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—
Chair

Mr. David Sweet

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•(1530)

[English]

The Chair (Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC)): Welcome, ladies and gentlemen. *Bonjour à tous.*

We're actually going to be going back to our G-8 study after this week—I believe next week. But at this moment now we're here. One of our members has moved a motion and asked the ombudsman to be present, and of course Colonel Pat Stogran is here and present, so we'll follow through with that.

That person isn't here, which we regret, but they have a champion of a representative.

Mr. Stogran, you have opening remarks. Is that correct?

Col Pat Stogran (Veterans Ombudsman, Office of the Veterans Ombudsman): Yes, I do, Mr. Chairman.

The Chair: I think you've been before this committee enough that you know we'll allow you to open, and then we'll go through the usual rotation of questions.

Col Pat Stogran: Right, sir.

The Chair: So please be my guest and go ahead.

Col Pat Stogran: Thank you very much, sir.

Thank you for the invitation to appear before you again. My last appearance was in November of 2007, a mere two weeks after I was appointed to the position of Veterans Ombudsman. A great deal has transpired since then. Suffice it to say, however, that recent events have reinforced a concern I have been harbouring for some time now and working hard to avoid. What was promoted to the Canadian public as an ombudsman for veterans is being treated by the department more like an internal administrative complaints section.

[Translation]

In the past year, we have received over 8,000 contacts from our stakeholders in the Veterans Community, and opened almost 2,000 files, of which half remain pending action. We have successfully intervened on behalf of veterans literally hundreds of times on issues that we could resolve in a timely manner. At the same time, we have gained insight into the more complex systemic issues that are frustrating veterans and we are now finally at a point where we have some resources to dedicate towards investigating and reporting on them.

[English]

The following words are not my own:

In order to complete those investigations in an objective, impartial and thorough manner, access is required to all information, including people and documents, which are considered necessary in order to complete the investigation. As well, as a delegate of the Minister, I must have access to the same documents and information as the Minister would have if he were carrying out those investigations himself. Any suggestion that the [department] should have the discretion to determine what information was required for this office to complete an investigation is simply not reasonable. This was certainly not the intent when the Office of the Ombudsman was created. This practice restricts our independence and impartiality in the conduct of investigations.

Those are the words of the DND/CF Ombudsman in April of 2007. However, they reflect exactly the kinds of challenges I have faced since coming into this office as the so-called ombudsman. So far, the role of Veterans Ombudsman has been nothing like what I expected of an:

independent, impartial public official with the authority and responsibility to receive, investigate or informally address complaints about government actions, and, when appropriate, make findings and recommendations, and publish reports.

This is the definition from the United States Ombudsman Association's governmental ombudsman standards, dated October 14, 2003, but it reflects a common understanding of what an ombudsman does.

•(1535)

[Translation]

The order in council that created our office states that I report directly to and am accountable to the minister. Despite this, the machinery of government in the Privy Council Office advised me recently that if I had a better understanding of the Westminster style of government, I would understand that I am actually accountable to the deputy minister in the conduct of my duties.

That might explain why the deputy minister would feel empowered to restrict my access to certain types of information, thereby "avoiding circumstances which would limit my abilities for public commentary." This amounts to the department announcing its intention to control the messaging of the Office of the Veterans Ombudsman. This is not acceptable.

Once again, the DND ombudsman has asserted the commonly held belief that "the organization that an ombudsman is mandated to review should not have the power to determine what documents an ombudsman requires or has a right to review during the course of an investigation."

[English]

Recent incidents regarding homeless veterans characterize my suggestion that our office is not being treated as one would expect an ombudsman should be. The department all but ignored my advice that they were not doing enough to address the specific needs of homeless veterans. They have deliberately withheld departmental information from our office. When my assertions captured the interest of the media, I was personally maligned. It was as if it came as a surprise that I would make public what I perceived to be systemic failings of the department.

Notwithstanding, I am now more committed than ever to encouraging the department to correct systemic problems with the way our veterans are being treated and to conducting myself in the way I think the Canadian public expects of a so-called ombudsman, in the truest sense of the word. Ultimately, it is the Canadian public to which we should all be accountable in the end.

That concludes my remarks.

The Chair: Thank you, Mr. Stogran.

I apologize to the committee. I should have mentioned before Mr. Stogran's remarks that we have a little bit of business. With your indulgence, we'll complete our questions by 5:15 so that we have enough time to do business before the bells for votes tonight.

Do I have consensus on that?

Some hon. members: Agreed.

The Chair: Good.

Let's go to the first round of questioning.

Madam Sgro, you have seven minutes.

Hon. Judy Sgro (York West, Lib.): Colonel Stogran, welcome to the committee.

We have wanted an opportunity to discuss various issues with you for a while now. Once you made some of your concerns public, there was a great desire by those of us on the committee to get some answers to various issues you pointed out.

I must say that you're the second parliamentary officer who comes to mind who is having great difficulty, along with the Parliamentary Budget Officer.

You've been in this office for over two years now. Have you had these frustrations in trying to move forward on some of these files? You made reference to more than 8,000 contacts from stakeholders. Have you been frustrated from day one, or were you led to believe you would get information and support as time passed?

Col Pat Stogran: There has been a wide variety of frustrations since day one.

In the first instance, learned advice was given to me by people who had opened a similar office that I should keep the doors closed for a year and open them up when I was fully staffed and had my procedures in place. But because the veteran community had been waiting for a veterans' ombudsman for some time, I decided we would go ahead, continue taking complaints from the veterans, and do whatever we could to facilitate change while we were setting up

the office. I would say, as a metaphor, we were changing the tire on a moving car.

We learned as we went along. I encountered all sorts of goodwill among the rank and file of Veterans Affairs Canada. We've been very successful at resolving what I would refer to as lower-level issues—mediating decisions at the lower levels among the decision-makers in about 500 cases.

We are only now starting to venture into the onerous process of hiring within the public service, and that is the cause of another one of my frustrations. We are only now starting to venture into some of the more complex, systemic issues that impact a wide number of veterans in the community. By correcting them, we would be effecting long-term and enduring change, to the benefit of our veterans. This is where we are still carving out our territory and identifying what processes we're going to use to effect change in the most timely manner.

Just to qualify that, I'm very cognizant of the relationship we should have with the department. In establishing our procedures, I do not want to put the department in a position where our workload slows down the progress they're making in programs that don't need to be addressed by us.

So the frustrations have been many on all sides.

● (1540)

Hon. Judy Sgro: Why has it been so difficult to get the information you require from the department?

Col Pat Stogran: Mr. Chair, that is a very difficult question for me to address because I'm the one asking for the information, and there are a variety of reasons that are given that I can't quite comprehend from the other side of the table.

I think one of the issues that has been problematic is that within the order in council that describes my mandate, we are restricted from reviewing certain types of documentation, and there is a difference of opinion between our office and that of the department as to what the definition of "to review" is. It's rather complex, but if I can make it simple, we are prevented from reviewing documents such as legal judgments, court decisions, as well as legal advice to the department and decisions of the Veterans Review and Appeal Board. The department views "to review" in the sense of "to have a look at". We are prevented from having a look at a long list of things, including confidences of the Privy Council and internal legal decisions. If that were in fact true, the letter of the law in our mandate would prevent us from reading court judgments that are actually public information accessible to all.

So it's a mixing of apples and oranges. The definition of "to review" in both the Pension Act and the Veterans Review and Appeal Board Act is "to hear, determine and deal with", to challenge and to make comment on these types of things. We're not looking for that when it comes to confidences of the Privy Council or legal advice that the department is using to make decisions. What we're looking at is understanding the perspective not only of the veterans, the people on the ground who I spend most of my time talking to and working with, but we want to have a balanced impression. We want to understand the department's perspective on things. The advantage for me, and I think one of the ways we could have avoided this latest confrontation between my office and the department, is that if the department is forthcoming and proactive in sharing information and letting us know what actions they are taking when we are seized of issues such as the homeless veterans issue, then I could qualify my comments, without ever revealing the source of that qualification. But I will never compromise my integrity to the veterans by ignoring open source material or evidence that I am gathering on the ground. I will only temper it by what I know to be information that's within the department that is out of public view.

