



House of Commons  
CANADA

## **Standing Committee on Veterans Affairs**

---

ACVA • NUMBER 032 • 1st SESSION • 39th PARLIAMENT

---

**EVIDENCE**

**Tuesday, March 27, 2007**

—  
**Chair**

**Mr. Rob Anders**

Also available on the Parliament of Canada Web Site at the following address:

**<http://www.parl.gc.ca>**

## Standing Committee on Veterans Affairs

Tuesday, March 27, 2007

• (0900)

[English]

**The Vice-Chair (Mr. Brent St. Denis (Algoma—Manitoulin—Kapuskasing, Lib.)):** Good morning, colleagues.

[Translation]

Good day everyone.

[English]

I am pleased to call to order this Tuesday, March 27, 2007, meeting of the Standing Committee on Veterans Affairs. The main order of business is a study on a veterans bill of rights.

We don't have witnesses. I think it's a discussion of where we're going with this, eventually leading to a report. So I'm going to open the floor. Does anybody want to kick off the discussion?

Betty, as parliamentary secretary, do you want to set the tone as you see it on behalf of the government?

**Mrs. Betty Hinton (Kamloops—Thompson—Cariboo, CPC):** Certainly I'm happy to speak to this.

I think we've made a concerted effort as a committee to listen to as many groups as we possibly could, to get input on this very important matter. There was a draft presented to us just for perusal. We can move whatever way we want on it. I think we're all in agreement, though, that the content we have heard from witnesses makes it very clear what the goals are, which is that they want to make certain that they are treated with respect, that it is done quickly, that the tremendous contributions they have made are recognized, and that we salute and honour a special group of heroes and their families for all time.

I think that pretty much covers what we intend to do. The bill of rights doesn't have to be complicated; it just has to be legislated, so that we have something we can give to our veterans and it's more than a promise, it's actually something written.

That's all I really have to say. I'd be more interested in hearing what everyone else has to say.

**The Chair (Mr. Rob Anders (Calgary West, CPC)):** I don't have anybody else on the speaking list.

Monsieur Perron.

[Translation]

**Mr. Gilles-A. Perron (Rivière-des-Mille-Îles, BQ):** Good day, Mr. Chairman.

I too am a little tired this morning. Last evening was rather long and tiring, but our presence is required on such occasions.

I'm in favour of a veterans' bill of rights. The committee is set to begin studying this matter. I do, however, have one concern. The Canadian Charter of Rights and Freedoms does not state clearly that citizens have duties and obligations. In drafting a veterans' bill of rights, we need to bear in mind that in addition to rights, veterans have obligations as well. In other words, the document that we are devising together shouldn't give veterans too much latitude.

I'm speaking from the heart and allowing my emotions and feelings to shine through. Certainly veterans must have rights, but they must have certain obligations as well.

That's all I wanted to say, Mr. Chairman.

• (0905)

[English]

**The Chair:** Is there anybody else who would like to comment?

Ms. Hinton.

**Mrs. Betty Hinton:** It's just a comment again. I agree with everything my colleague has said, but if we go through this, if we have a look at some of the comments that have come from some of the witnesses, the one I found the most interesting is that it should be kept short and sweet and it should fit into a veteran's wallet. That came from the Legion.

There are a number of other comments contained in this that I think also make good sense. The one that stands out the most for me is that the bill of rights should concentrate on rights rather than on service delivery or standards. It's something that we want to make certain veterans have access to at all times, that they are respected at all times.

I think that's the aim and purpose of this entire committee, so I'm hoping we can put something together rather quickly and deliver on what we've promised the veterans in this country.

**The Chair:** Mr. Stoffer.

**Mr. Peter Stoffer (Sackville—Eastern Shore, NDP):** Just as critical is to get a legal opinion on this bill of rights to see if it has any legal weight, because a lot of veterans, as you know, are battling DVA every day on issues from hearing loss, to back problems, to SISIP, to whatever. So if they believe they have a particular right, then we should enshrine that that right is ironclad, and not just something they put in their wallets that feels good.

So it would be nice, if we're going through this procedure, to get legal opinion to see what weight a veterans bill of rights would have on legislation and on the government of the day.

**The Chair:** Monsieur St. Denis.

**Mr. Brent St. Denis:** Thank you, Chair.

We're working off this document with a huge "Draft" written through it. I've never seen that before. I take it, based on my question to Alex, that it was an attempt by the department to keep the draft secure. It is certainly pretty secure. It is difficult to read, and I find it difficult to concentrate on. I'm sure it's a wonderful piece of work, so I'm trying at the same time to reconcile that.

I'll be honest. I can't work with this, and I think the department has to trust the committee, that we can receive a draft copy without "Draft" written through it. I'm sure it's a wonderful piece of work, but I was getting eye strain—

**The Chair:** Yes, I agree. I'm the same way.

**Mr. Brent St. Denis:** Again, this is not meant to be criticism; this is just an observation. I hope we can get a copy to work from that doesn't have this, and we'll just treat it as we do confidential documents. We'll turn it back to the clerk after the meeting, or whatever is appropriate.

Now, I didn't quite understand, in regard to this document with the comments on the side, whose comments are those on the side. For example, I read here: "This is an overblown sentence that lacks dignity." I don't know whose comment that is.

**A voice:** It's the minister's, isn't it?

**Mr. Brent St. Denis:** Maybe, and that's fine.

I think this is important enough. I agree with the sentiments of Betty and Peter and the others—and our witnesses—that it needs to be simple and it needs to be respectful of veterans. At the same time, especially if it's short, we need to read it word for word. I'm sure we can struggle through this meeting, but is there a way we can get a copy of this without the big "Draft" written through it?

Again, I would like to know, these deletions in the formatting, which precedes which? I can't make out which comes first and which comes second.

• (0910)

**Mrs. Betty Hinton:** I can't help you on that, because I don't have anything that says what you just said.

**Mr. Brent St. Denis:** Well, this is what I was just handed this morning.

**Mrs. Betty Hinton:** The comment that says there's an overblown sentence—

**Mr. Brent St. Denis:** It's on Veterans Affairs letterhead. Go down to the bottom, second last...maybe that's just an editor's comment. You know, it's an internal document. I have no problem with that; somebody's just commenting. But I don't know if it's somebody in the department or if it's a fellow committee member or the chair. Maybe I don't need to know, but what is that, as a document?

**The Chair:** It's very obviously a draft.

**Mr. Brent St. Denis:** There might be two drafts. We may have two drafts here.

**The Chair:** I think our researcher has some answers to these questions.

**Mr. Michel Rossignol (Committee Researcher):** Yes, this is a draft that was examined by veterans groups, I believe, around June of last year—

**Mr. Brent St. Denis:** Which one are you pointing to?

**Mr. Michel Rossignol:** They're the same document. That's why it has "Draft" written on it. It was the original, and I believe it was in Word, so it's embedded in the text. This is a document that was looked at and examined by somebody in Mr. Tom Hoppe's group, the Canadian Peacekeeping Veterans Association, or one of the...I don't remember exactly the association's name, sorry. But somebody called A.J., I believe, made some comments, as well as somebody else. These are veterans from that group who made comments, and when Mr. Hoppe came before the committee he made this document available to committee.

So it's an indirect route. That's how we got the document, and that explains why it's a draft. It's not for the committee. That was the original draft document that was looked at by veterans groups, so it's not something to prevent the committee from—

**Mr. Brent St. Denis:** So it was for stakeholder comments.

**Mr. Michel Rossignol:** Yes, and there's a body of text that was the original draft. On the second page, there's a list of the rights: "Veterans have the right to...". That was the original draft, with comments added into the Word document by veterans, although I'm not sure exactly who made those comments.

**Mr. Brent St. Denis:** If I may continue, Mr. Chair, where does this draft end? Is this list of rights part of it?

**Mr. Michel Rossignol:** Yes.

**Mr. Brent St. Denis:** Okay, so it's the full two-page document.

**Mr. Michel Rossignol:** Yes.

**The Chair:** I'm going to let the clerk say something, because I think he wanted to add to this.

**The Clerk of the Committee:** With the committee's authorization, I could propose to redraft this and have my office rewrite it all, without the formatted "Draft" across the page. It would be a readable version, if that's what they'd like. I can send it out to all the members, if they would enjoy that.

**The Chair:** I'm fine with that.

Mr. Shipley, and then Mr. Valley is on deck.

**Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC):** I think that would be good, taking in all the comments. It obviously has to have "Draft" on it, and there are other ones that we've seen with the highlighting that you just read through. I believe there's a bit of a mission statement that lays out what it is about.

