

FIXING THE CANADIAN FORCES' METHOD OF DEALING WITH DEATH OR DISMEMBERMENT

Report of the Subcommittee on Veterans Affairs of
the Standing Senate Committee on National
Security and Defence



Committee Members

Sen. Michael A. Meighen - Chair,
Sen. Joseph A. Day - Deputy Chair,
Sen. Norman K. Atkins
Sen. Colin Kenny*
Sen. John (Jack) Wiebe

*Chair, Committee on National Security and Defence

Second Session

Thirty-Seventh Parliament

April 2003

Information regarding the committee can be obtained through its web site:

www.senate-senat.ca/vets-comb.asp

www.sen-sec.ca

Questions can be directed to:

Toll free: 1-800-267-7362

Or via e-mail:

The Committee Clerk: defence@sen.parl.gc.ca

Veterans Affairs Committee Chair: meighm@sen.parl.gc.ca

National Security and Defence Committee Chair: kennyco@sen.parl.gc.ca

Media inquiries can be directed to:

ckres2@sen.parl.gc.ca

FIXING THE CANADIAN FORCES'
METHOD OF DEALING WITH DEATH OR
DISMEMBERMENT

Report of the Subcommittee on Veterans Affairs of
the Standing Senate Committee on National
Security and Defence

April 2003

MEMBERSHIP

THE STANDING SENATE COMMITTEE ON NATIONAL SECURITY AND DEFENCE

The Honourable Colin Kenny (**Chair**)
The Honourable J. Michael Forrestall (**Deputy-Chair**)

and

The Honourable Senators:

| | |
|---|--|
| Norman K. Atkins | Joseph A. Day |
| Tommy Banks | *John Lynch-Staunton (or Noel A. Kinsella) |
| Jane Cordy | Michael A. Meighen |
| *Sharon Carstairs, P.C. (or Fernand Robichaud, P.C.) | David P. Smith, P.C. |
| | John (Jack) Wiebe |

**Ex officio members*

(Clerk: Barbara Reynolds)

THE SUBCOMMITTEE ON VETERANS AFFAIRS/ Subcommittee on National Security and Defence

The Honourable Michael A. Meighen (**Chair**)
The Honourable Joseph A. Day (**Deputy-Chair**)

and

The Honourable Senators:

| | |
|---|-------------------------------|
| Norman K. Atkins | *Lynch-Staunton (or Kinsella) |
| *Sharon Carstairs, P.C. (or Fernand Robichaud, P.C.) | John (Jack) Wiebe |
| Colin Kenny | |

**Ex officio members*

(Clerk: Barbara Reynolds)

Note: The Honourable Senators Forrestall, Banks, Cordy and Stratton also served on the Subcommittee during the course of this study.

ORDER OF REFERENCE

Extract of the *Journals of the Senate*, Wednesday, November 20, 2002:

The Honourable Senator Kinsella for the Honourable Senator Meighen moved, seconded by the Honourable Senator Atkins:

That the Standing Senate Committee on National Security and Defence be authorized to examine and report on the health care provided to veterans of war and of peacekeeping missions; the implementation of the recommendations made in its previous reports on such matters; and the terms of service, post-discharge benefits and health care of members of the regular and reserve forces as well as members of the RCMP and of civilians who have served in close support of uniformed peacekeepers; and all other related matters.

That the papers and evidence received and taken on the subject during the Second Session of the Thirty-sixth Parliament and the First Session of the Thirty-seventh Parliament be referred to the Committee;

That the Committee report no later than June 30, 2003.

The question being put on the motion, it was adopted.

Paul C. Bélisle

Clerk of the Senate

Extract from the *Minutes of Proceedings* of the Standing Senate Committee on National Security and Defence of Monday, November 25, 2002:

It was moved by the Honourable Senator Banks, - That the order of reference relating to the health care of veterans be referred to the Subcommittee on Veterans Affairs.

The question being put on the motion, it was adopted.

