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Chair

Mr. Rob Anders

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•(0900)

[English]

The Chair (Mr. Rob Anders (Calgary West, CPC)): Good morning, ladies and gentlemen. We have another meeting of the Standing Committee on Veterans Affairs. It's nice to hear all of you kibitzing about the visit to Vimy.

The hot topic of conversation this morning is the veterans bill of rights. We have a proposed draft here. At one of the last meetings, we had our folks take a gander at making some changes. You have a whole bunch of stuff before you, and we'll open it up for commentary, and so on.

Mr. St. Denis.

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

First, thank you, the committee staff, and all those who made that committee trip to Vimy possible. It was well arranged. While Alexandre couldn't go, I know young Mark stood in his place and did a very capable job. I'm sure all would agree, and it was a pleasure to travel with my colleagues.

To the business of today, obviously we're all aware that before the Vimy 90th, the Prime Minister made an announcement about the bill of rights. Let's call it the Prime Minister's bill of rights for veterans, for the moment, to distinguish it from the one that is under study by this committee. I understand that it's already been posted on the website. So as a committee, we have a simple choice between two options.

So the first option is that it's a *fait accompli*, and we should simply move on to other important business of the committee. Personally I think it's the Prime Minister's prerogative. He can do what he wants, and it's up to the opposition to agree or disagree, in the House and elsewhere, regarding that bill of rights.

On the other extreme, the committee could decide that we have a draft version, which we're working on. We could attempt to reconcile this with the version on the government's website. We could try to understand what the similarities and differences are, and possibly make recommendations or criticisms, if necessary, of the government's version.

I don't know if there's an in-between. So either we drop it or continue with ours, but with a view to comparing it to the government's version and make that reconciliation.

Regarding the version on the government's website, we still don't know what the legal rights of veterans are with respect to a bill of

bights. I don't recall this question being dealt with in the announcement.

So should we continue with this? That's a question we still want to pursue.

•(0905)

The Chair: As an answer to some of that, or a musing before I recognize some of the other committee members, I have before me now a copy of the bill of rights that our committee is working on. I understand there's going to be an effort to get us a copy of the one the Prime Minister addressed.

The way I look at it is that he was excited, participatory. He's eager about what's coming out of committee, and I think it's still a work in progress.

Mr. Perron.

[Translation]

Mr. Gilles-A. Perron (Rivière-des-Mille-Îles, BQ): I share Brent's sentiments. I was almost insulted by the Prime Minister's announcements and his tactics. In my estimation, all of the committee members work hard to secure the rights of veterans. Suddenly, like someone would pull a rabbit out of a hat, the government has apparently decided that the veterans bill of rights is the sole responsibility of the Prime Minister's Office. I view this as being disrespectful to the individuals who came before the committee to make statements, to opposition members, to government members and even to you, Mr. Chairman. The work done by the members of this committee has been completely ignored. It's an almost inexcusable affront, in my opinion, and I'm not just engaging in petty politics here. I'm simply stating the facts. We work on a project and all of sudden, the government comes out with a statement. I'm not challenging its right to do so, but I do question its legitimacy, behaviour and attitude. That's what I find disappointing, and so too should Betty, Bev and David. We're being told that our work is more or less worthless.

[English]

The Chair: Thank you, Mr. Perron.

Mr. Shipley.

Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC): I think Mr. Sweet is first.

The Chair: Mr. Sweet.

Sorry, it's Ms. Guarnieri.

Hon. Albina Guarnieri (Mississauga East—Cooksville, Lib.): Mr. Chair, when examining the announcement of the bill of rights on the website—and it's on the vet website—you will not find any suggestion of force, recourse, or legislation. In fact, the words are “expression of rights”, which veterans have long identified as important.

What it doesn't say is that there is anything new or that the veterans have any new legal power to enforce the rights they currently hold. In fact, it suggests that along with every other Canadian, they're covered by the Privacy Act and the Official Languages Act, and we have the added statement that they have a right to know their appeal rights. Those appeal rights are already enshrined in legislation.

I wonder if the reason this is not part of any legislation is that it would add nothing new to existing legislation and that it would offer veterans absolutely no additional legal recourse or avenue of appeal. I view this bill of rights as a misnomer; it's essentially a mission statement for service personnel. So I wonder if the term “bill of rights” is really appropriate here.

We all want to do right by our veterans. I think that in the bill of rights in the U.S. Constitution, its overarching authority.... We've heard of the bill of rights that has force in the context of provincial legislation. Perhaps we need to suggest either that the veterans bill of rights be drafted in some sort of legislation that gives veterans at least one legally enforceable right they didn't have before, or maybe we should change the name to something that better reflects what this actually is.

From my understanding after looking at the vet website, it's service principles for Veterans Affairs. It's a mission statement for Veterans Affairs. It's a code of conduct. But to call it a bill of rights is really not what it is. It exaggerates the importance of what is being achieved here. I think we should call it something respectable. Our veterans really deserve it. If the government is not prepared to have some force, effect, and recourse attached to it, then really this is a misnomer.

It's up to the government members to explain a very simple question that we asked at the beginning of this discussion. What is the government's intent here?

• (0910)

The Chair: Are you finished, Ms. Guarnieri?

Hon. Albina Guarnieri: Yes, thank you, Mr. Chair.

The Chair: Now we'll go to Mr. Sweet.

