



MEETING VETERANS TREATMENT NEEDS A REPORT ON DND/VAC PTSD PROGRAMS

For the
Senate Subcommittee on Veterans Affairs

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The Hon Michael Meighen
Chair
Subcommittee on Veterans Affairs
The Senate of Canada

Dear Senator Meighan;

Thank you for providing the Canadian Peacekeeping Veterans Association with an opportunity to submit a brief on this very important subject for our veterans and their families.

Generally, the programs presently offered by the Canadian Forces and Veterans Affairs Canada are effective and focus predominantly on the currently serving members of the Canadian Forces despite VAC having a mandate for the care, training and re-establishment of people who once served.

The programs offered work well while the member has the support of the CF which includes SISIP (rehabilitation training), job and wage security and familiarity of the military cultural environment. Unfortunately when the member of the CF is eventually released, the lack of financial and program support offered while in uniform is usually compounded by the trials and tribulations of transition from military to civilian (culture) life.

Matters are further complicated for veterans and their families when stress related injuries manifest themselves a number of years after military service. These veterans do not qualify for benefits such as wage replacement and rehabilitation training if they report injuries after release from the CF. Veterans and families become frustrated by the gaps in service which leads to difficulties in coping with civilian life, difficulties in maintaining employment, marriage breakdown, child protection issues, anger, substance abuse to name a few.

A number of these veterans find themselves before the courts, incarcerated or held in psychiatric institutions. They do not typically fit into federal or provincial social programs because their injuries were caused during military service. Though the Pension Act, veterans can obtain 'disability benefits' however benefits to assist them become productive members of society are lacking. Because of this, treatment, rehabilitation and re-establishment of veterans have historically been the responsibility of the federal government, more specifically the responsibility of Veterans Affairs Canada as defined in the Department of Veterans Affairs Act.

The Minister of Veterans Affairs Canada is the guardian, responsible for the social contract between the Government and its citizens in exchange for military service. With

the exception of those who served in Korea, the social contract, although defined in statute, has not applied to veterans of the professional military known as the Regular component of the Canadian Forces established in 1950.

Since the mid to late 1990's the Government of Canada through the Department of National Defence has worked to improve the quality of life the members of the CF. The CF was provided with the financial resources to accomplish this task, however VAC was not provided with resources to meet the increasing needs of the CF veterans.

This resulted in VAC developing partnerships with the CF and focusing on the currently serving member.

It has become obvious that VAC does not have the necessary resources to fulfill its mandate of the social contract to CF veterans and their families. VAC is being asked to do more with fewer resources to meet the increasing needs of the CF veterans and they appear to be at a breaking point as the CF veteran, like those of WWII and Korea, have needs as a whole person today and into the future and the married veteran has needs as a family unit.

Thank you once again for the opportunity.
Sincerely

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GENERAL

Shell Shock, Battle Fatigue, Post Traumatic Stress Disorder and other conditions have long been associated with military service. Comparisons of WWII and post WWII (CF) veterans (Westwood Project) reveal that there are more shared and common experiences between both groups than previously thought.

The establishment of the Regular Component of the Canadian Forces (Canadian Forces Act (1950)), has provided interesting challenges in the application of the social contract for the Department of National Defence, Veterans Affairs Canada and the Government of Canada as a whole to deal with such conditions.

During WWI and WWII citizens were mobilized to and demobilized from the active service force of the Canadian Forces. Re-establishment and continued treatment benefits were available and provided to meet all of the veterans needs to reintegrate into civilian society. Traumatic experiences from their military could be treated (including hospitalization) and the veterans would never have to return to active service to have to relive another similar traumatic experience.

This is a very different situation for the professional troops of the post-WWII Canadian Forces. Since 1950, the Regular Component of the CF became a ready pool of trained “professional soldiers” able to deploy at a

moments notice in response to domestic emergencies and/or Canada's commitment to overseas conflicts. As a result, the Regular Component of the Canadian Forces has performed a blended function of the WWI Canadian Expeditionary Force (CEF), WWII Active Service Force and the Special Force for Korea. The creation of the Regular Force has proven to be an effective alternative to a need to mobilize citizens for Canada to fulfill our international obligations.

