

Ombudsman

National Defence
and Canadian Forces



Défense nationale
et Forces canadiennes



OUR PEOPLE

OUR SECURITY

OUR FUTURE

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INTRODUCTION

This submission does not focus on the weapons of war but on the people we call upon to operate them – people that the Canadian Armed Forces has correctly stated are its most valuable resource.

Within this “people first” framework, I will discuss the issue of military personnel from recruitment of Canadians to end-of-career transition into civilian life; Cadets, Canadian Rangers, Reservists, civilians, and families; and that Gordian knot of rules and regulations that generations of civilian and military leadership have wrapped around them all.

Whatever future military path our country takes – or is obliged to take – we first have to ensure that what is broken in the system is fixed and does not continue to present hardship for thousands of men and women who, at great personal sacrifice, serve our country.

This is not simply a question of doing the right thing. It is about our ability to protect and enhance Canada’s national security. It is about our future ability to attract the men and women we need to do the job.

The Canadian Armed Forces has plenty of evidence showing that fewer and fewer young Canadians are interested in pursuing military careers – that we are struggling to attract the desired number of potentially skilled and committed new members. Surveys commissioned by the Department of National Defence¹ show that the pursuit of a gender and ethnic balance that better reflects the Canadian population is being impacted by a perceived lack of consideration for ill and injured troops; concerns over family separation; and a variety of other deterrents highlighted in a multitude of official reports and news media coverage.

¹ <http://www.cbc.ca/news/politics/ptsd-and-danger-among-deterrents-to-visible-minorities-joining-military-1.2849647>

Despite continuing efforts, the Department of National Defence and Canadian Armed Forces has had difficulty resolving these internal issues.

We refer to this focus on our serving men and women as the “soft side” of the military story but the contents of this paper are based on hard evidence gleaned from numerous Parliamentary reports and real human stories of frustration, desperation, and humiliation that intake officers and investigators at our Office hear every day. I would be delighted to report that the number of calls coming into the Ombudsman office is decreasing but the reality is that we are receiving close to 10,000 calls a year and the number continues to increase.

Last year we opened 1,500 cases. This year, we are expecting to open 2,000 – *an increase of 25 percent*. And let’s not forget that there is the availability of several dispute resolution and grievance processes before members come to the Ombudsman. So if a constituent is contacting my Office, he or she has already passed through existing mechanisms of the Canadian Armed Forces.

Predicting the face of warfare or peacekeeping ten years from now is guesswork and as unpredictable now as the Afghanistan War was before two terrorist-controlled passenger jets slammed into the World Trade Center. For Canada, that would lead to our longest war and the mobilization of some 40,000 troops; including 4,200 Reservists.

Last May, the Chief of the Defence Staff General Jonathan Vance said publicly² that future training and peacekeeping missions involving our troops will involve a level of risk that is increasing exponentially. Few would argue with that assessment.

² <http://www.rcinet.ca/en/2016/05/25/canadas-top-soldier-predicts-busy-uncertain-security-environment/>

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Regardless of the theatre of operation – whether it is peacekeeping, training, drone strikes, battling some other yet-to-emerge robotic entity or cyber threat – our military must evolve to meet those challenges.

What then are we doing to ensure our future military members will be properly cared for should they become mentally or physically injured? What are we doing to reassure families of cadets and the youngest of recruits, that when the military takes their loved ones under its massive bureaucratic wing, it is capable of caring for them?

The Department National Defence and the Canadian Armed Forces are awash in studies;

many of which are little more than a rehashing of previous studies with the same recommendations dressed in different wording. For each emerging problem involving the welfare of serving members – especially problems that reach national public attention – the response is invariably another study or review.

After many years of study and review its time to ‘do’ more and halt the treadmill that is paralysis by analysis. The Department of National Defence and the Canadian Armed Forces need to embrace fresh thinking and rid themselves of outdated, cumbersome regulations that do not help define a modern military.



RECRUITMENT

ATTRACTING THE BEST AND BRIGHTEST

Our Office has been sounding alarm bells about recruiting since the mid-2000s.

"It is clear from our investigation that the Canadian Forces must improve the quality and timeliness of the service provided to applicants... If this experience is unsatisfactory for any reason there is a strong possibility that an applicant will discontinue the process. This could – and does – result in the loss to the Canadian Forces of some of the most skilled and talented Canadians."

- Former DND/CF Ombudsman Yves Côté, 2007

In our 2006 report, *The Canadian Face Behind the Recruiting Targets: A Review of the Canadian Forces Recruiting System – From Attraction to Enrolment*,³ we noted:

- A lack of responsiveness on the part of some recruiters in their dealings with applicants;
- Excessive delays in the recruiting process, particularly with the medical assessment and security portions of the process; and
- Problems in obtaining accurate information on the recruiting incentives program.

The report was the result of an investigation of complaints received by our Office from 2003-2005. It contained 18 recommendations aimed primarily at improving the service to applicants.

3 <http://www.ombudsman.forces.gc.ca/en/ombudsman-reports-stats-investigations-faces-behind-recruiting/recruiting-targets.page#ir-issues>

The Auditor General of Canada also weighed in on recruiting in 2002⁴ and again in a 2006⁵ status report.

I will not dwell on these past reports – they are available for all to read. However, while improvements to the recruiting system have been made, the DND and CAF continue to struggle with many of the major issues previously identified; i.e. recruiting, retention and training.

Today, the military is on an 'accelerated' recruiting drive but Major-General Derek Joyce, former Deputy Commander of Military Personnel Command, told the House of Commons Public Accounts committee in June 2016 that poor retention rates are hampering the recruiting effort.

MGen. Joyce explained to Members of Parliament that the Canadian Armed Forces has recruiting and retention strategies under way for both the Regular and Reserve Forces:

"We have targets right now of 68,000 for the Regular Force and 28,500 for the Reserve Force in the 2018-19 time frame. We have a relatively high attrition rate in the Reserves. About 50 percent of our Reservists leave within the first five years, so we have to address that."

- Former Deputy Commander of Military Personnel Command MGen Derek Joyce, June 2016.

4 http://www.oag-bvg.gc.ca/internet/English/parl_oag_200204_05_e_12_378.html

5 http://www.oag-bvg.gc.ca/internet/English/parl_oag_200605_02_e_14_959.html

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Related to the recruiting piece are Component Transfers – for when Reservists wish to transfer to the Regular Force and Regular Force members wish to transfer to the Reserves.

We have Reservists who are kept waiting up to two years while their applications to join the Regular Forces are processed. Many decide it is easier to release from the Canadian Armed Forces and apply at the recruiting centre as a civilian. Once accepted into the Regular Force, some recruits become PATs – Personnel Awaiting Training – and this waiting time can stretch from weeks to months depending on occupation, operational requirement, and the operational tempo of the Canadian Armed Forces.

'In the past, National Defence had a large number of screened candidates to choose from... However, with the recent decline in applications and the need to expand recruiting, that inventory is being reduced faster than it can be filled.'

- Auditor General of Canada, 2006. ⁵

We hear complaints at our Office of people who walk into recruitment offices, express an interest in joining, and are then kept waiting so long for an official reaction or follow up that they lose interest and move on. As BGen (Ret'd) Robert Millar has noted in his comments to the Defence Policy Review, in parts of Western Canada it is taking up to 18 months to enroll recruits. ⁶

The recruitment and retention problem has been studied, reviewed and criticized for at least 15 years and while I welcome MGen Joyce's comments, I sincerely hope we are not headed down the same road.