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): Thank you, Mr. Chair.

In the past we have done some great work and I'm certain we'll do great work in the future with the recommendations on our last report. The Prime Minister made a commitment to veterans that within a year he would deliver a bill of rights. While obviously wanting to hear from the committee, he also had a promise he had to deliver on.

We got off track studying things that were good, but the fact is that the steering committee, at the beginning, said that we were going to pursue the bill of rights. We got off track on PTSD, and that delayed

our study of the bill of rights. The Prime Minister was required to deliver on his promise.

I don't think we should truncate the work we're doing here on the bill of rights. I think we should continue and then make recommendations, just as we did on our last report, and hopefully we'll have the same kind of agreement on the recommendations for this.

The Chair: Mrs. Hinton.

Mrs. Betty Hinton (Kamloops—Thompson—Cariboo, CPC): I agree with everything my colleague Mr. Sweet has just said. We made it quite clear that the bill of rights was a complement to the ombudsman position. The ombudsman position is the position that has the power to actually move forward with issues that veterans are not satisfied with.

I think everyone at this table has been around long enough to realize that legislation, as was just discussed a moment ago, oftentimes takes months or years. As we've discussed at this table before, for the veterans to whom we're referring—the traditional veterans—many of them don't have months or years. They've been waiting a long time for some sort of backup from the government and we've just supplied that backup.

The actual club, as I called it before, or the heavy-duty portion of this is the ombudsman position. I personally consider this to be a living document. I'm open to listening to any other input that's coming forward.

I also recognize that the post-traumatic stress syndrome issue was very important and that there needed to be a hearing on that, and so it went twice as long as it was going to go.

We also made a promise to veterans that we're going to review the health care act. I'm hoping this committee will concentrate their efforts on the health care act. Let's move forward once again in the best interests of veterans, as we did with the ombudsman position.

• (0915)

The Chair: Thank you, Ms. Hinton.

Mr. Stoffer.

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): I thank you very much for that, but Mr. Sweet had indicated that it was—and correct me if I'm wrong—a promise that was made by the Prime Minister to do it within a year. That year process had come up, and that's why they had to move on the bill of rights, if I'm not mistaken. If that's the case, following that logic—and I wouldn't denounce that logic that you make a promise and you keep it, and that's a good thing—unfortunately, it circumvented the work of this committee.

But I have another promise that the Prime Minister made, and I'll read it into the record. It is dated June 28, 2005, and it is to Joyce Carter of St. Peters, Nova Scotia:

Dear Ms. Carter:

Thank you for the letters you have sent regarding the Veterans Independence Program. I am pleased to have this opportunity to outline the Conservative Party's Policy.

A Conservative government would immediately

—and, I repeat, immediately—

extend the Veterans Independence Program services to all widows of all Second World War and Korean War veterans regardless of when the Veteran passed away or how long they had been receiving the benefit prior to passing away.

I trust this clarifies the Conservative Party's position. Should you have any further questions, I would invite you to write directly to Betty Hinton, the Conservative Party Critic for Veterans Affairs.

Ms. Hinton's address is given, and the letter is signed Hon. Stephen Harper.

There's another letter written by the now parliamentary secretary that says the following:

Thank you for your numerous letters regarding the Veterans Independence Program benefits.

As the Shadow Minister for Veterans Affairs, I have been advocating for the extension of VIP benefits to all WWII and Korea War Veterans' widows. You may be interested to know that this was adopted as part of the Conservative Party of Canada's policy last March at our convention.

While I appreciate your dedication to this issue, you are writing to the converted. Unfortunately, until the Conservative Party forms government I am unable to change the regulations to extend V.I.P. benefits to all Veterans' widows.

It didn't say there would be a timeline. Mr. Harper's letter said "immediately". They've been in government for 15 months, and my definition of "immediately" is right now, or in French, *maintenant*. So if that's the logic the government is going to use for the bill of rights, then why haven't we seen the VIP services?

You're right, Mr. Sweet, this committee does great work and there is a very cooperative nature. But to hear in a news conference that the work we've been doing has more or less been ignored and that we should proceed full speed ahead regardless of what the committee may or may not recommend was a slap in the face to all of us, not just to us in opposition, but to you as members as well.

I would hope the government would have at least some sort of letter from the minister or something expressing concern as to why they had to specifically do it without waiting for our recommendations.

Madam Hinton is right, these veterans are getting older. They don't have much time to wait. They need direction, and they need indications of where we're going. If this committee is going to be the vehicle and the tool to give government its recommendations, hopefully unanimously, then the government should at least honour and respect the work of the committee. In this particular case it did not, in my personal view, and that's most unfortunate.

The Chair: I had Mrs. Hinton down as responding to that, and then Monsieur Perron and Mr. Valley, I believe.

Mrs. Betty Hinton: They can go ahead if they wish.

The Chair: We've heard from Monsieur Perron, so if he'll excuse me, we're going to hear from Mr. Valley, because we haven't heard from Mr. Valley yet this morning.

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

I have a quick question for government members. Were you involved with the Prime Minister's announcement? Did you work on the announcement? Was there any involvement by you or the minister with the Prime Minister?

The Chair: Mrs. Hinton, I believe, is interested in responding to that question.