Hon. Judy Sgro: Thank you, Colonel. Clearly, you care very much about the veterans and your desire to do a good job by them.

We had a presentation the other day from your staff member when we were in Charlottetown, and what was evident through all of the deck that we were presented with was that part of your job is the issue of the homeless veteran. The individual who we had all heard about in New Brunswick was an example. Throughout that document you reference that you don't want to see any veterans homeless and on the street. Well, I can assure you, none of us do either.

How would you suggest the department play a more active role in trying to ensure—whether that means visiting food banks or shelters—that veterans are getting the kind of support that they clearly deserve if they need it, so we don't find out that we have veterans who are resorting to food banks and living in shelters or are homeless altogether?

• (1545)

Col Pat Stogran: Mr. Chair, let me just comment on the Leave Nobody Behind campaign and the homelessness issue. That's really the tip of the iceberg. The Leave Nobody Behind campaign was originally intended as an economy of effort initiative that I would dovetail with my outreach across the country to try to identify the scope of the homeless problem, as a first step. But there are other people in the veterans' community who are slipping through the cracks, who should be addressed. I dare say, without a study to refute my suspicions and observations, it's a direct result of people serving in the military and in the RCMP. There are veterans who are incarcerated. We don't know how many or why. There are spouses who are being left behind by the system. It's another part of this Leave Nobody Behind campaign. For example, wives have approached me who have lived with significant others for years who are suffering from PTSD. In one case I know of, the veteran ended up committing suicide. That spouse is left to fend for herself, and her plight is a direct result, I would say, of service to our country.

There's also the VIP, which the members were briefed on.

Regarding the homeless, the first step would be to actually engage with the professionals who work in the homeless community. This is what I've been watching for; this is what I've been asking. As a first step, engage with the police forces across the country. These people interact with homeless veterans very often, and I have been led to believe by the police that there's a bit of an affinity between uniformed members. Once the homeless person realizes they're not being arrested and thrown in jail, they actually develop a relationship with the police force. So first is to reach out to the police forces across the country. Put Veterans Affairs posters where the homeless congregate, in the shelters. They're nonexistent today. It's a very simple measure.

Without exception, in every homeless shelter where I have spoken to staff, from directors right on down to people in the front lines, they're craving information about programs that Veterans Affairs might be able to provide to homeless veterans. Education sessions—an integration of the professional in the veterans' community with the professionals in these homeless shelters. The important thing is to understand that the needs of a homeless veteran are different from the average veteran. That's the nature of their being homeless.

Perhaps I could use a metaphor. I have a very good friend who worked for me in Afghanistan, who lost two legs—a double amputee. And the department has some tremendous systems to assist our physically wounded individuals, the double amputees. They're all there. So if I could use this as an analogy for the homeless, it's like saying to a double amputee, "We have all these in-home programs that you can use to make your life better. We'll provide you with home cleaning, cooking. We'll provide you with in-home physiotherapy. We'll provide you with in-home occupational therapy and in-home medical assistance." Then the double amputee says, "Can I have a ramp or a lift to get into my house?", and they say, "Once you get in there we'll look after you." That's the problem with the homeless veteran. They don't have access. They live in a different world from the general population of veterans. So it's reaching out to that community and establishing a personal touch.

[*Translation*]

The Chair: Thank you, Colonel Stogran.

Thank you, Ms. Sgro.

Mr. Gaudet, for seven minutes, please.

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

Sir, when the committee met on several occasions to appoint an ombudsman, the Bloc Québécois, among others, was in favour of the latter being accountable to the House of Commons, like Ms. Sheila Fraser.

I don't want to play politics, because we usually don't do that in committee. However, it would seem that the main parties that are usually in power do not like having someone who is completely independent.

I know that the Bloc Québécois fought for this. We even met with the former ombudsman of the Department of National Defence and the Canadian Forces, who resigned and who is now the provincial ombudsman for Ontario. In Sainte-Anne-de-Bellevue, we met with the ombudsman there, and it was the same thing. Pardon the expression, but he was working for the Sainte-Anne Hospital. Everyone got along well with him, because everyone reported to him.

My question is simple. You were appointed ombudsman so the government could say it had done the right thing, or something like that, perhaps to give it good conscience and allow it to say that now the ombudsman is appointed, everything will be fine, and all the problems will be settled. As I see it, the problems are not settled at all, at least not anymore than they were before. Am I right?

• (1550)

Col Pat Stogran: Mr. Chair, I apologize for not being comfortable enough to speak in French.

Mr. Roger Gaudet: That is not a problem, sir. We have interpreters and the system works very well.

[English]

Col Pat Stogran: On the question of my role, in the first instance, what I have learned in the last year and a half is what an ombudsman is and what an ombudsman contributes to an organization. I must say, I am a huge fan of the idea of an ombudsman. I do not necessarily agree that the position must be legislated, but there does have to be a degree of respect for the role if we are going to have an ombudsman. I would not begin to speculate as to the reason why the government would bring this position into being, and I must say there have been problems, particularly with the DND Ombudsman, that we have been experiencing in exactly the same vein.

What I find particularly discouraging is when we try to conduct ourselves on a professional level, and when I do report...and I spend an inordinate amount of time. I consider it my primary duty to integrate with the veterans' community, to understand it from the grassroots, and to report on it as I see it. I think I offer a service to government in that vein. I find it particularly disconcerting when I am publicly called insensitive, when people say that my actions pale in the extreme, when this relates to my not turning over the names of homeless veterans, protecting their privacy.

I have met enough homeless veterans in the past year and a half to know that they are very private people. Many times the people who are on the street are more private than the average citizen. I met one Second World War veteran who did not want to meet with me initially because he wanted his privacy. He was afraid that because I was coming from Veterans Affairs, the very little that he was collecting from Veterans Affairs was going to be taken away from him, and he wanted to maintain his privacy.

I was criticized publicly for not turning over the names and violating, not only the Privacy Act, but the confidentiality that the public expects of a person in a public office such as an ombudsman.

Once again, I think the role is extremely useful if it's treated in a professional manner. I would never expect to have an ombudsman who has the power of binding recommendations, because that being the case, the ombudsman becomes part of the problem.

Suffice to say, Mr. Chair, that I think the mandate as given to me is a workable one. So much is dependent on the personalities involved and the intent behind it, but I would never hazard to speculate what the intention was behind my office.

[Translation]

Mr. Roger Gaudet: Thank you.

According to the notes prepared by Michel, our analyst, you were recruited as a special adviser to the minister. Were you indeed recruited as such or as an ombudsman? Because in the notes, it states:

It opted to appoint a Veterans Ombudsman as a special adviser to the Minister of Veterans Affairs pursuant to the Public Service Employment Act.

Is this indeed how you were chosen? Because that would mean that you are simply an employee of the department, unless I am mistaken.

It would seem that I am putting you on the spot. If I reworded my question, you would perhaps prefer not to give me an answer, because of your position.

• (1555)

[English]

Col Pat Stogran: Mr. Chair, I'll answer the question.

From my research into the events that led to the establishment of this position, I understand that the position of a special adviser was actually administratively convenient; it was something that could be expedited to get somebody into the chair in a timely fashion. However, I do view my job as providing advice to the minister, and I don't feel that I'm compromising my independence by doing that. I would provide advice to any member of the government, based on what I observe, based on the perspective of the veterans.

I believe the two are actually complementary, if that answers the member's question.

[Translation]

Mr. Roger Gaudet: Yes, you answered the question well.

However, from what you said earlier in your brief, it would appear that you are not entitled to certain reports, certain confidential information. That being said, you are an adviser but the information goes in only one direction, not two.

In reality, that was my question. You did answer correctly, but in reality, it is a one-way street only. You are an adviser to the minister, but the minister provides you with nothing, nor does the department. Indeed, I cannot talk about the minister, but the department can give you no results, it can give you nothing.

[English]

Col Pat Stogran: Mr. Chair, in essence I would have to agree. I cannot comprehend, nor can the private legal counsel whom we employed outside government, as well as my current legal advisor, who is a public servant, why we would not be privy to all departmental information. It's been argued that some departmental information may end up being protected under the Privy Council confidences. We're not only cleared for that type of material, but we're also charged with protecting that information. If anything, by offering us full and unfettered access to information, I can give a far more balanced assessment in providing the advice to *n'importe qui* of the situation as it pertains to veterans. Once again, my first instance is to understand the veteran's situation completely, but it has to be balanced by the information that's inside government. That's the only way I can give legitimate advice.

