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## **Standing Committee on Veterans Affairs**

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**EVIDENCE**

**Tuesday, June 6, 2006**

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**Chair**

**Mr. Rob Anders**

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## Standing Committee on Veterans Affairs

Tuesday, June 6, 2006

• (1530)

[English]

**The Chair (Mr. Rob Anders (Calgary West, CPC)):** Let's get the show on the road. We have three studies under way: one with regard to the veterans bill of rights, another on the veterans ombudsman, and a third on the veterans independence program.

Today we have as our witnesses the Royal Canadian Legion, represented by Pierre Allard, director of the national service bureau, and Mary Ann Burdett, the dominion president. We open the floor to our witnesses to give us their presentation.

**Ms. Mary Ann Burdett (Dominion President, Royal Canadian Legion):** Thank you very much.

Honourable Chair and members, it is an honour for us to be here today to represent the Royal Canadian Legion and to offer our views on three matters related to veterans issues, namely the veterans bill of rights, the veterans ombudsman, and the veterans independence program. But before I deal with specifics I would like to address some fundamental principles.

Firstly, we would like to acknowledge the very important step taken by the current government to upgrade your committee to full standing committee status. Congratulations.

Our Canadian Forces members and veterans are special Canadians. They have risked their lives for the freedom that all Canadians enjoy on a daily basis. In recognizing their sacrifice Canadians should come to realize that no death is more important than another. As long as that death or that injury is linked to military service, and whether or not they served in World War II or in modern times, these heroic Canadians are all veterans who should receive the benefits they deserve.

Since the Korean War, more than 415 Canadian Forces personnel—sailors, soldiers, airmen and airwomen, regular force members, and reservists—have died for Canada. A very large number have suffered injuries. The Canadian Forces has only recently started keeping accurate track of deaths in operation and training. This is an essential requirement that will ensure that the 17 Canadian Forces members who recently died in Afghanistan and other Canadian military personnel will be suitably honoured in the seventh Book of Remembrance.

Since 1926, to help veterans and their families, the Legion has played a proactive advocacy role while also providing representational services to serving members, veterans, and dependants. We are proud of both of those roles and pursue them actively and constructively.

You've identified three priorities that are very important in the context of the new Veterans Charter, none more so than a veterans bill of rights. We posted a veterans bill of rights on our website in early March, 2006. That bill of rights states:

Canadian veterans, who have committed their lives and "service" for the freedoms Canadians enjoy today are special citizens. They deserve recognition, benefits and services to maintain an appropriate quality of life during all stages of their lives. Their special status should be recognized in all jurisdictions, federal, provincial and municipal.

Veterans have a right to be treated with courtesy, with respect and in a timely fashion in all their contacts with Veterans Affairs Canada at all levels of the Department. This respect, courtesy and timeliness of service must also be demonstrated to their families and dependants.

Veterans have a right to be fully informed of all programs and benefits to which they are eligible. In that respect, Veterans Affairs Canada has a responsibility to inform not only their current clients; it also has a responsibility to reach out in providing information to potential clients.

Veterans have a right to be provided with equal benefits in any part of the country in which they or their dependants reside. Geographical location should not determine the quality or level of service provided. Confidentiality of information must be preserved.

Veterans have a right to receive fair and equal treatment, irrespective of rank, position, or status. They should be treated with tact, comprehension and understanding. They should be involved in the decisions affecting their care and the formulation of programs and benefits.

Veterans have a right to receive referral and representational assistance in presenting their claims for benefits and services in the official language of their choice. This assistance should be broad based, and should not be restricted to governmental agencies.

• (1535)

Having posted our draft veterans bill of rights on the Legion website in early March, 2006, we then shared this document with Veterans Affairs Canada. We firmly believe that the Government of Canada should adopt a robust bill of rights for veterans to ensure that their special service to Canada is recognized and compensated.

This bill of rights, however, should not be formulated as a service delivery. Any promise of exemplary service should flow from the bill of rights, not the reverse. We commented to VAC that their first version of a veterans bill of rights was clearly framed in the context of service delivery goals. The latest version is vastly improved but we still feel that any promise of first-class services should flow from the bill of rights.

Only this morning we met with five other veterans organizations and officials from Veterans Affairs, and one of the things we did was work extensively on the wording of the bill of rights. It has been back and forth among us a number of times and yet again we have spent some hours assisting with the wording of it. I do believe we have pretty well reached a consensus with Veterans Affairs and with the other service organizations so that we, at least, will be satisfied to bring the document very quickly to a final draft.

I'm sorry, I'm forgetting a paragraph that I left out when I ad libbed.

We understand that in your discussions, some members of this committee were of the opinion that responsibilities of veterans should also be spelled out. I would like to assuage your fears in this regard. The responsibilities of Canadian Forces members are very clear. They are there to serve the interests of the nation at the risk of paying the ultimate sacrifice. All veterans assume that risk during their military service. In our view, there can be no more demanding responsibility.

There have been widespread discussions on the issue of an ombudsman. The Legion remains convinced that an ombudsman has no role to play in the current legislated disability award pension process where there is access to representation at no cost, through either the Bureau of Pensions Advocates or the Legion Service Bureau. These provide free services, whether or not the veteran or dependant is a member of the Legion, in seeking redress from the Veterans Review and Appeal Board.

Furthermore, if Veterans Affairs Canada feels the necessity to appoint an ombudsman, he or she should be fully independent of the Canadian Forces ombudsman. Unfortunately, when one asks for the appointment of an ombudsman, one may not fully understand exactly what is being asked for. There are various models of ombudsman. Some have a legislated mandate that defines very specifically the responsibilities. Others may be appointed under a regulatory process, again with specific responsibilities, while others may be appointed with a mandate to define the role in consultation with interested parties, including the government.

An ombudsman could also act as a last resort intervenor in the administrative decisions of Veterans Affairs Canada, in confirming eligibility for the non-economical programs of the new Veterans Charter in the context of a veterans bill of rights and could also deal with long-term care issues. If Veterans Affairs Canada does indeed see the need for an ombudsman, they should clarify what model they want to put in place. The bottom line for the Legion is that we need to better understand what would be the role and specific mandate of an ombudsman.

Again, I will ad lib for a moment. This subject was also included in our meeting that we held earlier today. We had a great deal of

discussion on it and I feel quite confident that with continued open discussions of this nature between Veterans Affairs Canada and your veterans service organizations we will be able to reach a mutually satisfactory conclusion on that particular subject.

• (1540)

Next is the VIP. Vast improvements have been made in recent years to increase eligibility for the VIP for both veterans and spouses. In the same context, the Legion has been advocating for a seniors' independence program modelled on the very successful VIP.

VAC could continue to tweak the VIP program. However, we believe that it needs to be reviewed, primarily because it is based on an overly complex eligibility matrix with various entry gates, which creates confusions for veterans and providers.

For example, veterans can qualify for a VIP on the basis of a disability pension, as income-qualified clients, as overseas clients awaiting access to a priority access bed, or as frail veterans. Portability of VIP benefits is not assured if a client moves to a condo. Allied veterans have now regained access to long-term care, mostly in community facilities, but they lost their eligibility to war veterans allowance, which was their gateway to VIP. In other words, access to VIP is too complex and too restrictive, yet at times the regulations for eligibility are not framed in the context of aging in place.

VAC needs to put in place integrated services that are based on health needs rather than type of military service. Aging veterans should be eligible for appropriate early intervention, more intensive home supports, and a wider range of residential choices based on needs, without voiding their access to VIP. Hopefully the ongoing continuing care research program conducted between Veterans Affairs Canada and the Government of Ontario will provide hard data on the costs and outcomes of care-in-home care, supportive housing, and residential care facilities.

The bottom line is that access to VIP should be based on need, while its overriding objective should be to delay the transition to residential care and to promote aging in place, which was indeed its original objective.

We have very much appreciated the opportunity to appear at this committee to share our views on these extremely important veterans' issues that you have identified as your priorities. Throughout our 80 years of service, the Legion has taken very seriously the importance of our advocacy role in protecting veterans' rights. The Legion wants to make sure that those rights are identified and understood by all Canadians, and more fundamentally, fully addressed by the government and Veterans Affairs Canada.

