forces members.⁶ In addition, according to

⁶ Even if the Chief of the Defence Staff feels that financial compensation is warranted, the Director Claims and Civil Litigation may – and quite often does – determine otherwise. According to statistics for the period between 2000 and 2007, the Director Claims and Civil Litigation has made decisions on monetary compensation matters in 52 grievances that were referred to it by the Chief of the Defence Staff. And he has granted compensation in only 15 of these 52 cases.

the DND/CF Ombudsman, the fact that these matters are referred to the Director Claims and Civil Litigation is confusing and discouraging to Canadian Forces members.

MILITARY JUDGES

e. Do we need more military judges?

Currently, the Canadian Forces relies upon four (4) military judges (and 12 prosecutors and 4 defence counsel) to handle approximately 65 court martial trials a years where the most prevalent offences being reviewed by court are conduct prejudicial to the good order and discipline and absence without leave. Under any standard (consider the workload of a Provincial Court Justice⁷) this should be more than enough judges to satisfy the needs of the Forces.

Bill C-41 proposes to create a Reserve Panel of judges that can be called upon when they are needed. This represents a step in the wrong direction.

Instead of creating a 'pool of qualified judges' from whom to choose should a matter arise, why is Parliament not following the lead of other Common Law countries and establishing a Permanent Military Court, as recommended by the Lamer Report? Currently, a Permanent Military Court is in place and functioning efficiently in UK and was the subject of a Bill that was tabled late 2010 to create a Federal Military Court in Australia.

Also, as drafted, s. 165.22 is written such a way so as to confine the selection of 'a Reserve Force Judge' from a blissfully small coterie of (retired) Regular Force Military Judges.

f. Grievances of Military Judges

The Canadian Judicial Council and the Ethical Principles for Judges advises that judges should organize their personal, professional and business affairs to minimize the potential conflict with their judicial duties. A potential for conflict of interest arises when the personal or professional interest of a military judge conflicts with the judge's duty to adjudicate impartially.

At the initial authority level, a grievance filed by a Military Judge will be heard by the Chief Military Judge or a Director General at National Defence Headquarters. If requested this would next be reviewed at the Final Authority level by the Canadian Forces Grievance Board and/or the Canadian Forces Director General Grievance Authority and then decided upon by the CDS. This poses a great problem, because the CDS is a member of the Executive. Having the CDS decide a grievance filed by a Military Judge would seriously imperil – or be perceived as to imperil – the 'judicial independence' of the military judiciary.

Having the CDS hear a grievance from a military judge effectively subordinates the rights of these judges to the Executive, and that is contrary to the notions of judicial independence. Basic constitutional theory recognizes that the arm of the Judiciary should be separate and distinct from the Executive. Having the CDS hear a grievance from a military judge is against constitutional division of powers doctrine. It is uncertain whether a decision of the CDS with respect to a grievance from a Military Judge can be seen as truly independent of the Office of the Chief Military Judge.

⁷ In the five years between 1999 and 2003, military judges sat an average of 5.45 ays pers month. Provincial Court Judges sat an average of approximately 14.33 days per month. See *Majority Report on the Compensation of Military Judges 2004* by the Hon. Peter Cory and Dr. Ian Clarke dated April 30, 2004.

g. The remuneration of military judges

S. 165.34(1)(c) speaks of the need to '*attract outstanding candidates to the judiciary.*' This is confusing on two fronts. Firstly, it is perplexing if no illusory that there is a need to attract 'outstanding candidates' for a judiciary that is already in existence, with no indication on what criteria are used to determine if a candidate is outstanding or not. Secondly, the current framework under the *National Defence Act* creates a situation where Military judges are selected from a rather small pool of colonels and lieutenant-colonels. This provision will only add to confusion in the selection of Military judges.

Under s.165.38, should the subject of compensation for Military Judges be subject of an inquiry, the costs of their representation will be paid for by the Crown. This raises serious issues of fairness, and independence; why should the taxpayer be paying for judges to be represented so as to gain a financial benefit? I believe that it would be more fitting that a Judge, like any other citizen, should pay for his own representation –or through the payment of dues to an union or professional association. This will also further strengthen the appearance of independence.

h. Tenure of Military Judges

Currently, Military judges serve tenure of five years. This needs to be changed, and Bill C-41 proposes a change that judges will serve until '*retirement*'. On paper, this seems to mimic the civilian law tradition, but with one proviso - Civilian law defines the mandatory retirement age of judges to be 75.