"...The more that our Reservists can become Regular Force, if that's their desire, or our Regular Force members, for personal or family reasons, want to become Reserve Forces, if we improve that flow, then we actually improve the retention of both Regular and Reserve Forces. We're working on that process to streamline that."

- Former Deputy Commander of Military Personnel Command MGen Derek Joyce, June 2016.

To recruit the best and brightest of our men and women they cannot continue to observe a military, and a military support system, that appears burdened by outdated bureaucratic systems and processes. We are delivering uncertainty and confusion to members and their families when we should be delivering security and peace of mind.

As I have noted, none of these recruiting concerns should be a revelation.

Our report, in addition to the Auditor General's, warned that recruiting was flagging; that whatever strategies existed were not working sufficiently well for the military to have a pool of top quality applicants to choose from.

To date, our Office has received 487 recruitment-related complaints, many about delays in processing applications. ⁷

DIVERSITY

BETTER REFLECTING CANADA

The Canadian Armed Forces established its *Employment Equity Strategy* in 2006, the same year that the Auditor General's office revisited its 2002 report on recruitment and lamented that

⁶ Presentation to Defence Policy Review in Edmonton, 4 June 2016

⁷ http://www.oag-bvg.gc.ca/internet/English/parl_oag_200605_02_e_14_959.html

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the recruitment of women, visible minorities, and Indigenous people was lagging.

Fast forward to the spring of 2014, eight years after the introduction of the Canadian Armed Forces *Employment Equity Strategy* and the Department of National Defence's own commissioned surveys⁸ showing diminishing interest among women in military careers and even less interest in the military among visible minorities.

- Table 1 Source:
Canadian Armed Forces Employment Equity Report 2014-2015, Page 4.

And now, a decade after the introduction of the *Employment Equity Strategy*, the Canadian Armed Forces is repeating the same message: that a key piece in this current effort to rescue a troubled recruitment drive is the effort to attract more women, visible minorities, and Indigenous people into the Canadian Armed Forces.

MGen Joyce told Members of Parliament at the Public Accounts Committee that: "Diversity is a key element. We have to reach out to the less represented members of the Canadian population and bring them in... we've actually focused a diversity recruiting team on bringing in elements of the population that are under-represented within the Canadian Armed Forces..."

The Commander of Military Personnel Command, Lieutenant-General Christine Whitecross, has publicly added her voice to the issue; noting that in its efforts to attract young women, the military needs to change the paradigm and rid itself of

the image that the Canadian Armed Forces is the domain of male front-line soldiers.

LGen Whitecross told one news reporter:⁹ "The military, as you might imagine, is not the occupation of choice for a great number of our youth. We still need to get in and educate people about the opportunities, the fact that it's not just combat arms."

Additionally, the 2015 *External Review into Sexual Misconduct and Sexual Harassment in the Canadian Armed Forces* highlighted the military's sexualized culture.

As LGen Whitecross conceded in that same newspaper interview, this has made the difficult job of female recruitment and retention that much

harder, despite efforts to recast the military image and make the legitimate case that there are career opportunities beyond the role of warrior:

"It is an issue. I do have parents coming up to me and saying, 'are you truly an employer of choice, do you treat your people with dignity and respect?'"

- Commander of Military Personnel Command LGen Christine Whitecross, quoted in Toronto Star, March 2016.

But if the military fails in its mission to stamp out that behaviour in its environment and convince the Canadian public that it has done so, all the education and public relations to which LGen Whitecross refers will be for naught and the much-quoted 25.1 percent target a difficult one.

⁸ Ipsos Reid conducted three-phases of research from 2010-14 on behalf of DND/CAF to assess attitudes towards the among visible minority groups. The research is referenced here:
<http://www.journal.forces.gc.ca/vol13/no4/page25-eng.aspx#uiy>

⁹ <https://www.thestar.com/news/canada/2016/03/14/looking-for-a-few-good-women-canadas-military-goes-on-a-hiring-spree.html>

CADETS AND JUNIOR CANADIAN RANGERS

THE FIRST STEPS

In 28 July 2015, we released a widely publicized report into the 30 July 1974 fatal grenade incident at Canadian Forces Base Valcartier, Québec in which six cadets died and 65 were injured. We focused on the lack of assistance offered to the injured, to their families, and to families of the six boys who died.

"I thought, 'I'm not worried, I will be cared for and the cadets will be cared for and life carries on.' But 34 years later, in 2008, I discovered that nothing had been done for these kids."

- Former regular army sergeant Charles Gutta, who was in overall charge at Valcartier in July, 1974.

The day after the explosion, armed military police took the cadets to an underground bunker to be questioned, and ordered them not to speak about the incident.

A civilian coroner's inquest ruled the deaths of the six cadets, aged 14 and 15, were a result of negligence. But the young survivors were forced to testify at an internal military board of inquiry, and respond to questions that made them feel they were responsible for their own misfortune.

Former Minister of National Defence Jason Kenney issued a statement saying: "I regret that it took 41 years to formally recognize and fully address this tragedy."¹⁰ The Department accepted our Office's recommendations that those psychologically and/or physically injured

be offered necessary medical care and reasonable financial compensation.

"...They were grooming us to be little soldiers and we wanted to be little soldiers so we wanted to take it on the chin. What is sad is that the military bargained cheaply..."

"...Parents had to bargain for the price of the sons' caskets. Parents requested that their sons be buried in their uniforms and were refused.

There was no consideration or decency. We were 'just cadets' and that is probably one of the greatest wounds that stays with you."

- Michel Juneau-Katsuya, a 14-year-old Valcartier cadet in 1974, interviewed by The Ottawa Citizen, July 2015¹¹

So why am I raising this again?

My primary hope and expectation is that the environment be as safe and secure as any parent would demand but, to this day, parents and guardians of these young adults would have to navigate a complex system of compensation should tragedy strike while they are in the care of the Canadian Armed Forces.

¹⁰ <http://news.gc.ca/web/article-en.do?nid=1008639>

¹¹ <http://ottawacitizen.com/news/national/valcartier-blast-i-remember-thinking-i-must-be-dead-too-bad-my-parents-will-be-sad>

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The Office has launched an independent review of the Canadian Cadet Program. Our objective will be to identify any issues of unfairness and make recommendations to address them.¹²

MORE THAN MILITARY

I will discuss the Canadian Rangers in more detail later in this paper but while discussing the younger element and seeds of our future armed forces, it is important to also focus on the Junior Canadian Rangers and the opportunity the Canadian Armed Forces has to make a positive difference to their lives.

Nowhere in Canada have I heard the military being held in higher esteem than in our more remote communities. The Junior Canadian Rangers offer Indigenous youth aged in that

critical period between 12-18 years an opportunity to build self-esteem and self-respect, learn traditional skills and be leaders and positive role models among their peers.

So within those remote communities, there is a tremendous opportunity for the Canadian Armed Forces to have a greater positive influence on our Indigenous youth.



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<http://www.ombudsman.forces.gc.ca/en/ombudsman-reports-stats-investigations-valcartier/valcartier-report.page#conclusions>

RESERVISTS

A MEMBER IS A MEMBER

My position has always been: a soldier is a soldier; an aviator is an aviator; and a sailor is a sailor. Once you put a uniform on, you are in service to Canada. If you get hurt while you are in uniform – serving Canada – *you should be treated as such*. It is from that belief in parity that I come to the issue of Reservists.