Clearly, this is a veterans' committee, and I think each of the others will have their own opinion. If we're going to call it a bill of rights.... Actually, in here somewhere, someone was asking whether it is actually going to be a bill or whether it's basically going to be a policy. We need to do that in order to know what we want to have done with this. If it's going to be a bill of rights, would that bill of rights then be complementary to the ones in the other emergency services, whether it's the RCMP or DND?

If we're going to redraft it, we should just give our clerk some direction on that. Clearly this is the veterans' committee, and I think this should deal only with veterans at this time. We can get some clarity with respect to some of the comments that have been made here, and we need to take some of those into context when we're developing the content of the bill of rights, if we're going to call it that.

I also think that if we have other suggestions, today is the time to give them to the clerk, so that he doesn't have another ten to consider putting into it when he comes back. I would just open it up, Mr. Chair, for that kind of discussion. If we're comfortable with using this as a format to delete and take away from today, maybe we can use it to get a draft that he could put together for us for our next get-together.

• (0915)

**The Chair:** We have a few others. At some point, I think it might be worth focusing mostly on the part that comes on the second page, after "Veterans have the right to...". Maybe what I can do later is read through that, and then we can try to focus on that. For most veterans, that's operationally what's going to matter anyhow.

Mr. Valley.

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

You'll notice that I generally speak around here, but I was sitting here confused about where this came from and what we were going to do with it. These are obviously comments on our draft document. Did we see this in June?

**The Clerk:** Yes, I sent it around.

**Mr. Roger Valley:** I'm known to lose stuff.

**The Clerk:** Maybe it wasn't in June, but around November.

**Mr. Roger Valley:** I think it needs to be sent out again.

**The Clerk:** I did so yesterday evening.

**Mr. Roger Valley:** Does anybody else have it? These are comments on a document. Is the full context of the document in here?

**The Clerk:** I don't think we have access to that.

**Mr. Michel Rossignol:** I believe the original draft is part of the document here, where you have "Veterans have the right to...".

**Mr. Roger Valley:** So everything is here then, not just his comments.

**Mr. Michel Rossignol:** Yes, but those comments have been added to the Word document.

**Mr. Roger Valley:** It's obvious that confusion is reigning here, because I'm still confused.

Everything is here. These are the comments of one group of stakeholders.

**The Clerk:** Yes.

**Hon. Albina Guarnieri (Mississauga East—Cooksville, Lib.):** Excuse me, but is the document four sheets or two sheets?

**The Chair:** It seems to be two.

**Mr. Roger Valley:** If it's clear that we have everything in front of us, why do we only have one set of comments from stakeholders. Are they the only ones who bothered to send something in?

**Mr. Michel Rossignol:** No. When Mr. Hoppe came before the committee, there was a discussion about consultations with veterans groups on the draft bill of rights. He offered to make available to the committee whatever they had. That's the document that was sent out in November or December, in that period. It was sent out again yesterday.

It's just one copy from what one group examined, but I believe the draft bill of rights is in there, as it was examined by the veterans groups that were involved in the consultations.

**Mr. Roger Valley:** The draft bill that was sent out for....

**Mr. Michel Rossignol:** Yes.

**The Chair:** You could either look at it as the glass half-empty or the glass half-full. Certainly when it has "Draft" stamped all over it, along with all these other little things, it's obviously not preconceived. There's a lot of room to move. That's the upside.

Mr. Valley, are you...?

**Mr. Roger Valley:** I'm still confused, but that's okay. It's happened before.

**The Chair:** Monsieur Perron.

[Translation]

**Mr. Gilles-A. Perron:** Some members are very easily confused. I can give you a hand. For once, francophones are very well equipped. I have the French version, and the original English version, and no draft. If you would like to make some photocopies right away, then these could be distributed.

[English]

**The Chair:** That is a very productive suggestion, Monsieur Perron. That's great.

Yes, Mrs. Hinton.

**Mrs. Betty Hinton:** I understand Mr. Valley's concern. It would be hard to go through this if you hadn't been at every meeting at which there was someone who made comments. I think what they've done is gather up all of the commentary from every person who has been a witness at this committee, and anything they said pertaining to the bill of rights is in this document.

We have an option here. I don't have a problem personally—I don't know about anybody else on the committee—but we could certainly get a legal opinion. That would be fine by me, and it might be very helpful.

The other thing we might want to do is make a decision as to whether or not we're going to table this in the House before the end of this week.

• (0920)

**The Chair:** That would be nice.

**Mrs. Betty Hinton:** Okay. Or do you want to just give it to the minister? Tabling it in the House is, to me, more official, but we can go whatever way you want to go.

Those are the kinds of things we need to decide. Perhaps we could go through this in greater detail and everyone could have their input ready by our next meeting, which is Thursday.

**The Chair:** Mr. St. Denis is next.

**Mr. Brent St. Denis:** I look forward to the clean copy that Gilles is providing to us.

The overview at the beginning obviously doesn't form part of the text, because in there it asks, "Will this document carry the weight of law?" It then says, "See memo."

Presumably we're starting this with "Our Promise to You". Do we have the answers? Is somebody offering answers to the questions in the overview? Or are there answers to the questions in the overview?

**The Chair:** Maybe that's what the legal opinion is all about.

**Mr. Brent St. Denis:** Is that the case?

**The Chair:** I don't know.

**Mr. Brent St. Denis:** That's why I was asking if that was the case. In terms of a bill of rights, yes, that's a fair question.

I would say that we have the time once we have the full copy back. It's a short document. Let's read through it together. At least we will have read it together.

**Mrs. Betty Hinton:** And is your intent to then table it?

**Mr. Brent St. Denis:** I don't disagree with your suggestion that people bring comments back, but most of us haven't seen anything but this version here, which is very difficult to concentrate on.

Is there disagreement about reading through it together? It's a short document. It would take us ten minutes.

**The Chair:** Yes, it's a great idea, as soon as we get that back.

Mr. Shipley.

**Mr. Bev Shipley:** My only comment is that if we get this, I think we should go through it.

Getting it tabled in the House before we leave is likely going to be a little problematic in terms of timing. I don't know. I'll look to the clerk for some direction. But if we don't wrap it up today, and we're just going to have suggestions that come in on Thursday, well, Friday is the last day. And likely, putting it in the House by Friday isn't going to be much more formal than giving it to the minister, because I suspect that, like on a lot of Fridays, there won't be many people here. And this is the day before two weeks in your ridings.

**Mrs. Betty Hinton:** How about giving notice and then doing it right after the break?

**Mr. Bev Shipley:** Do it the week we come back, or whatever.

**The Chair:** Monsieur Perron wants to respond.

My guess is that if it's tabled in the House, there's a possibility that it will get more sis-boom-bah and media attention for the committee's work or whatever. But anyhow....

Monsieur Perron.

**Mr. Bev Shipley:** I understand that.

[*Translation*]

**Mr. Gilles-A. Perron:** I don't see why we would give a copy to the minister, since he's the one who signed it. His signature appears on the last page: the Right Honourable Greg Thompson, Minister of Veterans Affairs. We don't need to give him a copy. He already has one. Instead, I think we need to table a copy to the House. The minister has already seen this document.

[*English*]

He signed it, so he's aware of it.

**Mr. Bev Shipley:** Mr. Chair, I'm not disagreeing. It's just that I don't think it will likely happen this week.

**The Chair:** Okay.

We have a clean copy to read.

**Mr. Brent St. Denis:** Will we have the answers to the questions in the overview and to other questions posed today by Thursday?

**The Chair:** Why not this? This is my thinking. We're going to hopefully have clean copies here very soon. We'll read through that together.

I wonder—and I turn to my clerk for a look to see whether this may be possible—if we can possibly see if we can have legal counsel here to go through that with us at the next meeting.

• (0925)

**The Clerk:** Do you mean parliamentary legal counsel?

**The Chair:** That's questionable. Parliamentary legal counsel would be one.

**The Clerk:** If so, it's very easy to get them on Thursday.

**The Chair:** I love that. That's a great suggestion.

How does everybody feel about parliamentary legal counsel?

**Mr. Brent St. Denis:** As long as it's legal counsel.

**The Chair:** They're fast. We can get them. How does that sound? They're available. They're lawyers who are available on short notice. Okay.

**Mrs. Betty Hinton:** Brent, did you want to go through these documents, these comments?

**Mr. Brent St. Denis:** I was simply going to go through the original version. I'm not sure if the version Gilles is providing has the comments by stakeholders in it or not, but we'll soon find that out.