I dare say, in these recent incidents in the press, had we had complete access to information, things may not have unfolded as they did. It also depends on the government of the day taking the advice of the ombudsman who is offering it. As an example, we were on distribution for departmental notes, the preparation of question period notes that were going to the minister, and they came to our attention. We were on normal distribution at the time. I made the point to the department that if that advice goes to the minister, I will have to disagree, because they were embellishing the facts on the ground as I had seen them. The reaction was to remove us from the distribution list of the question period notes, not to examine the situation further or try to understand the perspective from the visits I had made on the ground. As much as I'm a fan of the ombudsman system, it very much depends.... To use an old cliché, it takes two to tango, in the absence of very specific legislation; it requires a professional relationship between the two parties.

The Chair: Thank you, Mr. Stogran.

Thank you, Mr. Gaudet.

Now, Mr. Harris, from the NDP for five minutes.

Mr. Jack Harris (St. John's East, NDP): Thank you, Mr. Chair, and thank you, Colonel Stogran, for coming here.

First, I want to commend you for your courage and forthrightness in making public the concerns you have about veterans. We hear a lot about supporting our troops, but supporting our veterans, in my books...as my colleague Peter Stoffer keeps saying, supporting our troops when they come home, when they're veterans, is as important as supporting troops in the field. So thank you for your forthrightness about this.

In looking at the mandate that was given to you, it seems to be adequate, and maybe you can comment: to review and address complaints by clients, to identify and review emerging systems, to facilitate access by clients to programs. The role has been called an ombudsman or an ombudsperson, which is a recognized international office that democracies are engaged in. But it seems you're being treated like an employee of the deputy minister. Is that your conclusion?

•(1600)

Col Pat Stogran: I would have to say that there's a lot of reading between the lines in my mandate. For example, I draw reference to

my meeting with Machinery of Government in the Privy Council Office, and the message was quite clear that I was accountable to the deputy minister. This was always intended, despite the fact that in my mandate, in the order in council, it is clearly specified that I am accountable to the minister, to whom I'm supposed to report.

So I have a workable mandate. But at present there is latitude for individual interpretations. For example, I have no authority to resolve the difference of opinion that our office has with the department regarding the definition of "to review". We need a definition we can enforce. It's not effective to have someone suggest to me one on one, behind closed doors, that the intent of the government was actually to withhold certain information from me so as not to constrain my ability to make public announcements. To me, that's the department trying to control my messaging. Thank you very much, but I will take my message to the Canadian people and to the veterans I serve based on what I see on the ground and the evidence that backs that up.

Mr. Jack Harris: I understand from what you said, and from your recent appearance at the Senate committee, that you now have legal counsel, so you can deal with the whole question of the nature of your office in a more formal way. I also understand that you have both internal legal counsel from the Department of Justice, or formerly from the Department of Justice, and outside counsel.

By the way, as I see your mandate, it says "review and address". I don't know how you can address something if you don't know what it is you're addressing. So it seems to me that it is included in your mandate, but that's something for you to pursue.

Am I right in saying that the two problems you have identified are, first, that you need access to information about problems and issues, and, second, that you need recognition of your independence? Are those the two things? We're looking for ways to help you perform your role.

Col Pat Stogran: With respect to recognition of my independence, I view myself as being independent. I am functioning independently, regardless of what might be read between the lines.

With respect to support, the Office of the Veterans Ombudsman needs access to information so that we can make a balanced, unbiased assessment of the issues that we are confronted with from the veterans. We also need more personnel. There are 10 full-time equivalents in the department, misemployed right now, who were supposed to be working for the department and reporting to it, but are working on issues related to the veterans ombudsman.

In my last 18 months as an ombudsman, I have learned that we do not work through intermediaries. We need to have first-hand evidence—I will not comment on or use as evidence in my public commentary information that has passed through third parties. Our evidence needs to be as sound as the evidence that's used in our courts.

The third thing I'd throw out is the rank and stature afforded to the position in the GIC appointment. This reinforces my suspicion that the so-called ombudsman is more of an internal complaints department. The position is roughly equivalent to a public servant of the EX-2 level, a director or director general. This person, however, is charged with overseeing a department overseen by a deputy minister with a complete cadre of ADMs at the EX-4 level. The stature of the office is significantly lower than that of the organization it's charged with overseeing. How does a person of EX-2 rank have any credibility in sitting down with the DM and his ADMs to resolve issues before they go to the minister? Conceivably, that person may not have the necessary experience at that rank level.

So there are things that are working against the office. Those are the three, I think, that should be addressed.

• (1605)

The Chair: I'm sorry, Mr. Harris. You're substantially over your time.

Thank you, Mr. Stogran.

Now we move to Madam O'Neill-Gordon for seven minutes.

Mrs. Tilly O'Neill-Gordon (Miramichi, CPC): Thank you, Mr. Chairman, and a warm welcome to you, Mr. Stogran, for being with us this afternoon.

I listened with great concern today as we spoke about our veterans. I know that all of us in this room have a great love and admiration for our veterans, and we realize what they have done for us. None of us here would want to think that there is any veteran out there who is homeless. I know as well that we have a great passion to help these veterans, and I appreciate your passion for all of this.

When we visited the Daniel J. MacDonald Building on Monday, we felt, when we left, how strong and hard these people work. They leave no stone unturned to provide the very best possible accommodation and help that is available for veterans.

Do you consider that the privacy of the vet is the main reason we have homeless veterans out there? There are lots of programs there, and we have people dedicated to doing the best for the veterans. So why is there such a thing happening out there that we actually have veterans who are homeless?

Col Pat Stogran: Mr. Chair, I would like to offer, first of all, that I share the same opinion of the employees of Veterans Affairs Canada. I have spent a lot of time in the district offices, and the people I have met, without exception, are truly committed to looking after our veterans as much as the system will allow them to.

I also think that many of the employees of Veterans Affairs who make it to senior management positions in Charlottetown by staying there throughout their entire careers are truly dedicated to that one department. They are servants of the veterans before they are public servants, and I applaud them. But they can only do the job as much as the system will allow. And therein lies the problem, I think, of homelessness.

I would not want to get into the reasons people become homeless. It's a huge study, and it's a study that, really, Veterans Affairs should have embarked upon by now. Certainly our allies have.

What I would say is that the system lets down our veterans, not only our homeless veterans but the veterans who are not in that kind of predicament, because the system requires that they self-identify. The system is not proactive. Once a service person in the RCMP or the Canadian Forces crosses that no man's land into Veterans Affairs, that person is on his or her own. And if people are having problems, they have to go to Veterans Affairs and address them. The administrative chain that has built up behind people, either in the force or in the Canadian Forces, is not linked to Veterans Affairs. So they get lost in that no man's land when transitioning to become civilians.

There are some young people who have served overseas in the Rwandas, Somalias, Cambodias, Bosnias, and Afghanistans of this world who have spent as much time in theatres as our Second World War and Korean veterans have. If you couple that with the psychological damage that may have been done and an addiction to drinking, drugs, or alcohol as they make it across there, and you ask that person to go looking for help—statistics show when a person is 10 days away from becoming homeless—then I dare say that we've lost another generation of veterans. They will be much like the 85-year-old World War II and Korean veterans I have met here in Ottawa, as well as in Toronto, who have lived their lives on the streets and have survived there.

The idea is that we have to put out a safety net. This is sealing the cracks. Major-General Grant testified, I believe, either before this committee or the Standing Committee on National Defence, that the Canadian Forces and Veterans Affairs Canada have made great strides in treating people suffering from operational stress injuries through OSISS, the operational stress injury social support system. We have made great strides. But he recognized that some still slip through the cracks. It's really incumbent upon Veterans Affairs to seal those cracks, to identify why people fall into homelessness, and to reach out. Don't have them come to the office and say, "Please help me," because that's just not going to happen.

• (1610)

Mrs. Tilly O'Neill-Gordon: Let's suppose the police give a report to you of a homeless veteran or you find out some other way. Can you walk us through what you immediately do once you find out that there is a homeless veteran somewhere?