Mrs. Betty Hinton: I have been working on this for more years than I care to remember in terms of the ombudsman position and the bill of rights, and I was thrilled to have this committee move forward with the ombudsman position. I was also pleased to see us get in depth in terms of the bill of rights. But as I've said repeatedly, the bill of rights was not the more important piece of legislation. The ombudsman position was the more important piece. The bill of rights is a complement to the ombudsman position. And it is a living document, so if we want to go back and revisit that, we certainly can.

But in response to what Mr. Stoffer said, I agree with him. I like to see things move along quickly as well. The health care review portion that this committee agreed to at the beginning of the year is where we can make those changes for the VIP program.

I personally want to move forward with that, because I recognize the fact that there are many veterans and widows out there who have been waiting for this kind of response from this committee and this government. This government is more than prepared to move forward, and if the committee wants to be a part of that, we have to get moving on the health care review.

As I pointed out to you earlier, these people don't have a lot of time. So if we're going to make improvements, and you want to be doing that as a committee instead of having the government make the decision, then we have to move forward with the health care review. There are many widows out there, like Mrs. Carter, who are counting on us.

●(0920)

The Chair: We've already heard from Mr. Valley, and Monsieur Perron had his hand up, so we're going to hear from Monsieur Perron and then go to Mr. Valley. I'm trying to keep track of this.

Monsieur Perron.

[Translation]

Mr. Gilles-A. Perron: Thank you, Mr. Chairman.

Perhaps I misunderstood or misinterpreted David's comments, but I thought I heard him imply that the Prime Minister made his announcement about the veterans bill of rights either because we had wasted too much time focusing on post-traumatic stress syndrome, worked too hard, or too well. I'm not quite sure which one it is. Young people suffering from PTSS are also veterans, to my way of thinking, as much as the brave soldier who died in 1917, in World War II or in the Korean War.

That being the case, I don't think we've wasted our time. We've worked hard on the PTSS issue and there is still some work to be done. This issue falls into the category of veterans care. These young people are veterans. Unfortunately, they are only 30, not 80, years old.

[English]

The Chair: Thank you, Monsieur Perron.

Mr. Valley.

Mr. Roger Valley: Thank you. I wasn't quite finished my question when you moved on, but that's okay.

I take it from Mrs. Hinton's answer that the government was as surprised as we were when this announcement happened.

Thank you.

The Chair: All right.

Mr. St. Denis.

Mr. Brent St. Denis: Based on what I've heard—absent a compelling reason that I haven't heard yet to continue the study—I could put in a motion at the appropriate time, or we could just do it by consensus, to terminate the study on the bill of rights. At the same time, through a letter from the committee through the chair, we could ask the minister to clarify some of the outstanding legal questions on record that we were delving into relevant to our version, which I think would be equally relevant to the version on the website now.

The Chair: Mr. Shipley.

Mr. Bev Shipley: Thank you, Mr. Chair.

To my colleague Mr. Perron, I don't think anyone at this table would suggest—I think it was just a choice of words—that we wasted time when we were doing discussions around PTSD. In fact, I would suggest to all of us that we would all agree that what has been happening at this committee has been very fruitful and has moved along. We've made some choices. I think we've been flexible in terms of what we wanted to talk about. PTSD came along, which we recognize is an important issue. We hear about it, in fact, in the news.

So having those discussions was not wasteful, and I know Gilles knows that was not a waste of time, for certain.

We did make commitments, and I'll go to Mr. Stoffer's comments. Those commitments we need to follow up, and if we can do that through continued study on health, as Ms. Hinton has said, that's something that all of us around here want to deal with.

Mr. St. Denis is wondering whether we want to just terminate it. I would suggest that we don't, but that will be up to everyone, because as much as it has come out as a veterans bill of rights, there have been some good issues come up. We and other committees, as we know, have made changes to bills, and the minister and the Prime Minister have the right to move along with things, but I don't think that precludes us from putting recommendations in. Quite honestly, if those recommendations especially come from this committee and we can get consensus on them, then we will go to bat as a committee.

You folks also know what happens: sometimes they're accepted and sometimes they aren't. But I would suggest that if we can work in the tone in which we have worked in terms of taking stuff forward...

We have a drafter. We have a principle to work around. We've had some legal witnesses in front of us looking at different options, talking to us a bit about what could or could not be, and some of their opinions on how it might be drafted.

Even if it's another meeting or two, I think we don't want to hold back on health care. This committee has a lot of things that are important for us to deal with. We've made some choices. I'm not saying they're bad; it's just that it has become a timing issue.

Mr. St. Denis, I would leave that to discussion, but I'm not quite prepared to just drop it and say let's not put our recommendations forward on it. We have obviously some further discussions, but on

the health care discussions, we want to move ahead with that. We have a lot of work that we could be doing.

Quite honestly, we could spend this whole meeting in a bit of a debate about what was wrong or what was right. I don't think that's going to be fruitful. Let's make a decision for our committee as to where our next step will be. I think that would be best, because I do not believe that any of the work we have done here has been for naught. It is all leading to something, whether it's on the VIP or on the PTSD discussions that we've had, and certainly around the bill of rights.

Those are just comments, and I'll leave it open, but I think that would be our position.

● (0925)

The Chair: Thank you very much, Mr. Shipley. Now we're going to go back to Ms. Guarnieri.