**Mrs. Betty Hinton:** Okay, well, this one does. The statements and testimony concerning the veterans bill of rights that we would get—

**Mr. Brent St. Denis:** Okay, but I meant the embedded comments.

**Hon. Albina Guarnieri:** Do you have an extra copy of what you held up, Betty?

**Mrs. Betty Hinton:** You should have received it too.

What it looks like to me, Brent, as I've gone through this, is that these are comments that have been gleaned from every witness we've had in front of the committee, and they've just pulled out all the comments and put them on a sheet. They're done by date and—

**Mr. Brent St. Denis:** Yes. Not to be picky, but I think the comments embedded in the document are specific to the draft that was put in front of those stakeholders in June, whereas these comments are—

**Mrs. Betty Hinton:** These are from witnesses.

**Mr. Brent St. Denis:** —from witnesses at meetings, so they're not necessarily correlated. They may be similar, but they are not necessarily correlated.

**Mrs. Betty Hinton:** So which one did you want to go through?

**Mr. Brent St. Denis:** Well, let's see what Gilles' document... Thank you, Gilles, for helping us anglophones with this presentation.

Mr. Chair, can you tell us if the stakeholder comments are in that version?

**The Chair:** Yes, they are.

**Mr. Brent St. Denis:** Okay. Then I'll leave it to colleagues whether you want to look just at the department's original version or you want to look at comments as you go along. It would be my sense that we ignore the comments on the first go-through. Let's just see what the department suggested, because you don't know—the comments might be just from a grumpy person who had a bad day versus another person who is the head of a 10,000-member organization. We have no idea of the weighting of the comments.

**The Chair:** All right. Since we're exhausting the list, why don't I go ahead and read through that for everybody?

• (0930)

**Mr. Brent St. Denis:** The original text, right?

**The Chair:** Yes. I'm going to try to avoid the commentary as best I can. So bear with me as I haltingly read through that, then.

The Veterans' Bill of Rights

Our Promise to You

To provide exemplary, client-centred services and benefits that respond to the needs of Veterans, our other clients and their families, in recognition of their services to Canada; and to keep the memory of their achievements and sacrifices alive for all Canadians.

On behalf of the Government of Canada, the Minister for Veterans Affairs commits to protect and preserve the rights of all Veterans (War Service Veterans, Canadian Forces Veterans and Members), Surviving Spouses, Retired and Serving Members of the Royal Canadian Mounted Police, and our other clients. The tremendous contributions you have made to Canada as a nation and to the world are recognized and celebrated.

The Government of Canada, working in cooperation and partnership with Veterans' Organizations, resolves to advance the rich legacy of peace, freedom and national identity that was fought for and won by the many brave men and women of this country, who were willing to make the ultimate sacrifice for future generations.

Through the signing of this Veterans' Bill of Rights, the Government of Canada commits to delivering benefits and services that respond to your immediate and ever-evolving needs.

Veterans have the right to:

Be treated with respect, dignity, and courtesy;

Be listened to so we may understand your needs and be sensitive to them;

Fair and equitable treatment in all of our dealings with you;

Receive clear, easy-to-understand communications;

Privacy and protection of your personal information;

Recognition of the importance of family and community in your well-being;

Be included in discussions that affect your health and well-being;

Receive accurate and up-to-date information on all of our programs and services;

Highly trained and professional staff to provide a consistent level of quality service across the country;

Receive benefits and services in a timely manner and in accordance with the relevant legislation;

Receive free Legal Representation from the Bureau of Pensions Advocates and support, advice and guidance from Veterans' Organizations; and

Hold Veterans Affairs accountable and responsible for all of our decisions.

This Veterans' Bill of Rights honours and salutes this special group of heroes and their families for all time.

I think that pretty much encompasses just the text.

Mr. Stoffer.

**Mr. Peter Stoffer:** Do you need our advice or a discussion on some of what you just read?

**The Chair:** I think we can do that.

Do you want me to read through the commentary?

**Some hon. members:** No.

**The Chair:** Fair enough. You want to do it on your own.

Mr. Stoffer.

**Mr. Peter Stoffer:** On the second part, where it says, "On behalf of the Government of Canada, the Minister for Veterans Affairs commits to protect", I would include "the Minister and the Department of Veterans Affairs". It's not just the minister, it's the department as well.

**The Chair:** Maybe you could say "the Minister of Veterans Affairs on behalf of". Or do you just want the "and"?

**Mr. Peter Stoffer:** "The Minister and the Department...". That was one.

And at the end, "This Veterans' Bill of Rights honours and salutes this special group of heroes"—I think whoever did that commentary underneath was correct. A lot of guys don't like to be called "heroes". They just do their job and that's it. Maybe "honour and salute the special group of Canadians".

**The Chair:** All right.

Mr. Valley.

**Mr. Roger Valley:** I have a question, again. This is written by whom, and when? Was it written by the department for comment? Did we send it out to stakeholders?

**The Chair:** That's our best guess.

**Mr. Roger Valley:** We mentioned June. Can somebody tell me roughly when this was written and sent out to stakeholders? Do we know?

**The Chair:** I think I'd safely say before June.

**Mr. Roger Valley:** Do you have the time?

**Mrs. Betty Hinton:** The witnesses started coming in June.

**The Chair:** Mr. Stoffer.

**Mr. Roger Valley:** Well, actually—can I finish?

**The Chair:** Yes, sure.

**Mr. Roger Valley:** I think timing's important here, because I'd like to know that this wasn't written before we started listening to people. I want to know when it was written and who it was written by. Was it written by the department? There must be some date we can find. We started sitting here, roughly, in April. This was written when, sent out when?

**The Chair:** I'm sure somewhere somehow that answer can be provided. I sense, though, that we can really take this wherever we want. That's my guess. You're the committee, you can choose to do what you want. If you want to restructure this thing, if you want to bring in other bills to compare and contrast it to, if you want to make additions or deletions—whatever you want to do, you can do.

**Mr. Roger Valley:** I'm not saying I have a problem with that. I'd like to know where it came from.

**The Chair:** I would just look at this as a starting document to go with. We could find that out. I don't know.

Mr. Stoffer.

**Mr. Peter Stoffer:** I'm not married to this idea here, but when the veterans charter came about, the four leaders of the parties were over in Europe. When they came back on the airplane, they all agreed to move the veterans charter unanimously as quickly as possible, and that's how it came to be.

Having the minister sign the veterans bill of rights I think is a very good thing, but I thought that because of government change down the road, if you have the leaders of all parties also sign, then that way they commit. I'm not married to it, I just throw it out there. That way, it commits all parties to the bill of rights, not just the government in the minority situation that we have.

**Mrs. Betty Hinton:** I think when something passes, it passes. If it passes in the House of Commons, all parties are committed to it.

**An hon. member:** Or should be.

**The Chair:** To be honest, I would take it simply as something the committee could vote on as a recommendation. What the department chooses to do at that stage, I don't know.

Mr. St. Denis and then Mr. Roy.

**Mr. Brent St. Denis:** First, in the list, the fourth one, veterans have the right to “receive clear, easy-to-understand communications”. Do we need to add, for clarity, “in the official language of choice”? Do we want to make that very clear?

• (0935)

**The Chair:** If you wish, yes, we can add that in.

**Mr. Brent St. Denis:** It's the client's right to choose the language of their communication.

**The Chair:** I'm writing, “in their official language of choice”. Or do you just want to say “in their official language”? “Of choice” is kind of obvious, it's either English or French, right?

**Mr. Brent St. Denis:** Yes, “in either official language”, or something like that.

**The Chair:** How about, “in their official language”? It sounds more personal.

Is that it, Mr. St. Denis?

**Mr. Brent St. Denis:** I was reading some of the commentary. Can we discuss some of the commentary?

**The Chair:** I think so. Go for it.

**Mr. Brent St. Denis:** At the top of the second page, the first italicized comment begins with “Keith”, I guess it's Keith Hillier who's mentioned. The third line, “We, CPVA”, which is what, the Canadian pensioners and veterans association? The Peacekeeping Veterans Association. “We, CPVA, should not be written into the document as a participant”. What is that writer...? Were they somehow signing off on something? What was the context of that concern? Does anybody know?

The only thing I can imagine is where it says they should not be written into the document as a participant, and then they mention the legal action and so on—and that's another point—maybe they were being asked to sign off that they have seen this or commented. I don't think anybody, in participating in something like this, is actually ever signing off. You don't give up your rights because you've participated in something.

Anyway, for the moment, that's my comment.

**The Chair:** Maybe if all the party leaders sign on to it they give up their right to criticize it later on. We'll see.

Anything else, Mr. St. Denis?

**Mr. Brent St. Denis:** Not at the moment, thank you.

**The Chair:** Okay.

Monsieur Roy.