Protecting those rights is more than a goal. To us it is a sacred trust, and we commend the committee highly for seeking to improve those rights.

**The Chair:** Monsieur Allard, do you wish to add any commentary?

**Mr. Pierre Allard (Director, National Service Bureau, Royal Canadian Legion):** I have no comments at this time.

**The Chair:** Thank you very much for your presentation, and for your congratulations on our becoming a full standing committee, for our choice of topics, and for our help to veterans.

I now go to Mr. Thibault for the first of the seven Liberal minutes.

[*Translation*]

**Hon. Robert Thibault (West Nova, Lib.):** Thank you, Mr. Chairman.

Thank you for being here today, Mr. Allard and Ms. Burdett.

[*English*]

You made very professional and very good presentations, and I think you're quite clear on your points. I very much appreciate hearing from the Royal Canadian Legion.

I have a lot of military retirees, as well as war veterans, with the former military bases of Cornwallis and Greenwood in my riding. So I have a lot of interaction with members of your organization through my office.

My father was very proud of his association with your organization. He was a service officer and he was president of his legion. He was a World War II vet and a member of the West Nova Regiment. I was fortunate to go to the unveiling of a cairn of the West Nova at Camp Aldershot, which I point out is the oldest regiment in the country. I believe the Annapolis Regiment and the Lunenburg Regiment were amalgamated to form the West Novies. So I had a chance to see that.

My office works with and is in contact with many service officers in many branches in western Nova Scotia. We recognize the very difficult work they do.

One of the questions I would ask is on the pension advocates and that office at Veterans Affairs. In your relationships with them, as they apply or as they launch appeals and they work with them, are you satisfied with the professionalism of the service, the access to the service, the number of people employed in that division to service your members? Is it at the level that you would like, or would you like to see some improvements?

• (1545)

**Ms. Mary Ann Burdett:** Thank you for that question.

Certainly there is no end to the improvements we would like to see. The more there is for the veterans, the better satisfied we will be. Generally speaking—and it was a very general question—we have a good deal of satisfaction with that particular department.

However, I am going to ask Comrade Allard, as head of our service bureau, to answer you perhaps more specifically.

**Mr. Pierre Allard:** I'm not too sure if you were asking the question in relation to the advocacy done by the Legion and its service bureau or by Veterans Affairs Canada and their officials.

**Hon. Robert Thibault:** Monsieur Allard, what is important to me would be the link between the two, the interrelationship between the two and the work of the advocates. Are you satisfied with the way your members are being represented by the advocates who are appointed to help them? Is the turnaround time too low? Generally, is the professionalism of these people at the level you would like?

[*Translation*]

**Mr. Pierre Allard:** I will reply in two ways, if I may.

[*English*]

On the level of representation provided by the Legion as advocates or as service officers, I guess our model is really that of having service officers at the branch level who refer. They refer cases to the provincial command service officers or to the national command service officers.

At the level of what we call the command service officers, there is a very good rapport between us and VAC officials, because we have to be kept up to date with all the business processes that are in place in VAC if we want to serve our clients in a very professional manner.

We have regular training conferences, which we hold in specific regions during the odd years. In the even years, we actually bring all our command service officers to Charlottetown for a three-day training conference, where we basically get the training from the VAC officials that we need to be good service officers. We also have the tools that are provided to us by Veterans Affairs Canada, such as access to the client service delivery network. So I think we are well trained and well equipped to represent clients who do seek services.

If I were to comment on the structure that is in place at Veterans Affairs Canada, I would have to say that certainly BPA has the number of lawyers in place that they need. I think you were told last week that there's a new batch of BPA lawyers who have been brought on board. However, I think there is a requirement to possibly appoint new members to the VRAB, because they obviously don't have sufficient numbers to meet the need.

So generally speaking, yes, the structures are there. Satisfaction surveys indicate that clients are well served. We've done a survey in *Legion* magazine, which actually confirms some of the results that Veterans Affairs Canada is espousing.

• (1550)

**Hon. Robert Thibault:** When I'm asked by people who visit my office for the service of an ombudsman, that there be that position, it is because they don't necessarily find the satisfaction or the answer that they want and they would like an independent review. I find that to be a good idea. An independent review to see if things had been missed in their case might not be a bad idea, and I'm pleased that you're having discussions with the Department of Veterans Affairs as to how you would do that.

I think we're getting low on time, but I have one question and I'd be remiss if I did not put it to you.

In rural Nova Scotia, and rural Canada generally, the role played by the Royal Canadian Legion goes beyond service to legionnaires. The Legion has played a huge role of service to communities. We're seeing a period of time when the operation and maintenance of these legions is questioned, in many instances, where the local legions are having a lot of financial trouble, a lot of trouble continuing.

I'm wondering what kind of role you're playing, your organization nationally, to respond to these problems, and do you see a role for the Government of Canada in assisting these legions that may be in difficulty?

**Ms. Mary Ann Burdett:** From a national level, we can be somewhat restricted in the assistance we give to branches, because each and every branch is autonomous and they are very close about their autonomy. They do things on their own.

Within provincial commands, there is often means of assistance to some of these branches. If there are ways that we can get them training information, books to help them, suggestions, we do so; and of course, always at meetings we discuss the problems in the various parts of the country, rural and otherwise, and there is sometimes the assistance from one area to another, verbal support.

We are certainly there for the branches. We are trying our best. As to finances, society itself decrees that we are going to lose some branches. In so doing, it could be that others will become larger. It's just a sign of the times.

Unfortunately, people do not seem to want to do something any more because it feels good to do it. The barn-raising days of Saskatchewan's past I'm afraid are over. People do not always get out and volunteer in the same manner we used to.

We have to change with the times. We have to progress and look for new programs to continue our legions. We are working at it and looking for those all the time. Any ideas you have will be very, very welcome, I can assure you.

As far as government assistance is concerned, we are a free and independent organization. We would not want to be beholden to anybody, even our government.

**The Chair:** Thank you very much.

Monsieur Perron.

[*Translation*]

**Mr. Gilles-A. Perron (Rivière-des-Mille-Îles, BQ):** I'd like to welcome our guests today.

I always have a great deal of difficulty when it comes to veterans, but I can assure you that I feel a great deal of gratitude toward them. With respect to the matter of an ombudsman, I have trouble understanding that the National Council of Veteran Associations, whose president is Mr. Chadderton, has no difficulty with the idea of an ombudsman, while the Royal Canadian Legion disagrees with the concept. Could that be because an ombudsman might interfere in your area? I don't know anything about this.

We have heard reference to the Veterans Charter. Most Canadian associations agree with the charter, with the exception of the Legion to some extent. We also talked about the Veterans Independence Program, the VIP. Society should be somewhat opposed to this program. I want to tell you about my father, André Perron, who spent 50 years of his life working underground in the copper mines in Rouyn-Noranda, in the Abitibi region, and who died of asbestosis. Unlike veterans, there was no program to help him. He too gave his life for the well-being of everyone seated at this table. He gave his life so that copper wires could be manufactured for our lighting and air conditioning systems. And yet he got nothing for that. The problem with Canadian society at the moment is that it is aging and people who made a direct contribution to Canadian democracy are not enjoying the same support as our veterans.

Based on what I've said, I would like you to explain the role the Canadian Legion should be playing in 2006.

• (1555)

[*English*]

**Ms. Mary Ann Burdett:** I hope I got all of that.

**Mr. Gilles-A. Perron:** I'll start over again. I know the chairman will give me another half an hour to talk.

**Ms. Mary Ann Burdett:** I will attempt to answer your question first, sir, and then perhaps if I have missed something, Comrade Allard will take over.

In answer to your first question about the difference in attitudes of Mr. Chadderton's organization and the Royal Canadian Legion, I can only tell you that his organization was well represented at the meeting earlier today, as was ours, and we seem to be coming from very much the same places in a lot of ways. I think some of the misconceptions about an ombudsman have stemmed from, as I mentioned earlier, over the past, when you ask for an ombudsman, what do you want? We don't know what this ombudsman is going to do, and I think all of us have had a different conception of what an ombudsman would be. When we can get together and discuss these things openly, as we did earlier today, I think these things will all come together.