Col Pat Stogran: Mr. Chair, I'll walk through the couple of situations where I've met up with them. Personally, this is my approach. I would not qualify myself as an expert on homelessness in any respect, but we're certainly proactive in trying to meet these people.

As soon as I've heard of a case—and we are only now building the capacity to actually have investigators—I've taken it upon myself to meet with these individuals. The first thing I do is talk to them. I mentioned the one story of the World War II veteran. Another World War II veteran I met was actually hostile towards me. Unlike the first person, who was worried that he would lose whatever Veterans Affairs was giving to him and wanted to remain private, this person was quite angry about Veterans Affairs and whatever transpired throughout his lifetime. I had to talk to him. It actually took about an hour in both cases, these individuals whom we met with. It takes about an hour to break down their paradigm and their defences regarding whom they are talking to. Perhaps I was in a better position than most because I had the military background and I could relate to them. But it takes time to speak their language and to meet with them.

My team and I are sensitive to the plight of our veterans, to a fault. We ask them if there's anything we can do. I seldom travel anywhere without somebody from my team who's an expert in all things Veterans Affairs so that this person can advise me if there's anything we can do for the individual. In the cases where somebody asks us for help, we are only too willing to oblige. We have done so on two occasions.

Recognize that this is an economy-of-effort initiative that I've been doing in my spare time. I don't have the resources to blanket the entire country to meet with these organizations, but I do... Alleviating hardship is our first priority when somebody comes to us.

Mrs. Tilly O'Neill-Gordon: I realize for sure that you don't have the time, but—

The Chair: Sorry, Madam O'Neill-Gordon, we're over now.

Thank you, Mr. Stogran.

Now we're back over to the Liberal Party and Mr. Andrews for five minutes.

•(1615)

Mr. Scott Andrews (Avalon, Lib.): Thank you so much for coming in today, sir.

I'd just like to get back to this issue of you getting access to information. I do believe when Mr. Harris questioned you, you talked about the deputy minister and that person's role in conversations with you about what you can and cannot have access to. Could you explain that, what exactly the deputy minister has said to you?

Col Pat Stogran: Mr. Chair, on May 1 of this year, after some toing and froing over, I would say, the past eight months—which included getting legal advice from outside the government as well as from my current legal advisor, who's on my staff—the department came back and actually published the policy. It was a letter signed off by Madame Tining on May 1 that describes what the policy is. In essence they will restrict. They believe that the order in council, as they interpret it, prohibits us from having access to their legal advice, solicitor-client privilege between the department and their Department of Justice advisors, as well as confidences of the Privy Council.

Having said that, we had it on good authority that there was a strategic study conducted on the homelessness situation. In fact we

contributed to a study, but the study never ended up in our office. This information was withheld from us and was actually classified as secret. From the advice of my legal advisor, it was very much overclassified based on the information that was contained in that study. When my lawyer inquired about it, we were told that there was information in there that could ultimately become confidences of Privy Council. It may seem trivial that the department has said that they will restrict us from legal advice, as well as confidences of the Privy Council, but what it does is it can bleed out into many other types of information.

Mr. Scott Andrews: How many more types? How many more examples like that could you cite of where you've not gotten the information you've wanted?

Col Pat Stogran: At this moment in time, I can only think of two instances of where we were specifically denied certain documents.

It started when we were seeking the legal opinion that was being used in a manner...and this was about eight months ago. This was during the toing and froing on the definition of “to review”, as it's presented in the order in council laws.

So there was that legal opinion, and then there was the recent one to do with homelessness.

Really, at this point in time, I could do a bit of an internal review and come back to the committee with more instances of it.

Mr. Scott Andrews: I would appreciate that.

Do you submit a written report to the deputy minister or the minister on the cases that you have looked into? And how much of what you've written to the minister or the deputy minister could be revealed to the public?

Col Pat Stogran: Mr. Chair, that's one of the things that has been problematic over the last year and a half—namely, identifying exactly what types of information the minister's office is in need of. We are bound by the order in council to provide an annual report, which we did last December. When I met with the minister's office, it was decided that what I had produced—as I wrote this, the audience I had in mind was the veterans I serve—was perhaps inappropriate for the parliamentary audience.

So we agreed that we would—

Mr. Scott Andrews: Hold on. The report you wrote was submitted to the minister, and they told you they wouldn't release it?

Col Pat Stogran: No, Mr. Chair, perhaps I can clarify.

With regard to the information contained in it, other information was more appropriate for the annual report in terms of our office accountability. So it was agreed that...

The difficulty we encountered was that in producing our annual report by December, we were out of sync with the fiscal year. We couldn't really close off the books for accountability. So we are now writing an annual report up to March 31.

Having said that, the report that we produced, that I wrote with the audience of my veterans in mind, is being released to the veteran community, to the public at large, 60 days after it was submitted to the minister.

From my perspective, the information is still making it out to the public. It's just—

•(1620)

Mr. Scott Andrews: So the report we get will be as is, as you wrote it.

Col Pat Stogran: Mr. Chair, I write what I write; it was just whether or not you would call it an annual report.

We're now actually calling it "A Year in Review: An Introduction to the Veterans to the Office of the Veterans Ombudsman". The information is intact.

The Chair: Thank you, Mr. Andrews. I actually allowed you to get that confirmation after your time was up too.

As well, Mr. Andrews, you were offered an undertaking errand for a report. Did you want the colonel to follow through on that?

Mr. Scott Andrews: Yes, please, if he wouldn't mind.

Thank you.

The Chair: We'll await those documents from your office, Mr. Stogran.

I'll go to Mr. Lobb of the Conservative Party for five minutes.

Mr. Ben Lobb (Huron—Bruce, CPC): Thank you very much, Colonel, for accepting our invitation to the committee today. It's very gracious of you.

I was reading your biography before we came in here today. You definitely have a distinguished background, a distinguished career with the military. Your service in Bosnia and Afghanistan is duly noted, as is your degree from the Royal Military College, I believe in electrical engineering. I will commend you on an excellent career to Canada. It's definitely noted.

Like you, my grandfather was a multi-year veteran. He was definitely proud of his service and of his fellow veterans.

As well, as an ombudsman, with a second-degree black belt, you're definitely a force to be reckoned with. We should note that as well.

I'm on the human resources committee, and our committee is currently studying poverty in Canada. I was very impressed, during our visit to Charlottetown, by the complete strategy that Veterans Affairs has embarked on in terms of the overall product they offer to veterans on mental health, addiction, rehabilitation, and everything like this.

One point I want to make to you is that in the last six to eight months, the department has visited over 75 agencies. They have a number of lists. They work continuously to communicate with groups, to communicate with the grassroots, just so that the very mandate you have, that no one is left behind, is best addressed.

Do you have any thoughts on the department's efforts to track down those who may be, as you mentioned, falling through the cracks?

Col Pat Stogran: Mr. Chair, I can't comment on what I have seen. I've visited homeless shelters and spoken with homeless veterans. Until I actually assign investigators to a project to get the evidence, I'm sorry, I cannot comment.

Mr. Ben Lobb: Okay.

Just further on the homelessness problem, we know that 60% of the people who are homeless in Canada have mental illness and addiction issues. We also know, through the CSC, that 70% of our people incarcerated at the federal level have mental illness and addiction issues.

I just wonder if you can provide the committee with a comment or observations on the strategy that Veterans Affairs has embarked on for mental health amongst our veterans.

Col Pat Stogran: I'm sorry, Mr. Chair. That's a very broad question.

I don't know if it's as it pertains to addiction, homelessness, or incarcerated veterans. I have said that the OSISS program is revolutionary in the western world in dealing with our people who are so afflicted.

If you could narrow the discussion down—

Mr. Ben Lobb: I think you are definitely on the right track with your observation about the OSISS clinics.

I guess the place I was coming from was that Veterans Affairs takes proactive measures on mental health and treatment, particularly for post-traumatic stress disorders, and in actually dealing with our veterans before they end up in situations such as homelessness.

Do you have any thoughts on our treatment of mental health, on peer-to-peer groups, our treatment of addictions, the support we provide through the VIP program, and financial counselling, all of which are components that the World Health Organization fully endorses? The mental health program I witnessed in Charlottetown on Monday was world class. I'm not sure if any other veterans affairs department on the continent or around the globe would have a similar program. Do you have any thoughts on that?