[*Translation*]

**Mr. Jean-Yves Roy (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ):** Thank you, Mr. Chairman.

In the French version, we have a fairly serious agreement problem. For example, all of the articles in the bill of rights begin with a verb. However, line 5 begins with the word “Respect” and line 6, with the word “Reconnaissance”. The verb form should be used here, namely “Respecter” and “Reconnaître”. Otherwise, it just doesn't work in French. If you start off by using verbs, then all of the articles appearing in the bill of rights should begin with verbs. I haven't checked to see whether it's the same in English.

[*English*]

**The Chair:** In principle, I understand where you're coming from, Monsieur Roy, but I'm not sure which line you're referring to.



[Translation]

**Mr. Jean-Yves Roy:** I'm sorry, I'm referring to lines 5 and 6 which read "Respect de la vie privée et protection de leurs renseignements personnels;". Instead, they should read: "Respecter la vie privée et protéger leurs renseignements personnels;".

[English]

**The Chair:** Those are useful suggestions, sir.

[Translation]

**Mr. Jean-Yves Roy:** The following article should say: "Reconnaître la contribution importante de la famille et de la collectivité à leur bien-être;". not "Reconnaissance de [...]".

[English]

**The Chair:** You're right. On number five, I take it you would like to start with the words "protect and keep private your personal information".

[Translation]

**Mr. Jean-Yves Roy:** Yes, that is to say: "Respecter la vie privée et protéger leurs renseignements personnels;". Line 6 should say: "Reconnaître la contribution importante de la famille et de la collectivité à leur bien-être;".

[English]

**The Chair:** Bear with me, I'm working on number five here. I take it number five is better as "protect and keep private your personal information".

[Translation]

**Mr. Jean-Yves Roy:** The French version should read as follows: "Respecter la vie privée et protéger leurs renseignements personnels;".

[English]

**The Chair:** "Respect and protect your personal information."

[Translation]

**Mr. Jean-Yves Roy:** That's right.

• (0940)

[English]

**The Chair:** All right, *merci*. I think it's an improvement, sir.

What about number six?

[Translation]

**Mr. Jean-Yves Roy:** Line 6 would simply read: "Reconnaître la contribution importante [...]" instead of "Reconnaissance [...]". The verb form is "reconnaître".

[English]

**The Chair:** I haven't read it all, but would it be better to put "recognize the importance of"?

**Mr. Bev Shipley:** "Recognize the importance of family and community and their well-being"—does that make sense?

**Mr. Brent St. Denis:** On a point of grammar in English, do you notice the header "Veterans have the right to"? The sentence has to continue with the header "have the right to recognition". If you say "the right to recognize", it's a grammatical point.

**The Chair:** Yes. You like the word "recognize".

**Mr. Brent St. Denis:** If you're keeping the header, you need to have it.

**The Chair:** Sure. I'm with you 100%.

**Mr. Brent St. Denis:** It's a point of grammar. It doesn't have to be the same form.

**Mrs. Betty Hinton:** Before we go too far, Mr. Chair, are we going to vote on all of the different things that have been put forward so far?

**The Chair:** So far, I think we're operating on a consensus. When I sense that we need to have a vote, because there seems to be a real battle cry going on, then I think we'll do it.

I have Mr. Sweet on the list. Sometimes we pay attention to the list, sir.

Mr. Sweet.

**Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC):** I feel the same way as you do, Mr. Chair. There's a consensus in the room.

But I think one of the things we should decide on is the one principle that I think was echoed by many contributors about this being short and sweet. I love that; short and sweet. It has the capability to be in someone's wallet.

If that's the case, then with Mr. St. Denis' addition of "receive services in both official languages", we're up to 13 points.

**Mr. Brent St. Denis:** It's part of the same one.

**Mr. David Sweet:** Okay. We'd then have 12 points.

We might want to decide whether or not it's going to be too much for one little card in somebody's wallet. If we want to recommend to the department that we have a more concise statement with an explanatory document that would be more robust, what does this particular line mean?

**The Chair:** My sense, Mr. Sweet, is that all the rest of the stuff we have here is gobbledygook. I think what really matters is those 12 lines.

I am certainly always in favour of brevity in regard to these matters. If people see places where they think we can streamline those 12 lines to make them shorter and tighter 12 lines, I'm all for that.

**Mr. David Sweet:** That's exactly my notion here, that with some good editing.... For example, the two lines, "Veterans have the right to...recognition of the importance of family and community in your well-being" and the next line, "Veterans have the right to...be included in discussions that affect your health and well-being", could be edited to one line: "Veterans have the right to know their well-being is the number one concern of Veterans Affairs".

**The Chair:** Could I ask that when people make references to lines, they start using numbers or something?

**Mr. David Sweet:** Well, this would be lines six and seven. If you look at those two lines, six and seven, you could make one statement like: "Veterans have the right to know their well-being is the number one concern of the Department of Veterans Affairs", and then, of course, in an explanatory document you would have a more robust description about this that would include your family, would include the privacy of your health documents. The list, of course, could even be much more robust than what's already there. You could get something really concise into six or seven points.

By the way, our older veterans probably need a little bit bigger type than this has, too.

**A voice:** We were going to build in a little magnifying glass.

**The Chair:** Sir, I'm with you in principle here; I'm not opposed to where you're going. Is the question that you want to strike line six, or how do you want to do it?

**Mr. David Sweet:** I'm putting it out as a notion to the committee that we've had this input in the past. I envisage something the size of a driver's licence, whereby a veteran could look at it. Obviously you can't, on something the size of a driver's licence, get every aspect of every dimension of this whole notion of rights in front of a veteran. But you can have a statement that has the solid, overriding principle, and then put the details in another document that the veteran would have in their desk, so to speak, at home, rather than carry in their wallet.

• (0945)

**The Chair:** So you're not proposing a specific amendment here?

**Mr. David Sweet:** No, I was trying to give an example, so that if we look towards that goal, then we might look at statements like these two and put them into one.

**The Chair:** I like it.

**Mr. David Sweet:** It doesn't diminish the meaning.

**The Chair:** I like where you're going, sir, and that's what I'm looking for now—specific kinds of things.

**Mr. David Sweet:** Just for the sake of conversation, I'll propose that: that those two lines, six and seven, be combined into this: "Veterans have the right to know their well-being is the number one concern of the Department of Veterans Affairs". Let that debate go.

**The Chair:** I think that's slightly long. Is somebody writing it down?

Let's consider that a discussion on lines six and seven, then.

Mr. Stoffer.

**Mr. Peter Stoffer:** You can actually get rid of lines one and two; that's very straightforward. I find the one that says, "...and be sensitive to them", is a bit condescending in a way. You can get rid of those two, because it's only—

**The Chair:** I'm going to insist on numbers here. Where is "sensitive"?

**Mr. Peter Stoffer:** Lines number one and number two could both be eliminated. Then down below it says, "Highly trained and professional staff". You can actually get rid of that one as well.

**The Chair:** I'm sorry, where is "Highly trained and professional staff"?

**Mr. Roger Valley:** Mr. Chair, I think you're a little too close; you have to sit back and look at what we're doing here. We're trying to rewrite something that we should give to Michel. We trust his work. He can take these 12 points.... I don't think it's our job to give him that kind of direction. I'm sorry to interfere, but I think he can do a good job. We trust him; he does good work.

This is motherhood and apple pie. We want something with some substance. There are a lot of good points in here, but it could be written much better than this. I think the whole thing can be shortened, can be better, stronger, but I don't know that we can do it by sitting around here word-smithing back and forth.

**The Chair:** So we're going to allow him to be the Thomas Jefferson of the group? It's a big responsibility.

Just bear with me. Mrs. Hinton will be added to the list. Mr. Valley is next. And then Mr. Shipley should be added to the list. Oh, he's on.

**Mr. Roger Valley:** I agree with everything David said, but we have to get something here that's short and sweet.

**The Chair:** Now it's over to Mr. Shipley.

**Mr. Bev Shipley:** Can we get a consensus then that we want two things?

We want two things that Michel would work on. One would be a document, not unlike what we have here, that they would keep and we would keep, and it would be bigger, have a little more detailed definitions of, when we say "well-being", what that actually means. The second part of it is to basically take the "Veterans have the right to", depending on how we want to put that at the top, and it just goes on a card. It would list whatever we can to shorten it down so that it can go one side of the card, and on the back we could have something. Is that what we're looking at?

I think that makes sense. If we're going to get all we want on a little card, as mentioned before, it isn't going to work. But if we could nail it down to six or seven points to go on the card and then have an overlying document that would give the definitions and a little more clarity to what it actually means, I think that would help Michel. If we agree on that in principle, then he can go back and do that for us.

I think Roger is right, we're going to start tinkering around here. If we want them all to start with verbs, then tell him to start them all with verbs, or if you want to start them with nouns, tell him you want them all starting with nouns, and let him do that work.