As far as what the Legion is doing for the community is concerned, as we have lost many of our traditional veterans, our workload in looking after them has become lighter, and I do believe most legions have indeed opened their doors in many ways. Our membership programs have certainly opened up to include almost anybody. As long as you are a Canadian citizen and of good character, you have eligibility to join the Legion.

**Mr. Gilles-A. Perron:** To join the social club of the Legion.

**Ms. Mary Ann Burdett:** No, to join as a voting member, in some cases, sir. You may have to be there for a couple of years. There are all kinds of memberships. Anybody who is interested should check with their local branch on eligibility factors, because if you're a good Canadian citizen, you can probably join.

The things that have been done go out into the community. The Legion strongly supports youth sports, bursaries and scholarships, track and field, seniors housing, and you do not have to be a member of the Legion to participate in any of those. It is done for the community.

Pierre, have I missed anything out of that?

[Translation]

**Mr. Pierre Allard:** With respect to the ombudsman and the Veterans Charter, the six veterans' organizations that met this morning are of the same opinion. They must simply define what is meant by the term ombudsman. Once we have done that...

**Mr. Gilles-A. Perron:** Mr. Chairman, I thought that was the point of our meeting today. You should help us to find what an ombudsman is and how you view this position. You have not discussed your opinion about the ombudsman at all.

What do you think? What veterans' rights should be defined in the Veterans charter? How do you see the Charter? We are here to decide what the duties of the ombudsman will be in light of your views and those of other veterans. But that is not what is happening. You are leaving it up to the government...

• (1600)

**Mr. Pierre Allard:** We have just shared with you our views about what the Veterans Charter should contain. I can reread that to you. We also said that we have achieved some consensus on a draft, not necessarily the final draft, because we will not be adopting the Veterans Charter. That will be done by the government and the Department of Veterans Affairs.

There are various ombudsman models. You heard from Mr. Keith Hillier, who described some of them. I think the Royal Canadian Legion could...

**Mr. Gilles-A. Perron:** Which model do you prefer?

**Mr. Pierre Allard:** Will you give me an opportunity to speak? I cannot speak while I'm listening.

A good model would be one where the ombudsman could be involved in administrative decisions regarding the various health programs provided by the Department of Veterans Affairs. We are not sure that an ombudsman could play a role in the area of disability pensions or compensation because that would require an amendment to the act. If that were the model chosen and if the law had to be revised, we would certainly be flexible, but we would ask to be consulted in the drafting of the legislation.

What I am trying to say is that we are very flexible, regardless of the model, and that we will work with Veterans Affairs Canada and other veterans organizations to try to find a model that everyone finds acceptable. I assume your committee would want to be consulted about the model as well.

[English]

I must add that I don't think it's fair to describe the Legion as a social club, in view of the advocacy that we do

[Translation]

I apologize, but I don't know exactly how to say that in French.

The Legion's benefits to society may be attributable to the fact that we are a social club, but I think that isn't an accurate description of the Legion, if that is all that is said.

[English]

**The Chair:** Okay. That was a passionate exchange. It was good stuff.

We'll now go to Mrs. Hinton, for the Conservative Party.

**Mrs. Betty Hinton (Kamloops—Thompson—Cariboo, CPC):** Thank you, Mr. Chairman.

Thank you, Ms. Burdett and Mr. Allard, for appearing here today.

I'd like to begin by telling you that I couldn't agree more with you on one of the comments that you made in your presentation, that veterans have a right to be provided with equal benefits in any part of the country in which they or their dependants reside. Geographical location should not determine the quality or level of service. I could not agree with you more. I think that goes without saying, and I believe everyone in this room feels the same way.

There was so much contained in your presentation that it's going to be hard for me to nail down just a couple of things. I'm going to have a series of questions, and if you could answer them, I would be very much appreciative.

As we said earlier, we are just in the process now of finding out how an ombudsman should work and what a bill of rights should be about, which is why we're hearing from witnesses.

To start, could you tell me, in a few minutes, about the input and the consultation you had, for example, with the previous government for the new Veterans Charter—and please feel free to use some detail. I know it was the Conservative Party that promised to install an ombudsman and a bill of rights for veterans; however, did these topics ever come up during your discussions with the previous government on the new Veterans Charter?

Now that our government is in the consultation stage, which we heard about from Mr. Hillier and Ms. Bruce last week, can you tell us about your vision for how the Legion will work with both the ombudsman and the bill of rights, and do you see a formal relationship between the Legion and the ombudsman?

I haven't had an opportunity to go to your website at this point, but you've posted on your website the veterans bill of rights. Can you tell us a little bit about that, how you arrived at this document? Is there something of a draft nature, or did you have consultations with veterans and other veterans groups when you drew this up?

Another issue that continually comes up among modern-day veterans is that they're not as comfortable as the traditional veteran with the Legion atmosphere. That was one of the reasons the idea of an ombudsman was first raised. What is the current ratio of veterans versus civilians among Legion membership? This is all about veterans, so I just want to know if you could give me a rough ballpark number.

To close, what role do you foresee the ombudsman playing with respect to the department and the veterans it serves? For example, if you could give the committee some advice on how the government should proceed with this initiative, what would you say?

•(1605)

**Ms. Mary Ann Burdett:** Thank you for all those questions. I can't begin to remember what the ones in the middle were.

Your first question was on consultation on the new Veterans Charter. I can answer that one. There was tremendous consultation with the veterans organizations. This has been going on for six years. It started in July 2000. There was consultation with the veterans organizations, with the military, with families; it was ongoing. I spent so much time in Ottawa the last couple of years that my family thought I lived here, and most of that included consultations and visiting.

In all those consultations, was the issue of an ombudsman or the bill of rights ever raised? Yes, indeed. There was discussion on absolutely everything that could come up around it. As to the exact content of those discussions, in the number of meetings we have had over the past years, I do not remember exclusively.

I do know, and I repeat what I said earlier, that one of our problems with an ombudsman has always been that everybody has a different concept of it, and one of us doesn't necessarily know what the other person's concept is when we're discussing it. One person is saying, absolutely not, under any circumstances; and the other one is saying we definitely need one with lots of teeth.

**Mrs. Betty Hinton:** What is your vision? What is the Legion's vision of an ombudsman?

**Ms. Mary Ann Burdett:** I'm sorry, Madam, but we really haven't had time to put that together. We have been looking at this situation. Originally the Legion said no ombudsman, that it was not a necessity.

The Legion, like everything else, is progressive. It has to change. Society is changing. Things are changing. We are trying to make our organization more helpful to our young military personnel, and if they feel comfortable with an ombudsman, we will look at an ombudsman. But for me to sit here and tell you what I think that ombudsman should do right now, I can't.

We just came out of a meeting where it was discussed and where the initial things were kicked around a little bit, but now we have to go back to our veterans services committee and then we will be meeting as a complete group, the dominion executive council, at the end of June in Calgary. All of this will be presented to them before I can tell you what the Legion policy is, or even what our vision is, because we are a grassroots organization. Pierre and I don't make the rules; our people tell us that's what we're going to do.

**Mrs. Betty Hinton:** That's perfectly fair.

And the other questions?

**Ms. Mary Ann Burdett:** Have I missed some?

**Mrs. Betty Hinton:** I was making notes as you were speaking and you said you posted something on your website about a veterans bill of rights. Can you tell us about that and how you arrived at the document?

**Ms. Mary Ann Burdett:** Yes, that's not a problem at all.

It is a Legion statement as to what we felt should be included in a veterans bill of rights. It is in the presentation here very much as it is

on the website. Our committee came up with that, and it was written to a great extent by our office staff and approved by the dominion president and the chairman of that committee, who happened to be the same person. It was put on the website and left open for input from any of our branches, our members, our commands and so on, to change or to combat and have input or changes made to. That also will be gone over again at our upcoming meeting.

Unfortunately, we cannot meet quite as often as we would like to, but we try to move things as quickly as possible.

•(1610)

**Mr. Pierre Allard:** We did get some proposed amendments, because it is only a draft, a living draft. We got some feedback from branches and commands and we amend it as we get those drafts.