I've just read through this copy, which I think everybody has had distributed to them, the Lynn Legault version, or whatever you want to call it, the Prime Minister's version, the website version—all right, the Veterans Affairs version—and it's almost exactly the same wording for four of the seven; and for numbers 5, 6, and 7 of our proposed draft, there are ways in which it is better. It's the first time I've had a chance to peruse it.

Ms. Guarnieri.

Hon. Albina Guarnieri: Mr. Chair, I don't think any of us are in disagreement that we want what's best for our veterans. But I think we'd all agree that we don't want to mislead them into believing they're getting something that they're not. As a mission statement, I think it's admirable, whatever words or version you choose, but it really doesn't reach the standard of rights.

For us to continue this discussion, I, for one, would like to know from the government members if they're prepared to include rights—for instance, to have a decision reached within six months or go to court. They have to give a right to something in order for this to be appropriately named a bill of rights.

If I might, in the spirit of trying to advance the discussion a little bit, at a minimum, perhaps, we could include the subheading “Veterans Affairs Service Principles” on this bill of rights. Then nobody would be misled into believing it's something that it isn't.

● (0930)

The Chair: Thank you for that, Ms. Guarnieri.

The chair doesn't often interject here, but.... I understand where you're going with this, Ms. Guarnieri, but whether it's the draft that you want from the department, or you want to amend that or what have you, I think in the long term veterans are better served by something that gives them a little more heft. And I think the name “bill of rights” does that when they seek redress.

Mr. Sweet.

Mr. David Sweet: I just wanted to make it abundantly clear—Mr. Shipley already mentioned it—that the idea that I inferred in any way, shape, or form that there was a waste of time is erroneous. We have a lot of priorities that are here, including, by the way, Mr. St. Denis' private member's bill. We constantly have to make those decisions about what the priorities are. So the notion that when I was inferring that we change our schedule I meant it was a waste of time is absolutely incorrect. I was simply pointing out the facts.

[Translation]

Mr. Gilles-A. Perron: On a point of order, Mr. Chairman. When will we be receiving the French version?

[English]

The Chair: Mr. Perron, you're very lucky in the sense that there's nobody else on the agenda.

[Translation]

Mr. Gilles-A. Perron: It's a point of order.

When will be getting the French version?

[English]

The Chair: I believe I heard and see BlackBerry's working on getting you that *tout de suite*—so very quickly, sir.

Mr. St. Denis.

Mr. Brent St. Denis: Actually, without realizing it, Mr. Chair, you supported the point I was making about not pursuing this. To me, the only open questions have to do with the legality, along with points that my colleague is making about the proper title of this series of statements.

I think it would be incumbent.... If the government members feel we should continue this, I would expect that the minister would at least ask us to continue it. It's out there, and if the minister doesn't ask us to look at what's on the website, then it is a *fait accompli*, and we should essentially move on, except for the questions about what you call it, what its proper title is, and what the legalities are around the so-called rights that are being provided.

I'm still where I was. I feel we should terminate this except for a letter to the minister. You might want to include, if colleagues agree, asking the minister, "Do you want us to look at this? Are you serious about us actually...? Are you interested in actually hearing our views?"

I doubt the minister will be interested, quite frankly, because it's on the website now. I don't think it says "draft" on the website, and with great respect to the Prime Minister, I don't remember his saying that this is a proposal to be considered by anybody. It was laid out there. I'm not sure if I agree exactly with.... I didn't feel insulted; I felt that this is politics. It was a very political statement.

Maybe it's within the Prime Minister's right to do whatever he wants in a certain area, but it's our job to respond appropriately. And it's my view that we need to be responsible to our veterans and make sure they know what it is they're getting.

The Chair: Thank you, Mr. St. Denis.

I wonder if continuing with the study requires the minister to ask us to do that. It also begs the question as to whether our renaming it requires the minister to ask us to do that.

Go ahead, Ms. Hinton.

Mrs. Betty Hinton: It's hard to know how to phrase this without sounding negative or condescending. I think the members of this committee have worked very hard on behalf of veterans, so if I say anything that sounds that way, please forgive me.

I don't see anything in the copy we have been given from the Veterans Affairs web page that contradicts any of the things we've talked about as a committee. In fact, I think they're all contained in that. The gist of where we were going is encompassed in this piece of writing on the web page, which tells you what the bill of rights is. I don't understand the hang-up with semantics. I have difficulty with that.

I have worked with many of the people in this room for many years. Your hearts are all in the right place. We all want to move forward with the veterans issue. I guess there are some stung feelings in here, and I can understand that, but we need to look at the really important part we have in front of us that we can make changes through, and that's the health care review, which will do exactly what Mr. Stoffer raised earlier this morning. This is something that is going to be a benefit to all those veterans and all those widows of veterans who have been waiting for some sort of response. We could spend the next six meetings, if you want to, going over old ground, because the committee makes its own destiny, or we can move forward on new ground. That choice is entirely in the hands of the committee.

I personally want to make certain that we do everything we possibly can with the health care review to get the answers veterans have been asking for for a long time. I recognize that if this committee doesn't want to go that way, there's nothing anyone can do to force it, but I can tell you without a second's hesitation that the government is going to move forward. If you'd like to have input as a committee, and I believe it is very important that we do, then we have to move on with this. Otherwise, we're going to be here arguing about something that's already dealt with, and we're going to miss that opportunity as a committee to deal with something that means a great deal to veterans, and that's the health care review.

