



THE CANADIAN BAR ASSOCIATION  
L'ASSOCIATION DU BARREAU CANADIEN

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August 22, 2003

The Honourable John McCallum, P.C., M.P.  
Minister of National Defence  
House of Commons  
Room 413, Confederation Building  
Ottawa, ON K1A 0A6

Dear Minister,

I am pleased to provide you with a copy of the Canadian Bar Association's recent submission on the operation of Canadian military law. It was prepared by our National Military Law Section for the independent review of Bill C-25. While I am confident that you already know the Section's views, I am prompted by recent media attention attaching to the submission to stress to you the following points.

The CBA welcomed the independent review of the *National Defence Act* and the opportunity to comment on its provisions and operations. We were appalled with the thoroughly misleading headline in the *Ottawa Citizen*, "Military law review slammed as 'whitewash'" and immediately said so in a letter to the editor that I attach for your information.

We were disturbed that readers would infer from the sensationalist headline any discredit to Canada's military justice system. As our brief makes clear, that system has been greatly improved by the changes in Bill C-25 and by the efforts of all actors, military and civilian, to ensure its independence and credibility. Canadian values of fairness and the principles of fundamental justice embodied in the *Charter* were clearly at the heart of those reforms. We are proud that the Canadian military justice system stands as a model to other nations.

The CBA's submission offers analysis and constructive suggestions, with a view to strengthening the independence of the system and further entrenching its *Charter* compliance. We would be pleased to meet with you and your officials to discuss our brief and trust that our recommendations will be received as suggestions for the further refinement of what is already a most credible military justice system.

Yours very truly,

F. William Johnson, Q.C.

c.c.: Margaret Bloodworth, Deputy Minister of National Defence  
MGen Jerry Pitzul, Q.C., Judge Advocate General  
David McNairn, Chair, Military Law Section

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