Veterans' benefits of WWI (Soldiers re-establishment), WWII (Veterans Charter) and Korea (Veterans Benefits Act) were designed to provide veterans with one time re-establishment and ongoing treatment opportunities (see ANNEX A) to meet all of their needs as required. Members of the Special Force after the Korean War were encouraged to transfer to and enjoy a career in the Regular Force. At that time it was thought that members would not require re-establishment programs if they went on to a career in the Regular Force. Today we have a different understanding.

It is also interesting to note that qualifying language of the WWII Veterans Charter benefits was modified to fit those of the Special, Regular and Reserve Forces who served in Korea. This was done under the understanding that veterans had re-establishment and treatment needs as a whole person. The qualifying language was also modified understanding that Canadian Troops were on "military operations with the United Nations when Canada was not at war"; a concept that defines the CF's operations to this day.

To better understand if PTSD programs are meeting the needs of veterans and their families, we must see if the programs are seamless in transition from military service to civilian life and understand if the programs are meeting the needs of the veterans as a whole person and the married veteran's family as a whole unit.

OPERATIONAL versus OCCUPATIONAL STRESS

The work of the post-WWII CF is as unique as it was during WWII. Since 1950, a “profession of arms” was formalized where citizens could enjoy an unprecedented all-rank career in the Canadian Forces.

Despite having a professional military we tend to focus on the resulting injuries of its overseas operations and as a result may forget about the training that conditions our troops for these operations. The reality is that daily work of the CF is centered on conditioning people for war. To condition people for war, we must train for war and train for war we must simulate war. War simulation is made very real with the advent in human psychology, weaponry and electronic training systems.

During their career in a combination of training and operations, members of a professional military undergo many repetitive high stress situations over numerous years. In training, the simulated noise of battle and warlike scenario’s are designed to condition troops to react and respond to chaotic situations in the event of operations. Training for war is dangerous and unfortunately lives are lost and/or members are seriously injured; some with life long consequence.

The effects of death or injury (or the conditioning itself) are as traumatic and devastating to the CF members and their families whether in training or in operations. Some (CF and their family members) may never recover yet programs and services are primarily focused on “operational” stress injuries. This may make one wonder if there is a value in continuing to separate out

‘occupational versus operational stress’ or should they be viewed as one and the same with respect to service in a professional military?

RECOMMENDATION 1

The Canadian Forces and Veterans Affairs Canada needs to recognize the uniqueness of military service and should treat stress related injuries the same whether they were a result of operations or training. The Pension Act, originally written in 1916 to address the needs of citizens mobilized to active service, needs to be reviewed to bring it into line with the ‘training for operations when not on operations’ philosophy of the Canadian Forces.

PROGRAM AVAILABILITY

Programs and support available for members of the CF who report stress related injuries (not all members report because of stigma or career implications) are appropriate. They qualify for benefits of VAC, SISIP, The Centre and other programs provided by the CF while they are serving. They also have access to re-establishment programs of the Second Career Assistance Network (SCAN) and educational upgrade opportunities through Personal Enhancement Program (PEP). Members of the CF with stress related injuries also have access to the Occupational Stress Injury Social Support (OSISS) program. This is an excellent program with the first step being to establish peer support workers in a number of VAC District Offices in the location of military bases across the country. OSISS is in the process of establishing a much needed spousal support pilot program.

For one reason or another, not all members of the CF are able to comprehend the need for re-establishment programs of PEP, SCAN or the rehabilitation programs of SISIP. Members also make conscious decisions not to access available programs, often not realizing the life long impact of their decisions.

A veteran, diagnosed with stress related injuries after release does not have access to rehabilitation or retraining benefits available before release and does not usually qualify for social programs available to the general public.

Although the veteran may qualify for disability benefits of the Pension Act, the veteran and family would typically need support to assist them through their bouts of depression, anger incapacitation, hospitalization, etc. For some

this leads to marriage and family breakdown, incarceration, child protection issues, criminal records to name a few. Because of a lack of treatment programs for CF veterans a number of our veterans are treated as criminals rather than with dignity as veterans. Veterans and family members unfortunate enough to be involved could benefit from an information source/peer support to help them cope with their situations.