My recommendation is that we move forward. And I will abide by whatever decision this committee makes.

● (0935)

The Chair: I'm going to recognize Mr. Stoffer next, but while people have been speaking, I've actually been going ahead and comparing line for line.

As I said, the only ones that were slightly different were five, six, and seven, and on one of them, actually, the wording is less vague and is better in the department's version. The other one deals with the whole idea of free legal representation and the huge conundrum that this would involve in terms of cost to the government over the long term. At least in two of those three, we have superlative wording.

Go ahead, Mr. Stoffer.

Mr. Peter Stoffer: I don't want to belabour the point, but I will. Madam Hinton said that if we wanted to have input into something, we should move on. That's what I thought we were trying to do, have input on the bill of rights, and once we made our recommendations, the government would look at our recommendations and make their own parameters around them. They never did; they just did it anyway, so we really didn't have access to it or a way to say that.

Second, what I'd like to know from the government is whether this bill of rights that has been announced by VAC is a mission statement. Or does it have any legal standing?

The problem that bothers me, and I was assured that most veterans do this.... As I said before, we deal with a lot of hearing problems among veterans who can't get hearing aids or pensions because of their hearing concerns, because when they left the war in 1946, 1947, or 1954 after Korea, they didn't get a hearing test. So they get one now, and of course there's no sign of progressive loss. So they don't get it.

In here it says: "Receive benefits and services as set out in our published service standards". Many veterans have problems with that. That's the crux of the matter. If VAC officials are going by the legislative letter of the law that says that you didn't do this, so you don't qualify for benefits, so too bad, so sad, you appeal, you get the same answer, and you take it to the Federal Court of Appeal—that's some of the problem.

What I'd like to know is whether this has any legal standing, or is it just a nice mission statement that makes members of Veterans Affairs and the RCMP folks feel better about themselves? That's what we asked the lawyers from before. If we do something, what kind of legal standing would this have: "Be treated with respect, dignity, fairness, and courtesy"? If a veteran felt that he wasn't treated with fairness, could he sue the government? I don't know. That's something lawyers would have to answer.

In conclusion, I'd like to ask whether this has any legal issues, or is it just a nice mission statement?

The Chair: On to Monsieur Perron.

[Translation]

Mr. Gilles-A. Perron: I'd just like to comment briefly on Betty's remarks. On the Prime Minister's website, or on the Veterans Affairs website, an effort is made to use the word "military", not "war". On line 1, we find the expression "Veterans with war service". We're talking then about veterans having served in wartime.

Are we excluding soldiers who took part in peacekeeping missions? Are we excluding victims of Agent Orange or of Agent Purple tested at CFB Gagetown? Are we excluding members of UN and NATO missions? Are we excluding all of the young soldiers who are returning home with physical and mental problems?

The term "war service" gets my ire up.

• (0940)

[English]

The Chair: Okay, I think it's probably addressed in the next line, Monsieur Perron, because I think that's more inclusive, the second line.

Mr. Shipley.

Mr. Bev Shipley: I think, Mr. Perron, that if we just read one line at a time without taking into the context...with war services there are also veterans and service members of the Canadian Forces, regular, reserve, former RCMP, spouses, partners, survivors, primary caregivers, other eligible dependants.... I think it's trying to be as inclusive as it can be. I wouldn't just take one line at a time.

So I'll just leave it at that, Chair.

The Chair: All right. Thank you.

Mrs. Hinton.

Mrs. Betty Hinton: In regard to comments Mr. Stoffer made, I just hope he doesn't actually believe that the minister, or the Prime Minister, or members of this committee have not thoroughly discussed what this committee has been moving forward with on the bill of rights with Veterans Affairs, as well as with the Prime Minister, as well as with the minister himself. Obviously we take back the commentary that's made at this committee level. That's the whole idea behind having the committee. So all of the thoughts and the concerns, etc., that have come from committee members have been relayed to the proper people. This bill of rights, as I've said a hundred times, is meant to be a complement. The heavy hammer is the ombudsman.

I know that Mr. Stoffer has worked as hard as I have on trying to bring this forward. You've been very cooperative at the committee level and I know how you feel about veterans. The ombudsman is the part that really mattered. The bill of rights is a complement to the ombudsman and shouldn't be considered as anything more heavy duty than that.

I also think it would be fair to say that Mr. Stoffer would feel the same as I do about delaying this. These veterans are aging very quickly, and we need to make certain that we take care of them now, not after the fact. For those of you who happened to have the privilege of going to Vimy, did anyone ever notice any veteran who was unhappy with the announcement from the Prime Minister? Was there any hesitation? My understanding is that there were tears rolling down the cheeks of veterans who thought to themselves, it's about time.

So the ombudsman is in place. The bill of rights is in place. Now we have a decision to make as a committee. Are we going to do something with the health care review, or are we going to sit here for another few meetings and discuss something that's already been dealt with? It's the choice of the committee.

Hon. Albina Guarnieri: Exactly. I refuse to answer the question. We dealt with it.

Mr. Brent St. Denis: That's my point.

The Chair: There's a speaking order here. I'm just going to give a comment. We have a list here and there are some people being added to it.

I get the sense that there are two questions on the table that we're dealing with right now, and a couple of other ones come after that.

