

Sent: Sunday, May 09, 2010 12:20 PM

Subject: FW: **David Pugliese's Defence Watch** - New Veterans Charter, Pat Stogran

By Dave Pugliese Sat, Apr 24 2010 David Pugliese's Defence Watch (Ottawa Citizen)

Filed under: New Veterans Charter, Pat Stogran

<http://communities.canada.com/ottawacitizen/blogs/defencewatch/default.aspx>

By David Pugliese

Defence Watch

CHANGE NEW VETERANS CHARTER NOW SAYS OMBUDSMAN PAT STOGRAN

Veterans Ombudsman retired Col. Pat Stogran is calling for immediate changes to the Veterans Charter.

Since January, Stogran has travelled across the country listening to what veterans have to say about the New Veterans Charter. He has also launched an online public consultation with Veterans.

According to his office, the New Veterans Charter lump-sum disability award came under sharp criticism at the town halls he attended because it is viewed as a step back from the commonly recognized obligation of the people and Government of Canada to Veterans.

Another concern raised by veterans and their families at the town halls was their perception of a change in commitment by Veterans Affairs Canada to veterans' long term well-being. An example raised is VAC's decision to stop maintaining contract long term care beds for elderly veterans. Currently only Second World War and Korean War Veterans have access to Veterans Affairs Canada's contract beds. For the 592,000 Canadian Forces Veterans who are not eligible for these beds, is the country less committed to their needs?, veterans ask.

Here is Stogran's speech before the Commons committee on Veterans Affairs on Thursday:

Ladies and Gentlemen,

Thank you for affording me the opportunity to appear before you once again. As we understand it, you have asked me back to comment on the New Veterans Charter. You are probably aware that, since January, I have travelled coast to coast with my team and listened to what Veterans have had to say about the benefits and services they are receiving or not receiving. In addition, I have also launched on-line public

consultation through our website. These meetings and consultations have been highly instructive. They have helped me understand, much more clearly, the concerns of Veterans with respect to the New Veterans Charter.

As you all know, the Charter was given Royal assent in May of 2005, five years ago, with the clear acknowledgement that it was not perfect. At the time, it was agreed that, as a living charter, it would be continuously reviewed and evaluated, presumably to ensure that “*the recognized obligation of the people and Government of Canada to those who have served their country so well and to their dependants may be fulfilled*”. I say “presumably” because while that obligation is clearly stated in the preamble to other pieces

of legislation regarding Veterans, nowhere in the Charter does it say as much. Other Acts also direct that they shall be “liberally construed and interpreted”.¹ Although it might be argued that the Interpretation Act accommodates this, however, it does not do so *to the end of ensuring that Veterans and their families receive the treatment they rightfully deserve*. Once again, saying nothing says a lot!

Was the omission of such a pre-amble an oversight, or is it yet another sign of an evolving change to our commitment to Veterans. My perception of a change in commitment is also apparent in other Departmental plans, policies and programs. The most noteworthy is the Department’s clear intention to stop maintaining Priority Access Beds or contract beds for elderly Veterans. Currently only World War Two and Korean War Veterans have access to Departmental contract beds. For the 592,000 Canadian Forces Veterans who are not eligible for these beds, is the country less committed to their needs?² When our World War II and Korean War Veterans finally pass on, what will happen to this program?

The lump-sum disability award has been the focus of fierce criticism from the Veterans Community. In Town Hall meetings in communities across Canada I have encountered this criticism first hand. As an incentive to making it more appealing for disabled Veterans to go back to work than remaining on disability, the program is viewed by many as a step back from the commonly recognized obligation of the people and Government of Canada. We should not be under the misapprehension that this issue is new. In 1928, the House Committee on Pensions and Returned Soldier Problems dealt with the same issue of having given soldiers lump sums under the Pension Act, where in retrospect a committee member stated: “We should never have passed that law” to which the Chairman replied “ I think we are all agreed on that now.”³ In my view it doesn’t make sense to hand disabled Veterans a fist full of money and expect that they have the means to go off and start a new life for themselves? 2/2

While the intent of the Charter to reintegrate Veterans is laudable, I would submit that the fundamental premise upon which it appears to be based is flawed. Service in the Canadian Forces or the RCMP is not just another job. Within the CF and the RCMP, changing jobs is not uncommon. During my career in the Army I probably had at least fifteen jobs. However, service in the Canadian Forces and the RCMP is a way of life. It is a culture unto itself. As my wife says, “Soldiering is not what he does, it’s who he

is.” For me and I daresay many, many Veterans, leaving the military was a huge culture shock that makes reintegration into the civilian workforce much, *much* more problematic than simply “finding another job”.

Indeed, if my wife’s views are not as compelling for you as they have become for me, I can offer the words of Dr Anne Irwin, Assistant Professor with the Department of Anthropology at the University of Calgary and CDFAI Chair in Civil-Military Relations who says: *“I have always thought that it is astonishing that the military spends so much institutional energy socializing recruits into a new culture (what some could call a “total institution”), spends inordinate amount of time and institutional energy reinforcing the different values and ways of behaving throughout a career, and then expects people to be able to leave the military and integrate into civilian society unproblematically with nothing more than a few briefings on changing careers.”*

While that might be considered by some to be an overly simplistic statement, its message must not be lost in the New Veterans Charter debate. When a psychological or physical disability is combined with culture shock, the transition from the CF or RCMP back into civilian life is much more difficult than what the New Veterans Charter would have us believe. I hasten to suggest that this may be beyond the comprehension of anyone who has not served in uniform.

A wound or an injury suffered in the line of duty preparing for combat operations cannot and should not be likened to an industrial accident. The treatment of Veterans and the families of service personnel who have been wounded, injured or killed in the line of duty is not an issue for insurance companies and workmen’s compensation. Yet, the design of the NVC even incorporates the prescriptive long-term disability based formulas of an insurance company?4 We talk about Canada’s commitment to meet Veterans needs and then the enabling legislation and supporting guidelines fail to foster the Department’s new needs-based philosophy.

In closing, I reassert my urging that the New Veterans Charter is revised quickly, comprehensively, transparently, and with full retroactivity to all Veterans who have been affected by it. We have come to a significant milestone in our history regarding the treatment of our Veterans, and the decisions we make now will affect Veterans, their families and indeed our Country for decades to come.

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