The Pensioner Training Regulations, repealed in 1995 (not yet off the books) provided for education or retraining for veterans injured in a Special Duty Area. Veterans and their families would benefit greatly from this statute today.

Veterans Rehabilitation Act provided for an incapacitated allowance, out of work allowance and pursuing training allowance to qualified veterans to enable them to enjoy a certain quality of life.

Veterans Treatment Regulations provided for ongoing treatment, programs to address the needs of the aging veterans, hospitalization, long term care and so on. CF veterans have demonstrated a need for these benefits as well.

RECOMMENDATION 2

As a result of the long service aspect of a career in the CF, the CF has a responsibility to care for its member in uniform and through re-establishment to civilian life.

It is recommended that the CF and VAC continue to work together in partnership with the CF's primary responsibility for the care and treatment

of its members in uniform as well as through their re-establishment into civilian life. This includes the continued support and development of OSISS with expansion to include peer support for family members.

RECOMMENDATION 3

It is recommended that VAC, in partnering with the CF and other government departments, primarily focus on the care, training and re-establishment of people who served in the CF. Re-enactment of the Pensioners Training Regulations, Veterans Rehabilitation Act and Veterans Treatment Regulations to restore security and quality of life to qualified veterans as a starting point with eventual re-establishment of veterans benefits to address the whole needs (ability and disability) of the veterans and their families (a complete list of veterans statutes with recommendations for modernization are found at ANNEX A).

RECOMMENDATION 4

It is recommended that VAC fund an information line staffed by veterans who have successfully made a transition to civilian life; to compliment OSISS and to assist veterans and their families who have been out of the service for a period of time find program information, act as referral to services and programs and to defuse crisis. This recommendation was first made by Senator Orville Phillips in his report entitled 'Raising the Bar' in 1998.

SERVICE PROVIDERS

Service providers have reported that treatment is sometimes interrupted with their clients as a result of VAC authorizing treatment sessions twenty at a time. Not all veterans will require all twenty sessions however there are some that will require more.

Three weeks may lapse between the time of the end of the twentieth treatment session and VAC's authorization of additional sessions. To their credit, VAC will typically authorize as many sessions requested by the service provider.

There are also some well qualified service providers that veterans have established a relationship with, who do not qualify for a provider number with VAC for one reason or another. This adds to the veteran's trauma especially when service providers are in short supply.

RECOMMENDATION 5

It is recommended that VAC establish a protocol where service providers could receive additional treatment sessions for their clients without a break in treatment.

RECOMMENDATION 6

It is recommended that VAC establish a protocol to accept alternately qualified service providers on a case by case basis.

ANNEX A

ACKNOWLEDGING THE SOCIAL CONTRACT

We are at a crossroad where we need to blend best practices of the past with available social programs of the present to meet the needs of our veterans, their families and the Department under the Social Contract

Veterans Benefits Act (VBA)

Members of the Special Force, raised on an eighteen month contract for service in Korea were on active service, as were the members of the Regular and Reserve components of the CF attached to the Special Force from 1950-53.

The VBA was a 1954 modification of the Veterans Charter, built on best practices to meet the needs of veterans who “served on military operations with the United Nations when Canada was not at war.” This was a pivotal shift of Government’s philosophy in the application of veteran’s benefits through the Social Contract.

We need to understand that the Regular component of the CF was increased in and around 1950 to meet the overseas operational needs of Canada’s commitment to NATO and the UN. In essence a “professional” military with career opportunities was created. This was a huge shift in military defence policy. We might ask ourselves: “Were veteran’s benefits also adjusted to meet the re-establishment and treatment needs of a “professional” career military that fulfills the overseas roles of the Active Service Force of WWII, the Special Force of Korea, the many UN and NATO mission of the last fifty years and the domestic service of a civil defence force?