One of them is addressing some of the questions of what type of legal standing the document will have. I would be willing to undertake, on the committee's behalf, a letter asking the minister's office to lay out their rendition of that. That's one.

There's another issue about which I'm going to be blunt when I say it is, frankly, beneath us. It's this idea of renaming it, because at the end of the day, even if there is a vote taken in this committee to try to suggest a renaming of the document—

● (0945)

Hon. Albina Guarnieri: Mr. Chair.

The Chair: No, I'm going to speak. Ms. Guarnieri, I'm going to speak to this.

Hon. Albina Guarnieri: Mr. Chair, you're misrepresenting what I said.

The Chair: Ms. Guarnieri, I'm going to speak to this, please.

At the end of the day, if that were to be done, I would probably cast that aside if I were the Prime Minister or the department, because I don't think it serves the interests of the veterans who want redress to some of their concerns with regard to the department or other issues in the long term. Committee members can pursue that route if they so wish, but I would suggest to them that it's probably fruitless.

Mr. Valley.

Mr. Roger Valley: Mr. Chairman, we have to quit spinning our wheels. We've asked before. I understand that it didn't happen at the last meeting, when I had other duties. But we asked repeatedly again this morning about the legality of using these words. I don't see us carrying this forward in any way unless we find out, unless we get some legal advice.

Can we use the word "rights" or not? What does it mean? What does it entail? We talked about the ombudsman. Is it legislated authority or not? Is it a heavy hand? What is it? Let's find out.

You were asked two meetings ago to bring somebody in. I understand that with the commitment we had at the last meeting we couldn't do it, but let's quit sitting around here talking about this, unless we're going to answer that question.

The Chair: Mr. Shipley.

Mr. Bev Shipley: I must have had a bit of a memory lapse, but the other part of it was that when we were looking at the wording of the two, they were very much similar. Behind each of these points, there will be backup. There already is backup, so that may also be the point that was brought forward by Albina earlier. What does it actually mean? That is something that's available also.

I would think it's the overlay, and if that's the mission or the bill of rights in terms of its opening statement, then that's what it is. The meat is in the backup of the points.

We had legal counsel here the last time, and we talked about what we had prepared. We were basically all in agreement on what we had prepared, in that this was what we wanted to outline, the draft. I'm actually glad we did that. What we had prepared in terms of our draft actually is reflected very much in the veterans bill that has come forward.

I'll just leave it again. It's up to the committee to make some decisions. Mr. Valley has raised an issue. If we want to stop it, we can do that. If we want to get some further information on it, we can do that also. But let's make a decision on where we want to go, so that we can move on and deal with this. We likely aren't going to deal with it further today, because we'll be asking for information to be brought forward, but if we want to move ahead of where we're going next in terms of the health care issues, let's set that agenda and move on with it.

The Chair: I thought of just one other thing as Mr. Shipley was speaking. Either you could have the chair, on behalf of the committee, draft a letter to Veterans Affairs and the minister asking for a clarification with regard to the legal implications; or we could actually have a lawyer or somebody from the department come to answer questions to that effect. I'm not sure which of those the committee would prefer.

Mr. Stoffer.

Mr. Peter Stoffer: Thank you.

Madam Hinton indicated earlier that if we could move on and deal with the health aspect of veterans, move on to that file, that would be the way to go.

I have a statement here by the Minister of Veterans Affairs, from April 13. It says: "...one of the first things I did upon becoming minister was an overview of all the health services to veterans, and that is one where we want to enhance it, to improve it, along with a lot of other things. I mean we can't do it all in one year, but when that report is in, which should be in within the year, we'll act on it."

I assume Veterans Affairs already has a health review going on. He said it will be within the year, which should be fairly soon. My concern is that we tried to do the bill of rights, and the government announced it while we were discussing it. If we continue with the health services review, which could take a good while, is the government going to announce their health services review before we're finished again? Could this happen again?

It says right here that he said the report should be out within a year. What report is that? If Veterans Affairs is working on a report outside of this committee, they have the right to do that. But surely we should be addressed about the issue so that we're not duplicating any work and we're not spinning our wheels.

I'd like to know something in this regard. If we continue with the health services review, where is that review by Veterans Affairs? Is it already finished? Are they reviewing it? Are we going to get caught up again, as we just were? To be honest with you, that wouldn't make me very happy.

● (0950)

The Chair: Are you finished, Mr. Stoffer?

Mr. Peter Stoffer: I'm still happy, but yes, I'm done.

The Chair: Well, Mr. Stoffer, I don't have the magic answers to those questions.

Mr. Peter Stoffer: I know you don't.

The Chair: However, on your point about the fruit, if you will, of our labour with regard to the veterans bill of rights....

Members, I realized this issue would be coming up this morning but I didn't actually have a chance to read the departmental version of this until this morning. After reading it, I think a lot of the concerns our committee has raised have actually been addressed.

We did have concerns with regard to what types of legal implications there would be, what types of encumbrances, what types of financial arrangements the government would be involved in with regard to upholding some of those things that were in there, etc., and the practicality of those things. I think some of that was actually addressed somewhat. It tightened up the language a little.

I think there's a perfectly good question of whether or not we want to see a further definition of some of those things and to have somebody either come to appear before us or to have a letter written asking for clarification, and that's perfectly fair. I don't think it was unfruitful in terms of what we discussed.

