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NATIONAL COUNCIL OF VETERAN ASSOCIATIONS IN CANADA

News Release

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14th Canadian Field Regiment Association
435-436 & Burma Squadrons Association
Air Force Association of Canada
Aircrew Association
The Algonquin Regiment Veterans' Association
Armed Forces Pensioners'/Annuitants' Association of
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Association
Bomber Command Association Canada
Burma Star Association
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Canadian Association of World War II Veterans from the
Soviet Union
Canadian Corps Association
Canadian Fighter Pilots Association
Canadian Merchant Navy Veterans Association Inc.
Canadian Naval Air Group
Canadian Naval Divers Association
Canadian Paraplegic Association
The Canadian Scottish Regimental Association
Canadian Tribal Destroyer Association
The Chief and Petty Officers' Association
Dieppe Veterans and Prisoners of War Association
The Dodo Bird Club of Ex-RCAF Flight Sergeants
Ferry Command Association
First Special Service Force Association
Hong Kong Veterans Association of Canada
Jewish War Veterans of Canada
KLB (Konzentrations Lager Buchenwald) Club
Korea Veterans Association of Canada
The Limber Gunners
Métis Nation of Ontario Veterans Council
The Military Vehicle Hobbyists Association
National Prisoners of War Association of Canada
Naval Association of Canada, Montreal Branch
Nova Scotia Naval Officers Association
Nursing Sisters' Association of Canada
Operation Legacy
The Overseas Club - Canadian Red Cross Corps
(Overseas Detachment)
The Polish Combatants' Association in Canada
The Queen's Own Rifles of Canada Association
RCAF Prisoner of War Association
Regimental Association for the Toronto Scottish
Regiment (Queen Elizabeth The Queen Mother's
Own)
Royal Air Forces Escaping Society
Royal Canadian Air Force Pre-War Club of Canada
The Royal Canadian Army Service Corps Association
Royal Canadian Naval Association
The Royal Canadian Regiment Association
Royal Naval Association - Southern Ontario Branch
Royal Winnipeg Rifles Association
The Sir Arthur Pearson Association of War Blinded
The South Alberta Regiment Veterans Association
Submariners Association of Canada (Central Branch)
Toronto Police Military Veterans Association
The War Amputations of Canada
War Pensioners of Canada
War Veterans & Friends Club
The Warrior's Day Parade Council
White Ensign Club Montreal
Wren Association of Toronto

Government's Failure to Implement Plan of Action on Reforming New Veterans Charter Violates Social Covenant Owed to Canadian Veterans and Their Families

OTTAWA, October 3, 2013 -- The National Council of Veteran Associations, consisting of sixty member organizations and representing a wide cross-section of the veterans' community, came out today in support of the essential findings of the Veterans Ombudsman's Office, which issued a comprehensive report this week in relation to the need to reform the New Veterans Charter.

Brian Forbes, Chairman of NCVA, noted that the report, which calls for urgent action, correctly recognizes the appropriate priorities for immediate revision of the Charter in its focus on three key transition issues:

- the financial instability and decreased standard of living caused by reduced post military release income and insufficient financial support after the age of 65 for totally and permanently incapacitated veterans.
- the limitations in vocational rehabilitation and educational funding which can affect second career aspirations and employment options.
- inadequate support to address difficult family environment scenarios as a consequence of military service.

"The Ombudsman's evidence-based actuarial study has demonstrated beyond any reasonable doubt the specific shortcomings that exist in the Charter today," Mr. Forbes said.

.../2

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He pointed out that when the Charter was enacted in 2006, the Government declared that this legislation was a "Living Charter" and made a formal commitment to the veterans' community that, as gaps and inequities were identified, immediate remedial action would be taken to address these deficiencies.

"The Government has failed to fulfill this commitment with regard to a significant number of substantive issues, impacting on the compensation benefits of disabled veterans in violation of the social covenant that the Canadian people owe to our veterans and their families," he said.

NCVA has consistently demanded over the last number of years that Veterans Affairs Canada implement an overall plan of action to fulfill its commitment in relation to not only the New Veterans Charter, but also to seriously disabled veterans and health care reform.

"In accordance with the fundamental conclusions of the Veterans Ombudsman's report, it remains NCVA's position that, notwithstanding the ostensible economic constraints facing the country, the seriously disabled veteran should be given immediate priority in the implementation of the first phase of a VAC plan of action for legislative reform," Mr. Forbes said. "There is no higher obligation on Veterans Affairs Canada and the veterans' community than the responsibility to address the needs and requirements of seriously disabled veterans and their families."

He added that, although NCVA fully endorses the general thrust of the Ombudsman's report, it would have preferred that the Ombudsman's office had adopted the more beneficial recommendations of the New Veterans Charter Advisory Group and the Standing Committee on Veterans Affairs (2009-2010) in relation to strengthening the compensation and income security provisions of the Charter.

It has been NCVA's longstanding contention that any VAC plan of action should include the remedial measures contained in the Advisory Group and Parliamentary Committee reports (see Appendix I) so as to optimally address the deficiencies in the Charter as precisely identified by the Veterans Ombudsman's report.