**Mrs. Betty Hinton:** Then I'll repeat that last question. Because you're getting input from members, I ask you if you could give me any idea of what the current ratio of veterans versus civilians is among the Legion membership? Is it 50-50, 40-60, 10-90?

**Ms. Mary Ann Burdett:** Not off the top of my head. I wouldn't want to make a statement on that without having a more accurate source. To be quite truthful, it isn't something I've looked at recently to see what the ratio is. It hasn't seemed of vast importance because we are there for our veterans and their dependants, and if you're a veteran yourself or a civilian, as long as you're working toward the cause, that's what's important to us.

**Mr. Pierre Allard:** When we represent veterans and their families, which we do, we do that for free, and we do that whether or not they are Legion members.

**Mrs. Betty Hinton:** I think you do a marvellous job, by the way, but if you could get me that number I'd appreciate it.

**The Chair:** I know it's an exciting presentation because everybody is going over time, but I'm trying to keep to what we set out as our schedule.

Monsieur St. Denis, five minutes.

**Mr. Brent St. Denis (Algoma—Manitoulin—Kapusking, Lib.):** Thank you very much.

I second what Ms. Hinton has just said about the Legion. I have a northern Ontario riding with about 18 legions stretched across a large area. The services, social supports, and the opportunity for recreation and social life they provide to their members is incredibly important.



First, on the notion of an ombudsman, I appreciate you want to know more about where the government is going with it. I think we all do. In your thinking on the subject of an ombudsman, assuming there was one in place, would it be your expectation that the ombudsman would help a veteran exclusively with respect to the services of Veterans Affairs? Or if there was a program provided by the Government of Canada elsewhere, outside of the Department of Veterans Affairs but relative to that veteran—for example, Canada Pension disability—would you see a veterans ombudsman helping a veteran with a wide range of federal services, or strictly through Veterans Affairs?

As this idea of an ombudsman is developed, it occurs to me it's an area that I don't know if anybody has explored.

**Ms. Mary Ann Burdett:** That is a very interesting question. To my knowledge, it isn't an area that anybody has gone into. You have given us food for thought. Unfortunately, I can't give you much of an answer, but it will be interesting to add that to the things we want to think and talk about.

**Mr. Brent St. Denis:** I certainly don't have a strong opinion either way on it myself. But it does occur to me—as acknowledged around the table by all—that many of our veterans are elderly, certainly those from the Second World War and Korea, and the easier we, as a country, can make it for them to seek redress, seek the programs to which they are entitled, the better service we'll provide to them.

When it comes to the bill of rights itself—I'm relatively new to this committee—there is the new charter, and we try to square the efforts of a charter and what a bill of rights might do. I know a lot of progress was made under the previous administration.

Could you summarize, with a bill of rights, if there were one overriding concern or objective you would write into that charter, if you had to pick just one, what would that number one be? To me it would act as a starting point; you want to start with people's first priorities.

• (1615)

**Ms. Mary Ann Burdett:** You ask the tough ones.

Just before I answer that, I would like to go back to your first comments regarding the ombudsman and his going into other areas in which he might be able to help the veteran.

**Mr. Brent St. Denis:** He or she.

**Ms. Mary Ann Burdett:** Or she. I'm partial to men.

That is something our service officers do, both at branch level and command level. They look to other areas as well as at what the Legion or Veterans Affairs has to offer. They will assist the veteran with municipal, provincial, federal help—anything they may know about. So part of that job is in the works now.

Anyway, I won't linger on that.

On your second question, on what we would pick as number one, that's really very difficult.

**Mr. Brent St. Denis:** Not that you would be limited to one in the end, but what is your first priority, if you could? It's okay if you can't. Just reflect on it at your leisure.

**Ms. Mary Ann Burdett:** I could probably give you a better answer given a little more time to think of it. But I would say veterans have the right to receive fair and equal treatment irrespective of rank, position, or status. Everybody gets fair and equal treatment.

The other thing I'm very strong on personally is the privacy issue. Those veterans must be very assured that their personal positions and situations are not being chatted about anywhere, except with themselves and their immediate representatives.

**Mr. Brent St. Denis:** Is my time up?

**The Chair:** It is.

**Mr. Brent St. Denis:** Thank you very much. Keep up the good work.

Thank you, Mr. Chair.

**The Chair:** Monsieur Gaudet.

[*Translation*]

**Mr. Roger Gaudet (Montcalm, BQ):** Thank you, Mr. Chairman.

Good afternoon, Ms. Burdett and Mr. Allard. I listened to your presentation and I was wondering what, in your view, would be the best statement veterans could make. For example, I would like to know what the mandate of the ombudsman should be in order to help out genuine veterans. Finally, what does a legion mean, with the exception of November 11, the armistice, the ceremony, the parade and the poppy pins? How many legions are there in each province, by the way?

[*English*]

**Ms. Mary Ann Burdett:** Your last question, sir, is the easy one. Perhaps not by individual provinces, but overall we have just over 1,500 branches across Canada. Ontario, of course, would have the greater number, being the larger geographical area. Prince Edward Island, being the smaller area, does not have so many.

Pierre, can I ask you to comment? I noted you were taking notes.

[*Translation*]

**Mr. Pierre Allard:** With respect to a statement of veterans' rights, Mary Ann Burdett just told you the important point in our view. The priority would probably be just and equitable treatment from the department and the appeal mechanisms.

As regards the ombudsman...

**Mr. Roger Gaudet:** What do you mean by “equitable”? Members of the Bloc, the Liberals, the Conservatives and the New Democrats may be equitable, but each have their own approach.

**Mr. Pierre Allard:** I would agree that the principle of equity is not easy to define. It may be somewhat clearer in our draft declaration of veterans' rights. The difficulty with these theoretical statements appears when it comes time to implement them. This is where the ombudsman could play a useful role. He or she would ensure that the statements made in declaration regarding services to veterans are in fact implemented.

You asked me what the Legion was. That is more or less the same question that Mr. Perron asked. We came here to talk about three priorities, not to talk about the Legion. If you like, we could come back to talk about that. We could describe our programs and send you our magazines together with all sorts of other information about the Legion.

• (1620)

**Mr. Roger Gaudet:** You misunderstood my question. It was different from the one asked by Mr. Perron. From the statements, the persons from the Legion do not agree with everything that has been said.

**Mr. Pierre Allard:** I do not understand exactly what you mean.

**Mr. Roger Gaudet:** In the presentation... Just a moment please, I don't have it right here at the moment.

**Mr. Pierre Allard:** While you are looking for it, I would like to answer one of Mr. Perron's questions. He spoke about his father. I am well aware that some civilians have suffered as well, and that they do not have access to a program like the VIP. That is why the Legion recently decided to argue for the creation of a similar program for all Canadian seniors. We think that one of the things such a program could do would be to save money.

**Mr. Gilles-A. Perron:** I agree with you, Pierre. But the government would not have any money left over to purchase C-17s.

**Mr. Pierre Allard:** The VIP makes it possible to save money at the moment by postponing the time when people have to move to long-term care or home care. We think the same could be true of a similar program for seniors.

**Mr. Gilles-A. Perron:** But that is one of the basic responsibilities of the provinces.

**Mr. Pierre Allard:** That may be so.

**Mr. Gilles-A. Perron:** The provinces are responsible for caring for their seniors and for sick people.

**Mr. Roger Gaudet:** Today we talked about the Canadian Legion in the context of a discussion about the new charter.

**Mr. Pierre Allard:** We prepared for our appearance before the committee based on the three priorities you determined. However, if you have specific questions to ask us, we would be pleased to answer them.

**Mr. Roger Gaudet:** I will come back to this matter, in any case. I did not want to know what the Legion did. You began by discussing the Canadian Legion and you ended on the same topic. There is definitely some link.

I apologize, Mr. Chairman.

[English]

**The Chair:** All right. That was an impressive Bloc tag team.

Next we have our keenest Conservative, Mr. Shipley.

**Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC):** Thank you.

I appreciate Ms. Burdett and Mr. Allard coming today and helping us through this.