It has been said many times, and with increasing volume lately, that Reservists are a vital piece in the Canadian Armed Forces' machine. They are also an important part of the Ombudsman constituency and people we have learned much from, and much of, during the past few years.

Canada expects a lot from its Reserve Force but what should the Reservists expect and deserve in return?

Periodic health assessments would be a good start.

As we noted in our October 2015 report *'The Feasibility of Providing Periodic Health Assessments to All Primary Reservists'* (a joint collaborative study we completed with the Surgeon General's Office), some 26 percent or 6,883 of today's Reservists have no current medical assessment. We are, at times, putting boots on the ground to aid civilian authorities in natural disasters without a current medical assessment.

Service Attribution means the injury, disease or illness that must have arisen out of, or be directly connected with, military service. This meaning shall also be used when considering the aggravation of an existing injury, disease or illness.
(CBI 270.72)

And what if a Reservist with no current periodic health assessment is ill or injured on duty? Whenever a Reserve Force member presents himself or herself at Veterans Affairs Canada, to

seek a benefit or service, the onus is on the member to prove service attribution. Without that periodic health assessment, Veterans Affairs Canada will be hard placed to make the required assessment.

During the 2015-2016 year our Office handled 193 Reservist-related cases, an increase of 29.5 percent over the previous year.

During the past 14 years, our Office has produced five in-depth reports on Operational Stress Injury¹³ among our troops.

In 2008, we recommended to the Canadian Armed Forces that periodic health assessments be made available to Regular and Reserve Forces members on an equal basis. In 2011, the Surgeon General decreed that should happen. In our Office's 2015 report *The Feasibility of Providing Periodic Health Assessments to All Primary Reservists* we reiterated this need. It still hasn't happened.

During interviews with our Office, Commanding Officers admitted that during some emergency domestic operations, they had risked deploying Reservists without knowing if their medical assessments were up-to-date. On the opposite side of the coin, we interviewed one Commander who admitted that in the event of an emergency his unit could not respond when called upon to

13 An Operational Stress Injury is defined any persistent psychological difficulty resulting from operational duties performed while serving in the Canadian Armed Forces or as a member of the Royal Canadian Mounted Police. It is used to describe a broad range of problems which include diagnosed psychiatric conditions such as anxiety disorders, depression, and post-traumatic stress disorder (PTSD) as well as other conditions that may be less severe, but still interfere with daily functioning).

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help because none of his members had valid, up-to-date health assessments.¹⁴

Reservists who deploy with Regular Forces are at a distinct disadvantage when they return home. Regular Force members return with their units where post-deployment medical assessments and many other services are available to them. Reservists return to their units and scatter to their homes, jobs, and families. It is possible that only one or two Reservists from a particular unit were deployed on an international operation. The Reservists' local Commanding Officer is responsible for the completion of post-deployment activities and reintegration; including medical follow-up.¹⁵ However, "There is no mechanism to ensure completion of post-deployment activities if Reservists release from the Canadian Armed Forces after their deployment or become non-effective strength."¹⁶

For Reservists returning with a mental injury, or the onset of a mental injury, the current Canadian Armed Forces medical system can prove an unfriendly place. We know many Regular Force members attempt to hide their mental injury because of the fear of potential career implications. Reservists do the same but Commanding Officers face a lack of control over certain members post-deployment,¹⁷ making

evasion easier. Mental injuries can only be hidden for so long and while the Reservist chain of command might not be aware a member is ill, that injury is causing suffering to the member and his or her family.

Through our website, our Office has provided a great deal of information to Reservists on how and where to access medical help and benefits. But this alone will not remove the obstacles, confusion and frustration.¹⁸

Leadership with clear and proactive policies is needed to bring medical care to Reservists. The Department of National Defence and the Canadian Armed Forces need an oversight mechanism that documents employment history, as well as a rigorous system to reach Reservists post-deployment. **If Reservists can't be reached easily it is our obligation to find them – even if it means knocking on their door.**

It can't be overstated that struggling to find financial and medical help while battling mental injury is daunting, dispiriting, frustrating, and at times, defeating.

The Reserve Force Compensation administration is overly cumbersome and confusing and the delays in administration can have significant financial impacts on members and their families. In our February 2016 report, *A Systemic Review of Compensation Options for Ill and Injured Reservists*, we identified inconsistencies and a lack of fairness in the processes involving end-of-career options for ill and injured Reservists.

14 Ombudsman Report *A Systemic Review of Canada's Primary Reserve Force and Operational Stress Injuries*, p. 12

http://www.ombudsman.forces.gc.ca/assets/OMBUDSMAN_Internet/docs/en/osi_report_en_june14.pdf

15 *Canadian Joint Operations Command Directives for International Operations, 1000 Series*, Section Three – "Personnel Administration," section 1.3-12., cited in Ombudsman Report *A Systemic Review of Canada's Primary Reserve Force and Operational Stress Injuries*, p. 7

http://www.ombudsman.forces.gc.ca/assets/OMBUDSMAN_Internet/docs/en/osi_report_en_june14.pdf

16 Ombudsman Report: *A Systemic Review of Canadian's Primary Reserve Force and Operational Stress Injuries*, May 2016, p. 18:

<http://www.ombudsman.forces.gc.ca/en/ombudsman-reports-stats-investigations-rf-osi/reserve-force-operational-stress-injury.page>

17 Ombudsman Report: *A Systemic Review of Canada's Primary Reserve Force and Operational Stress Injuries*, May 2016, p. 18:

http://www.ombudsman.forces.gc.ca/assets/OMBUDSMAN_Internet/docs/en/osi_report_en_june14.pdf

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<http://www.ombudsman.forces.gc.ca/en/ombudsman-questions-complaints-helpful-information/primary-reserve.page>;

<http://www.ombudsman.forces.gc.ca/en/ombudsman-questions-complaints-helpful-information/rfc-education-piece.page>;

<http://www.ombudsman.forces.gc.ca/en/ombudsman-questions-complaints-helpful-information/healthcare-for-reservists.page>

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Reservists and their leadership are often unaware of the roles and responsibilities, policies, or procedures surrounding compensation options. This can, and does, impact not only whether a Reservist seeks compensation for injuries, but also the time it may take for eligible Reservists to access compensation.

As well as coming to the aid of Canadians caught in the midst of natural and man-made disasters, during the past 25 years, Reservists have participated in international operations in the Balkans, the Middle East, Africa, Haiti, and the Philippines. In Afghanistan more than 20 percent of the troops were Reservists.

In 2010 alone, nearly 1,900 Reservists were redeployed or were about to deploy alongside regular troops in Afghanistan. In all, 4,200 Reservists were deployed, many multiple times, during the 13 years Canada was involved in Afghanistan.

DEATH IN SERVICE TO CANADA

Shortly after Class “B” Reservist Corporal Nathan Cirillo was shot to death while on ceremonial guard duty at the National War Memorial on 22 October 2014, it emerged that his family would be entitled to significantly less in the way of ongoing death benefit than a Regular Force member who would meet a similar tragic fate. One estimate¹⁹ put the Reservist-Regular Force disparity at \$1.8 million – the difference between the amount families of a Reservist and Regular Force member would normally have received in benefits; up to what would have been the deceased’s 65th birthday.

Corporal Cirillo was shot and killed two days after Warrant Officer Patrice Vincent was murdered in a hit-and-run by an extremist in Saint-Jean-sur-Richelieu, Québec. The Vincent family automatically received full benefits because Patrice was a regular force member.