Mr. St. Denis.

Mr. Brent St. Denis: There's a philosophy out there called living in the question, but I'd like to have us living in the answer if we could, as much as possible.

Can I read into the record a draft of a motion? Can I do that now?

The Chair: Yes.

Mr. Brent St. Denis: So I'm going to take a moment to read this draft:

WHEREAS there are a number of questions concerning a veterans bill of rights AND WHEREAS a version was recently announced by the Prime Minister Therefore, be it resolved that the Veterans Affairs Committee suspend or terminate

—pick the word, “suspend” or “terminate”—

its study on a bill of rights until such time as it receives a written response from the Minister of Veterans Affairs regarding

(1) the legal standing of any such bill of rights;

(2) does the Prime Minister's statement actually entail a bill of rights, or absent a legal standing, is it more appropriately described as a mission statement or a code of conflict;

and (3) whether the minister or government is open to suggestions on the said bill of rights inasmuch as it is now publicized on the department's website;

and finally, that the chair be asked to write to the minister conveying the spirit of this resolution.

That's just a proposal.

The Chair: I understand. I have a question for you, Mr. St. Denis. You said “code of conflict”. Did you mean code of conduct?

Mr. Brent St. Denis: No, code of conduct.

The Chair: That's what I thought. Okay, now it makes more sense.

Mr. Roger Valley: He's thinking of the mood of the committee.

The Chair: All right.

Well, I think this is way we would probably have to treat that. I consider that to be wording, even though you had trouble reading your own writing. But we accept that. I think with regard to motions we'd have to consider that at the next meeting. Anyway, I think that addresses a lot of the concerns the committee has expressed this morning.

● (0955)

Mr. Brent St. Denis: I'll get it done up properly and give it to the clerk in the proper form.

The Chair: Okay.

Ms. Guarnieri.

Hon. Albina Guarnieri: Mr. Chair, I'm going to be ever so brief. You took a bit of poetic licence when you referred to my comments. What I suggested was not to rewrite—

The Chair: Draft the words—

Hon. Albina Guarnieri: You interrupt me, Mr. Chair. I have the floor right now. You do that continually to me, I've noticed.

Mr. Chair, all I recommended, in the spirit of cooperation, was that in order not to mislead veterans... The words were admirable, as presented by the committee. Even the words on the website are admirable, but it doesn't reach the standard of rights; that was my point.

What I had suggested, in the spirit of cooperation, was to have a subheading that would better reflect exactly what it would mean to the veterans, what it would actually give the veterans. And the subheading that I had recommended was “Veterans Affairs Service Principles”.

You misrepresented my comments, and I encourage you not to keep doing that to me.

The Chair: Ms. Guarnieri, the references I was making were not specifically to you. You may take them that way, but there were several others—

Hon. Albina Guarnieri: You referred to me.

The Chair: —who raised that point, Ms. Guarnieri. I was not making specific reference to you.

Mr. Sweet.

Mr. David Sweet: Thank you, Mr. Chairman.

As for the number of questions around the table about the legality of the statement, this committee took the initiative and had counsel here the last time. We heard clear testimony about the strength of the legislation, regulatory aspects, and civil conflicts as well. I don't think it would be appropriate for us to send a letter and ask the minister about the legal standing of it. At some point in time, I think we should do the work we began and make a recommendation regarding the bill of rights. We had a fulsome conversation. In fact it was, I thought, one of the best committee meetings we had with the two counsel here, discussing some of the avenues of how we could make a recommendation to the minister regarding that.

The other thing, too, is that I'm a little puzzled at some people's concern that subsequent recommendations would not be as powerful as pre-emptive recommendations on the path of a department or legislation by a minister, or whatever. Frankly, everything we do here is subsequent in some way, shape or form; it's either dealing with the way things have been for years or, in this case, it will be the way things have been for weeks or months. So the key thing is going to be prioritizing, if we want to go back to the bill of rights and continue with the health review and submit it.

As for Mr. Stoffer's concerns about something coming out beforehand, as I said, I think subsequent recommendations are just as powerful as pre-emptive ones, in the sense that I think the department will take it seriously. I believe the work we do here is serious, and it's always been taken that way.

The Chair: You raise an interesting point, Mr. Sweet. I ask the committee to consider it.

We, of course, can have a motion or letter. Actually, I see there are four options here. One is that we could have the wording of a motion as laid out, say, for example, by Mr. St. Denis. We could have a letter come from the chair. We could have witnesses appear before us with regard to the legal implications of all of these things. The other option is Mr. Sweet's intriguing idea, where he talks about pre-emptive recommendations. The committee can certainly recommend what they wish to see with regard to the timelines or questions that are arising from this.

Anyhow, I see there are four potential options. Right now, though, the only thing we have before us, or will have before us, is the draft of Mr. St. Denis' motion.

Now, I don't have anybody else on the speaking list for this. Is there anybody else who wishes to have their name added to it?

Okay, what I think will probably suffice, then, is that I'll probably wait for the wording of the motion to be dealt with at the next committee meeting by Mr. St. Denis.

Oh, we have a motion by Mr. Stoffer, but he's not here. He's gone to a press conference. Okay, fair enough.

We can have a bit of a break and I'll leave this with you. I know Mr. Stoffer's motion will be up, and hopefully he'll have a chance to return and speak to that.