•(1625)

Col Pat Stogran: Mr. Chair, that's way outside my marching orders.

I'm here to troubleshoot the problems. I am a veteran, and I acknowledge the work and the importance of the department, but I really focus on where the gaps are and where our veterans are being let down. My clientele are the veterans who are not being well served by the program, so I would have to defer the question to another study.

Mr. Ben Lobb: Do I have more time, Mr. Chair?

The Chair: I will give you time for one brief question because of the need to confirm the last....

Mr. Ben Lobb: Thank you for your honest opinions.

I guess the point I'm trying to make, or would like to make, is that it's quite likely that the reason we've been able to keep our veterans off the streets and out of homeless shelters is the superior program that Veterans Affairs provides to our veterans. It is world-class and is endorsed by the WHO.

I think I'll probably just leave it at that for now.

Col Pat Stogran: Mr. Chair, I certainly acknowledge the excellent efforts the department makes towards our veterans.

Once again, my concern, for example, is the young trooper who served in Bosnia in 1994, who came back home and became a Calgary City police officer, but was troubled. His wife couldn't understand why he was troubled or what his problems were. He ended up taking his service revolver out to the back forty and blowing his brains out. She's suffering through that. Those are the people who consume my every day—weekends included.

So I don't want to detract from the good work the department is doing.

The Chair: Thank you, Mr. Stogran.

[Translation]

Mr. Carrier, five minutes.

Mr. Robert Carrier (Alfred-Pellan, BQ): Good afternoon, Mr. Stogran.

I am not a regular member of the committee. I come here occasionally. I am, however, pleased to meet you, because we are dealing with an important issue. It is important that this segment of our population, these people who have fought and whom we need to look after, have an ombudsman.

I am especially surprised by one rather unfortunate aspect of the report you submitted to us. You received 8,000 requests but have opened only 2,000 files, and this concerns me. That means that 6,000 requests have not even been dealt with, and that half of the 2,000 requests require follow-up. This leads me to ask many questions.

You said that we are finally able to assign resources to the investigations. Could you tell me whether or not you now have all of the resources to enable you to operate normally? And when do you think you will at least be able to open files for all of the 8,000 requests?

We can draw a parallel between this situation and the number of requests sent to our constituency offices in our respective ridings. We all receive these requests. And for each of them, we have to open a file to note the individual's request and to ensure that there is some follow-up done. You do more or less the same work, but for veterans.

When do you think you will be able to open all of the files and provide adequate follow-up?

[English]

Col Pat Stogran: Mr. Chair, to clarify the situation with those 6,000, many of the people who come to our office are simply seeking information or referrals and are not coming to us with issues that need our immediate attention. The number of 6,000, I dare say,

were satisfied customers and there is not investigative work pending on those.

We have accumulated a considerable backlog as a result of the length of time it takes to staff some of the problems, even the more minor ones. But now with our full complement...I'm very much encouraged by the work that's going on in Charlottetown right now to reduce that backlog. Suffice it to say, though, that the troops on the front lines within our organization do have a very high-intensity job dealing with the veterans on the phone as well as trying to resolve these issues, and I am very conscious of the resource constraints that we have there.

I would not be comfortable at this point in time forecasting the size of staff we would need because we're not at the point where we have established our steady state working procedures yet. We won't be until we really train the staff that we have on side now. We still have three investigators to come onto the team. It's going to be even a little more complicated because I want to make sure that our procedures are harmonious with the department's, so there will be some feedback going back and forth across the line.

What I will say is that when the government apportioned resources to the function of the Veterans Ombudsman, there were 10 full-time equivalent positions that were assigned to the department that are really misemployed right now. In terms of the balance sheet and the money that was assigned to the function of a veterans ombudsman, those positions would be hugely beneficial right now to us coming to terms with the task at hand. But I don't think the situation is as grave as those 6,000 might convey, and we are moving ahead.

•(1630)

[Translation]

Mr. Robert Carrier: Thank you for the clarification regarding the 6,000 other requests. This may be inaccurate in the current report.

Earlier, we spoke about the report that you had already prepared on March 31, 2009. I thought I understood that you would be tabling this report with the committee. Is that correct?

[English]

Col Pat Stogran: Yes. Mr. Chair, the office is in the throes now of consolidating our report to the minister that is sort of a snapshot in time as of the 31st of March. Once we present it to the minister, he will present it to Parliament at his convenience. There is no timeline or anything in the order in council that would enable me to sort of forecast when that particular report would be tabled.

The Chair: Thank you, Mr. Stogran.

Thank you, Mr. Carrier.

Now, we'll move to Mr. Kerr for five minutes.

Mr. Greg Kerr (West Nova, CPC): Thank you Colonel Stogran. We appreciate you being here.

We're probably going to agree to disagree on a couple of things here, so I don't want you to take that out of context. I think it's terrific to have an ombudsman. I expect some friction with an ombudsman. I think that's the nature of the beast. In fact, the job, as you rightly pointed out, is to go out and find things and get things done. However, a couple of things you've said—and I've tried to understand this today, based on what you said earlier—I put down as a bit more unnecessarily combative than perhaps cooperative. You used the word “harmonious” just about a minute ago. When you talk about respect, and you want respect, I think that has to be a two-way street.

As an example, with regard to the report, I'm watching your comments carefully because I know the minister wants to get that report tabled. You have to finish the report before the minister can table it, so that's the first part of the sequence. And then the minister gets it and tables it. That's one point.

There is a second matter that does concern me. We've talked about the homeless a fair amount. I expect that it's natural that there will be conversations and friction within the department. That goes without saying; otherwise, why would you need an ombudsman? You have to keep things pushing along. I think we admire that, but I have a little problem, and I want you to help me clarify, if you will. When you suggest that the staff—although they are great staff, and I couldn't agree more that they're terrific people and do a great job—don't understand the homeless and are not out there working with the homeless, that's not the impression we get from staff. We're going to hear more about that next week, I think. You say it's the system that's really holding the staff back. My understanding is that many of the staff do, in fact, confer with the homeless shelters and people who work in that circumstance and do try to find these people, but often are perhaps restricted—and I think you pointed that out—when these people don't want to be put in a situation where they have to tell the world what's going on or admit their problem or come forward for help. So part of the difficulty seems to be how you actually contact and follow through.

But I do want to be clear—and I'm hoping that's your feeling as well, although I didn't quite get that clearly when you said the staff don't understand the homeless—that I disagree with that very strongly, and it's not my understanding of what they are trying to do.

So perhaps you could answer that for us.

• (1635)

Col Pat Stogran: I'm sorry, Mr. Chair, I'm at a loss as to what the question is.

I'll comment on the report. The report that was written a year after my appointment, on November 11, was, as I said, presented to the minister, and it was agreed that we would synchronize our annual reports with March 31. That was a little over a month ago, so that is taking its natural course. I don't know where.... If I showed any disrespect to the minister on that one, I apologize. I'm certainly not....

In terms of the homeless issue—

Mr. Greg Kerr: Let me clarify, just in case you misunderstood. I took your words here as meaning that there is either some kind of disconnect or it's not in the system that staff can in fact deal with the

homeless. Yet I know a lot of staff do deal with the homeless and deal with the homeless shelters.

I'm trying to understand what your sense is of where it breaks down and what you would recommend be done to strengthen it. You said that systematically there's a problem there. I assume you're not suggesting that staff don't follow through with the homeless.

Col Pat Stogran: I'll just clarify.

There's no doubt in my mind that there are local initiatives. I have met with staff across this country. There was a gentleman in Veterans Affairs, in Moncton, I believe, who brought 100 Harley-Davidson motorcycles over to show to the vets on his own initiative, on his own time, because he's a motorcycle enthusiast. That's the nature of the people I meet in these district offices. I also meet people in the district offices at all ranks who say they can't. When I visit the districts, and I visit the shelters in the districts, Mr. Chair, I see that Veterans Affairs does not have a presence. I speak to people on the shop floors as well as to directors who say they know nothing about Veterans Affairs, and they would be only too eager to effect liaison to learn more about it.