“Special Force” and “Active Service” appear to have the same definition under the National Defence Act which leads to the argument that all post 1950 active service veterans would qualify for benefits of the VBA.

The Veterans Benefits Act is a rewrite of the Veterans Charter, building on its best practices and successes.

It is well understood that the socio-economic situation in 1945 and 1954 Canada was somewhat different than it is in today’s Canada; however it is important to realize that the individual needs of veterans (people) have not changed significantly. The spirit of the Social Contract has also not changed and the Veterans Benefits Act, Veterans Charter statutes made accessible to those who served on military operations with the United Nations while Canada was not at war, offers a perfect instrument to complete the task.

As we will see, effective programs in a changing society require comprehensive understanding supported by inclusive statutes. Veterans legislation needs to be modified to keep up with social trends, and the ever changing needs of our veterans and their families.

Certain legislation of WWI planted a seed that grew in the WWII Veterans Charter. The Veterans Benefits Act was adopted to meet the needs of veterans in changing political climates because as we have seen over the last fifty years, the world has changed how they wage war. Despite this change, the effect of military service and conditioning on the individual has been as compelling and arguably worse among members of modern highly trained professional militaries.

The following is an overview of statutes of the Veterans Benefits Act, thumbnail sketch of their amended purpose (given that an explanation of the Veterans Charter statutes was given in a preceding chapter) followed by a thought on today's need and recommendations. This could provide a template to build on. A bibliography will be forthcoming.

VETERANS BENEFITS ACT

The Veterans Benefits Act was "composite" statute. It was written to provide clarity of veterans' benefits for those who served in Korea rather than including Korean War service definitions to various components of the Veterans Charter. This approach provided clarity and authorized Veterans Charter and other statutes to effect re-establishment and treatment benefits for this group of veterans.

Re-establishment benefits recognize the uniqueness of military service and the difference in culture as compared to that of our society. Treatment benefits recognize military related disability and ever changing needs of aging veterans.

TODAY'S NEED

The need for such veterans' legislation is at the root of this document. Like their comrades at arms of WWII and Korea, veterans of all eras and all conflicts (including perceived peacetime) as a result of being psychologically and physically conditioned and trained for war should have the opportunity for re-establishment and/or treatment benefits based on individual need. A renewed Veterans Benefits Act would provide opportunities for citizens who either volunteer for a basic engagement or make the military a professional career. Re-establishment benefits are essential to assist the individual move from one culture to another.

Canadian Forces are trained and conditioned to conduct the military operations that are being played out in IRAQ. Through advanced technology, Canadian society (including our law makers) can not only see what members of the military do but can also "virtually" participate with the troops. It is only because of the effectiveness of this "training and conditioning for war" that our members of the military can multi-task as warriors, peacekeepers, humanitarians, etc...

Since the 1950's, the Regular component of the CF along with members of the Reserve component, have performed a blended function which includes conflict (by whatever definition) as well as domestic service. This virtually eliminated the need for our government to mobilize its citizens in time of need. As a result of the human resource pool of the Regular and Reserve Forces, the government has not had a need to raise a

“Special Force” for similar overseas commitments with the United Nations, NATO or other similar collective agreements since.

RECOMMENDATION

Given that legislation provides government departments with authority, a continuum of the Veterans Benefits Act would provide VAC with a framework of appropriate veterans benefits to build on. A renewed Veterans Benefits Act also needs consider that If memory serves correctly, the Minister of VAC has authority to re-enact these statutes by Order in Council.

Study needs be conducted to determine if the definition of “Special Duty Area” is the same as that of “Theatre of Operations” as defined for service in Korea. It would also be advantageous to determine if the National Defence Act definition of “Active Service” is the same as that of “Special Force”. It also needs to be determined if the government has used the Canadian Forces on active service to perform the functions of a “Special Force”.

Statutes for veterans benefits should not be separated as the Veterans Charter and Veterans Benefits Act were comprehensive packages with statutes designed to support the veterans in both re-establishment upon discharge and treatment as they age.

Re-establishment and treatment benefits provided by other government departments need be administered by the specific department yet included in a composite statute such as the Veterans Benefits Act to satisfy the legislated powers and duties of the Minister of VAC as defined in Section 4 of the Department of Veterans Affairs Act.