Barbara Reynolds

Clerk of the Committee

TABLE OF CONTENTS

| | Page |
|--|------|
| CHAIRMAN’S FOREWORD | 2 |
| INTRODUCTION | 4 |
| MAJOR BRUCE HENWOOD | 6 |
| 1.A THE SERVICE INCOME SECURITY INSURANCE PLAN (SISIP) | 8 |
| 1.B THE GENERAL OFFICERS INSURANCE PLAN | 11 |
| 2. THE TREATMENT OF INJURED SOLDIERS AND THEIR FAMILIES ... | 16 |
| 3. GRIEVANCE SETTLEMENT | 20 |
| LIST OF RECOMMENDATIONS | 25 |
| LIST OF WITNESSES..... | 27 |
| APPENDIX 1 | |
| MATRIX OF BENEFITS AS SUBMITTEDBY MAJOR HENWOOD | 29 |
| APPENDIX II | |
| BIOGRAPHIES OF MEMBERS OF THE COMMITTEE..... | 31 |

CHAIRMAN'S FOREWORD

I believe it is rare in public life that one has the opportunity to effect real change to public policy that will have a positive effect on the lives of a group of Canadians. But thanks to the incredible determination of Major Bruce Henwood, the compassion and support displayed by his family during severely trying circumstances, the Senate Subcommittee on Veterans' Affairs was able to expose issues of inequity and unfairness and to bring about positive change.

Through our hearings on the application of the Canadian Armed Forces Service Income Security Plan to personnel such as Major Henwood, we were able to demonstrate a need for change. And, this change in policy was announced by the Minister of National Defence the day before his officials were to testify before our Subcommittee. The new policy, effective as of 13 February 2003, addresses the core anomaly between the treatment of the most senior officers and all other ranks so that in the future all Canadian Forces personnel, regardless of rank, will be covered while on duty for accidental dismemberment.

Major Henwood and his family are to be congratulated for pursuing this issue to a just conclusion for those who may be injured in the future. It is my sincere hope and that of the Committee that in short order, this

change in policy will be made retroactive by the Minister so that the justice and equity achieved will aid those members of the Canadian Forces who were dismembered in the past.

I would like to thank all of those who appeared before our Subcommittee for their testimony. I believe, given the attention paid to our work by the Minister of National Defence and the Canadian Forces, that all our recommendations will be given a high priority and implemented quickly.

The Honourable Michael A. Meighen
Chair

INTRODUCTION

The Canadian Forces have not always treated injured soldiers with either compassion or understanding. A number of internal studies of the release system over the past three years have concluded that injured and sick soldiers have too often been left alone to deal with a complex, bureaucratic system that can deny them the disability benefits and programs that are their due, and proper recognition for their service. The system has been found to make little allowance for the fact that soldiers injured seriously enough to be released are often too ill or psychologically vulnerable to defend, much less promote, their interests.¹ They are forced to accept what the system says they are entitled to because they do not have the combination of education, determination, and perseverance necessary to pursue their grievance, if necessary, for years on end, to a final decision by the Chief of Defence Staff. But the experience leaves them bitter and a very poor advertisement for the Canadian Forces.

(1) See the article by Jeff Esau of the Canadian Press, as carried in the *Halifax Daily News*, 16 December 2002. Many other papers carried an abbreviated version of the article.

There are exceptions. The Subcommittee investigated the case of one soldier who has used his experience and 5½ years of his life to force changes in the way those who suffer dismemberment are treated.

Major Bruce Henwood

In 1995, while serving with the 8th Hussars in Croatia as part of the United Nations peacekeeping mission, Major Henwood had both legs blown off below the knee when the United Nations vehicle in which he was riding ran over an anti-tank mine. In due course, Major Henwood discovered that the Service Income Security Insurance Plan (SISIP), an insurance plan that he and other members of the forces are obliged to pay into, would not compensate him for the loss of his legs. He learned that, contrary to his understanding, SISIP is just an income security plan that guarantees clients 75% of their pay on release if they are injured. Because Major Henwood's pension and disability benefits added up to more than 75% of his pay, SISIP, under the terms of the policy, SISIP could not pay him anything.