I would suggest, Mr. Chair, that we do this. We take those two and get some comments basically in two formats.

**The Chair:** It makes sense, because Jefferson said he wouldn't draft the Declaration of Independence if somebody else had to edit it. He said, let me do my thing.

Mr. St. Denis.

**Mr. Brent St. Denis:** Thank you, Mr. Chair.

I know we don't have the answer now, but I'll set up what I'm going to be asking at another meeting. We don't know what the legal status is of the bill of rights. I'm concerned, because I don't really know what was in the mind of the now government when they promised a bill of rights. I think it came out with your campaign, if I'm not mistaken, and that's fair; we're in the business of politics.

I'm not sure what was in the mind of the proposer, whether it was the now Prime Minister or the platform people. If at the end of it all this has no legal basis and it's just a nice, pleasant, but otherwise wishy-washy statement of the nice things the department should do for you, which all departments ideally should be doing for all their clients—

**An hon. member:** They have a mission statement.

**Mr. Brent St. Denis:** They have a mission statement, but a bill of rights versus a statement of service principles. I have to admit to being confused from the beginning on “charter of rights”, “bill of rights”, and there's reference in some of the testimony that the ombudsman could use the bill of rights in his or her work. But if it ends up being a document that has no legal basis and it's just a nice pretty statement of service principles, what has been accomplished?

I don't want to be embarrassed by presenting something to veterans and having them say, don't you do that anyway, or, isn't that what you're supposed to do? I just put that out there.

• (0950)

**The Chair:** I'm hoping the parliamentary counsel will be able to help with regard to that.

I think Mr. Stoffer touched on this earlier. I seem to recall there was probably a discussion between the various parties on a trip with regard to veterans that the business germinated out of; that was the sense. We have a former minister here, and if she wants to add clarity on that, she's more than free to.

**Mrs. Betty Hinton:** That's not what he was talking about. I can clarify Mr. St. Denis' question about the bill of rights.

I happened to be the critic at the time and I wrote the Conservative Party's platform concerning veterans. The bill of rights is the result of a number of veterans over the years who have come to me and said, you know what, you may say that out loud, but I don't have anything in writing to back that up. I need something in writing that says you're going to treat me with dignity, respect, courtesy, and that I'm going to be listened to. These are the things that matter to me. I have nothing to back up my right to have this, and I want a bill of rights.

That's what the bill of rights is all about. It doesn't have to be complicated. It's something that traditional veterans have for a long time been asking for. That is what this was all about.

**Mr. Brent St. Denis:** Was it envisioned as a legal document?

**Mrs. Betty Hinton:** It was envisioned as something that they actually have on paper that says, “I have the right to be treated with respect, dignity, courtesy...”, whatever the wording in here is that we've come up with. They wanted something they could hold in their hand and say, “Look, I have this right.” So that's what the bill of rights is about.

The ombudsman position obviously was something entirely different, and we've dealt with that. I'm really pleased to see the result that this committee has come up with, that we had consensus of opinion, and that it's actually going to be happening now. So the bill of rights, I think, is a little bit simpler than that, and this is coming from veterans groups, and it's coming from veterans who have spoken to me over the years and said, “I want something in writing”.

**The Chair:** All right, Ms. Hinton, you were up next, so was this your—

**Mrs. Betty Hinton:** No. The only comment I was going to make is that you said we were operating on a consensus of opinion today, and Mr. Stoffer asked to remove lines 1 and 2. I haven't had a single problem with anything that's been said so far, so I'm okay with the consensus of opinion, but I don't agree with taking out the part about veterans' being treated with respect, dignity, and courtesy, or that they be listened to. Those are very important things, as far as I'm concerned. So if we're operating on a consensus of opinion today, I don't agree with that.

**The Chair:** What if we had “be listened to with respect, dignity, and courtesy”?

**Mrs. Betty Hinton:** That would be fine. I don't want to take it out.

**The Chair:** Then we could condense two into one.

Monsieur Perron.

[*Translation*]

**Mr. Gilles-A. Perron:** What I'm about to say might confuse the committee a little. My comments are directed mainly to Michel.

Allow me to demonstrate for you. Everything that is written here should be printed back-to-back, on new laminated cards that are indestructible. They would be similar to the ones that fit in a person's wallet. I don't know if we can include all of the information this kind of card. You'll have to find a solution to that problem. Good luck!

• (0955)

[*English*]

**The Chair:** I think that's a noble suggestion, sir.

Mr. Sweet.

**Mr. David Sweet:** I never envisioned this bill of rights to be a legal document. We're going to get counsel in here, and maybe it will end up being that. I always saw it as something complementary to the ombudsman, whose power is one of public shame. The bill of rights would be a tool that he or she would operate with, so that when a complaint came in, there would be a basis or a framework of what the substantive principle would be for the concerned veteran, and they would act accordingly. That document would go along with any public shame that would come from any investigation that an ombudsman would do.

So whether or not it becomes a legal document, the power that the document could have as both as a comfort to veterans, as Ms. Hinton has mentioned, and a tool for the ombudsman to use when it's required, just as the Auditor General uses it now as a stick for the department when it's necessary, is not diminished, as far as I'm concerned.

**The Chair:** Thank you, sir.

I'm just going to quickly get in here, and Ms. Guarnieri is next.

My guess is that there will be a slip of paper or whatever—kind of what Gilles was talking about—so that if a veteran walks into some place he's going to be dealing with, and if he gets somebody who isn't giving him good service, he can whip it out and say, “Hey, hold on right here”, and if they don't measure up and give him decent service, he'll probably make a complaint to the ombudsman, and it will come down the line.

Ms. Guarnieri.

**Hon. Albina Guarnieri:** I have a question for Betty, since she was the originator of the bill of rights.

Betty, I can appreciate the sentiment with which you conceived of the project, but in your mind and in the government's mind, would this bill of rights have legal obligations? Was that your intent when you came up with the idea?

**Mrs. Betty Hinton:** I think Mr. Sweet has pretty much summed it up in a very clear, concise capsule. Sometimes when you're involved in it as heavily as I've been, you forget to mention some of the things that matter, and that's exactly what the bill of rights is to me—a club, if you will, to ensure that veterans had their rights written down, so that if any of them were infringed upon, they could in fact go to the ombudsman. And the ombudsman position, thanks to this committee, is now going to be in place. This bill of rights, to me, was a clear direction as to what the rights of a veteran are, and the veteran could in fact then complain to the appropriate level if those rights were not respected.

**Hon. Albina Guarnieri:** Is the short answer that these rights would not necessarily have legal obligations, or that these rights would have legal obligations?

**Mrs. Betty Hinton:** The direction we want to take is entirely up to the committee. I'm telling you what the intent was originally. It was that there would be backup for veterans.

Veterans have come to me over the years and said that these are things that are not happening for them; they're not being treated with respect or they're not getting their answers in a timely manner. These are the kinds of things I wanted to ensure were part and parcel of all veterans' rights. Call it a bill of rights if you will, but if you want to make it a more complicated document, that's the right of this committee. This committee can go in that direction if they so choose.

**The Chair:** Is there anything else?

Go ahead, Mr. Roy.

[Translation]

**Mr. Jean-Yves Roy:** Thank you, Mr. Chairman.

I can understand your wanting to put all of this information onto a card, but let me give you an example. The Charter of Rights and Freedoms starts out by stating some broad principles and then goes on to explain their meaning. Of course it's possible to summarize this bill which sets out broad principles, but these principles need to be explained at some point thereafter.

The article reads: “Recevoir des prestations et des services en temps opportun, conformément à la législation pertinente.” Explain to me the meaning of “législation pertinente”. Is this a reference to

existing legislation, to legislation that will be amended, or to legislation yet to be enacted? A bill of rights always has some legal significance. In the case of the Charter of Rights and Freedoms, although it contains a statement of principles, it also carries some legal weight. In a trial, the court would look to the statement of rights. A statement made by a department or minister carries some legal weight. If veterans were to decide one day to take legal action, they would invoke the fact that a bill of rights has been adopted and must be respected.

I'm not opposed to adopting a short version, but I think each of the stated principles should be explained in a short paragraph, as was done in the case of the Charter of Rights and Freedoms. Of course you can always jot down broad principles on small cards. I have no problem with that. However, earlier, on rereading the text of the bill of rights, I found some contradictions and instances of repetition.

For example, the bill says that veterans have the right to be heard, while further on, it notes that they have the right to participate in discussions. As far as I'm concerned, if I participate in discussions, I hope that someone is listening to me. Some of the broad principles stated in the bill are not necessarily clear and are stated more than once.