WAR SERVICE GRANTS ACT

Order in Council of June 11, 1951 (PC 2930) extended benefits of the War Service Grants Act for members of the Regular, Reserve and Special Force who were attached to the Special Force and served in a theatre of operations. The War Service Grants Act, upon discharge, provided for a re-establishment credit based on service in a “theatre of operations”.

TODAY’S NEED

Some veterans could benefit from financial assistance through their re-establishment understanding that for a number of reasons, veterans may have to take lesser paying job or may not be able to work upon release.

RECOMMENDATION

A review of the War Service Grants Act be conducted to determine if this benefit would provide opportunity as it once did as well as to recommend upgrading of the benefit.

If a recommendation is made to carry this benefit forward, a name change may be in order.

VETERANS REHABILITATION ACT

Order in Council of May 4, 1951 (PC 2137) authorized vocational, university undergraduate and post-graduate training to pensioners (those collecting benefits of the Pension Act) upon discharge from the military. A review of the Pensioners Training Regulations (repealed in 1995) should also be reviewed to understand the spirit of this Act as the intent and spirit is clear and later inclusive of Special Duty Area veterans:

"pensioner" means a person who is in receipt of a disability pension awarded under section 22, 64, 65 or 66 of the *Pension Act*, under section 5 of the *Veterans Benefit Act* or under the *Pension Act* in respect of military service in an area designated in the *Special Duty Area Pension Order*. (*pensionné*) SOR/91-311, ss. 1(F), 2.

Out of work allowances and allowance while temporarily incapacitated benefits of the original Veterans Rehabilitation Act under the Veterans Charter were not extended to those that served in Korea as these benefits were included with in the Unemployment Insurance Act or the Treatment Regulations.

While this Act is predominantly written for those discharged right after the Korean War it is important to understand that the government was also encouraging those with war experience to stay on in the Regular or Reserve Forces. As a consequence, it was perceived that veterans needs would be cared for by a career in the military. Has this 1950's thinking proven to be correct or has it prolonged the inevitable?

For the many of the same reasons given today, members of the CF do not readily seek release from the military on "medical" grounds and in the 1950's the government amended language in the Veterans Rehabilitation Act to make it less restrictive.

TODAY'S NEED

As was demonstrated immediately following WWII and the Korean War, this would be a valid benefit today. Human Resource Development Canada may provide some forms of vocational training that would benefit this group of veterans, however availability of programs may be lacking or complicated by Federal/Provincial agreements and/or the differences in definitions of qualifying language between VAC/DND/Federal/Provincial service providers (the term disability as an example).

We now understand the effects of long service and multiple overseas operational tours on career professional of the Canadian Forces. Military conditioning appears to be a disadvantage to re-establishing members of the CF after a service career as well. The philosophy of asking veterans to continue to serve in the Regular Force rather than take advantage of this re-establishment benefit may have delayed the inevitable rather than address a need.

The Canadian Forces in recent times have improved their educational benefits for members currently serving. Basically a member of the CF with more than five years service qualifies for \$1,000 per year served to be used towards an educational benefit.

Post secondary education is essential for veterans, after a military career, to find employment that will allow them to enjoy the same quality of life enjoyed in the military.

RECOMMENDATION

This substance of this Act is critical in offering re-establishment opportunities for disabled members leaving the military with a Pension Act benefit (regardless of release item). One option to achieving the need of this group of veterans is to re-enact the Veterans Rehabilitation Act by Order in Council.

There is an immediate need to re-enact, by Order in Council, the Pensioners Training Regulations as soon as possible as it provides benefits specifically named to those injured in a Special Duty Area.

Another option is to extend the CF educational benefit to veterans drawing Pension Act benefits who have not accessed the CF program regardless of age based on application for the benefit. These benefits could remain on a veterans CF file to be used as a credit at an appropriate time in the veteran's life.

VAC/DND/ HRDC and appropriate provincial government service providers need to establish a common language with respect to qualifications for disability programs as soon as possible.