In the Canadian Forces, however, retirement is dependent on the rank. The current Chief Justice is set to retire at 58, while the other Judges will be forced to retire at age 55. It is possible to have an extension to the mandatory retirement period, but this must be granted by the Executive; one of the military judge has, allegedly applied and been granted, such an extension by the CDS. This creates a system where the Judiciary is beholden to the Executive government to have their service extended, and is contrary to all notions of judicial independence.

Bill C-41 represents a step in the right direction, but does not contemplate this conundrum which could be resolved by setting a mandatory retirement age for Military judges, independent of rank ie. 60. In doing so, uniformity would be established, and would remove the administrative influence of the Executive over the granting of judicial extensions.

MILITARY POLICE COMPLAINTS COMMISSION

i. Military Police Complaints Commission

In April 2010, there were a total of 1529 military police officers; one Military Police officer for every 44 military personnel.

Over the past three years, there have been a total of two (2) interference complaints made to the Military Police Complaints Commission. One has to ask, why?

Section 250 (3) is being inserted stipulating that a person may not be penalized for exercising the right to make an 'inference' complaint. I believe that within the military police community, there is a fear of reprisal, and a fear that bringing forward an interference complaint will have a negative impact on that officer's career. A solution was discussed or proposed during the Somalia Inquiry, that under such circumstances, a review of a

complainant's career should take place five years following the filing of a complaint. This will help to ensure that the member who made the complaint is not subject to subtle or differential treatment concerning promotion and career advancement due to their complaint.

Moreover, the *Public Servants Disclosure Protection Act*, 2005, c 46 has considered this conundrum, and has made for the following provision to assist and protect the person who wishes to make a complaint. It should also serve as a guide in providing better protection, including legal representation to those military police wishing to file a complaint of interference.

- 25.1** (1) The Commissioner may provide access to legal advice to
- (a) any public servant who is considering making a disclosure of wrongdoing under this Act;
 - (b) any person who is not a public servant who is considering providing information to the Commissioner in relation to any act or omission that may constitute a wrongdoing under this Act;
 - (c) any public servant who has made a disclosure under this Act;
 - (d) any person who is or has been involved in any investigation conducted by a senior officer or by or on behalf of the Commissioner under this Act;
 - (e) any public servant who is considering making a complaint under this Act regarding an alleged reprisal taken against him or her; or
 - (f) any person who is or has been involved in a proceeding under this Act regarding an alleged reprisal.

MISCELLANEOUS

j. Rank of judicial officers

S. 18(3) recommends that the Canadian Forces Provost Marshall hold a rank not lower than Colonel. The *National Defence Act* already provides for the Chief Military Judge and the Director of Military Prosecution to also be an officer serving in the rank of Colonel (or Captain (N)). Strangely, the Director Defence Services Counsel has been ignored in all this; he, for the appearance of fairness and proportionality, should also be an officer serving in the rank of Colonel.

On another note, s.18(3) may be unnecessarily restrictive because it removes outstanding candidates of rank lower than colonel from acting as Provost Marshall.

k. Double dipping

In a scathing article, published at page A2 of the February 11, 2011 edition of the *Globe and Mail*, Christie Blanchford decries the misuse of Class B provisions to provide full-employment to retired senior CF officers:

Fifteen months ago, an Access to Information request revealed that no fewer than 20 senior officers, ranked lieutenant-colonel or higher, were drawing both a regular-force pension and a full-time reservist's salary. Most infamous among these were Brigadier-General Christian Barabé who retired from the Regular Force in June 2009 and the very same month became a reservist. As DND confirms, he is still serving as the chief of staff to the Vice Chief of the Defence Staff.⁸

In the meanwhile, for budgetary reasons, a number of 'real' reservists, particularly at the lower ranks (corporals, sergeants and captains) are seeing their contract for class on Class B service with the Regular Force being cut short prematurely. Perhaps the time has come to amend s. 15(4) – Reserve Force – which prevents Regular Force personnel in receipt of an

⁸ Voir "Des officiers de l'armée reçoivent un salaire et une pension" La Presse Canadienne » publié le 16 novembre 2009. <http://www.cyberpresse.ca/actualites/quebec-canada/national/200911/16/01-922239-des-officiers-de-larmee-recoivent-un-salaire-et-une-pension.php> qui rapporte que l'officier reçoit un salaire de 120,000\$ en sus d'un pension de 110,000\$

annuity to transfer to the Primary Reserve Force or, as a minimum, except in an emergency to serve on a Class B or Class C appointment immediately following retirement.

