

In defence of our brave and honourable Vice-Admiral Mark Norman

The verdict must await his trial, but rarely has the presumption of innocence lodged so plausibly with a defendant

by Conrad Black



The strange case of Vice-Admiral Mark Norman raises a number of serious questions about defence and justice policy in Canada, and unless a heavy burden of proof can be unloaded on this highly respected officer, some lofty official heads among his accusers will deservedly roll.

Mark Norman is a career navy man, who became the commander of the Royal Canadian Navy in 2013 after 33 years in the fleet, and was promoted to Vice-Chief of the Defence Staff of Canada in 2016. In January 2017, the RCMP obtained and executed a warrant to search his home, a fact that became public due to unidentified sources. Norman was suspended from duties with

full pay. In March of this year he was finally charged with breach of public trust.

This regrettable saga unfolded against the backdrop of the Chrétien and Harper governments' decades of negligently allowing the Canadian Armed Forces, and especially the navy, to dwindle to Third-World force levels and condition of equipment, though Canadian military personnel remain of very high quality. From time to time there were uplifting statements of a new era in military procurement, and purposeful assertions of resolve to pull our weight in NATO, build up our heavily mythologized peacekeeping activity, and do honour to the country's fine military tradition. Canada was a full combatant in the First and Second World Wars, and under the aegis of the United Nations, in the Korean War and the First Gulf War, and in Afghanistan. We sent some volunteers to the South African War, but took no official role. United Nations peacekeeping forces from Canada have been engaged in many places starting with Suez in 1956, and including Cyprus, various points in Africa, and the former Yugoslavia.

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Canada has always performed with distinction in all its combat roles, and was never involved in military activity that was fundamentally unjust or contravened international law, or undertaken for discreditable motives. And Canada has never been on the losing side of a conflict, although many peacekeeping efforts had ambiguous or suboptimal outcomes. Peacekeeping was steadily emphasized by the Chrétien government as part of its policy of being, like Pierre Trudeau, somewhat anti-American and less enthused about the Western alliance than about masquerading as intercontinental help-mates to universal peace, where military units were lightly equipped and comparatively inexpensive. The whole

posture was a method of whittling down our defence capability and devoting every possible resource to domestic transfer payments. In the Pierre Trudeau era, and to some extent those of Chrétien and Mulroney (though he made a valiant effort to maintain the viability of our defence capacity), such payments were a river of money into Quebec to buy votes for federalism.

As a grand strategy, it succeeded, as the separation of Quebec was the greatest threat to the country. And apart from the brief dreamworld of Jimmy Carter, abruptly terminated by the Soviet invasion of Afghanistan, Richard Nixon and Ronald Reagan deftly conducted the Western alliance to complete and almost bloodless victory in the Cold War, while the contemporary Canadian leaders, not without difficulty, defeated the Quebec separatists. Chrétien and Harper were fiscally responsible, and Harper became an assertive foreign policy leader, excoriating the Russians and aligning Canada very clearly with Israel. But neither of them ever saw the quality of technical defence procurement as stimulative fiscal spending, nor the value of increased military personnel for opening up opportunities for the unemployed, or for adult education. Much less did Harper grasp that for his tough-talking foreign policy to enjoy any credibility, it had to be backed with a level of military strength that gave Canada a little leverage among our allies, in practice, with the United States, and to a degree, the U.K. and France. Harper and his government seemed to be grasping the possibilities when they announced the National Shipbuilding Procurement Strategy in 2010. This was not only a plan to rebuild the navy, which had withered to essentially a coastal force, but also to endow the country with a vibrant shipbuilding industry, as it had had intermittently since Jean Talon in New France, with knock-on benefits through a broad range of industrial sectors.

As all this unfolded, Mark Norman came all the way up through the navy, from diesel mechanic through frigate captain to Atlantic Fleet commander to the very highest ranks in and

above the fleet.

The Harper government selected a shipbuilder on each coast to implement its program, Irving in the east and Seaspan on the west coast, and gave out contracts to rebuild the navy. (Canada had had the third largest navy in the world at the end of the Second World War, though that was because war losses had disposed of most of the Japanese, French, Italian, German and Russian fleets.) The program began with supply and maintenance vessels, which all fleets need to have any seagoing capabilities. Canada's maintenance vessels, Preserver and Protecteur, were withdrawn in 2014 and 2015 (Protecteur being towed 400 miles across the Pacific Ocean to Pearl Harbor in 2014 after a fire aboard).



The Royal Canadian Navy's new supply ship, MV Asterix, is seen in Halifax harbour on Jan. 19, 2018. Andrew Vaughan/CP
It was expected to take until 2020 or 2021 to replace these ships with Canadian-built vessels, and foreign vessels would be leased in the interim. But in 2015, the Harper government, with the involvement of Vice-Admiral Norman, had agreed to the conversion of a civilian tanker to this purpose at lower cost and in a shorter time, by Davie Shipbuilding of Levis, Que. The first adapted ship, Asterix, completed sea trials early this year and the two permanent vessels are not now expected for four to five years. Irving and Seaspan were distinctly irritated by the swooping-in of Davie, information leaks occurred (by Norman, the RCMP allege), the incoming Trudeau government briefly paused the program, and Norman was charged with breach of the public trust 13 months after the RCMP searched his house.

The federal government has a program to assist employees with the cost of legal problems, though the assistance is repayable if the individual is found guilty of an offence. This assistance was withheld from Vice-Admiral Norman because bureaucrats baldly asserted that he was guilty of "disclosing

confidential government information (about a) procurement initiative." That is to be determined and the vice-admiral deserves the presumption of innocence, which he vehemently maintains. He has retained the eminent barrister Marie Henein, and members of the public have donated around \$100,000 to a fund for his defence.

A guilty finding, according to the jurisprudence, will require the Crown to prove Norman's intent to misuse a public office for corrupt or dishonest purposes as well as criminal neglect of duty. The vice-admiral has many admirers, in the armed forces and elsewhere, and enjoys widespread support, including in the media. The verdict must await the trial, but rarely has the presumption of innocence lodged so plausibly with a defendant. I know him slightly and it is not conceivable to me that he intended to abuse his office corruptly, and I will support his defence fund and respectfully urge readers to consider doing so also.

Mark Norman is a distinguished and courageous officer and the attempt to starve him out of the means of a full defence is scandalous. I am confident that justice will be done, and if Norman is upheld, the consequences for the authors of such a persecution should be heavy and exemplary. They had no case against Mike Duffy and I doubt if they have a shadow of a case against Norman. The incompetence of some prosecutors coupled to the envy of some high defence officials and federal bureaucrats can be a lethal combination, but to the accusers.

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