Pension Act benefits should not be counted as income with respect to any re-establishment or treatment programming including provincial government programs, student loans, SISIP, etc as was the philosophy of the Veterans Charter and Veterans Benefits Act.

PENSION ACT

The Pension Act, established during WWI (1916 for the Navy and 1919 for the Canadian Expeditionary Force), was the cornerstone of the Veterans Charter. It was never meant as a stand alone act as it has become today. Benefits of this important statute are for the "loss of use or the loss of will to use".

Statutes considering treatment of the Veterans Charter and Veterans Benefits Act were developed to support pensioned conditions allowed under authority of the Pension Act.

The Pension Act follows two principles for compensation:

- 1) Insurance Principle: Pension or benefits for disability or death from injury, disease or aggravation of a pre-existing condition incurred during service (typically meaning active service).
- 2) Compensation Principle: Pension or benefits for disability or death from injury, disease or aggravation of a pre-existing condition attributed to military service (typically meaning Canadian Forces peacetime).

The provisions offered those who served in WWII were offered to the Special, Regular and Reserve Forces who served in a theatre of operations (Korea).

While the Pension Act has been amended numerous times, the term “Canadian Forces Peacetime” appears to have caused some confusion. Pension Act benefits during WWII were based on an Active Service Force divided by overseas or Canada only service as qualifiers. For Korea, they were based on an overseas active service Special Force only which proved to be unfortunate in later years.

TODAY’S NEED

The Cold War and current Regular Forces are an active service force by numerous Order in Council for overseas service. Order in Council of November 20, 1973 (PC 1973-) placed the regular component of the CF in Canada and abroad on active service. Post WWII military has performed a blended function of the Active Service Force and the Special Force among other roles and veterans may be disqualified for Pension Act benefits as a result.

Military conditioning has become more effective through the use of human psychology in training. Advanced military training is conducted in Canada and the troops enter operations direct where in WWII and Canada, advanced training was conducted in England, USA and Japan. The military deploy to and return from operations directly from their homes.

It has been demonstrated time and again that post WWII veterans have the same needs of aging veterans from WWII and Korea, including long term care.

The current Pension Act is not meeting the demonstrated needs of all veterans and their families because of archaic, complicated language.

RECOMMENDATION

Legal definitions of service need be given equal standing to eliminate opinion creating the possibility of continuing the trend of excluding the needs of veterans and their families. Legislation needs to be synchronized.

Re-establishment and treatment statutes need to be reinstated to support Pension Act benefits as was intended and the philosophy used in the development of veteran’s benefits.

Language of the Pension Act needs to be updated to recognize the blended roles of the post WWII professional military.

Qualifying definitions of the Pension Act need to be redefined and/or updated. Some examples are:

- a) “Canadian Forces Peacetime versus a modern Active Service Force” ,
- b) Active Service Force during WWII qualifications of “Overseas or Canada Only” service as compared to today’s Active Service Force.

VETERANS' LAND ACT

Order in Council of June 11, 1951 (PC 2930) made certain aspects of the Veterans Land Act of the Veterans Charter available.

Korean War veterans who made the Canadian Forces a career, were able to claim this benefit upon retirement from the CF in the 1970's. This provided them with a great re-establishment benefit by either providing affordable housing or assistance with building a home.

RECOMMENDATION

Income tested veterans, on fixed income, could benefit from some mortgage scheme that would assist them to find affordable housing. One suggestion would see a government agency like Central Mortgage and Housing develop a one time fifty year mortgage as an example.

VETERANS INSURANCE ACT

Order in Council of June 11, 1951 (PC 2930) provided that insurance under the Veterans Insurance Act was made available to this group of veterans for up to three years after date of discharge. Widows also qualified for this benefit.

TODAY'S NEED

SISIP provides "Coverage after Release" as a similar benefit to that provided under the Veterans Insurance Act.

RECOMMENDATION

SISIP benefit should be reviewed to ensure that appropriate coverage is available to veterans and widows.