1. Board of Inquiries into the unexpected, non-combat related death or serious injury of a service member should open to the public

S. 45 provides authority to the Minister and such other authorities to convene a Board of Inquiry (BOI) for the purpose of investigation and reporting on a number of matters. In accordance with art 21.12 of the *Queen's Regulations and Orders*, unless the convening authority directs otherwise, meetings of the BOI are not open to the public or the media because they are considered as 'internal inquiries'. Commonly, Board of Inquiries are convened to investigate the death (including suicides) or serious injuries of CF members.

Section 45 should be modified to stipulate that inquiries into the 'unexpected, non-combat related death or serious injury of a service member' should be conducted under the *Inquiries Act*, R.S.C. 1985, c. I-11, and be open to the public and the media. The accidental or suicidal death of a Canadian, whether or not a member of the Canadian Forces, is a matter of concern and interest to civil society and should be subject to civilian, not military, forensic medicolegal standards

Also, currently all members of the BOI formed to investigate the non-combat related death or serious injury to a service member are Military. I suggest that the President and a majority of the Board should be drawn from civilian society and the report of findings and recommendations by the BOI should be part of the public record.

Colonel (ret.) Me Michel W. Drapeau, OMM, CD, LL.L, LL.B, Counsel

Colonel Drapeau operates his own law practice in Ottawa. His practice is centered on public (administrative) law, namely military and security law as well as access to information and privacy law.

Col Drapeau lectures at the Faculty of Law of the University of Ottawa on Canadian Military Law.

FORMAL EDUCATION

- Third year standing Bachelor of Commerce. Sir George Williams University 1971
- LL.L. *Cum laude* [Droit civil] Université d'Ottawa 1999
- LL.B. *Cum laude* [Common Law] University of Ottawa 2000
- Articles of Clerkship at the Federal Court of Appeal. 2001

Colonel Drapeau is a graduate of the following institutions:

- CF Command and Staff College (Toronto); 1975
- U.S. Armed Forces Staff College, 1976
- U.S. Army Military Comptrollership School (Indianapolis); and, 1977
- the National Defence College (Kingston Ontario). 1988

WRITINGS IN CANADIAN MILITARY LAW

- Co-author with Mr. Justice Gilles Létourneau of the *Canadian Military Law Annotated*, 2006, Thompson Carswell. This book presents for the first time in Canada a comprehensive overview of the law governing the Canadian Military.
- Author of a comprehensive article titled "*Sentencing under the National Defence Act: Perspectives and Musings of a former soldier*", published in the *Canadian Bar Review* in August 2003.
- Author of an article on the Law of Armed Conflicts: "*What Happens when Canadian Soldiers Commit Crimes Abroad*", prepared as part of a research project in International Criminal Law sponsored within the conference *The Highway to the International Criminal Court: All Roads lead to Rome* hosted in 2003 by the Faculty of Law, *Université de Montréal* and the Canadian Institute of the Administration of Justice.

OTHER PROFESSIONAL EXPERIENCES

Prior to joining the legal profession, Col. Drapeau served 34 years in the Canadian military, retiring in 1993 as Director, National Defence Headquarters Secretariat as well as Secretary, Armed Forces Council. Upon retirement from the Canadian Forces, Col. Drapeau accepted a two-year appointment at the executive level within the Federal Public Service and served as Director General Corporate Management Services, National Defence Headquarters.

PROFESSIONAL MEMBERSHIPS

- Member, International Society for Military Law and the Law of War.
- Board of Governors, Royal Military College, Saint-Jean.
- Canadian Bar Association – Ontario Bar Association

DECORATIONS

In recognition for "outstanding military service", in 1990 Col. Drapeau was named to the *Order of Military Merit* in 1990. He also holds also the *Canadian Forces Decoration, First and Second Clasp*. In 1993, Col. Drapeau was awarded the *Commemorative Medal for the 125th Anniversary of the Confederation of Canada* in recognition of his "significant contribution to Canada". In 2003, he was awarded the *Commemorative Medal for the Golden Jubilee of Her Majesty the Queen Elizabeth II*.