In May 1997, some 20 months after he was injured, Major Henwood filed a grievance with the Canadian Forces which the Chief of the Defence Staff referred to the Canadian Forces Grievance Board. Five years later, the Board recommended to the Chief of Defence Staff that the grievance be denied, arguing that the dismemberment benefits clause in his insurance policy was not intended to provide a lump sum payment, but was part of SISIP's income protection function. Major Henwood was not surprised by

the recommendation. He did not deny that SISIP, under its current coverage, had to deny him compensation, but argued that the policy is misleading and should be reformulated to provide lump sum compensation for soldiers who suffer dismemberment in the service of their country.

Major Henwood is concerned that, like him, other members of armed forces believe SISIP will compensate them for the injuries they suffer. He argues that only after reading the fine print do they discover otherwise.

Major Henwood appeared before the Subcommittee on 3 February 2003. His testimony raised three issues:

1. The lack of any form of Accidental Death and Dismemberment insurance for members of the Canadian Forces below the rank of Colonel;
2. The treatment of the injured soldier and his/her family following the injury and through treatment and rehabilitation;
3. The grievance-settlement procedure.

The following pages will deal with each of these issues in turn.

1.A The Service Income Security Insurance Plan (SISIP)

The Service Income Security Insurance Plan administers the Long Term Disability insurance plan that provides an income replacement benefit whether a member is injured in the line of duty or not. In this respect it is different from the **Pension Act**, administered by Veterans Affairs Canada, which pays benefits only to those members injured in the line of duty. This fact was a major consideration in the original decision to offer a long-term disability insurance plan to all ranks of the Canadian Forces.

According to Mr. Pierre Lemay, President of the Service Income Security Insurance Plan, SISIP was created in 1969 to provide protection for military personnel for non-duty-related injuries as a complement to their coverage for service-related injuries under the **Pension Act**; that is, if the injured member of the forces was eligible for a pension under the **Pension Act**, he or she was not eligible for the SISIP benefit, and vice-versa. It was only in the 1970's that it was realized that in the majority of cases the **Pension Act** only paid a partial pension and that a 10% or 20% benefit was not enough for a family to live on.

In 1982 the coverage offered under SISIP was extended to include injuries regardless of whether they occurred while on- or off-duty and participation in the plan was made mandatory for all those who joined the

Canadian Forces thereafter. The SISIP benefit thus topped up to 75% of salary upon release the benefits that were payable under other programs, such as the Canada/Quebec Pension Plan and the Canadian Forces Superannuation, and that would be paid for a service-related injury under the **Pension Act**. If these other benefits add up to 75% or more of the member's pay upon release, nothing is payable under the Long Term Disability Plan.

The Long-Term Disability Plan has thus never contained what is called an "accidental death and dismemberment" or "AD and D" benefit, a lump sum payment based on the severity of the dismemberment, not on the income of the victim.²

The core of Major Henwood's case is that a member of the Canadian Forces who suffers dismemberment as a result of service should receive a lump sum of money in compensation for the injury. In his testimony he argued from personal experience about the devastating financial, emotional and psychological impact of such an injury. His career in the military was abruptly ended years before his retirement, years during which he could expect promotion, or at least to increase his earnings. He was fortunate. He found management level civilian employment outside the military. But he summarised the first "official" piece of correspondence he remembers receiving about his injury, a letter from Cliff Chadderton of

(2) Proceedings of the Subcommittee on Veterans Affairs, 2nd Session, 37th Parliament, Issue No. 2, 12 February 2003, pages 66-67. Hereafter, date 2:66-67.

the War Amputees, as: “Don’t worry. Here is our best guess of what sort of financial situation you will be in for the rest of your life, because you will be out of a job”.