● (1000)

[English]

**Mrs. Betty Hinton:** I'm not in a position to respond, but I would like to clarify one thing. We confuse an awful lot of people out there when we talk about the charter all the time. The Charter of Rights and Freedoms applies to every single Canadian; the veterans charter applies strictly to veterans. I'm not sure whether you were referring to the Charter of Rights and Freedoms or to the veterans charter, because the Charter of Rights and Freedoms applies to every single Canadian.

[Translation]

**Mr. Jean-Yves Roy:** I'm talking about the veterans' bill of rights, and comparing the way it would be used to the way in which the Charter of Rights and Freedoms is used. Once this bill is adopted, veterans will want to invoke its provisions to advance their cause, which is to be expected.

[English]

**Mrs. Betty Hinton:** Well, it was adopted last year and implemented under this government.

**The Chair:** Now we're going to Mr. Shipley.

**Mr. Bev Shipley:** I think we're maybe having trouble getting it all together. I agree that we're going to have a card. On one side we'll talk about the mission statement; on the other one we will have the six or seven rights that Michel will put together. That may be a good way of doing it. It was brought up earlier about having your mission statement or your goal on the one side.

The other part of it is the document. Obviously that document will make reference to the statements and to the references of explanation with it. Everything we do here has to meet the Canadian Charter of Rights and Freedoms. So I don't want to get hung up on that. We're going to get some legal direction from counsel on where we go on this.

The other part of it is, what's our commitment to it? On the second page, if you go to the second part on the signing—I believe that's where a lot of this comes from—it says: “Through the signing of this Veterans' Bill of Rights, the Government of Canada commits to delivering benefits and services that respond to your immediate and ever-evolving needs.” I don't know what other bills of rights there are with DND. I'm assuming the legal people will go back and look at what status they have. Is that a bill of rights in title only or in name only, and is it actually embedded in legislation?

What we're trying to do here is to make a clear commitment that will come in documentation, that will come in a card format. In that documentation it will be clearly that we're making a commitment as the Government of Canada. I would be comfortable with that, but we'll maybe have that debate when we hear back from counsel on what we actually should be doing or have to do for it to become a choice of ours. I'm assuming it becomes a choice of ours, but let's maybe have that debate at that time.

I don't want to micromanage Michel, quite honestly, and I think that's Roger's point. Let's give him some general direction of what we want to see in it. If we're at this stage now of one card on two sides, one document with a statement and references, and recognizing somewhere in here that everything is within the Charter of Rights and Freedoms, that's a given, and our commitment to veterans and that we're going to nail these down from 12 to 6 or 7, or whatever. There have been some suggestions in the last paragraph that the veterans bill of rights honour and salute this special group of Canadians. There's also the recommendation that Canada recognize its veterans and its families. I think we can have one or the other.

But I need some clarification...for example, I'll call it our promise too, which is a bit of a mission statement. We want to keep this. I'm suggesting that this bill of rights references veterans and families only. We aren't dealing with other emergency service groups; DND has their own.

Is that something we agree on? In the second part it talks about “Retired and Serving Members of the Royal Canadian Mounted Police, and our other clients”. I don't know who our other clients are, but I suspect we would not want to deal with the Royal Canadian Mounted Police, because that's not our mandate.

I am just wondering about some comments.

• (1005)

**The Chair:** To be fair, it would be kind of weird to talk about the Royal Canadian Mounted Police in our committee.

Mr. Stoffer's up next.

**Mr. Peter Stoffer:** We could shorten this meeting fairly quickly. Everything that my colleague Mr. Shipley has said is important, but the reality is that in the back pages here we talk about the legal status of this document, and also down below it says “...to avoid legal hassles over what was intended or not intended!”

This question has been asked of the parliamentary secretary twice: was the intent of this to be a legal document or not? The question is very difficult to answer, and I can appreciate that, because without legal opinion it's hard to say yes or no.

So I think before we talk about plasticized cards or mission statements, get the legal people in here and find out whether this or any reflection of this has legal standing, because we're talking about holding them accountable and responsible for all the decisions. The only way you hold somebody responsible politically is that you kick them out and you get someone new in, but to hold the department responsible is through the legal system. That's the only way you're going to do it. Unfortunately we have cases now—if you look at SISIP, for example—that are being challenged in a court action case. That's the only recourse these veterans have left.

So I think before we go anywhere further we need to get a legal opinion on whether or not this is just a generalization to give to veterans and say, “Here you go, God love you, it has no legal standing, so don't worry about it; it's just something nice” or “This is something that has legal standing, and when you get pissed off with the department you have something in your hand that can hold them accountable and you will have every legal right to challenge them”. That's really what the question is.

So I think we should hold off until we get a legal opinion.

**The Chair:** My honest guess of how this will work is that it's something that is emotive and feels good and comes out of this complaint that veterans had with regard to how they felt treated in the past. So you go ahead and you create this little card. Then what happens is that a veteran goes in, and if he doesn't feel like he's getting the respect he's due, based on the card, maybe he makes some complaints to the ombudsman. Where it really gets interesting is where he launches a civil action or there's a class action against the government with regard to some aspect of Veterans Affairs, and they quote and use this as a document, and then all of a sudden it comes into the courts and there's a question of what its significance is.

I know we're going to have parliamentary legal counsel here. They don't have a crystal ball. They're not going to know exactly where this is going to take them. But that's my guess of how it would evolve.

**Mr. Peter Stoffer:** I think you're right, sir.

**Mrs. Betty Hinton:** We both feel so strongly about veterans, and I know everybody at this table feels strongly about it, but we have to stop confusing the issue when we speak about things such as SISIP, because that's strictly Defence and has nothing to do with Veterans Affairs. We confuse veterans when we mix up what Defence is in charge of and what Veterans Affairs is in charge of.

• (1010)

**The Chair:** Mr. St. Denis.

**Mr. Brent St. Denis:** Thank you.

Further, actually, to what Peter was saying, and earlier comments, I don't question the good intentions of Betty and all of us on making veterans feel ultimately that the department cares about them. That's really what this is about, that the department—and whatever government office—cares about them, and here's a list that verbalizes, puts in print, what they care about.

At the same time, we have a responsibility as a Parliament, as parliamentarians, to make sure that when we hand somebody something, it has a degree of meaning—at the end of the day it has a degree of meaning from zero to 100.

So we will get some legal advice. I think we would have to make it clear on the large, full version of the document and some miniature summarized version, somewhere, that this is a legally binding document or it is not. There has to be a clear statement of what power or lack of power that document has.

If it is a mission statement, if it is a statement of service principles.... Because there are no timelines like “You shall get an answer to a letter within one month,” or “You shall not stand in line at the office for more than 15 minutes”. There are no quantified levels of service; they're all wonderful statements of good intentions.

But it's the very thing that you said, Mr. Chair. There's going to be some time, somewhere, that a veteran is going to feel grieved by something, and it's going to be tested. Well, we can't just throw that out carelessly to the courts.

None of this is meant to be a criticism of the good intentions of a bill of rights. We just have a responsibility upfront to be as smart about it as we can be, so that when it's done, it does serve the purposes for which this is intended. We don't want to mislead, that's all.

**The Chair:** No. My sense would be—and I'm just speaking about my personal observation here—that we should draft it with the idea that it can potentially, at some point, be brought into a court of law and be used to whip about the department or give guidance to the ombudsman with regard to how to proceed. For example, something that says that they received clear and easy-to-understand communications, in their official language, I think is actually a good thing, both legally and whatever, because it pressures government—whether legally or not legally—to have something that's understandable for people, and to put it into simple language. I think that's a good thing. Whether we make that legally enforceable or not, it's good as a general rule of thumb and it's good as a legal thing, as well.

Yes, sir.

**Mr. Brent St. Denis:** Can I make an addendum, then?

If it turns out that there is a legal obligation that stems from even elements of it—maybe some of it not, but other elements yes—then I don't know how it can not be legislative. Let's say there's a consensus on the document here—which there will be, presumably, at some point—and the minister makes a declaration of a bill of rights, say. That would be sufficient to deal with the legal aspects.

So there are some good questions, I think, for legal counsel when that person comes.

**The Chair:** In 1215 at Runnymede, did they know Charles II would lose his head? I don't know.

Mr. Cuzner.

**Mr. Rodger Cuzner (Cape Breton—Canso, Lib.):** I don't know if I'm going to be able to add to this discussion or not, because what I was thinking about 20 minutes ago has been kicked around here before.

Betty, I think the discussion around this issue today underlines the merit of proceeding with something like this. I think the discussion has been positive. I think the questions that have been asked are very valid questions. We share a common desire around this table to better serve the veterans of this country, and I'll never question that.