There's no doubt in my mind that there couldn't be this public controversy right now without the department somewhere doing things. What is really missing right now is a Canadian study into homeless veterans that would sort of parallel what I see in the United Kingdom and in the United States and in Australia.

I don't know if that answers the question, but I'm not exactly sure....

The Chair: There's no need to answer it, Mr. Stogran.

That's the end of your time, Mr. Kerr. I'm sorry. We have another Conservative slot, though, Mr. Kerr, and if you'd like to ask your colleague if you could take some of that time, Mr. McColeman has five minutes.

Mr. Phil McColeman (Brant, CPC): Thank you, Mr. Chair. Again, I'll just echo and underscore our appreciation for you being here, sir. It's always great to meet a veteran who has such an esteemed career as you have had.

I'm going to reflect on your written presentation, if I might. There is one sentence in the second-to-last paragraph that says, “The Department all but ignored my advice that they are not doing enough to address the needs of homeless Veterans.”

Can you expand on that in terms of what your advice might have been?

Col Pat Stogran: Mr. Chair, it goes back to the days of the notes that were being prepared for submission to the minister regarding all of the things that the department is doing for the homeless. Included on that list are such things as the in-home care for the veterans independence program. My advice was that this was truly an embellishment of what is happening on the ground, and on September 20, 2008, I met with one of the regional directors and I suggested at that time that what is needed is education and information sessions between the department and the various homeless shelters, and posters and pamphlets to the individuals. That was the advice.

As I tour across the country, I see that these things have not manifested themselves. Their presence has not manifested itself. Right here in Ottawa, within walking distance of this very building, there are six homeless shelters, and about a month ago they had still not heard from Veterans Affairs. There was no presence, and if there had been some contact made—that may be the case—it was ineffective in that the staff did not know of the initiative to engage with the homeless community.

• (1640)

Mr. Phil McColeman: My understanding is that Veterans Affairs was drafting a homeless strategy. Is that correct, to your knowledge? They have drafted a homeless strategy.

Col Pat Stogran: Mr. Chair, yes, that was the document that was classified “secret” and was withheld until we specifically asked for it and asked why it was classified secret and being withheld from us.

Mr. Phil McColeman: So you have read it, sir?

Col Pat Stogran: Mr. Chair, I have, yes.

Mr. Phil McColeman: You have read it. So you were given a copy.

Did you provide input after having read it?

Col Pat Stogran: Mr. Chair, we were provided with a copy after I inquired with the minister's chief of staff about why we didn't get a copy, and actually, with the individual who was responsible for producing it, some of my staff provided some advice and some points of contact to facilitate the study.

Mr. Phil McColeman: Did you personally, sir, provide input after you had read it?

Col Pat Stogran: Mr. Chair, I did not.

Mr. Phil McColeman: So if I might just summarize, and I'd look not so much for an answer as an acknowledgement or a disagreement with my summary, one of the key elements in your estimation, based on what I've heard you present today, is that what's required is an aggressive marketing campaign by Veterans Affairs in homeless shelters.

Col Pat Stogran: Mr. Chair, I think that's an oversimplification, but in the first instance, I think that characterizes the type of safety net that should be cast broadly.

What I think is really needed, in addition to that marketing campaign, is to really understand homelessness in the context of our veterans, to do a study as the Australians, Americans, and British have.

Mr. Phil McColeman: The other thing I would like to ask, and I don't disagree with your points of view, sir, on basing advice and basing comment on solid evidence and solid background.... We all run into this in our own situations as politicians and members of Parliament. You're always hearing anecdotal information, and we're witnessing every day anecdotal information in our own communities, in our own circumstances, on a variety of issues, including perhaps some Veterans Affairs issues.

I suppose I would ask you, the advice that you have provided, has it been based on something more than your anecdotal experiences?

Col Pat Stogran: I'm sorry, Mr. Chair, I wouldn't refer to them as anecdotal experiences. I would refer to them as my observations and

my discussions with individuals. I think in terms of the rigour of evidence, you can't get much more rigorous than the first person singular, talking to people on the ground and talking to homeless veterans. To me, anecdotal would be something you'd hear around the water cooler, and that's not the way I do business.

The Chair: Thank you, Mr. Stogran.

Thank you, Mr. McColeman.

Hon. Judy Sgro: Mr. Chair, on a point of order, could we get a copy of the report that Colonel Stogran has referred to, the strategy for homelessness that our witness mentioned?

The Chair: If Mr. Stogran has it in his possession, then he should be able to give it to the committee.

Col Pat Stogran: Mr. Chair, it's a departmental document, so I believe it's up to them to—

Hon. Judy Sgro: We could put the request in to the clerk to request the department to supply it to the committee.

• (1645)

The Chair: Okay.

Col Pat Stogran: This is my legal adviser, Madam Guilmet-Harris.

Mrs. Diane Guilmet-Harris (As an Individual): When we asked permission to disclose the report to the public, we were advised that although the first portion of the report is public information because it's a summary of already existing studies, the second portion of the report, our recommendations to the minister, would be excluded under section 21 of the Access to Information Act.

The Chair: Okay. Thank you very much.

We will request the document, and then they'll have the opportunity to answer us thusly or in some other fashion.

Mr. Jack Harris: On a point of order, Mr. Chair, will we be introduced to this eminent legal counsel?

The Chair: I think you just now have it labelled right beside you, Mr. Harris.

Mr. Jack Harris: Excellent.

The Chair: You'll be happy to know that there's some—

A voice: It's a relative.

Mr. Jack Harris: She's not a relative of mine.

The Chair: Please declare any conflict of interest you may have, Mr. Harris.

Voices: Oh, oh!

The Chair: Thank you very much. The clerk will request that document.

We are going to Mr. Harris now, for five minutes.

Mr. Jack Harris: Thank you, Mr. Chair.

When I asked you earlier about independence, I wasn't questioning your personal independence, because it's pretty clear you're acting in an independent way. I'm talking about the independence of the office of the ombudsman. One of the hallmarks of independence, particularly in public offices like yours, is the security of tenure. In my home province of Newfoundland and Labrador, the ombudsman, who is appointed by the House of Assembly, did have at one time, when it existed before, a 10-year term. The recent revision of that office of ombudsman made it a six-year term, renewable for a further six years.

I just wonder what the length of your appointment as ombudsman is. Is it considered to be renewable, unless there's some...? Are you serving at pleasure or are you serving under good behaviour, or is there some other constraint on your office that would indicate to us whether you're being given a position of some independence?

Col Pat Stogran: Mr. Chair, it's a three-year term, and I am removable with cause. I don't know what the conditions would be to be reappointed, but at this point in time I'm not looking that far in advance.

Mr. Jack Harris: You're now halfway through it, I would take it.

Col Pat Stogran: Yes, I am.

Mr. Jack Harris: On the question of information, you gave us a couple of examples and I think you offered Mr. Andrews some more. I want to follow up on the question of Mr. Carrier's regarding the number of cases.

I think you gave evidence to the Senate committee that you had about 1,700 actual cases that needed to be investigated, and that you were able to solve or clear 500 of those, which is not a bad record, given that you didn't have all your staff, and you're perhaps not finished with the other 1,200.

Are you having difficulty getting information that would help you to address individual cases? If an individual veteran is complaining that he's not getting service or he or she requires support for something in their circumstances, are you having difficulty getting information about that particular individual or about programs? Are you being impeded in that way?

Col Pat Stogran: Mr. Chair, just by way of background, we look at four levels of intervention that we conduct. Level 1 is basically mediating between a decision-maker and the veteran to find an amicable solution to a problem. Level 2 is where we actually recommend changes to practices or processes that are still within the department. Level 3 is policy changes. Level 4 is external to the department, where problems that manifest themselves on the front line are from legislation and/or regulations.

We're finding that for the levels 1 and 2 interventions that our front line operators, our early intervention analysts, are conducting—and the 500 success stories we have—we're building a very good relationship with the front line of the department, with the decision-makers in many cases. That seems to be progressing well.

Where we're only now starting to break the surface is in level 3, where we start challenging policy, and level 4, where we're looking into regulations or these things that are getting closer to being cabinet confidential and those types of things where legal opinions

come in and there are all sorts of other, shall I say, agendas at play. This is where the department seems to be a little more guarded.