Major Henwood strengthened his case by showing members of the Committee a matrix he had developed of the benefits different ranks would receive from the Long-Term Disability Plan.³ This matrix showed very clearly that the more senior the rank, the greater the benefit likely to be received. Assuming multiple limb loss he found that:

Only 10% of privates would receive anything from SISIP. Any private that is married with children would receive nothing. An unmarried private with ten years service would receive approximately \$140 per month for three years. I fail to see the logic in that difference.

How does this provide income security and how is this compensation for the loss sustained? At the opposite end of the spectrum, most Lieutenant-Colonels – 92% by my calculation – would receive Accidental Dismemberment Benefit ranging from \$852 to \$1,500 a month for three years.

(3) The Matrix Major Henwood submitted is reproduced as an appendix.

He concluded:

“This illustrates a skewed formula for the determination of benefits. Those soldiers likely to be injured receive a pittance compared with those in leadership positions”⁴

An even more persuasive argument was the fact that the most senior officers of the Canadian Forces, Colonels and Generals had access to a special package of benefits, the General Officers Insurance Plan.

1.B The General Officers Insurance Plan

The General Officers Insurance Plan for Colonels and Generals has three separate and independent components:

1. A basic life insurance plan;
2. The Long-Term Disability insurance;
3. Accidental Death and Dismemberment insurance.

(4) **Ibid.** 3 February 2003, 2:12. Major Henwood’s argument fails to point out that all the above, whether private or Lieutenant Colonel, would receive at least 75% of their salary on release. The senior ranks receive more from SISIP because benefits from the Pension Act and the Canada/Quebec pension plans are based on incomes that are only a fraction of the salary of even a Lieutenant Colonel, much less a General or equivalent.

The Accidental Death and Dismemberment insurance, paid for by Treasury Board, pays a benefit of up to \$250,000 depending on the severity of the injuries, i.e. the full amount is payable in the event of accidental death or the accidental loss of multiple limbs or loss of an eye and a limb whereas a lesser amount is payable for the loss of one hand, foot or eye, etc.

The General Officers Insurance Plan for Colonels and Generals was introduced in 1972 and is based on the benefit package provided Parliamentarians and the Executive Category of the Public Service and senior officers of the RCMP. Like the Long-Term Disability insurance it applies to all accidental injuries, regardless of whether the injury is sustained on duty or off duty.⁵

Major Henwood pointed out that the accidental dismemberment coverage offered, at government expense, to the most senior officers of the Canadian Forces, but denied to all other ranks, challenged “the moral and ethical leadership of the senior leadership”:

GOIP [General Officers’ Insurance Plan] is wrong in its present format. It is a double standard. It violates the age-old principle of the military commanders looking after their men first and then themselves.

They have taken something more important and fundamental than just an insurance policy perk. They have shaken the trust of their subordinates and have degraded the leadership ethos. This is a question of ethical conduct that

(5) **Ibid.**, 12 February 2003, 2:76

*has a direct impact on the morale of the Canadian Forces and challenges the integrity of the generals.*⁶

A day before the appearance of Lieutenant-General Couture, Assistant Deputy Minister, Human Resources-Military, the Minister of National Defence announced that improved accidental dismemberment coverage for Canadian Forces members would be introduced very soon. The new coverage would provide for a sliding scale and lump-sum payment of up to \$250,000 in case of accidental dismemberment in the line of duty for all regular and reserve Canadian Forces personnel below the rank of Colonel.⁷ This was confirmed a week later when the Minister, the Honourable John McCallum, appeared before the Committee.

Minister McCallum testified that when the anomaly was brought to his attention by Major Henwood and the media, he, like other Canadians was struck by its unfairness and started the process of changing the situation. While the Government had not worked out all the details, he understood that it would make annual payments into a fund which would finance future accidental dismemberment benefits. In other words, the members of the Canadian Forces would not have to contribute to funding the benefit. He also assured the Committee that he fully believed that if the anomaly was unfair to-day, it had been unfair ever since 1972 when the senior officers were given coverage, or at least since 1982 when Long Term

(6) **Ibid.**, 3 February 2003, 2:13-14.

(7) **Ibid.**, 12 February 2003, 2:64.