REINSTATEMENT TO CIVIL EMPLOYMENT ACT

Order in Council of November 8, 1950 (PC 5412) carried forward the intent of the WWII Reinstatement to Civil Employment Act for Korea veterans. The intent was that employers, depending upon job availability, would make an effort to reinstate veterans to pre-war employment.

TODAY'S NEED

The Canadian Forces provides career opportunities different from the Active Service Force of 1939-45 or the Special Force of 1950-53.

RECOMMENDATION

No recommendations necessary at this time.

VETERANS' BUSINESS AND PROFESSIONAL LOANS ACT

Order in Council of January 22, 1953 (PC 1953-93) made these benefits applicable to those who fit the definition of "veterans".

TODAY'S NEED

Many veterans would benefit from this type of program as it would also serve to recognize professional military training that may or may not have equivalency among post secondary institutions.

RECOMMENDATION

This may be a benefit worth revisiting either through re-enactment of the statute through Order in Council or further exploration through HRDC, SISIP and the CF.

CIVIL SERVICE ACT

Order in Council of June 11, 1951 (PC 2930) provided for

- a) the reinstatement in civil service those who left a permanent position to serve with the Special Force,
- b) preference in appointment for pensioners, veterans or their widows, and
- c) the exemption from age limits and physical requirements.

The language used in the Civil Service Act and subsequent Public Service Employment Act for WWII and Korea War veterans speaks to "active service." A pensioner, veteran or widow had to qualify for the position before the benefit could be applied.

TODAY'S NEED

Currently, the CF is seeking preferential hiring in the federal public service for members of the CF with a pensioned condition from service in a Special Duty Area.

All veterans who qualify could benefit by taking advantage to this benefit as the philosophy and spirit in which this statute was written.

RECOMMENDATION

Reinstatement of this benefit of the current Public Service Employment Act by Order in Council to open vacant positions to qualified post WWII active service veterans and widows. Given the nature of modern day active service professional military career and the union climate of the public service, reinstatement of preference in appointment (hiring) would be the only necessary benefit to pursue.

PUBLIC SERVICE SUPERANNUATION ACT

Order in Council of November 8, 1950 (PC 5412) was established to allow people on leave of absence from the Civil Service for service in the Special Force, to count that Special Force time for Superannuation purposes.

TODAY'S NEED

There currently exists language in regulations that allows for counting of military and RCMP service towards federal public service superannuation plans.

RECOMMENDATION

The statutes should be reviewed to ensure that military and RCMP service is included and thoroughly applied.

UNEMPLOYMENT INSURANCE ACT

Order in Council of November 8, 1950 (PC 5412) made certain provisions of the Unemployment Act available. Because of the available programs this Act now administered by Human Resources Development Canada, "out of work allowances" and "allowance while temporarily incapacitated", VAC responsibilities under the Veterans Charter were transferred to HRDC for Korean War veterans.

TODAY'S NEED

Out of work allowances and allowance while temporarily incapacitated are very much needed for our veterans with a disability attributed to military service today. Veterans may not freely report disabilities to prospective employers for fear of not being employed. This causes veterans, if incapacitated or out of work as a result a military disability to rely on the current employers compensation and/or insurance plan.

The philosophy behind the establishment of "out of work" and Allowance while temporarily incapacitated" benefits was in recognition of the fact that the veterans may not be able to function as they once could, may have need for hospitalization or respite. These benefits supported Pension Act Benefits.

Service in the military, the benefits and consequences thereof are very much a federal government responsibility. Some veterans needs seem to have fallen through the crack as a result of change in social policy and intergovernmental relationships and responsibilities without amending veteran's legislation to reflect the change.

HRDC under authority of the Unemployment Insurance Act (currently the Employment Act) and other related statutes may hold a large key to re-establishment, training and supporting programs for continuing treatment. This

RECOMMENDATION

To meet the needs of employed post WWII veterans, there needs to be amendments to the Employment Act that offers veterans "out of work" and/or "temporarily incapacitated" allowances if out of work or incapacitated as a result of disability accepted under the Pension Act.