But as to the legality of it and whether or not it would hold water, I think we should try to flesh it out more. As Mr. Roy indicated, it would be great to have it concise, and I think we should boil it down to five, six, or seven points, or whatever it might be. But then we should flesh them out in a bigger document, whether or not it's a document that's displayed in every Legion in this country, that better expands on what each of the lines of intent is in this charter. We could maybe pursue that route.

But I think we'd allow our veterans to feel better and more assured if we could better serve them. I agreed with Peter Stoffer when he said we should be cautious about being patronizing.

On the one that says “Be listened to so we may understand your needs and be sensitive to them”, I know any husband around this table who's worth his weight has pulled that club out of his bag—that you're sensitive to your wife's needs, and she says, okay, great, but what you are going to do for me? That's one you can only play so often.

So let's go forward here. I think there's a will around the table to go forward on this. But let's make sure that when they pull it out of their wallets, they have something that has some clout, or we would hope has some clout. I think finding where we stand with the legality of it is important.

• (1015)

**The Chair:** My thinking on it is that whenever you draft something like this, it could potentially have legal implications. I believe it could, based on the scenario laid out before, where people felt they didn't have things met and then they challenged it in court.

You have something that you want to have legal implications, even if you didn't intend it at the time, or you see that whatever aim it's tending toward, if it becomes legal and has teeth, it's a good thing. If you put something together that you hope never has teeth and then it winds up having teeth, you'd better have good intentions behind it, because you never know where it'll go.

Monsieur Perron.

[*Translation*]

**Mr. Gilles-A. Perron:** Mr. Chairman, I would like to recall certain historical facts.

First, the world was witness to the Universal Declaration of Human Rights. Looking to this document for inspiration, Pierre Elliott Trudeau, or PET as he was known at the time, brought in his Canadian Charter of Rights and Freedoms. He stated that henceforth, this charter would take precedence over the Universal Declaration of Human Rights.

We're taking a reverse approach. We already have a veterans' charter and now we want to bring in a veterans' bill of rights. I have no objections to doing that, but from a legal standpoint, we need to make it clear that the veterans' charter has precedence. That would avoid any legal concerns like the ones mentioned by Peter. My expert will surely advise me on this. If we want to maintain a parallel between the veterans' charter and the Charter of Rights and Freedoms, we must ensure that our charter enables us to resolve any problems that may arise in connection with this document.

[English]

**The Chair:** And I hope our parliamentary counsel will be able to do it. I don't sense there's anything in violation here, but—

•(1020)

[Translation]

**Mr. Jean-Yves Roy:** Mr. Chairman, normally the veterans' bill of rights should have precedence over the charter. It should be based on the charter. Let me give you the example of aboriginal peoples. The United Nations adopted a Declaration on the Rights of Indigenous Peoples and subsequently, a charter was enacted. The charter drew its inspiration from the declaration. However, we are taking a reverse approach. We're drawing inspiration from the charter to draft a bill of rights. It's totally logical.

[English]

**The Chair:** Now over to Ms. Hinton.

**Mrs. Betty Hinton:** Sometimes when you come into this committee meeting, you never know what's going to happen. It's always interesting. I thoroughly enjoy it, but at the beginning we as a committee made some decisions regarding the direction we were going to take.

I recognize that a number of members have changed, and so there may be a number of issues that have also changed. But in reference to something Rodger said, this was never meant to be patronizing; it was meant to be a reassurance and it wasn't meant to replace any other piece of legislation. The ombudsman position, as I said earlier, was meant to be the club. I'm giving you my thinking on this, anyway, and we as a committee decided we were going to have two meetings to discuss the bill of rights.

So if it was going to become very heavy-duty legislation, I think two meetings would have been rather short-sighted on the part of our committee, if that's all we were going to deal with. The ombudsman takes care of the heavy-duty side of it, the legislation side of it, but if that's the way the committee wants to go, if you want to have the bill of rights become a piece of legislation, that's in the hands of the committee. The committee can certainly go in that direction if it wants to, but as a committee we did make some promises to veterans. We told them we would be dealing with the health care review, which is very important, especially to the senior veterans.

So I'm just saying, when we make a decision as to which way we want to go as a committee, bear in mind the promises we've already made to veterans, so that we're not letting them down. This was meant to be a reassurance, not patronizing, not a legal document. If you want to make it a legal document, that's up to the committee.

**The Chair:** Mr. St. Denis.

**Mr. Brent St. Denis:** I think part of the problem is what it's being called, and then as the rubber begins to hit the road, we're seeing what it is. In the minds of some of us, there is a disconnect between what a bill of rights is and what we're trying to do, which is more of a statement of service principles, in my mind. So if that had been the campaign promise, we wouldn't really even be worried that much about legalities, I don't think. You could easily deal with that, but as soon as you use the bill of rights—and I'm certain Betty was well intentioned when she drafted the campaign policy statement—

**Mrs. Betty Hinton:** I didn't draft campaign policy. I drafted Conservative Party policy. Big difference.

**Mr. Brent St. Denis:** Oh, okay. And that is the importance of committee discussion. We can't rush something, because I mean, there are always a lot of things on our plate. So you have to disconnect—bill of rights versus what it is we're actually looking at. Nobody disagrees with bill of rights over here, and then nobody disagrees with these good ideas contained in here. How do you put them together? Do they fit so that down the road we aren't creating a jackpot for veterans or for the government administration of the day? We just want to be responsible, that's all.

So if Betty wants to propose a statement of service principles, then does discussion change or not? I don't know.

**Mrs. Betty Hinton:** I don't propose, the committee does.

**The Chair:** I sense from Mrs. Hinton that she's not crazy about changing the name of it, but you're certainly welcome to put one forward and vote on it if you want.

•(1025)

**Mrs. Betty Hinton:** The committee can do what it wants.

**The Chair:** I sense that we have exhausted the speaking on this, unless there's somebody else who wishes to chip in. I think at this stage, then, we will allow our Thomas Jefferson in the committee, Michel, to draft this.

There's a motion from Mr. Valley that we'll be dealing with, which he brought forward at the previous meeting. Let's move on to this aspect of the motion, then. Do you have a copy of that? All right.

Mr. Valley gave notice of motion at the last meeting, which I will read out. His motion is: "That the Committee continues its investigation into and at its conclusion the Committee reports to the House as the first part of its study on Veterans Independence Programme and Health Care Review."

**Mr. Roger Valley:** It was on the study of post-traumatic stress disorder.

**The Chair:** I was expecting PTSD to be mentioned in there.

**A voice:** PTSD is not a study per se; it's just a part of it.

**The Chair:** Actually, it doesn't matter if the chair understands the motion, as long as everybody else does. That's really key.

**A voice:** That doesn't read the way the motion was originally.

**Mr. Brent St. Denis:** That's not how it was originally written by Roger. He mentioned PTSD.

**The Chair:** That's what I thought.

**Mr. Brent St. Denis:** It should be "into PTSD, and at its conclusion...". PTSD is missing in there. There's a typo.

**The Chair:** I thought that was the case. All right, I'm going to read this out, because that makes more sense, I think: "That the Committee continues its investigation into Post-Traumatic Stress Disorder and at its conclusion the Committee reports to the House as the first part of its study on Veterans Independence Programme and Health Care Review."

Does that sound better? That makes more sense to me. I take it our French colleagues and everybody accepts that.

All right. Now we have some speakers.

Mrs. Hinton.

**Mrs. Betty Hinton:** I just wanted to say that we don't have a problem.

**The Chair:** We'll allow the mover to speak first to his motion.

**Mr. Roger Valley:** Thank you, Mr. Chair.

The reason I put this in here is that we are entering into a big study. The first thing I'd like to say is that we all have our suitcases packed, but I've had mine packed here before, and I have had to unpack it for many months. So I think we should have a plan on what we're doing here. I know the government has a plan of what it would like to accomplish.

We've started something at the urging of our colleagues from the Bloc. I don't think any of us at the start realized we were going to get such compelling testimony and such conflicting testimony on how to serve our veterans and the people who are actually in the Canadian Forces who suffer from this.

We've started discussion. These people are going to be our responsibility, and I think we have to make sure that if there's anything we can do in the short term to make the situation better or to react better to the conditions that they have, we have to do it.

I'm concerned that all the information we have on PTSD will be lost due to the challenges of a minority government, whether it's next week or six months from now. I think we have an opportunity to say something to the House, to make a report to the minister, on something we've found, and I think it's our duty to do that as quickly as possible if it will impact the people we serve, the veterans.

So that's why I put this forward for discussion, to make sure that if there's something we can learn and something we can do in the short term, we do that as quickly as possible.