19 <http://globalnews.ca/news/1676629/reservists-like-nathan-cirillo-are-worth-1-8m-less-to-the-feds-why/>

As media continued to report the story, and the public mood darkened at the inequity, the Minister moved to rectify the situation by making an exception – for this incident only – to give the Cirillo family benefit parity.²⁰

In 2008 and again in Nov 2012²¹ our Office issued reports in which we recommended that the Chief of Military Personnel fix an inherent unfairness in the accidental dismemberment insurance afforded to Reservists. Specifically, we recommended that The Accidental Dismemberment Insurance Plan (ADIP) be changed, retroactive to 13 February 2003, to ensure that all Canadian Forces members receive the same compensation for the same injury.

In March 2013, the Chief of Military Personnel finally agreed that starting 6 December 2012 Reservists would receive the same coverage for dismemberment that other members were entitled to.

Of particular concern to me are the policies that do not have flexibility. For example, we had a complaint from a Reservist who had a severe leg injury and after a number of operations his leg was amputated. Policy states that in order to receive equivalent dismemberment insurance the leg either had to be lost in combat or amputated within a year. Efforts to save this soldier’s leg lasted more than a year.

The inadequacies with the Department of National Defence and the Canadian Armed Forces management of Canada’s Army Reservists are well documented in the Auditor General’s May 2016 report, are and supplemented at various hearings at House of Commons and Senate Committees. Listing all of the Auditor General’s criticisms and highlighted inequities here would only add to what the Defence Policy

20 <http://www.680news.com/2015/03/13/federal-government-announces-reserve-veterans-to-get-equal-access-to-benefits/>

21 <http://www.ombudsman.forces.gc.ca/en/ombudsman-reports-stats-investigations-reserved-care-follow-up/reserved-care-follow-up.page?#rcfu-finding-status>

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Review Panel already knows and what our Office has been reporting for several years.

The current Government has already committed to invest in the Reserves, and has recognized recruiting and retention as long-standing problems.

As I have said, the 2016 Auditor General's report into Canada's Army Reservists received deserved attention and analysis by the journalistic and political communities. While not revelatory for those of us who have been working in and around Reservists for many years, it was most certainly important and shone a much-needed national spotlight on perpetual problems that have beset this remarkable corps of Canadians.

Many of the cures to these ills are neither complex nor expensive but rather a matter of leadership. More studies and reviews will not achieve the goals, but acting on those already done would be enough to do the job.

The situation is troubling and, frankly, the complexities currently facing this increasingly vital component of our armed forces will inevitably make reaching that recruitment goal of 5,000 more reservists unnecessarily difficult, if not impossible.²²

It has to be said: If we cannot take proper care of the reservists we already have, what is going to happen if we add another 5,000?



²² "The Primary Reserve is already about 5,000 under strength." (Ret'd) LCol John Selkirk, 19 May 2016, Evidence – House of Commons Committees

CANADIAN RANGERS

THE WATCHERS

Several submissions to the Defence Policy Review have pointed to the strategic importance of the north and the need for a clear, forward-looking military policy rooted in sophisticated communications, to assist and complement the Canadian Armed Forces and Canadian Ranger efforts.

During visits to the 1st Canadian Rangers Patrol Group (1CRPG) at Yellowknife in April 2016 and 2CRPG at Saint-Jean-sur-Richelieu, Québec in May my staff and I listened to concerns, and received positive feedback, from Canadian Rangers, civilian employees and military family members. We left with a valuable understanding about the rigours of their daily lives.

Canadian Rangers typically live off the land north of the 60th parallel and in more southerly remote communities. They are familiar with patrolling during bitterly cold winters and from an early age are taught traditional survival skills,

in what by any measure is a tough, natural environment. From the military perspective, they are Canada's eyes and ears in the sparsely settled northern, coastal, and isolated areas of Canada. The Canadian Rangers motto is *Vigilans – The Watchers*.

The span of responsibility of 1CRPG (Yellowknife Headquarters), for example, is staggering: 60 Canadian Rangers patrols (a total of 1,725 individual Canadian Rangers) cover 40 percent of the Canadian land mass and lead 1,548 Junior Canadian Rangers. Despite the efforts of dedicated personnel, 1CRPG struggles to meet their current mandated tasks; let alone meet any new demands for long-term sustainability. Its full time staff-to-Canadian Rangers ratio is 1:27 — if all staff positions are filled which is never guaranteed. Is this ratio adequate to meet current demand let alone augment, the Canadian Rangers in the North?

The staff-Ranger ratio alone presents significant challenges, but when the Junior Canadian Rangers are added to the calculation, those challenges become even greater.

Those outside the military experience will have no concept of the multitude of logistical tasks that Canadian Ranger and Junior Canadian Ranger staff face; and they do it all while battling against the environment of our most remote communities.

Although not specifically considered in the Auditor

General's spring 2006 report, the Canadian Rangers are part of the military's Army Reservist community. There are 5,000 members living in

Full-time staff to Canadian Rangers Ratio ²³			
CRPG and HQ location	Full-time staff to Canadian Rangers	Ratio	Full-Time staff to Canadian Rangers and Junior Canadian Rangers
1 CRPG	63 for 1,725	1:27	1:53
2 CRPG	42 for 752	1:17	1:37
3 CRPG	39 for 591	1:15	1:33
4 CRPG	69 for 988	1:14	1:28
5 CRPG	50 for 929	1:18	1:25

23 number of CR based on Canadian Army confirmed numbers on 9 May 2016. Full-time staff to Canadian Rangers and Junior Canadian Rangers ratio number are from 1CRPG presentation dated 12 April 2016)

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200 remote communities where some 26 dialects or languages are spoken.²⁴ Instructors, from either Reserve or Regular Force, officially support Canadian Rangers but the arrangement is complex and often times instructor-member ratios are inadequate.

In addition to their role in the defence of our sovereignty, and readiness to intervene at times of natural or man-made disaster, which is unarguably important, they also hold a mentorship role with the Junior Canadian Rangers. Their ability to be a positive influence on their youth is not being fully capitalized upon. We know the military is widely respected in the north and we know of the societal problems facing young Indigenous people in remote communities. But we also know that chronic understaffing is an obstacle to the development of youth who can be positive role models among their peers.

"Being a Ranger has helped a lot of our young people out. Typically they join... they leave to start families and then rejoin. My daughter and grandson are Rangers but my son can't get back in because we're currently not allowed to recruit any more. I don't know why."

- Canadian Ranger (Yukon)

The current method of paying Canadian Rangers' salaries by cheque or direct deposit is a problem for many because they have no access to a conventional banking system. This leads to pay errors that are difficult to correct, and, at times, fees are charged to cash Government of Canada cheques. Overall, the removal of cash payments as an option has caused uncertainty over wages.

24 <http://www.army-armee.forces.gc.ca/en/canadian-rangers/index.page>

"...We do a lot of training with the Junior Rangers so their equipment should be up to speed. We're in the bush for three or four days so they need good winter survival gear but we buy tents and other equipment out of our own pockets. We get summer boots but not winter boots. We are the eyes and ears of the north but they expected us to do the job without proper equipment..."

- Veteran Canadian Ranger (Yukon)

Canadian Rangers use their own equipment during patrols and other operations, for which they receive compensation called equipment usage rate.

"For patrols, sometimes a Ranger instructor comes from Yellowknife but a lot of times they don't. If a trainer comes he prepays for gas and extra rations and food etc. If there is no trainer we have to pay for ourselves and then claim it. That can take three to six weeks or longer if they mess up."