I think we need to be really clear that we are here and we want to work to make it as good as we can and to understand what is best for our veterans. I think that is clearly the goal of everyone at this table.

When I talked to people, it was also mainly during the campaign when I had an opportunity to chat with a number of them. There were concerns that continually came up about the vehicle in which they can get to places, someone who would help them with a call to an ombudsman.

I read through the report that you used today, which is an excellent report, by the way. From the comments that you've made, I'm hearing that you aren't really necessarily opposed to it. You're really trying to understand it, you want the guidelines set out, and you want clarification on that. Is that basically it?

If there is a simple answer to that, I think we can move ahead. I have a further question, if that's where we're heading.

**Ms. Mary Ann Burdett:** The short answer is you are quite correct. We have never been totally adverse to an ombudsman. But we are not going to jump into something until we know what we're jumping into. The other thing is that we wish to be consulted in the mandate for the ombudsman, whatever it may be.

**Mr. Bev Shipley:** I think that was one of the things we discussed when we had the discussion last week, also with Mr. Hillier. We were talking about there being lots of options. I think my definition of what an ombudsman is and yours may be two different things. Yet I think the basic principle is that they're there to help. So what we need to do is to sit down in consultation with people who are involved and make sure that happens. If we can move ahead to actually make things better and easier for our vets, I think that's our objective. When I say “our”, I use it in a comprehensive sense.

I'll just wrap up mine so the next one can get a question in. If you were to see the elements at play with respect to the department and the veterans that it serves... For example, if you could give the committee some advice on how the government should proceed with this initiative, what would that be? This would help us, so that we can take that next step. Because you talked about going back, I think in June. We've got this year going and we're talking and you're going to be talking. I'm just trying to put together that next step so we can put some cohesive plan in place, or schedule in place, so we can get some progress and results at the end of this.

• (1625)

**Ms. Mary Ann Burdett:** I'm going to just give a couple of suggestions. Then I'll turn it over to Mr. Allard.

First and foremost, I would suggest that it is entirely possible that an ombudsman could play a very significant role in seeing that the rights from the bill of rights are carried out, that this would be one of their responsibilities. Further to that, I can certainly see that in the system itself he or she would probably have some powers of suggestion and control in looking over how things had happened and how they were about to happen.

Now I'm going to turn it over to you, Pierre, while I sit back and think.

**Mr. Pierre Allard:** There is one area I think that should be looked at right now in terms of what an ombudsman could do. I think your committee was told last week that there is an ombudsman for long-term care in Ste. Anne's Hospital. That would be a good starting point, and we've been actually advocating for an ombudsman or an inspector general, or whatever you may want to call it, in the 17 large-contract facilities that have priority-access beds. So that would be probably one important role that an ombudsman could and should play.

In the context of devising a mandate for an ombudsman, I think we should build a certain flexibility into his mandate so that he or she is receiving recommendations and input from an advisory council. That advisory council should be inclusive of some of the major veterans organizations.

I think this is where we're going. I think it would be very imprudent on our part to go any further, because I think the ultimate authority of deciding which model we're comfortable with resides with our executive council, which will meet in June.

**The Chair:** Everybody is engaged. This is good.

Mr. Valley, you're up for five minutes.

**Mr. Roger Valley (Kenora, Lib.):** Thank you, Mr. Chairman.

I feel as though asking questions of the legion is almost like asking my grandparents what to do, because the Legion's been such a part of my life. I am a 32-year member. I know I don't look old enough to be that. I had to say this before my colleagues said it—

**Mr. Brent St. Denis:** You do to me.

**Mr. Roger Valley:** Well, thank you. I'm aging quite rapidly down here in Ottawa.

• (1630)

**Hon. Robert Thibault:** He joined in preschool.

**Mr. Roger Valley:** If they can't throw me off, my own colleagues will do it. Do you see that?

I want to make a couple of comments and then ask a couple of direct questions.

The legions are the centrepiece—I'm from northern Ontario—and are the focus of our communities. We know we've struggled through a lot of these things. I applaud your efforts to stay at arm's length, but there has to be some way we can find—and we need recommendations from the Legion at some point on how to do it—to support the legions in the communities, because doing so is going to support our veterans. We have a new crop of veterans coming up and we're going to add to them every year.

There has to be some way we can do it. I don't have the answers, but the Legion must know something to do with it. They're not social clubs, as you termed it, and we understand that. The fact is, we have to find a way to do it, because the Legion is the face of the community for supporting our veterans.

Now I have two direct questions.

Ms. Burdett, you mentioned earlier—and I'll return to the ombudsman, which is the topic of the day—that you're confident from the discussions you had today, and please correct me if I'm wrong, that there's going to be an agreement in place. I don't know whether there's anything you can share with us or whether it's all confidential. What happened today that has changed your opinion?

At the same time, could you answer the question...? I heard you answer one of my colleagues across the way; I think the question was when you first heard about the ombudsman. Can you tell us from your memory when this all started? Where did it come from? However did the day arrive that somebody said, "We need an ombudsman for our veterans"? I haven't been able to gather that out of all this discussion today. Maybe you could qualify that for me.

Then I have one last quick question, if I'm allowed time.

**Ms. Mary Ann Burdett:** First and foremost, I'm sorry you feel that talking to the Legion is like talking to your grandparents. Believe me, son, I'm not that old.

**Some hon. members:** Oh, oh!

**Mr. Roger Valley:** I realized that statement was going to go that way.

**Ms. Mary Ann Burdett:** However, as far as when the issue of the ombudsman first arose is concerned, as long back as I can remember being involved, it would come to the front every so often.

When was the Woods commission? Was it in the sixties?

**Mr. Pierre Allard:** The year of the Woods commission was 1961, and it's been—

**Ms. Mary Ann Burdett:** Yes, and it's been on the burner ever since in various areas, but—I keep harping on this—we have never sat down together and said, this is what we think an ombudsman should be. That is what made the difference this morning.

No, I don't wish to make public the things we were kicking around at this time—some of them will go out the window and some of them will be incorporated—and it is not my place to do so. But you could tell from the feelings in that room that we were no longer a hundred miles apart; we were coming together on an important issue.

The reason, probably, that it hasn't been done sooner is that nobody has spearheaded it before in that sort of situation and because we didn't each understand what the other thought an ombudsman should be.

**Mr. Pierre Allard:** Actually, in 1966 there was a minority report from the Woods study. It's interesting that some of the same concepts that were discussed in 1966 are coming back again this time around. I think we all have to collectively deal with these issues and see what we're comfortable with.

I suspect your committee will be presented some options by the government that you will have to feel comfortable with, as we will in our executive council.

**Mr. Roger Valley:** Thank you. My comments had nothing to do with your age, but with the fact that in my family, when we grew up, my parents didn't speak about sending us to university; it was about joining the Legion at the first opportunity.

I have one quick question for Mr. Allard. You made a comment, and I have to ask because I sat here last week, about more lawyers being added to the.... I thought we were talking at that point....

**Mr. Pierre Allard:** It was more lawyers for BPA, the Bureau of Pensions Advocates, who actually act as advocates or representatives. They just hired six lawyers in various districts across the country.

Just to show you that we collectively keep informed of business processes, we do some of our representation at review level with BPA lawyers, who are there to cooperate with us, if you like, while we do all the appeals with service officers of the Legion here in Ottawa. The tribunal members come to our headquarters to hear appeals. That's why we have back-and-forth discussions about processes. That is the issue with these lawyers, who are the advocates with the Bureau of Pensions Advocates.

**Mr. Roger Valley:** Thank you very much, and thank you for the Legion.

**The Chair:** Now back over to the Conservative Party. I wonder if Mr. Sweet or Mr. Mayes have any questions.

Mr. Mayes.

**Mr. Colin Mayes (Okanagan—Shuswap, CPC):** I agree that the question here is, what is broken that we need an ombudsman to fix? At the last meeting, the only reason I could see was the statement made that there was a sense of mistrust out there and that an ombudsman was needed as an advocate for veterans looking for a way to approach, I guess, the department.

We need to understand why there's that mistrust before we can get back to what the role of the ombudsman would be. I'm a little bit confused, and I agree exactly with what you're saying, that before we can move on, we've got to find out what the role of the ombudsman should be.