**The Chair:** Fair enough.

I'm intrigued. You said there was conflicting testimony on PTSD. Were there things the witnesses said that you thought contradicted each other?

**Mr. Roger Valley:** Definitely. The last witness we had talked about whether there was any value at all to early intervention.

**The Chair:** Oh, I see. Okay. Fair enough.

**Mr. Roger Valley:** Before that, we heard there was a lot. I mean, it was just his opinion, but if there are more like that out there, we should be looking into it.

**The Chair:** Fair enough.

Mrs. Hinton.

**Mrs. Betty Hinton:** Well, we don't have a problem with this motion. However, I'd like to put forth an amendment that we specify that study be limited to PTSD issues handled under VAC, under Veterans Affairs Canada. PTSD is handled by both DND and VAC, and I want to make sure this committee doesn't inadvertently derail the overall health care review that we have under way already.

There are many traditional veterans who are counting on this review. As a committee, we said that we would dedicate four meetings to PTSD, which we've done. If we're going to dedicate more meetings to PTSD, I'd like to make certain, first of all, that the overall health care review doesn't get derailed, and that we stick to the things that Veterans Affairs can actually handle, and not get into the Defence part, because that's a completely separate committee.

So that would be my amendment, if that's acceptable to the mover.

● (1030)

**The Chair:** Thank you, Mrs. Hinton.

**Mr. Roger Valley:** On that point, I think there are more meetings needed. There might not be that many more, but we have some more questions to ask.

**The Chair:** Mr. St. Denis.

**Mr. Brent St. Denis:** Thank you, Mr. Chair.

I'd like to support my colleague, and I agree with Betty's friendly amendment; yes, we want to stay within the parameters of our constituency, the veterans. To me, the exigencies of the Parliament we're in... If we're in a minority, we have to adapt to a minority. If we knew we had three or four years in front of us...



It's to take the opportunity to put in front of Parliament the first chapter, as you might call it, a first section based on the testimony we've heard, plus that of maybe one or two more meetings, as Roger suggests, and with no intention but to continue the full health review. Hopefully the Parliament lasts until 2009 and we get the full thing done. Then we may have other little chapters in there, because we're dealing with a minority. Then when we come to the very end—I would suggest we can still call this first one a preliminary report, I don't think we have to say it's a final report—we're allowed to tweak and adjust, as the case may be.

To me, it's a process thing. Let's get something out there as our best effort, given the circumstances. I respect Betty's suggestion about how to go forward on this, in supporting my colleague Roger.

**The Chair:** I have a suggestion to refer to it as an interim report.

**An hon. member:** *Ça marche.*

**The Chair:** All right.

We have Mr. Shipley first, and then Mr. Valley.

**Mr. Bev Shipley:** I don't think anybody is disagreeing about getting ahead. Let's just get ahead on it. And so we would like to put in there that the committee investigate the post-traumatic stress disorder of veterans—something like that.

The other part of it is that we should set a timetable. I really think the last person who was in was somewhat here for a purpose different from what we were after. We should try to decide whether we're going to have a couple of further meetings or one more meeting, or whatever. Let's fill it up with a good diversity of witnesses to come in and talk to us and see whether it's just one person right now or a couple of others. I would suggest, if we're going to have, say, two more meetings, that we get witnesses to come in for the two and bring it to an end. I think we could do that.

We've heard some really good ones. This last one was interesting. It sort of took away, actually, the one before it. I found that a little disturbing, actually, but there are comments on that.

If we could do this, Mr. Chairman, I think that would shut the gate for us.

**The Chair:** To clarify for you, right now what I have from you is the suggestion that we do two more meetings, but there's no specific amendment on your part with regard to the motion. This can be a general understanding; that's fine. Is that what you wish?

**Mr. Bev Shipley:** Yes, no motion, just a direction of this committee to set a schedule.

**Mr. Roger Valley:** I moved a motion.

**The Chair:** You did, but you didn't specify to me....

**Mr. Bev Shipley:** For the amendment? I'm sorry, we'll move the amendment. I thought it had been done.

It's basically just to put “of veterans” in after “Post-Traumatic Stress Disorder”. Or, if Michel has a better way of doing it, it should be clear that it's only about veterans.

**The Chair:** Right now, I just have that we add “of veterans” in there; that's right after “Post-Traumatic Stress Disorder”.

Then there's just a point of discussion, saying that you hope it's only two more meetings.

• (1035)

**Mr. Bev Shipley:** I think we can wrap up. Let's have a discussion. If we can't do it—and nobody thinks that we can't do it.... I'm not so sure we couldn't do it in one more meeting with about three witnesses.

**The Chair:** All right.

Mr. Valley.

**Mr. Roger Valley:** I don't have a problem with a couple of further meetings, with maybe three or four witnesses—specifically, somebody who has the same expertise as the last one did, but maybe a different point of view.

One of the things that concern me greatly is the amount of study we've put into this. Maybe that was just his opinion, but we need to find out from somebody else whether there's more we can be doing. It may be as simple as this committee getting to the point where we recommend to the minister that they include in the next budget that there be a component in Veterans Affairs that will help with studies. It could maybe be joint, around the world—whatever—but I think there's something we can do with it, so I think we need a little bit more time.

Maybe two meetings is enough.

**The Chair:** Do you think so?

**Mr. Roger Valley:** I think it might be.

**Mrs. Betty Hinton:** As I said, I have no objection if we're going to go this way, and I don't think anyone on our side of the table has any objection, providing we stick with what Veterans Affairs Canada can do and don't go off on another tangent.

But I would ask, then, that if we do go in this direction there be some agreement amongst members here that we're not attacked in the House of Commons about not getting on with the health care review, when that's in fact what we're trying to do. And if you want to stop going forward with perhaps the VIP portion of it or anything else and study strictly the PTSD, that's again this committee's decision. But it would be very unfair to attack in the House about not moving forward on the health care review when we're trying very desperately to do that here.

**The Chair:** I've had a motion put forward by Mr. Valley. I've had an amendment put forward by Mrs. Hinton.

We can take votes on this stuff. Do you want to take votes on it?

**Mr. Brent St. Denis:** We're okay with the friendly amendment. I consider that a friendly amendment.

**The Chair:** Okay. We can consider that friendly.

(Motion agreed to on division)

**The Chair:** Okay, so we have that understanding.

Just to give everybody a sense of where this is all going, at the next meeting we'll be dealing with the Jeffersonian version of the veterans bill of rights, or whatever people choose to call it, with some parliamentary counsel. And then I think the next week after that we would be—

**Mr. Brent St. Denis:** Two break weeks.

**The Chair:** Two break weeks? My goodness, all that time. What are you going to do with yourselves?

Okay. After that we will be moving ahead with some of this PTSD stuff for at least a couple of meetings.

And now, Mr. Stoffer, you have a notice of motion that you wish to put forward here.

**Mr. Peter Stoffer:** Yes. It's a rather friendly one.

When I was on the defence committee, we moved a motion there—because we were told we had to do it—to make Room 362 of the East Block the war room or the defence committee room. And I would like just for you to think about in the next two days that room 112 north of the Centre Block be designated the veterans affairs room.

If that happens, then you could put nice art up here on veterans issues. You, Mr. Chair, can put up a nice little plaque here with your

name on it that says “this is designated here”, as David Pratt did in Room 362. It's a nice gesture, and that way everybody knows that this room is the veterans affairs room.

**The Chair:** That's a fascinating idea. That way smokers will always want to be in the veterans Affairs Room.

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

**Mr. Brent St. Denis:** Mr. Chair, isn't there a bigger, grander room that we should hijack?

**The Chair:** You think veterans deserve better?

**An hon. member:** This is for the smokers.

**The Chair:** Something to think about.

All right. We'll toss that around maybe next time.

I think that's it.

The meeting is adjourned.

---







**Published under the authority of the Speaker of the House of Commons**

**Publié en conformité de l'autorité du Président de la Chambre des communes**

**Also available on the Parliament of Canada Web Site at the following address:  
Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante :  
<http://www.parl.gc.ca>**

---

**The Speaker of the House hereby grants permission to reproduce this document, in whole or in part, for use in schools and for other purposes such as private study, research, criticism, review or newspaper summary. Any commercial or other use or reproduction of this publication requires the express prior written authorization of the Speaker of the House of Commons.**

**Le Président de la Chambre des communes accorde, par la présente, l'autorisation de reproduire la totalité ou une partie de ce document à des fins éducatives et à des fins d'étude privée, de recherche, de critique, de compte rendu ou en vue d'en préparer un résumé de journal. Toute reproduction de ce document à des fins commerciales ou autres nécessite l'obtention au préalable d'une autorisation écrite du Président.**