- Canadian Ranger (Yukon)

They also face the difficult reality of rising prices of the equipment (ATVs and snowmobiles) they need to live and work. Some can't afford snowmobiles and have to borrow one when patrolling. Although they are provided compensation, the Equipment Usage Rates have not been reviewed since 2009.

If Canadian Rangers' own equipment breaks down during a patrol, they must pay for the spare parts and/or repair and submit a bill. Getting reimbursed is often a struggle. They regularly wait months to be reimbursed for equipment damaged in the service of Canada. This has a significant impact on the Canadian Ranger, his or her family and entire communities. When a snowmobile is damaged beyond repair, the Canadian Ranger's ability to

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check traps and fish is greatly impacted if not lost.

It is apparent to this Office that policies and regulations under which Canadian Rangers function might work well south of 60 but they are often ill-suited for patrols operating in remote communities and North of 60.

A current serving member of another Yukon Canadian Ranger Patrol told us that during his military career, he has been both a sergeant and master corporal, and like many others he is frustrated by a chronic lack of consistency, unexplained last-minute changes in planned patrols, and a general lack of consideration when it comes to compensation.

While considering required capability, I ask that you also consider the basic needs of the people

who are the human eyes and ears of our security in these remote regions of our country.

As Lieutenant-General (Ret'd) Roméo Dallaire has noted in his presentation to the Review, aside from existing duties, the Canadian Rangers need the assets and opportunities to train for water deployment to conduct surveillance in more open areas. Under existing constraints, it is difficult to envisage this happening.

'There's camaraderie in being a Ranger, which I guess is why we stay. Do I feel part of the military? Sort of. We're military but we're not. I guess you could say we feel like a wing of the military.'

- Serving Canadian Ranger in the Yukon.



POSTINGS

MOVING EXPERIENCES

Many of the submissions to the Defence Policy Review Panel, and statements from the Department of National Defence and the Canadian Armed Forces, refer to military operational priorities but when I go out and speak to serving members, I am hearing about other, more personal concerns and issues around postings. During the past four years, 347 complaints about postings have come into our Office and 73 of those related to the rejection of appeals made on compassionate grounds.

There will always be reasons for maintaining the policy status quo, but even considering the uniqueness of the Canadian Armed Forces as an employer, are there no flexible alternatives? Or is it simply a case of “we do it this way because this is how we’ve always done it?”

In response to the Government’s demand for across-the-board “Deficit Reduction” budget cuts, the number of postings has been reduced from about 16,000 annually to about 10,000.²⁵ In some cases, this means a member and his or her family might get to stay an extra year in one posting depending on specific skill and service requirements.

For some members, regular relocations are not an issue; they embrace that way of life. Some officers who choose to stay on the promotion track get valuable, career-building experiences from regular relocations; but many barely have chance to unpack their belongings before they are re-posted. Our Office knows of one officer with three children who has been re-located seven times in the past nine years. These members are potentially rising to the upper echelons of the Canadian Armed Forces, and are both valuable and dedicated leaders, but why is

it necessary to subject them and their families to such challenges?

The benefit available for Canadian Armed Forces members posted to regions where the cost of living is higher in comparison to the National Capital Region cost of living is The Post Living Differential Allowance. This Allowance is supposed to stabilize the cost of living of Canadian Forces Armed Forces members and families with respect to regional differences. The aim is for families to have a relative and predictable standard of living no matter where they serve in Canada. The review of this benefit has been ongoing for eight years and, more important, there have been no changes despite the variation in cost of living across the country.

It is also important to note that when the Canadian Armed Forces members are posted they have no choice but to go. Refusal invariably equals consequences and consequences could mean the only choice is to release. Only in exceptional circumstances is there room for negotiation.

Let’s be clear. This is not a discussion about emergency deployment in time of war or in response to natural disaster. Our men and women in uniform fully understand their obligations in those circumstances. It is about fairness and perceived inequality when, for example, compared to relocation programs within federal government.

25 Career Management Brief to Ombudsman Staff, Colonel Grant Dame, Director Military Careers, 25 Sep 2014

FAMILIES

STRENGTH BEHIND THE UNIFORM

In November 2013, we released a report titled: *On the Homefront: Assessing the Well-being of Canada's Military Families in the New Millennium*.²⁶

On the Homefront was one of the most ambitious, detailed investigations carried out by our office and contained 18 recommendations. Although work has been done in the almost three years since that report, there remains much to do. What is concerning is the pace at which it is being done.

Here are some of our findings:

- Military life is unnecessarily tough on families and especially stressful for children whose health and education suffer from too much relocation.
- Since 1990, Canadian troops were involved in 20 operational missions requiring multiple rotations. Left behind in the process, are spouses who struggle to find meaningful jobs in areas around remote bases.
- Few occupations or professions expose the overwhelming majority of its people to recurring geographic relocation, relentless separation and elevated levels of risk as a matter of course throughout much of their careers.

You cannot have a happy, healthy member if he or she does not have a happy, healthy family. It has been said many times that family truly is the strength behind the uniform; in Canada that is a

family force of 39,000 military spouses and 40,000 children.²⁷

It is therefore understandable that Canadian Armed Forces members often cite the inability of a spouse to find a job as the reason why they are leaving the service.

When a member moves to a new posting, the spouse and children typically follow and with each move comes a significant number of practical stressors. There are differences across the country in provincial and territorial employment qualifications and no guarantee of jobs at previous status or pay levels. So military spouses in secure, well-paid employment in one province move to another province or territory where standards differ or jobs are simply not available. The financial implications for the family are self-evident.

Our Office is hearing about postings that cause losses in spousal income. Parents fret about kids' schooling or a lack of daycare, and overall financial hardship because of variances in standards of living across the country. And you know that every anxiety being expressed by a member is also being felt at home. The military speaks of taking care of all serving members and their families. It is a statement that I have difficulty with because in my view, if we take care of the serving member, he or she will be better prepared to care for his or her own family. I have talked to hundreds of military spouses and they know they have to be uprooted and moved. They are more or less okay with that but they do not want to lose their quality of life in the process. And why should they?

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<http://www.ombudsman.forces.gc.ca/en/ombudsman-reports-stats-investigations-military-families/military-families.page>

27 Submission to Defence Policy Review from Military Family Resource Centres, June 2016

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“Two promising innovations: The Department of National Defence Health services support contractor Calian launched its Calian Military Family Doctor Network aimed at improving access for families of serving Canadian Armed Forces members to family physicians.

Operation Family Doc, a partnership between the Academy of Medicine Ottawa and the National Capital Region Military Family Resource Centre, continues to connect physicians with military families.” 28

Health care from province to province is a major concern. Unlike the United States, where spouses and children enjoy the same military medical services as the serving member, Canada’s military family members must find their own doctors and reapply for new health cards.

The 90-day wait for provincial medical coverage has been waived for military families and is another excellent step but as many military families will testify, trying to find a doctor anywhere in Canada when you first move is often impossible and finding one at all is never guaranteed.

The uprooting of families with special needs children can be especially stressful from both health care and education perspectives.

Education systems vary across the country. Access to French schools outside Québec is an obvious one but across the country there are different school curriculums and different graduation standards.

The Canadian Armed Forces needs to communicate, better prepare, and guide families before they move; and not simply move the

serving member and hope everything else miraculously falls into place.