The homeless veteran example is only our second truly systemic type of investigation, done in a very superficial manner. We've done the detailed report—pending. We've done an investigation into funerals and burials, which was very much a set piece. The information was quite readily available. As for some of the more perplexing issues down range, that's unproven territory.

● (1650)

Mr. Jack Harris: I listened carefully when you were talking about the concerns of veterans in having to self-identify at some point or identify with problems that might be, unknown even to them, related to their veteran status. I'm thinking of PTSD as one example of people who have mental health difficulties arising from their service that they haven't identified as such. That seems to be a problem in Veterans Affairs.

My colleague Peter Stoffer has suggested on occasion that we should follow the example of some other countries. When you or any other person is discharged or leaves the service, you're given a card, so here is your veteran's card and you are now a veteran. That has a status with Veterans Affairs, in that they know you exist as a veteran, and you're on their list. They keep track of you or keep you informed of where they are. You're encouraged to be considered a veteran and a potential client of Veterans Affairs. Have you considered or looked into any of those systems that might assist in the department being better able to help veterans?

Col Pat Stogran: Mr. Chair, the short answer is that we haven't had the resources to look into it in any sort of detail. Certainly, we're aware of the idea of a card, but at this point in time we haven't actually delved into a study of that type of thing.

It could get into the types of administration conducted within the Canadian Forces, so that a person would not need to have it redone to the satisfaction of Veterans Affairs once they leave the Canadian Forces. It would be a dovetailing of administration. There are many other things. I think a card is but one thing that potentially would help the self-identification problem.

The Chair: Thank you, Mr. Stogran.

Thank you, Mr. Harris.

Now we're on to the Liberal Party, with Madam Foote for five minutes.

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Thank you, Colonel, for being with us today. I really appreciate your frankness and, clearly, your belief in what you do. I think that's really important for anyone who holds the position that you hold, that of ombudsman, no matter what area you represent.

I also want to go on record to acknowledge what you've said in terms of the conversations you've had and what you've been basing your actions on. It reminds me of a conversation I had with a young man who's done three tours of duty. When we talked about the different programs that are available to him through Veterans Affairs, he pointed out that he's so appreciative of those programs and everything that's being done by the staff of Veterans Affairs, but in reality, what makes all the difference is those who know what you go through when you do a tour of duty and come back. It's the support from your peers that makes all the difference, because you can relate to what they've gone through.

I expect the same is true for you, even though you're not homeless. I know that's just one element of the issues you're having to deal with. You make reference to reports on homelessness that have been done by our allies, and obviously there's been a report done on homelessness here through the department. You seem to have a preference for the one done by the allies. I'm just wondering what difference you see. What is it that we're missing? What is so good about the report done by our allies that we're not seeing in what's been done here in this country?

Col Pat Stogran: Mr. Chair, I'm not aware of a study that has been done on such things as the causes of homelessness. The strategy I have seen from the department assesses the situation to the degree of suggesting some "coulds" and "shoulds" that the department might do in the future. In terms of identifying the causes, first of all, on the numbers, we have informally provided mechanisms to the department to identify the numbers of homeless veterans in Canada. I suspect, and this is purely conjecture on my part, that it is perhaps not nearly as problematic as in the United Kingdom, the United States, and Australia, but I have seen nothing. We have not been able to get to the bottom of that type of thing.

It's a study of the causes of homelessness perhaps in the veterans' community in terms of facts as opposed to a strategy as to how we go ahead. These are the types of studies that were done in other countries.

• (1655)

Ms. Judy Foote: What has been done by the department is a strategy on how to proceed. This is looking at causes.

Col Pat Stogran: That's how I would characterize that particular document. I know of no other documents within the department in terms of studies that have been done.

Ms. Judy Foote: You've talked at length about homelessness. What other issues come up on a recurring basis, the top three or four that you deal with as the ombudsman?

Col Pat Stogran: In terms of the numbers, health care in general is number one, but that's a very broad field. Number two is the veterans independence program, which, to give credit where it's due, is groundbreaking. It's an excellent system, but people are falling through the cracks, and we are addressing that. Then there is the disability pension versus the lump sum award within the new Veterans Charter. The new Veterans Charter is the overarching piece.

I would say those are the larger issues.

Ms. Judy Foote: I have another observation, Colonel. I would suggest that in an ombudsman position the last place you want to be is having to report to a deputy minister, no matter what field you are

covering. In fact, it should be truly independent and report to the House of Commons versus a department.

The Chair: Have you any comment on that, Colonel Stogran?

Col Pat Stogran: I would like to clarify my definition of "independent" because I've seen it in no documentation anywhere. My definition of "independent" is really that my employees, my staff, my team, can make decisions free from influence or from being misled in any way, shape, or form. It is that ability to make those decisions.

Things that do concern me, as I stated to the Senate committee, are.... Many people from the Charlottetown area join Veterans Affairs Canada because it's the best job in town and they love their province, and to come over to an organization such as ours, which can be perceived by people as being adversarial—I like to think it shouldn't be because we're all in it for the veterans in the end—that can affect independence, the freedom to make those decisions based on the facts, and not worry, as one of the members of this committee mentioned, about your next job, if you're ever going to be able to go back to the department.

That would be how I would define "independence".

The Chair: Mr. Andrews has a brief intervention.

Mr. Scott Andrews: I have one quick question.

Under your guidelines you don't have access to the ombudsman part of the appeals board and the appeals process and that whole thing. Would you want to get into that part of Veterans Affairs if you had the opportunity?

Col Pat Stogran: Mr. Chair, if I can clarify that point, it's included in one of the prohibitions. I do not have the right to review decisions of the Veterans Review and Appeal Board, but I can say we have stacks of them provided to us by veterans themselves. We read them all the time. We have access to those types of files, but we will not hear, determine, deal with, challenge them, or make decisions. That is not part of our job.

Now we have a lawyer, this is a very sensitive area because it is getting into a quasi-judicial organization, but we'll comment on the system if the system, as it exists, disadvantages the veterans, but without getting into the specific decisions as we read them every day.

The Chair: Thank you very much, Mr. Stogran.

Mr. Clarke, go ahead for five minutes, please.

Mr. Rob Clarke (Desnethé—Mississippi—Churchill River, CPC): Thank you very much. I'd like to thank the witnesses here for coming.

I would just like to clarify that the minister also does not have access to the information that Mr. Andrews just brought forward.

I'll just give you a little background here. Having served with the RCMP for 18 years, I am a veteran. I was in charge of my own detachment for a number of years and was able to attain the rank of sergeant. When we talk about files, from an RCMP background, I can say that for every contact we have with our contacts or with our clients, we write a file, as a rule. And there always seems to be a follow-up as part of our mandate to make sure that our clients are dealt with in a timely fashion.

The question I have is, when you're travelling around to 75 communities or for visits with your clients, do you do a client file with your contacts so there is follow-up?

• (1700)

Col Pat Stogran: The short answer, Mr. Chair, is yes.

I have to qualify that, in that for every contact we make, we don't take notes on the individual. In the United States, for example, ombudsmen actually destroy their files to prevent the possibility that confidentiality will be breached. So in routine communications we don't take notes, as I might expect a police officer to do.

Mr. Rob Clarke: When you're dealing with clients, as a general rule, when someone is coming forward, you have access to their client files from Veterans Affairs?

Col Pat Stogran: Mr. Chair, yes, we do. When a case is opened, we are as rigorous in terms of notes as the department is.

Mr. Rob Clarke: So do you personally review the file as well to make sure the proper follow-ups are coming through from your staff?

Col Pat Stogran: Mr. Chair, I do as much as humanly possible. I would say I haven't for the last six or eight months, as we have been in the process of changing over to a new system. Having said that, we do have a process within the office, a series of filters. When there are compelling cases that are qualified as cases in which there's potential hardship, either physical or financial, possible harm to a veteran or somebody else, where time is of the essence, where there is potential public controversy, or where there are sensitive issues, then there are filters before these files come to my attention.

Mr. Rob Clarke: It's pretty straightforward here. So what other information do you have access to—what other files?

Col Pat Stogran: Mr. Chair, I have access to the VAC file base on all of the clients, so all of the notes to file that they make in dealing with issues.

I don't know if I understand the question.