Disability coverage under SISIP became mandatory for all new members of the Forces.

He had found, however, that implementation of retroactivity would take time. The records of service personnel released for injuries in past years would have to be hand searched and it would have to be determined whether or not the accidental dismemberment was service-related or not. Once the number of injured personnel and the extent of their injuries was known, the method of making the retroactive payment would have to be worked out.

The Committee takes note of his promise with regard to retroactivity, “to exhaust every avenue in an effort to do something positive on this front” and to report progress to the Committee at a future date.

The policy Minister McCallum announced and explained will meet the core anomaly between the treatment of the most senior officers and all other ranks – in the future, all Canadian Forces personnel, regardless of rank, will be covered **while on duty for accidental dismemberment**. The Committee notes, however, that the coverage of Colonels and Generals includes payment of the principal sum (\$250,000) in the event of accidental death and that both their death and accidental dismemberment benefits are payable regardless of whether they are on- or off-duty when the accident occurs. While Minister McCallum promised to look into the issue of

extending the new accidental dismemberment coverage for all but Colonels and Generals and their equivalents to include off-duty accidents, he testified that he did not believe this aspect of the issue “has the same urgency in terms of fairness and equity as the on-duty aspect”.

The Committee respectfully disagrees with the Minister. The essential first step has been taken, but the issue of inequity remains. The Committee heard testimony from insurance consultants that Accidental Death and Dismemberment insurance is a reasonably-priced, common and popular benefit in private enterprise.

The Committee recommends:

- 1. That the Department of National Defence entitle all members of the Canadian Forces, regardless of rank, to the same full coverage for accidental death and dismemberment;**
- 2. That the Department of National Defence introduce at the earliest possible time retroactivity to the payment of accidental death and dismemberment benefits to Canadian Forces personnel who have been injured while on duty in the past.**

2. The Treatment of Injured Soldiers and their Families

Over Christmas New Year 1996, Major Henwood wrote a paper entitled "Care of the Injured" which was submitted to the commander of Base Gagetown and circulated widely among senior officers. In this paper he argued that compensation plus compassion leads to closure for all concerned, the injured person, family members and the military. As we have seen, he did not receive any compensation from SISIP although he did receive a \$US 50,000 payment from the United Nations as a result of his injury. But he did not feel that he or his family were treated with compassion following his injury.

In his testimony Major Henwood made it clear that he had no complaints with his medical care at any point in his long period of treatment and rehabilitation. But he was very worried about his wife and children. Incapacitated himself, he did not believe that the military treated their needs with imagination or compassion. As he told the Committee:

...I was being looked after. What you have heard is "I". The other half of the story is the family. There was little or no offer of support by the system for my wife and children. However, individuals bent over backwards to bend the rules to arrange this or do that. We had to identify a need and then they would try to cater to that need. It was not the other way around with

the system saying, "Here is what we can provide for you, what do you need?"

It became very demeaning, and my wife would not keep going to the trough looking for help.

He had to launch an application for redress of grievance just to receive payment for what he maintained were legitimate costs he and his family incurred while he was hospitalised. As he told the Committee:

Had I been mentally injured, I do not know what we would have done. We paid for parking at the hospital. At some point my wife took the van off the road and racked it up on her way to visit me at the hospital. It was well known that that happened, but the military did not offer to provide transportation to relieve her of that responsibility completely.

That is the "compassion" component of the three Cs that I mentioned. That is one of the missing elements.⁸

The injury left Major Henwood and his wife with some of the symptoms of Post-Traumatic Stress Disorder. Their middle son had some serious difficulties coming to terms with what had happened to his father and only after seven years, were there signs of progress. Since Major Henwood did not qualify for SISIP benefits, he had had to pay for the counselling and treatment he and his family needed. Concurrently,

(8) **Ibid.**, 3 February 2003, 2:27-28.