I emphasize that in our direct dealings with families, military spouses accept new postings as part of life, but should they accept sub-standard health care or dramatic financial loss for the whole family?

“From a health perspective, children of deployed military members were found to experience physical issues, including increased stress, sleeping problems and more than double the rate of occurrence of other ailments compared to similar children within the civilian population. . .

Canadian military families have changed just as Canadian families generally have changed. Today’s CF family is patently different than that of previous generations – changes that in many ways reflect shifting Canadian societal norms and expectations.”

- From the Ombudsman report *On the Homefront*, 2013.

The Ombudsman is the only official conduit into the Department of National Defence and the Canadian Armed Forces for military families. It is part of my role to give voice to their concerns and it is responsibility I take personally.

We agree with the Military Family Resource Centre’s submission, which notes in its brief to the Defence Policy Review that eight years after the Canadian Armed Forces Family Covenant²⁹

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<https://www.cfmws.com/en/aboutus/mfs/newsandupdates/pages/may-2016-newsletter.aspx>

29 Canadian Armed Family Covenant: “We recognize the important role families play in enabling the operational effectiveness of the Canadian Armed Forces and we acknowledge the unique nature of military life. We honour the inherent resilience of families and we

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was introduced it remains an ‘intangible’ for families. The submission also notes that the 2013 *Canada First Defence Strategy* does not mention families at all.

The Department of National Defence and the Canadian Armed Forces are awash in reports and reviews and comforting sounding pro-family mantras. For all those good intentions they have yet to come to grips with the needs of the modern military family.



pay tribute to the sacrifices of families made in support of Canada. We pledge to work in partnership with the families and the communities in which they live. We commit to enhancing military life.” Source: Military Family Services Program - Canadian Forces Family Covenant

<https://www.familyforce.ca/sites/AllLocations/EN/About%20Us/Pages/Covenant.aspx>

UNIVERSALITY OF SERVICE

TIME FOR A CHANGE

The power of a country was formerly determined by its hard power – military strength. Nowadays, hard power is no longer sufficient. A country also needs to use soft power; a non-coercive power that focuses on relationship building and influencing through diplomacy and assistance. An approach that combines hard and soft power in global affairs is known as smart power. To borrow the concept from the field of international relations, I recommend that the Defence Policy Review consider the principle of universality of service through a smart power perspective.

At the core of transition from military to civilian life is the principle of universality of service and its minimum operational standards. If a member is permanently unable to deploy, then the member is released from the Canadian Armed Forces – released even though the member may be able to make a continuing contribution to the defence of this country.

The principle of universality of service is based on the premise that the defence of the nation depends on the ability of every single member of the Canadian Armed Forces to engage in traditional combat roles; and all military resources – human and material – to be quickly deployable anywhere in the world and to combat when called upon. That is the hard power approach. Canada's military deployments also call for smart power because combat is only part of the mission.

EVOLUTION IN TECHNOLOGY – BOTH IN WARFARE AND MEDICINE

The world is changing and with it the nature of the threats faced by Canada and its allies. While traditional combat skills are undoubtedly necessary and continue to be crucial to our

defence capacity, there are combat roles that rely more on technological ability than physical ability. Also, advances in medical treatments and adaptive technologies mean that military members with particular medical conditions are able to physically accomplish things today that they would not have been able to do when the minimum operational standards of universality of service were developed.

A medical condition that used to be career ending no longer has to be for those who are willing to continue their military service. There are examples of amputees who have served in both combat and non-combat roles in the U.S., British and Canadian militaries. Amputation may no longer mean the end of a military career.

COSTS

Maintaining military readiness is a huge expense. The question is whether universality of service, in its present form, remains the smartest way to capitalize on the considerable investment we have made in our military members. The average Canadian Armed Forces member is about 35 years old with 15 years of experience.³⁰ If the member is a non-commissioned officer, Canadian taxpayers may have invested upward of \$2 million in that member over the course of his or her career.

Further, the conversation around the Defence Policy Review cannot ignore the unaccounted costs for ill and injured members of the

³⁰ <https://www.cfmws.com/en/AboutUs/PSP/canadianforcesnewspapers/Documents/Media%20Kit%2008-EN.pdf>

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Canadian Armed Forces when faced with their potential inability to meet universality of service and its career ending implications. We know that members sometimes choose to endure their illnesses and injuries (physical and/or psychological) in silence in order to protect their military careers. The human and financial costs are borne by the Canadian Armed Forces

member, the member's family, the member's unit, as well as the Canadian Armed Forces as a whole.

We need a modern, smart power solution that does not compromise operational readiness and supports the military's most important asset, its people.



TRANSITION

THE BUREAUCRATIC NIGHTMARE

In September 2014, the Veterans Ombudsman and I announced a joint investigation into the transitioning process for releasing the Canadian Armed Forces personnel. We expect to publish our findings in the fall of 2016.

Shortly before we launched the investigation, we wrote to then Defence Minister Robert Nicholson and Veterans Affairs Minister Julian Fantino to explain the rationale behind it:

“There appears to be a disconnect between the Canadian Armed Forces and Veterans Affairs Canada’s processes wherein a member must navigate departure from one before entrance into the other. We believe that these processes should be harmonious. A more holistic approach to transition is needed, including not only the ill and injured, but all releasing service members. Many releasing members do not realize that their service has affected them until many years after their release. Thus awareness of available programs should be introduced early in a member’s career and be a key component of the transition process.”³¹

The process of transition from military to civilian life is tough for most but remains an unnecessary challenge for the ill and injured. Efforts to reduce complexity, duplication of services, and copious form-filling have failed. The system remains difficult to navigate and paper – *lots of paper* – continues to be the primary method demanded of transitioning members by a system that is not member-centric.

Some 5,000 Canadian Armed Forces members transition from the Forces to civilian life every year. Of those, 1,500 are released for medical

reasons; including 600 with medical conditions caused or aggravated by their military service. They start the transition process with *Guide to Benefits, Programs and Services for Canadian Armed Forces Members and their Families*. It is over 80 pages long and the launch pad for a bureaucratic nightmare.

Depending on individual circumstance, a transitioning member could be required to print and complete 21 separate applications from the 186 forms on Veterans Affairs website.

Members and their files are batted back and forth between the Department of National Defence and Veterans Affairs Canada while the transitioning member awaits benefit adjudication that can, and does take, 16 weeks or longer. Sixteen weeks is the published standard but does not include the time it takes for Veterans Affairs Canada to get medical files from the Canadian Armed Forces or the time it takes a member to get and submit relevant documents.

There are many dedicated Veterans Affairs Canada and Department of National Defence and Canadian Armed Forces personnel trying to help members transition; but the problem lies in a service delivery model created over the years from pieces bolted on after each theatre of operation.

Rather than bring in a delivery model to efficiently address modern reality, new programs have been bolted onto existing service delivery models. Remarkably, at least 24 pieces of legislation and dozens of regulations going back 100 years have been cobbled together to define the current Veterans Affairs Canada suite of services and benefits. The Department of National Defence and the Canadian Armed Forces, for their part, also have an array of crisscrossing policies, programs, and benefits.

The human face of this protracted process is a person; including those with a mental illness,

31 Letter to Minister of National Defence and Minister Veterans Affairs Canada:

<http://ombudsman.forces.gc.ca/en/ombudsman-news-events-media-letters/transition-investigation.page>, 17 June 2014

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faced with telling their story multiple times to multiple officials while fretting about whether he or she is going to be able to pay the mortgage or feed their children. Imagine trying to navigate that maze while battling Operational Stress Injury and the potential addiction and struggles that can accompany it.