My concern from the last witnesses was with the volume the Veterans Review and Appeal Board was going through and whether it was an issue that things weren't moving along fast enough. Do you think the delivery from the department is timely, or do you think that's an issue that something like an ombudsman would speed up and I guess provide better access for veterans?

•(1635)

**Ms. Mary Ann Burdett:** I'm going to leave part of that to Pierre, because I'm not sure what effect an ombudsman would have on that at all. But you will recall that they have suggested that it is one department that is understaffed; they are short of people, and they've been trying for a while to increase the number of people in the VRAB. So it would of course be handled in a more timely manner if they had more people to do it, and they are actively working at that.

Pierre.

**Mr. Pierre Allard:** It's quite true that there is a backlog throughout the system. Having said that, it is an evidence-based system, and if there are people who might not be happy with whether or not they got a disability pension or a disability award, there might be some individuals out there who mistrust the department.

Having said that, I also see a very timely turnaround at the first decision level within the department; I have seen some decisions lately that are turned around in two or three weeks, which indicates to me that timeliness is taking place. Some of the delays occur when you need to go and get some medical diagnosis. That is then a function of our medical care system; we don't have enough doctors and we just don't have enough specialists. So this is where some of the delays occur.

But generally speaking, I have seen the department being able to turn around decisions at first level very quickly, and the VRAB is also very quick. Having said that, they need more members.

**Mr. Colin Mayes:** Right.

**Ms. Mary Ann Burdett:** If I may just finish that off, you spoke of a lack of trust in the department out in the field. I'm not sure that's it; we mentioned the surveys earlier. But I'll tell you what does happen: anybody who is not satisfied with the answers they get from the department is immediately not only distrustful, but they can also be very vocal about it. Those are the only ones we ever hear from, and there is always that faint possibility that the eligibility factor was just not there to start with. So we have to be prepared to hear the negatives, not the positives. They never come telling us what a good job anybody has done, but always what they didn't do.

**Mr. Colin Mayes:** Mr. Chair, if I could just follow up on that, if you hired an ombudsman, there could be some mistrust of the ombudsman too. So there's always going to be somebody who mistrusts government, or a process, or whatever. I don't think an ombudsman is necessarily a solution for that problem. I guess what we're searching for is what is the purpose of an ombudsman?

**The Chair:** All right.

Just to let you know, this next segment will be for the NDP, but they are not here today.

Mr. Rota, you haven't asked a question yet.

**Mr. Anthony Rota (Nipissing—Timiskaming, Lib.):** I'd be honoured to do so. Do I have to lean to the left or can I simply ask my question?

•(1640)

**The Chair:** I always like it when you're leaning to the right, Mr. Rota.

**Mr. Anthony Rota:** Good. I can go either way. No, don't take that the wrong way.

Thank you for coming, Ms. Burdett and Mr. Allard. I know we've been looking at the question of an ombudsman. We went through it in the last session of Parliament and we covered quite a bit of it. I'm glad to hear that one of the concerns we're having is the fact that there is no clear definition of what an ombudsman should be. So until we actually know what we're getting into, it's going to be hard to comment. However, there is one issue that came up that I would like you to comment on.

There seem to be two different groups, and maybe there are two different services that are required. I look at the older veterans, those who went through Korea, those who went through the Second World War and some of the earlier peacekeeping, and there seems to be more of a social fabric, where you rely on some of your colleagues to help you out. It's not that the newer crew doesn't, but it seems that the earlier veterans seemed to rely on the Legion and their peers to get them the help they needed, and the later crew of veterans, who are more recent, look to institutionalized aid that might come in the way of an ombudsman.

Could you comment on that, the differences or the evolving changes within our veteran population and the needs that are there?

**Ms. Mary Ann Burdett:** Again, the very short answer is that it's a sign of the times. The people of today, the younger group of people, let's say age 45 and down, have a different way of reacting to situations than the older veterans did. You're quite right. The older veterans were, or are in some cases, more open to their peers, although there's a great deal of pride and privacy required with them as well. The present-day military is used to having an ombudsman. No matter how different a situation it is, they would be aware of dealings with one and probably would fit in with that in a more comfortable way.

As far as them coming to the Legion for help, many do. But once again, they aren't the ones you hear about. You ask them and they say they don't know; they don't know much about them. Yet there are very few branches in Canada that do not have regular service members as members of the legions, or two or three of them.

So I could only say it is a change in society that has brought about that slightly different change of attitude. I do believe, though, that the retirees from the military will probably find they are changing their attitudes toward veterans organizations, be it the Legion or whichever one it is, not only when they age but when they see what these organizations are prepared to do for them as retirees from the military, or what we are prepared to do for the people who are there.

The support for the military has been much, much stronger in the last few years than it has ever been, more outspoken from your service organizations.

**Mr. Anthony Rota:** Thank you. I think that simply highlights the different needs out there, in not saying either/or, and I don't think we should ever move to a situation where we must have a war in order to provide the level of service that our veterans deserve.

**Ms. Mary Ann Burdett:** We need both.

**Mr. Anthony Rota:** The next question I have is regarding the VIP. There have been quite a few improvements over the last few

years. I want to say the last 13 years, just for Mrs. Hinton, but I won't say that. I wouldn't take a cheap shot like that.

**Voices:** Oh, oh!

**Mr. Anthony Rota:** The question is a very serious one. For the VIP that is available to the widows and caregivers, there have been some changes for those who died prior to 1981. Yet there's a lot of demand out there, and I hear a lot of it in my office on a regular basis. We have widows or caregivers coming in and saying they deserve this, they would like to have this service, but they can't access it.

What changes would you like to see to the VIP so that more caregivers, widows, and widowers would benefit from the service?

**Ms. Mary Ann Burdett:** I'm a little bit surprised that you say you get many inquiries into your office, because there can't possibly be that many of them left from 1981.

• (1645)

**Hon. Robert Thibault:** There are quite a few.

**Ms. Mary Ann Burdett:** That program originated for the assistance of veterans. If the veteran didn't have it or wasn't eligible for it, the widow was not eligible. This, of course, is what has happened for these widows from 1981.

Where do we want that one to go? I think it would take a little study. It sounds like something you should just jump right in there and do; they're so old and they need all the help they can get. But there is nothing you can do out of which there won't be ramifications. It would have to be studied before it was jumped into, to see just what you were encompassing.

**Mr. Pierre Allard:** I think the issue on this one is the eligibility matrix that is out there, not only for those widows but for anybody who wants to access VIP. The eligibility matrix is so complex that even service providers have a hard time understanding how one becomes eligible for VIP.

VIP was mandated to provide aging in place—in other words, in your residence—but because we've defined residence as a home rather than a condo or an apartment, that also makes it more complex. That's why we're saying here in our presentation that maybe you should look at what is the need of the individual to access VIP in the context of aging at home with more flexibility.

**Mr. Anthony Rota:** So it's simplification of access and opening it up—

**Mr. Pierre Allard:** It's simplification of the accessibility, enlargement of some of the parameters, but keeping the fundamental principle that what you're trying to do is to keep an aging, frail person in their residence, whatever that may be.

**Mr. Anthony Rota:** Very good. Thank you.

**The Chair:** Now we'll go to the Conservative Party for five minutes, and I believe Ms. Hinton expressed an interest here.

**Mrs. Betty Hinton:** Thank you.

I dare say, I think there have been improvements to the VIP program in the last year and a half. I would give full credit to members of this committee who were here last year—Anthony Rota, Gilles Perron, and me—because we fought very hard for VIP improvements, and we were successful in having some people included who used to be excluded. So I think that speaks well of this committee as a whole and the commitment this committee has to veterans.

That said, I've been listening very carefully to the conversation that has been going on around the table today. It's always good conversation, but there seem to be some misconceptions here.

On the ombudsman, I agree with you, it was originally talked about in 1966, and here we are in 2006 and we still don't have it. So it's long overdue and it's time. But in terms of what the government could do, it had two choices: one choice was simply to decide on its own what an ombudsman would be and how it would be structured, and just do it, or it could do what we have chosen to do, which is to give a choice to all parties in the House, who all have concerns, and to consult with all veterans groups and get their input. So there's no reason to be the least bit embarrassed about being a little unsure of what you think the ombudsman's role is going to be, because it hasn't been determined yet.