For example, the Veterans Review and Appeal Board does not provide us their files or their judgments on cases, but Veterans Affairs does. Veterans Affairs also provides us solicitor-client-privileged documents from their dealings with the Bureau of Pensions Advocates and those types of things.

Mr. Rob Clarke: You have heard of the Access to Information Act and the Privacy Act, right?

Col Pat Stogran: Yes, I have.

Mr. Rob Clarke: You are saying you can't get information. Have you used that avenue to gain information?

Col Pat Stogran: As a matter of fact, Mr. Chair, we've submitted an access to information request to do with homelessness to find out

what exactly we are missing in this. It was suggested to us that we should be taking this course. It's an extremely onerous way of doing it. It is time-consuming. I think the department is going to find, much as the Department of National Defence did when it asked the DND Ombudsman to do this in days gone by, that it's just not worth its effort to have to bring those documents out, censor them, and go through all of the processes. It's better off to work in a collegial fashion and, in our case, serve the veteran at the end of the day.

Mr. Rob Clarke: You mentioned you had received...and you did not read it. Is that correct?

Col Pat Stogran: No, I did read it.

• (1705)

Mr. Rob Clarke: But you did not provide any input into the report.

Col Pat Stogran: As we drew attention to the issue, an individual within the department tasked with putting together this study, along with one of my staff who had been in the lead in our liaison with people in the United States and the United Kingdom, provided some advice based on their findings and what I'd learned in the shelters. That information went away and we had no further input into it.

The Chair: Mr. Gaudet.

[*Translation*]

Mr. Roger Gaudet: Mr. Chairman, I would like to ask a brief question.

What does it mean when it says: "the "Westminster" type of government"? This is the first time in six years that I have heard this expression.

[*English*]

Col Pat Stogran: I have a document on the Westminster system, a brief that was provided me by the Privy Council Office that describes it. I would be happy to share this with the committee in the future. It basically describes the parliamentary system, the parliamentary privileges, the relationship between the deputy minister and the minister, and the accountability chain. I can provide the document that was provided to me.

[*Translation*]

Mr. Roger Gaudet: Thank you very much. That would be very interesting.

Mr. Clarke asked you a question earlier. You said that the notes on file were those taken by your officials, officials working for the ombudsman. Do you have access to the notes made by the Department of Veterans Affairs?

You said that you have requested access to information. I have a problem with that. Does that mean that you did not receive any of the notes, files and reports from the Department of Veterans Affairs, with the exception of the information provided to you by the veterans? Does the department give you nothing?

Gez whiz! That means that the same work has been started over twice or thrice, and they seem to like that. Everyone is working on the same thing. I just do not get it. We will soon be hearing from departmental representatives.

[English]

Col Pat Stogran: With respect to information-sharing in individual cases, I can recall no complaints about resolving issues—level 1, level 2. Information-sharing, however, has in the past been problematic in the areas of policy development, cabinet confidences, and things of that nature. I think we are getting good access to case information on our veterans, whom I call stakeholders, people who have a stake in what we're doing.

[Translation]

Mr. Roger Gaudet: You began a systemic investigation into the administrative slowness noted in the Department of Veterans Affairs process, which is supposed to include public consultations. How far have you got with this investigation?

[English]

Col Pat Stogran: With respect to the public consultation process, we embarked on what I'll refer to as an omnibus investigation into red tape. The impact it has on the veterans' community is very broad. We've been experimenting with a public consultation approach. We hang out information on our website, and we ask the veteran community to contribute evidence, discussion, and guidance. It's a system that Veterans Affairs Canada has used in the policy realm—they have a different title for it. We've experimented with it on our current website, where we ask for feedback from anybody who's had problems with red tape. We received two dozen useful responses from the veteran community, with ideas or suggestions on how things could be improved. I'm encouraged by our approach to this public consultation, and I'm hopeful that by the end of the summer we'll actually have it operating. I've laid down a challenge with my staff that by November of this year, by the two-year mark, we will have the public consultation approach to veterans' issues going full-steam.

[Translation]

Mr. Roger Gaudet: Did you read the report on the homeless that was prepared by the Department of Veterans Affairs? You mentioned it earlier. Do you have this report? Did you read it?

• (1710)

[English]

Col Pat Stogran: Mr. Chair, I'll just clarify that again. It's really a strategic study of the situation, with a series of recommendations on what the department could do as they move forward in planning to address the situation of homelessness. I have read that particular strategic study.

[Translation]

Mr. Roger Gaudet: Did it provide you with any good ideas?

[English]

Col Pat Stogran: There are two different questions there, Mr. Chair.

Did it give us any ideas? No. I can say with the utmost confidence that the people I have right now, who have studied the Australian, American, and British approaches, are ahead of the power curve on that. But it does contain some very good recommendations on ways the department could and should go ahead.

The Chair: Thank you, Mr. Stogran, and thank you, Mr. Gaudet.

It's 5:10 right now, and we agreed that by 5:15 we'd go into business. If there is no uprising by the committee, I just have a couple of questions. From all the questions I've heard, I'd like to try to tie down a couple of facts.

Are you okay with that, Madam Sgro? Thank you.

In the March 31 report you gave to the minister, which I'm assuming you have submitted....

Col Pat Stogran: No, sir. As of the close of business on the 31st.... We're in the process now of finishing a draft, and it will be submitted in the future. It reports on the period up to the end of the fiscal year.

The Chair: Okay. I'm glad for that clarity. So that's still pending.

I'm not even certain. I guess if I'm not, your legal counsel will say. In that report, are there just high-level policy recommendations, or are the things you mentioned, like posters and pamphlets, in there as well?

Col Pat Stogran: It's going to be at a bit higher level than pamphlets and posters. We're still in the process of putting it together.

The Chair: Okay. So let me just try to clarify. You affirmed in one of your answers that you agreed that there were local efforts happening as far as homelessness goes. So are you basically looking at a national study and strategy? Is that what you wish Veterans Affairs Canada to undertake? Is that what you're saying is lacking and what you would want to see happen?

Col Pat Stogran: Mr. Chair, I think that about sums it up. What's lacking right now is leadership and direction from the top. There are initiatives going on across the country in all sorts of areas. I used the story about the Harley-Davidson motorcycles. But what is missing is clear commander's guidance and a plan that's disseminated to the troops, complete with resources, to actually address the issue.

The Chair: Okay.

Finally, how many homeless veterans have you located?

Col Pat Stogran: I can say that I've met with about two dozen—20 or so. In terms of homeless veterans who we were asked to help, there were two we actually referred to the department. So in terms of just meeting and speaking with them, the number is much greater than the number of people who actually asked us for help, as the ombudsman, on their behalf.

The Chair: Okay.

Hon. Judy Sgro: Could I just get in one fast question?

The Chair: You know what? You can.

Hon. Judy Sgro: Colonel Stogran, what don't you have that you need to do your job so that you are satisfied that you're doing your function properly? What is it you don't have, or what is it you need?

Do you want to let us know later? I don't want to take it too far into our time.

Col Pat Stogran: Mr. Chair, we are in very early stages here, and despite the recent public controversy that's arisen over the homelessness issue, this is really the first time we've ever cut our teeth on anything that's anywhere near to controversial. I'm not deterred by this. I don't take it personally. I'm dismayed that I might have come across as being disrespectful to the minister. This is really the first time we've had to address something that is a level 3 or a level 4 type of intervention.

I'm still very optimistic. We have done an internal review of how we treated this issue, with a view to putting some measures in place—because we're developing our doctrine as we go along—so that hopefully this type of thing won't happen in the future. It's very much counter-productive.

Aside from those, resources, of course.... We have a huge flow of information, and calling for those 10 FTEs that were apportioned to the role of ombudsman but are misemployed.... That is something

that I have no hesitation in saying we could use right away, and it would be unnoticed to the government of the day.

I think we will get over this homelessness problem and will establish a working relationship. I would definitely come forward in the future if there were anything we really needed.

•(1715)

The Chair: Thank you, Mr. Stogran.

We appreciate your time here, Mr. Stogran, and the unfettered way that you answered questions.

We're now going to take a brief break so that the sound technician can move us in camera.

We're going to be dealing with business. Only members and staff will be able to remain in the room. We'll come back in 120 seconds.

[Proceedings continue in camera]

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