To paraphrase Albert Einstein, we keep doing the same thing over and over again without producing different results.

The current service delivery model needs to be replaced by a co-operative arrangement between the Canadian Armed Forces and Veterans Affairs Canada where the Canadian Armed Forces alone answers the fundamental question: Is the illness or injury caused or aggravated by military service? This would greatly reduce wait times for access to entitlements while also reducing stress on both the member and his or her family.

The Prime Minister of Canada, the Right Honorable Justin Trudeau said in his mandate letters to Defence Minister, the Honorable Harjit Sajjan³² and Associate Minister of Defence the Honourable Kent Hehr³³ that they reduce complexity, overhaul service delivery and strengthen the partnership between National Defence and Veterans Affairs.

Both Ministers and the Chief of the Defence Staff acknowledge that the system needs fixing. Numerous Ombudsmen reports, Parliamentary committees, the Auditor General, and veterans' advocacy groups have said the same. Yet the obstacles to "seamless transition" remain stubbornly in place.

This is where the complexity of the transition process starts: The Department of National Defence and the Canadian Armed Forces has all the information necessary on a transitioning member so there is no need for Veterans Affairs Canada to be involved in that side of the process.

We need a streamlined system that allows the Department of National Defence and the Canadian Armed Forces to send the relevant medical attribution of service information to Veterans Affairs Canada and eliminate the step where Veterans Affairs Canada agents set about verifying the information that the Department of National Defence and the Canadian Armed Forces has already verified.

As I have said many times in multiple forums: While the member is wearing the uniform he or she must be the responsibility of the Canadian Armed Forces.

As detailed in our parallel report: *A Review of the Service Delivery Model for Medically Releasing Members of the Canadian Armed Forces*, this is what I am proposing – predicated on the fact that no new legislation is required and the Canadian Armed Forces will determine whether an illness or injury is caused or aggravated by military service:

1. The Canadian Armed Forces would retain medically releasing members until all benefits from the Canadian Armed Forces, Veterans Affairs Canada and the Service Income Security Insurance Plan have been finalized and put into place. This removes the waiting and uncertainty that is the root cause of so much anxiety.
2. Establish a Concierge Service for all medically releasing members. This would be the single focal point – ideally a single person – assigned to advocate for, and assist, transitioning members and their families in all administrative matters.
3. The Canadian Armed Forces, through a phased approach, will develop or lead the development, of a secure integrated web portal with the capability of taking a member's information and calculating benefits and their source. Canadians who file income tax returns electronically and receive tax owing or tax rebate calculations based on that information could reasonably compare that to the web portal we are proposing.

32 <http://pm.gc.ca/eng/minister-national-defence-mandate-letter>

33 <http://pm.gc.ca/eng/minister-veterans-affairs-and-associate-minister-national-defence-mandate-letter>

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We estimate the cost of the Concierge Service for 1,500 members at \$4.73 million.³⁴ The costs of an integrated website would be offset in future years by more efficient and effective processing. There should be no need to add to the departmental budgets.

Veterans Affairs Canada's work is important but its efforts would be better placed using the information from the Department of National Defence to determine benefits, pensions, and services. The only time it needs to involve itself in adjudication of injury is when an injury (e.g. OSI) manifests itself later in a veteran's life; which it often does.

In 2012, the Auditor General made 15 recommendations; all of which were accepted by both the Department of National Defence and the Canadian Armed Forces and Veterans Affairs Canada.

But as we have learned: acceptance does not translate into implementation; even when the Prime Minister, National Defence Minister, Veterans Affairs Canada Minister, and the Chief of the Defence staff all agree that the current system is broken and desperately needs fixing.

HEALTH CARE

Transition from military to civilian life is psychologically difficult for most and especially difficult for those whose career is ended due to an illness or injury while in service to Canada.

In our January 2016 review *Support to Military Families in Transition: A Review*, produced in partnership with Office of the Veterans Ombudsman, we noted the following:

- From 2008-2013, on average 1,000 Regular Force members were medically released annually because they no longer met

34 Based on VAC standard of 25.1 case manager to client ratio and the mid-range civilian administrative position (AS-05).

universality of service³⁵. Today, approximately 1,500 Canadian Armed Forces members are medically released annually. However, most medically released members do not suffer from a debilitating illness or injury.

- In the four-year period from 2011 to 2014, of the approximately 4,000 medically released Regular Force members, only 15 percent were deemed to be complex cases requiring an Integrated Transition Plan.
- The Joint Veterans Affairs Canada and the Department of National Defence 2013 *Life After Service* Survey found that 25 percent of respondents, who were Veterans with Regular Force Service, reported a very or moderately difficult transition to civilian life.³⁶

In our conclusions, we expressed concerns that while there has been progress in the support of families, many challenges remain for the families of medically releasing the Canadian Armed Forces members and Veterans transitioning to civilian life, specifically:

- There is a lack of direct and proactive communication with families to explain available programs and services.
- There is a lack of outreach and follow-up with families to determine if their needs are being met and to identify those in crisis who may be in need of intervention.
- Beyond the increase in the number of Veterans Affairs Canada assistance services sessions, current initiatives do not provide treatment benefits specifically for family members in their own right.³⁷

35 <http://www.ombudsman-veterans.gc.ca/eng/reports/reports-reviews/support-family-review>

36 Health and Well-Being of Canadian Forces Veterans: Findings from the 2013 Life After Service Survey <http://www.veterans.gc.ca/eng/about-us/research-directorate/publications/reports#a2014>

37 'Own right' is a term used to describe the benefit rights of a family member of a member or former member independent of that member or former

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- There is inadequate wage compensation for caregivers who give up their employment to care for their spouse.
- There is no access for Veterans and their families to the Treasury Board Pensioner Dental Service Plan for those who do not otherwise have access as part of their terms of service.
- In July 2015, the Canadian Armed Forces and Veterans Affairs Canada launched the *Veterans 20/20* Project to close the seam between the two departments and to reduce the barriers to a successful transition. The initiative has three key objectives: Seamless transition, Veteran-centric focus and service excellence. *Veterans 20/20* has been renamed *Care, Compassion, Respect 20/20*.

We continue to monitor the progress of that initiative.

Dr. Ibolja Cernak, Chair of Military and Veterans' Clinical Rehabilitation Research at the University of Alberta, has written eloquently to the Review Panel about the failure to provide an effective and proactive healthcare strategy for serving members and veterans. Dr. Cernak notes that the civilian health care system is ill equipped to deal with psychological ailments because civilian doctors and nurses etc. have limited understanding of military life.

Dr. Cernak writes: "The motto 'Once a soldier, always a soldier' lives deeply in every individual who served in the military. The discharge and transitioning from active service to veterans' population, thus civilian life does not change the identity of our military personnel. Nevertheless, our healthcare system tries to do exactly that: shattering the psychological continuity of an individual who served in (the) military and transitioned from active service to civilian life."

member and is a relatively new concept that has emerged with greater focus on the military families.

"A proper planning requires exact quantification of a problem: although it sounds incredible, we do not have a dedicated database that accounts for all our veterans, the quality of their lives, illnesses, economic status, etc. The Veterans Affairs Canada's database accounts for only those veterans who receive monetary compensation; it doesn't even include those who sent a claim about health impairment and have been rejected."

- Dr. Ibolja Cernak, Chair of Military and Veterans' Clinical Rehabilitation Research at the University of Alberta.