We need to hear from veterans groups. We need to hear from opposition parties. We need to hear input from veterans themselves—and I'm hoping we're going to hear from a lot of veterans—about what we could actually do that would improve their lives.

This isn't a question. It's more a statement than anything else.

I would like to close by thanking you very much for all you do as the Legion. I recognize the contribution you make to this country, I recognize the contribution you make to veterans, and I'm here to assure you that all we want to do is back that up. That's what the ombudsman position is all about.

The bill of rights is another issue that's going to have to be dealt with, and I agree again. I've heard it said today that it would be like putting the cart before the horse if you didn't have a bill of rights for an ombudsman to oversee or to enforce—whatever wording you want to use. So I look forward to your cooperation in putting this together, and I think we can play a very significant role.

My understanding, Ms. Burdett, is that you're going to be leaving your position, so I may not see you again. That's happening in the next little while, is it?

**Ms. Mary Ann Burdett:** I will no longer be the president of the Royal Canadian Legion as of the end of this month. However, I will have two years as immediate past president, during which time I will be fully involved; as far as never seeing me again, there isn't a prayer.

**Mrs. Betty Hinton:** I'm reassured to hear that. It's great when a past president is able to stay on and guide the new president.

Thank you from the people on this committee for all the work you have done. I appreciate it, and it's nice to know we'll see more of you.

**Ms. Mary Ann Burdett:** Thank you very much.

**Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC):** The draft from the Royal Canadian Legion, the bill of rights—was it tabled?

• (1650)

**Mrs. Betty Hinton:** No. It's on their web page.

**Mr. David Sweet:** Okay.

**Ms. Mary Ann Burdett:** It's in our presentation.

**Mr. Pierre Allard:** I would like to add that we've evolved and that we have reached consensus with a new model, but that was our original draft. This is not the consensus that we reached today, which would still be at the draft level, as far as the government is concerned, until they approve it.

**Mr. David Sweet:** Where can we get it? Is it going to be updated on your website soon?

**Mr. Pierre Allard:** We'll have to seek some guidance....

**Ms. Mary Ann Burdett:** We'll look for some guidance from our committees on it. The model we were discussing today is not too far from what is there, but it is more simplified, which is probably a wise move. We perhaps rambled a bit in our original draft, but as soon as we can, we will get....

What we're talking about here is just the Legion one; it is not the combined veterans organizations and Veterans Affairs Canada one. This was just our original thought.

**Mr. Pierre Allard:** The problem also depends on what model of ombudsman is eventually approved. If it is a legislated mandate, you might want to do the same thing for the veterans bill of rights, so you might have to use slightly different language if you want to embed the veterans bill of rights in legislation. If you want to do it through a ministerial direction with some debate in Parliament only to be noted, or whatever the term is, then the language can be different. Again, rather than posting something that is still in a draft state, I think we will have to wait and see what it is in the art of the possible.

**The Chair:** Thank you very much.

Mr. Perron is next, from the Bloc.

[Translation]

**Mr. Gilles-A. Perron:** I will be very brief, Mr. Chairman.

I would like to start by saying something to my friend, Pierre. I want us to be on the same wavelength, Pierre, and I want us to speak frankly to each other. I will list about 10 activities and you can tell me whether or not they are part of what the Royal Canadian Legion does. First, does the Legion organize blood donor clinics? Yes, that is part of the Royal Canadian Legion's activities. What about presenting historical lectures on the First and Second World Wars? Yes, you do that. Do you give students scholarships? Yes, you do. Do you help young people financially or otherwise in the area of sports? You say you do. Do you help people such as veterans find solutions to their problems? Yes, you do. Do you organize Christmas parties? You say you do. Do you organize card parties? You say you do. Do you organize dart games? You do. Do you organize breaks so that people can have a beer? You say you do.

In Quebec, we call all of those activities a social mission. Consequently, the Royal Canadian Legion is a social club. I never said that you were part of a club whose main reason for existing was to have a drink. You have the same social mission as a social club. Consequently, would you care to retract your comment, because I did not describe the Legion incorrectly.

My next comment is to the chair. Mr. Chairman, I think we missed the boat today. Next time you invite witnesses please ask them to give us their views about establishing an ombudsman's post and about the charter and, if they have no views on these matters, please ask them to stay home. Today, we've been contesting or promoting the Royal Canadian Legion, but we have not talked about the ombudsman or the charter. It was a waste of my time.

I am not saying that the people were not nice or friendly, but they did not give us their own definitions of certain terms. We don't have time to wait. We are here to find out what they think about this so that we can come to some conclusions ourselves. That is not what we heard today. I apologize, but I think it was a waste of my time. That was not because Pierre and Ms. Burdett did not want to do a good job. They did a good job and they gave us a good introduction to the Royal Canadian Legion.

I preferred your last visit. In 2005, you appeared before the committee and we asked you what you thought about the ombudsman. You said that you wanted no such position. Thank you for that — you said exactly what you thought. We did not waste any time. After that, we moved to other matters and had a friendly discussion about the Royal Canadian Legion. I was not expecting you to define your vision for me today. I did not want to hear what the government thinks, I wanted your opinion about the ombudsman and about the charter. That does not mean that your vision is wrong and that ours is right. We are here to determine what the ombudsman should do, what he should be, how he should act and what rights veterans should have.

That was our task today. We were not here to talk about just anything. Our job is to learn from your knowledge to make up our minds about these things. We were unable to benefit from your knowledge. I'm sorry, but in my opinion, today's meeting was not very productive. I do not know whether my colleagues share my opinion, but I've never said privately what I wanted to say openly.

•(1655)

**Mr. Pierre Allard:** It is unfortunate that you hold this opinion, because I think we told you what a statement of veterans' rights should be. We even gave you a draft of it.

We also said that things were evolving, that we could not give you any other drafts until we have completed our consultations with our colleagues in the other organizations. We will keep you posted, to the best of our ability.

Today, we are saying that we are not at all opposed to having an ombudsman. That is—

**Mr. Gilles-A. Perron:** You've changed your mind! A year ago, you were completely opposed to the idea. I would have preferred that you tell us today that you have not made up your mind completely. You could have asked us to give you time to prepare, another three or six months—

**Mr. Anthony Rota:** On a point of order, Mr. Chairman.

We are talking about things that we should perhaps be discussing among ourselves, not before these individuals who were kind enough to come in to meet with us and to provide us with information. If we did not get the information we wanted, perhaps it is the committee's fault and not that of our witnesses. If we are going to have a discussion, I would prefer that we do so in camera, not publicly in front of our witnesses who, as I said earlier, were kind enough to come and meet with us today.

[English]

**The Chair:** I appreciate your intervention, Mr. Rota, but I think I take it as a point of debate. At this stage we are at five minutes and 30 seconds into Mr. Perron's time, so unless the Legion wishes to pick up on that strain and carry forward, I think we'll move on to Mr. Thibault's set of questions.

**Hon. Robert Thibault:** Thank you for the indulgence. I might be stepping on the time of another, but I've asked the chair for a very short question.

**The Chair:** No, it's Liberal time. It's fine.

**Hon. Robert Thibault:** I have a group of young people in my riding who are very dedicated to the cause of veterans groups, to Veterans Affairs, to remembrance of the acts of war and the sacrifice of not only veterans but Canadian families, who sacrificed through all those wars and continue to sacrifice in our military operations today. They're called the Memorial Club and they represent two schools in Nova Scotia, in Yarmouth. They were just in Halifax and gave their first silver cross. They have created a silver cross and they gave it, I believe, to the father of Corporal Green who was lost in the friendly fire incident, or Corporal Smith. I get mixed up between the two, but—

**Ms. Mary Ann Burdett:** Nathan Smith.

**Hon. Robert Thibault:** Nathan Smith, thank you.

They were in Ottawa three or four years ago. They raised \$85,000 to bring their group to Ottawa to do an event at the memorial. They are a lovely group of people, dedicated parents and volunteers, who organize it. One of their mission statements is to have November 11 recognized as a national holiday.