VAC need to develop a more in depth working relationship to understand programs that could be made available to meet veteran's needs through amendments to statutes as mentioned above. HRDC also has program responsibility for training and retraining, the

disabled and employment reintegration programs. HRDC works with the Provinces and can be used as a gateway for the application of re-establishment and treatment support programs to fulfill the social contract.

TREATMENT REGULATIONS

Order in Council of January 10, 1951 (PC 114) extended similar treatment benefits granted WWII veterans. Treatment was seen according to Walter Woods, as a “vital long-term function of the department.” It was under these regulations that examination or treatment or care, payment of allowances, hospitalization or rehabilitation to eligible veterans was authorized.

Veteran’s hospitals, established since 1919, accommodated veterans to meet their immediate and long-term needs. Treatment was deemed a Federal government responsibility.

VAC, through their hospitals and facilities also administered to the care and treatment needs of serving members of the military as well as the needs of post WWII veterans.

VAC left the hospital business in and around 1995 when its facilities were turned over to the provinces for continued long-term care. Ste Anne’s Hospital in Montreal is the only VAC facility remaining. With the transfer agreements to the provinces post WWII veterans (including serving members) lost the opportunity of vital support for treatment and long-term care from these facilities.

TODAY’S NEED

For a long while, the military staffed hospitals on their bases to meet the needs of its members. This practice ceased in the 1990’s when the military medical system was restructured. This coupled with the closure of VAC facilities left a huge gap in treatment for veterans. It appears that the programs were not continued rather than to find alternatives for those post WWII veterans requiring ongoing long-term care.

The Veterans Independence Programs was developed to meet some of the needs but it does not address all aspects.

Today veterans must queue with the public to have their long-term care needs addressed if they are eligible. Pension Act disabilities do not always meet provincial government criteria for treatment and benefits (including payment for hospitalization).

As alternatives to appropriate care and/or treatment some veterans have found themselves involved with the criminal justice system, Child protection agencies, psychiatric facilities (usually after a visit with the judicial system), living on the streets or in prison.

The awareness of PTSD and other such disabilities has increased the workload of VAC staff, yet additional funding and human resources have not been forthcoming to meet the

demand. Veterans and families may have a need for treatment facilities to include respite and outreach programs

RECOMMENDATION

VAC needs to visit their agreements with the Provinces to establish if they are in fact being upheld.

An assessment of the needs and eligibility of post WWII veterans, based on the qualifying criteria for WWII and Korea veterans needs to be conducted to find a solution that will be beneficial to all.

VAC needs to provide supporting programs to provide care and long-term care to eligible veterans who have needs that are not met by the Veterans Independence Program.

An assessment of VAC's current human and financial resources establishment needs to be conducted to see if the department can realistically meet the increasing demand and needs of all veterans without increasing resources.

WAR VETERANS ALLOWANCE ACT

Order in Council of October 9, 1951 (PC 5447) made the provisions of the War Veterans Allowance applicable to Korea veterans, their widows and their children. Generally the intent was to provide, subject to a means test, payment of an allowance to those who qualify for a number of reasons including disability.

TODAY'S NEED

There is a definite need for this type of allowance today for the same reason that it was available to WWI, WWII and Korea veterans. Today, veterans who have difficulties re-establishing to civil society, maintaining employment for one reason or another must collect provincial assistance allowance more commonly known as "Welfare." This in itself has a negative connotation and Veterans from a proud military culture attempt to find alternatives rather than face humiliation.

Veterans in these dire straights also attempt to stretch Pension Act benefits further than their intended purpose. This leads to much frustration by veterans, their families and VAC employees.

RECOMMENDATION

One option is to reinstate this benefit through Order in Council amending the language to qualify all veterans for the same reasons amended to qualify Korea veterans. Of interest is that in the qualifying definitions of the latest version of the War Veterans Allowance Act it lists "Canadian Forces Veteran" along with those of WWI, WWII Korea, etc. It may be beneficial to find the intent of this definition.

Another option is using the same funding pool as for the current “assistance” allowance; develop a “Veterans Allowance” by creating application forms that qualify veterans. This will allow eligible veterans to maintain dignity and pride.

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