JOBS

Under the *Veterans Hiring Act* (VHA) that came into force 1 July 2015, medically released personnel have priority when applying for federal Government jobs. Again this could be more quickly and efficiently achieved if the Canadian Armed Forces, which has the information leading to the medical release, was tasked with the determination of attribution to service. While many releasing members are experts in their fields, they are competing in a pool of candidates who know the public service system better. So we tell someone they are a statutory priority on the hiring list but how does a combat arms soldier or an infantry officer relate his experience to an officer administrator's job. Here, in theory, is a great opportunity – *but how many people are benefiting?*

I have some concerns about how the *Veterans Hiring Act* is performing and will continue to be concerned until I see evidence that it is performing as intended.

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If you are medically released due to an illness or injury suffered in service to Canada, you get statutory placement on the priority hiring list. If you are medically releasing, but not due to service, you get regulatory status on that list. It is absolutely critical to get on that list at the right time.

An important opportunity may have been missed last year when the *Veterans Hiring Act* was passed. In short, it gave Veterans Affairs Canada the responsibility for determining whether an injury or malady was caused by service to Canada. I had urged the House of Commons Standing Committee on Veterans Affairs to give the responsibility to the Department of National Defence.

Had we done so, it would have been a quick next step to attribution of service and access to services and benefits. Once the determination is done for placement on the priority list, and

should the releasing member require access to additional benefits and services, another level of adjudication will be required.

We continue to add complexity and put layers where they should never be. When I spoke to the then acting president of the Public Service Commission, the comment to me was: "We do not care who gives us the name. Someone in authority, just give us the name."

"With the members releasing, statutory or medical, because of service, the file goes to Veterans Affairs Canada for adjudication... I don't know what the timeline is. I've lost sight of it. We've tried so hard to get at this data, and it's almost impossible."

- Gary Walbourne, DND/CF Ombudsman to House of Commons Standing Committee on Veterans Affairs Committee, June 2016.



DEPARTMENT OF NATIONAL DEFENCE CIVILIAN PERSONNEL

AN INTEGRAL PART OF THE TEAM

The Defence Community is made up of civilians, families, and Non-Public Funds employees. The Department of National Defence and the Canadian Armed Forces are an organization where military members report to civilians and vice-versa, and where the civilian and military entities essentially operate as one.

Indeed, civilians are considered so important to Canada's defence mission that in 1994, the concept of *The Defence Team* was introduced to create a team spirit between civilian and military members.

There are more than 24,000³⁸ civilian personnel integrated into every part of the Canadian Armed Forces and any review of our military would be incomplete without a close look at how those civilians are treated and how they might be of greater value to the defence community.

Civilians have a proud history of supporting our military and have been significant contributors dating back in the modern era to the Second World War.

While an integral part the military structure and serving in numerous locations in Canada and abroad, civilians are a separate administrative entity with their own distinct issues. Primary among those issues is job review and renewal.

Treasury Board policy dictates that civilian employees are to have their jobs reviewed every five years. Today, more than half (59 percent) of civilian positions have not been reviewed for more than five years and, in some cases, have not been reviewed for up to 15 years.

We regularly receive complaints from civilians that their job descriptions are out of date and not reflective of the work they are doing. Aside from being inherently frustrating, this can have significant financial impact on an employee who is performing a higher-level of work but being paid according to an outdated job description.

This issue has been of great concern to civilian employees for at least five years and although we have seen some recent improvement, there appears to be a systemic problem that needs to be solved.

Our Office will be launching an examination of civilian job review and renewal.

SEXUAL MISCONDUCT RESPONSE CENTRE

The Office of the Ombudsman for the Department of National Defence and Canadian Forces was established in the wake of the Somalia affair when it was revealed that the Canadian military was suffering from leadership and morale problems, a failed grievance process,

³⁸ Includes approx. 4,000 Non-Public Funds employees

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an increase in reported incidents of sexual harassment, and a culture that paid insufficient attention to the quality of life of its soldiers.³⁹ In cases of sexual harassment we can, with the permission of the complainant, engage the chain of command to inform them we will be tracking how the case is handled through existing departmental and military mechanisms on the member's behalf. This is an important oversight to ensure procedural fairness for the individual.

It has, and continues to be, my opinion that any holistic solution must include all members of the Defence community and it remains confusing and distressing to many civilian employees that they are on the outside of the Sexual Misconduct Response Centre. Frankly, in an organization where military members report to civilians and vice-versa – and where the civilian and military entities essentially operate as one – it is illogical.

In her External Review Authority report (20 March 2015) Mme. Marie Deschamps made specific references to civilian employees.

'In particular, important reforms can be accomplished through the creation of a centre for accountability for sexual assault and harassment, which can serve not only as a hub for delivering services to victims and training for CAF members, civilian and senior leaders, but also as a meeting point for stakeholders.'

- External Review Authority (ERA) report, 20 March 2015

39
http://ombudsman.forces.gc.ca/assets/OMBUDSMAN_Internet/docs/en/overhauling.pdf

CONCLUSION

The Ombudsman Office is a resource for those who find themselves frustrated by failures in the system. When we point out those shortcomings, and they are addressed, the Department of National Defence and/or the Canadian Armed Forces become better and more effective employers for it. However, as I have noted throughout this submission, the systemic failures are too often not corrected.

With that in mind I want to emphasize that everything in this submission is based on calls, complaints and expressions of frustration and anger that pour into our office on a regular basis.

I am not suggesting there are malicious, uncaring people in the Department of National Defence and the Canadian Armed Forces – the contrary is true. I am stating there is an absolute need for modern innovative thinking that flips the paradigm from the rules and regulations controlling the people to the people controlling the rules and regulations. It is always easy to find a rule or regulation that allows for inaction. It is always easier to review or study than take action and right a wrong.

In this submission, I have deliberately avoided recommending studies or reviews and the myriad of others words and phrases that have become euphemisms for *lets-announce-a-study-and-hope-it-goes-away* when the heat is on from the public, politicians and journalists who have glommed on to some injustice.

Yes, the media, politicians and public will inevitably move on to other matters and the lack of public scrutiny might bring temporary comfort to a few people; but under the rug the problems live on and continue to gather dust.

- Mentally ill members unable to get help will continue to take drastic steps and bring a lifetime of sorrow to their families.
- Indigenous Youth in need of role models will continue to miss the opportunity.
- Our Reservists will continue to wait for parity with Regular Force members and the compensation, care and respect parity represents.
- Those attempting to negotiate the bureaucratic end-of-career maze will not be helped by another study when they know that the phrase “seamless transition” is in stark contrast to reality.
- Many military spouses and children will not be placated by claims of ‘caring for our families’ when they know from experience that whether meaningless or well meaning, it’s an empty slogan.

None of the issues addressed in this submission need another prolonged study or review and none require the expenditure of vast amounts of money. **What we need now is leadership with the will to right the wrongs before the credibility and image of this treasured institution is further eroded.** No matter what position or stance we take at home or abroad, a well-supported military force will be the factor in determining success.

So let me end as I began: This is about the future. It is about our national security and our ability to attract future generations of great army, navy and air force members. It is about getting back to a place where the Canadian military regularly had pools of highly motivated, talented people knocking on the recruiting office door. Today, far too many of those talented Canadians are walking past that door with neither a second thought nor a backward glance.

OFFICE OF THE NATIONAL DEFENCE AND CANADIAN FORCES OMBUDSMAN

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