I had a discussion with the then president of Nova Scotia/Nunavut Command, and their position at the time—I will paraphrase, and I hope I don't misrepresent it—was that they opposed statutory holiday status for November 11. They wished it to be recognized on a voluntary basis, that people would close their businesses or shops until noon or one o'clock and then resume their life's work if they so chose. I know that in Nova Scotia all the public institutions close down for the day, all the schools, most of the businesses. People do it voluntarily, and it had a lot of meaning for the Legion's organizations because it was voluntary and they would have preferred it that way.

Is there a position of the national Legion organization on the matter of statutory holiday status for November 11?

• (1700)

**Ms. Mary Ann Burdett:** At the present time it is left to the discretion of the commands, depending on the province actually. In British Columbia it is a statutory holiday and in Ontario it is not.

The national position is to leave it to the discretion of the commands as to how they go about handling it, but that is not set by the Legion, of course. Because of the discrepancies in the feelings of the various commands, we have not made a national stand on it. It has been brought to our convention, time without number, that we advocate for a national holiday on November 11, and the vote has been shot down. They have not, as a body, agreed to have it as a national holiday. So we stand that it is not, but if in a province it is, so be it.

**Hon. Robert Thibault:** So in short, there would be no position at this time.

**Ms. Mary Ann Burdett:** Right.

**Hon. Robert Thibault:** There's another point I would like to raise with you, or maybe two quick points. One is the question, in my view, of an ombudsman. I think it's been stated by many people in different ways, but I see some veterans come to my door who've been through the process and are unsatisfied. Now maybe the decisions that have been taken are completely justifiable, and then maybe they're not.

I see the role of an ombudsman as not necessarily somebody who would have authority, but somebody who would have the tools to review and make a recommendation that the file be reopened or not, just so that there would be an independent or impartial person who would look at whether the people in the positions of authority did their jobs properly as this was managed. That's where I see it.

In regard to the veterans independence program, I am surprised at how many people there are. Those who are the widows or widowers or caregivers of veterans are at the age now where they need it, and they don't have six to seven years left for study. I don't know what the numbers are, how many there are, but I would say that I've been in contact with at least a dozen in western Nova Scotia.

It's something I regret that we missed when we did the last modifications, because we did include a whole new group of people who I'm pleased are not cut off any more a year after the loss of their spouse; they maintain their service. I would hope that we are able to do that.

Thank you. I guess I'm out of time. I do thank you for coming and appearing and making your presentation here today.

**Ms. Mary Ann Burdett:** I would like to thank you for your time.

I hope many of you had your questions answered. We certainly answered them to the best of our ability at the present time with the knowledge we have. You can rest assured that we will continue to work for the good of the veteran, and we will continue to cooperate with Veterans Affairs Canada and the other service organizations to the very best of our ability.

Thank you.

**The Chair:** All right.

Mr. Perron, on a point of order.

[*Translation*]

**Mr. Gilles-A. Perron:** Mr. Chairman, I think we missed the boat at this meeting. We can all blame each other.

My friend Roger spoke about the need for the Canadian Legion in northern Ontario. It is true that the Canadian Legion is necessary there, but the purpose of this meeting was not to talk about the Legion, but rather about the ombudsman and the charter. I think we all missed the boat by getting sidetracked in a discussion about the Canadian Legion, rather than listening to what the witnesses had to say about the ombudsman and the charter.

We should be careful. This is not a piece of advice, but rather a recommendation for the clerk. We should clearly inform our witnesses that we have invited them to discuss the ombudsman and the Veterans Charter, not their association or the problems various people may have.

That is my opinion. If you felt insulted, I apologize. I have always spoken frankly and I say what I think, but sometimes I may get a little carried away.

• (1705)

**Mr. Pierre Allard:** I am referring to our presentation, Mr. Perron.  
[*English*]

**Ms. Mary Ann Burdett:** I answered the questions that were asked of me, sir, by whoever asked them.

**The Chair:** I think I can say, Mr. Perron, that our friends from the Legion will share some of their experiences here with the other associations that appear before us. I imagine that others who come will have some fairly detailed views—

**Hon. Robert Thibault:** On a point of order, Mr. Chairman.

**The Chair:** Mr. Thibault, please. I think Mr. Sweet was on the same point of order.

**Mr. David Sweet:** It's not so much a point of order, but some clarification, so that we make the best of what we have here.

Ms. Burdett mentioned that she's going to go back and meet with the grassroots members. I want to know whether we need to arrange a follow-up, so that after they've consulted regarding this next generation of bill of rights, as well as regarding the ombudsman... how we're going to follow up, so we get that information back and make this productive.

**The Chair:** I think it's something for all of us to consider, and hopefully for our friends from the Legion to consider.



Mr. Thibault, is it on the point of order?

**Hon. Robert Thibault:** Yes, it's on the same point of order.

I want to make sure, Mr. Chairman, that you and our witnesses understand that the points given by one member do not necessarily reflect the views of all members.

I've been participating here in committees for five years. We have a committee, and soon we're going to have the minister appear on main estimates. We're going to ask him questions about anything other than main estimates. We're going to ask questions on policy, and we're going to ask a lot of the questions we heard today. It's a tradition, it's always happened, and it will never change.

I think Madam Burdett made it very clear—and she's right in doing so—that if we drifted a bit off her presentation, it was because of our questions, which we were pleased to have you here to answer.

**The Chair:** Hear, hear! Well said.

We still haven't completed a full second round rotation, but because we have about 20 minutes left in committee and we have a couple of motions to deal with, I am seeking the—

**Mr. David Sweet:** Mr. Chair, I have one more question I'd like to clarify, if there's a little gap of time left.

**The Chair:** The next speaking spot would be for the Conservative Party, Mr. Sweet.

**Mr. David Sweet:** I would be glad to settle that one question.

It's about Remembrance Day. Like my colleague, I have a concern about that. I've been of two minds. One is that I've talked with former Major-General MacKenzie, and he mentioned that there was real growth in the public school system, and some of the public schools were actually calling it a week of remembrance.

In one sense, I was thinking a statutory holiday would be most honourable. In another sense, I'm wondering if sometimes the participation of young people at cenotaphs goes down in those jurisdictions where there is a statutory holiday. I'm wondering if you've done any research on that. You don't have to take a position, but has there been any research about the participation at the cenotaphs in British Columbia since it's been a statutory holiday? And what do you see as far as participation in those areas where the schools get actively involved?

**Ms. Mary Ann Burdett:** I don't know if there has been a survey taken as such, but it's very obvious to those of us who attend a lot of

these that there are a good number of people, big companies, etc., who, since it became a statutory holiday, have moved it to the nearest Friday or the nearest Monday, thereby taking a long weekend and disappearing to go fishing, to go shopping, or to go wherever they decide to go.

**Mr. David Sweet:** Okay, that was my... Again, I think I echo a number of comments here that we want to do what's best to not only serve but honour the memory of veterans. I would hate to do something that it was our intention to honour but in consequence caused the opposite.

**Ms. Mary Ann Burdett:** You get organizations like cadet squadrons, scouts, guides and that sort of thing still appearing in full, but the individual school students and the old scenario where the classroom was marched down to the cenotaph, that has all gone by the wayside.

**The Chair:** All right.

I'd like to thank our witnesses today. Thank you very much for your presentation.

I've just been informed that... Many of us were informed of a vote this evening at 5:30 p.m., so we may have less time than the 20 minutes I thought. We'll try to deal with the motions as quickly as we can.

Thank you very much to our witnesses.

**Ms. Mary Ann Burdett:** Thank you.

**Hon. Robert Thibault:** Mr. Chairman, there's a motion on the order paper in my name. I'd prefer that it be dealt with at the next meeting because there's one member of our party who would like to speak to it in my place at that meeting.

• (1710)

**The Chair:** Okay.

Monsieur Thibault has asked that we consider his motion at the next meeting.

For both of the motions put forward by our two members respectively, they've asked that they be put off to the next meeting. I'm okay with that, they're okay with that, and I can't imagine that there are any other objections.

The meeting is adjourned.





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