In NCVA's view, immediate implementation of a comprehensive course of action to legislative Charter reform pursuant to these recommendations would represent an important step to meeting the controversy surrounding the Lump Sum Disability Award through the proposed enhancements of the complementary benefit and income support programs in the current legislation.

"We have encouraged the new Minister, Mr. Fantino, and his predecessors, to 'get out in front' of the significant criticism of the Charter with such a plan of action, and not wait for the outcome of the current class action lawsuit (Equitas), and the pending Parliamentary Standing Committee review anticipated this fall," Mr. Forbes said.

"We do commend the Minister for his immediate commitment upon receipt of the Ombudsman's report, to the initiation of a review of the New Veterans Charter, with particular emphasis on 'the most seriously injured, support for families, and the delivery of programs by VAC,'" he added, "However, in our judgement, these proposed reforms have been sufficiently studied and analyzed over the last number of years such that the gaps and voids have been readily identified by the New Veterans Charter Advisory Group, the Special Needs Advisory Group, the Standing Committee on Veterans Affairs, and now the Veterans Ombudsman's office."

.../3

“In our considered opinion, it is long overdue for VAC to become proactive, and implement remedial legislation to address these well established concerns and live up to its obligation under the social covenant to Canada’s veterans and their dependants. For a Government that professes to support our military, the lack of substantive action to reform the New Veterans Charter is truly unacceptable, and represents a betrayal of the Government’s commitment to the veterans’ community,” he said.

The Recommendations of the New Veterans Charter Advisory Group, the Parliamentary Committee Report and the National Council of Veteran Associations follow in Appendix I. For more information, please contact Communications at 1-877-60MEDIA, visit ncva-cnaac.ca or e-mail ncva@waramps.ca.

APPENDIX I

THE RECOMMENDATIONS OF THE NEW VETERANS CHARTER ADVISORY GROUP, THE PARLIAMENTARY COMMITTEE REPORT AND THE NATIONAL COUNCIL OF VETERAN ASSOCIATIONS RE THE INCOME SECURITY AND COMPENSATION PROVISIONS OF THE NEW VETERANS CHARTER.

- the Earnings Loss Benefit should be increased to 100% of pre-release income and in relation to permanently incapacitated veterans, be paid for life (not terminated at 65 as is currently the case). In addition, the projected career earnings of a Canadian Armed Forces member should be employed as the standard for the payment of the Earnings Loss Benefit. In this context, VAC should adopt the approach utilized by the Canadian Courts in assessing the concept of “future loss of income” which specifically addresses the projected lifetime earnings loss in a personal injury claim.
- the SISIP (Service Income Security Insurance Plan) Long Term Disability Program should be eliminated with respect to service related disabilities to eradicate the insurance culture constraints presently contained in the New Veterans Charter. It is to be noted that, at the time of the enactment of the New Veterans Charter, VAC committed that, as a fundamental pre-condition to the passage of the legislation that the SISIP program would be eliminated as soon as possible so as to remove the restrictions that were inherent to the overall income replacement program.
- the restrictions and complexities of the Permanent Impairment Allowance guidelines should be addressed so as to allow greater numbers of disabled veterans to qualify for appropriate levels of entitlement for this important allowance.
- the Lump Sum Disability Award should be increased commensurate with the general damages paid by the Canadian Courts. At this point in time, the differential would be approximately \$50,000.00, and it remains the view of NCVA that there is no justification for a lower amount being paid to a disabled veteran who is severely injured in the service of his country.

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- the Exceptional Incapacity Allowance concept founded under the Pension Act should be incorporated into the New Veterans Charter. This allowance has traditionally addressed the impact of the disabilities suffered by 100% veteran pensioners with reference to their difficulty to cope with their overall incapacity. The introduction of EIA to the New Veterans Charter would augment the limitations of the Permanent Impairment Allowance, particularly in the circumstance where a disabled veteran confronts the ravages of age.
- educational benefits should be expanded to bolster the rehabilitation provisions of the Charter so as to address the vocational and occupational constraints faced by many returning veterans with service related disabilities.
- the discrimination that currently exists with reference to specific classes of reservists, particularly those that are seriously disabled, should be eliminated in the New Veterans Charter and related insurance coverage with particular regard to income replacement programs and relevant SISIP provisions.
- In order to recognize the care giving requirements that many disabled veterans confront to cope with their incapacities, the Attendance Allowance provisions of the Pension Act should be added to the New Veterans Charter in recognition of the financial costs faced by many families in this context.
- the Charter should acknowledge that veterans with dependants should receive a higher level of compensation either through the augmentation of the Lump Sum Disability Award or an increase in the Earnings Loss Benefit for such veterans and their families.

[Underlining reflects the more beneficial proposals supported by the New Veterans Charter Advisory Group, the Standing Committee on Veterans Affairs and the National Council of Veteran Associations as distinct from the recommendations set out in the new Veterans Ombudsman's report.]