The other thing is what we will do in subsequent meetings. Obviously in a subsequent meeting we'll be dealing with the motion, I would assume, from Mr. St. Denis, and then I'm thinking, based on what I hear around here—and after dealing with Mr. Stoffer's motion—we'll probably carry forward with our health care review. And then maybe we'll await the response, if we get one, to Mr. St. Denis' motion, or what have you, and consider what we do, if anything further, on the veterans bill of rights.

So let's take a break then.

• (1000)

Mr. David Sweet: Are we expecting Mr. Stoffer back?

The Chair: The break is contingent upon Mr. Stoffer returning to talk to his motion.

Let's take a quick look.

A hon. member: Five minutes.

The Chair: Okay, let's break for five minutes. All right, fair enough.

A hon. member: So if he's not back, we're out of here?

The Chair: I think so. We'll ascertain that after the five minutes. The clerk will determine the whereabouts of Mr. Stoffer.

- _____ (Pause) _____
-
- (1005)

The Chair: We are back and back at it.

Mr. Stoffer has returned, and we now have his motion: "That the Committee report to the House recommending that Room 112-N of the Centre Block be named the Veterans' Room and that the room be decorated accordingly."

Mr. Stoffer, do you wish to speak to your motion?

Mr. Peter Stoffer: Yes, sir. Thank you very much, Mr. Chairman.

The reason I bring this up is that when I was on the standing committee on defence and veterans affairs—I believe Madam Hinton was there as well at the time, and Mr. Anders and a few others—we had a motion that Room 362 of the East Block be dedicated as the defence room, or the war room, for lack of a better term. Mr. Pratt was the chair at that time. It worked out very nicely. They put some beautiful art work up in the room, and now everyone knows that's where the defence committee meets, more or less, when they get a chance.

I thought this room was bland in a way, and that since we meet here on a regular basis and are now a full standing committee—thanks to the government for that—it would be recognized that this room would be the veterans affairs committee room, and that if possible we could have some art work of veterans and that kind of thing in this room to give it more of an ambience. That way when people sit on this committee in the future, this will be the room where they can get that work done. Of course it would be up to the Speaker, and so on.

• (1010)

The Chair: Well, Mr. Stoffer, I don't think we have anybody else yet to speak to it, but I like the idea, even if, heaven forbid, the committee were to change its composition of smokers and decided to move someplace else at some later date or something like that, or people took up Nicorettes or whatever.

[Translation]

Mr. Gilles-A. Perron: That's called discrimination.

[English]

The Chair: Even if that were to happen, sir—and I'm not advocating it, by the way; I'm just laying it out as a potential possibility, and I'm very much in favour of smokers' rights—I think the room would look a lot better for your suggestion. Regardless of whoever uses Room 362 in the East Block, I think it does look a lot better for that motion and the work that was done to it, so I think that's a noble idea.

Do we have any other people who wish to speak to the idea?

Mr. David Sweet: I sense unanimous consent.

The Chair: I sense happiness. I think I probably do need to at least put it to a vote, though.

(Motion agreed to)

The Chair: All right. It is a unanimous decision on behalf of the committee to make this the official, in a sense, committee room and to decorate it accordingly.

Mr. Shipley, please go ahead.

Mr. Bev Shipley: What is the next step? What's the process now?

The Chair: I'll ask the clerk what he has to say about that.

The Clerk of the Committee (Mr. Alexandre Roger): Now the committee will report to the House, and it will be up to the House to decide to name this the room.

Mr. Bev Shipley: We've had a vote. Is there something written that we need to prepare?

The Clerk: I will prepare the report for the chair. The chair will present that in the House, as the report for the ombudsman. It's the same deal. It will be a one-page deal that the chair reports to the House.

The Chair: That's why we pay the clerk the big bucks. He's got the answers to these questions, bless his heart, and he knows where everybody is, including Mr. Stoffer.

Mr. Peter Stoffer: There must be some great pictures of the Vimy memorial now. A nice picture of that somewhere in here would just be beautiful.

Mrs. Betty Hinton: I'm more than willing to donate some pictures. I have some beautiful photos.

The Chair: We were just joking previously about some of the lovely stuff that's with the nurses and what not, and the women who served in the auxiliary forces and so on during the Second World

War. That's nice art as well. It's poster art, but still it's quite lovely. There are lots of options out there. We'll have to work with the Speaker.

Go ahead, Monsieur Perron.

[*Translation*]

Mr. Gilles-A. Perron: Moreover, we mustn't forget the photos of World War I, the Korean War and the various theatres of operation in which veterans have served.

[*English*]

The Chair: Monsieur Perron raises a fair point, that when veterans come to testify, they'll want to see their areas of conflict reflected in the art, so we probably should be sensitive to having something from all the various ages and veterans groups represented. That's a good idea.

I think that exhausts this meeting. In the next meeting we'll be dealing with Mr. St. Denis' motion, which I sense he's still laboriously working on. Good for him. Then we'll proceed with the health care review.

Go ahead, Mr. Shipley.

Mr. Bev Shipley: If we have the motion, that won't take the whole event. Will we have witnesses?

The Chair: I sense we'll have witnesses who will continue with PTSD. There are three people from the department who deal with PTSD. We'll try to get them for the next meeting.

The meeting is adjourned.

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