Veterans Affairs paid the costs of his treatment, but it remained to be seen whether they could support the treatment of his immediate family.⁹

Major Henwood made the point that his family needed help the most, and incurred the greatest out-of-pocket- expenses, between the time of his injury and the time of his recovery when the full extent of his injuries had been assessed for the purposes of determining his pension under the **Pension Act**, a period of some two years. Since the date of his injury, September 1995, the Canadian Forces has taken a number of steps to improve the treatment of injured soldiers.

Notably, the Canadian Forces set up the Directorate, Casualty Support and Administration, in 1999. It has been given funds to advance monies to injured soldiers and their families as necessary to cover such incidentals as the costs of child care services, parking and transportation caused by visits to the hospital, and to help former Canadian Forces members released for medical reasons. A number of other complementary programs are also available through the military family support centres across the country.

As part of the main committee on National Security and Defence, members of the Subcommittee have visited a number of these family support centres and can testify that they are very highly thought of by base commanding officers and other ranks. But their effectiveness is very much

(9) **Ibid.**, 3 February 2003, 2:21.

dependent on the personality and initiative of their local executive director and on the dynamics of their Board of Directors. Consequently, there is no guarantee that they will offer the same variety and level of service to injured personnel and their families across the country.

Almost as soon as the injured member of the Canadian Forces regains consciousness, two thoughts are never far from his or her mind, “What will become of me, and what will become of my family”. The non-medical treatment of injured personnel must address these worries as soon as possible. It must also take into consideration the fact that in many cases neither the member nor his/her immediate family will be in an emotional or psychological condition to find the answers for themselves. It is not enough to have help available, if it is sought. It must be offered, and offered by knowledgeable and compassionate people.

The Committee recommends that:

- 3. When a member of the Canadian Forces is seriously injured, the Department of National Defence immediately assign an officer to represent the interests of the member. This officer must be knowledgeable about the various benefits to which the member and his/her family are entitled, and sufficiently senior and experienced to be able and willing to press their interests.**
- 4. On the basis of the best practices of the family resource centres across the country, the Department of National Defence develop**

guidelines for the counselling, services and benefits to be offered to the families of seriously injured Canadian Forces members. These guidelines should include the assignment of responsibility for contacting, maintaining contact and briefing the family to one person. It is very important that the contact person have experience either as someone who has been injured or as the spouse of someone that has been injured.

3. Grievance Settlement

Major Henwood was injured on 27 September 1995 and released from the Canadian Forces on 1 April 1998. After more than a year of fruitless discussion and argument with SISIP over his claim for compensation, Major Henwood was told in the spring of 1997 that he would receive no Long-Term Disability benefits. Once he was denied coverage, all other SISIP coverage ceased, including access to rehabilitation programs. He filed an application for Redress of Grievance in May 1997. It took a year for this grievance to move through the chain of command and reach the level of the commander of the army, the Chief of Land Staff. The commander reviewed the policy regarding accidental dismemberment under SISIP and found that Major Henwood was not being denied benefits

to which he was entitled. In effect, the policy did not include the benefits sought.¹⁰

Major Henwood decided to appeal to the Chief of the Defence Staff in 1998. His grievance and supporting arguments were directed by the Chief of Defence Staff to the Canadian Forces Grievance Board for their findings and recommendations. In the summer of 2002, the Grievance Board recommended that his grievance not be supported, basically for the same reasons as he had been given at the earlier stages of the process. He had received exactly what he had been entitled to under the plan - a guarantee of at least 75% of his salary on release, but no lump sum payment in compensation for loss of his limbs or for the loss of future earnings.

This ruling by the Grievance Board concerns the Committee. According to Major Henwood's testimony, by the time his grievance had reached the Grievance Board, his entitlements under the SISIP insurance policy were no longer the most important issue at stake. He was challenging the unequal treatment of senior officers and all other ranks, the fairness of a policy that paid him no compensation for his injuries, but would pay a more senior officer \$250,000 for the same injuries. It appears there was no reference to this argument in the reasons given for the recommendations of the Grievance Board.

(10) *Ibid.*, 3 February 2003, 2:11 and 17-18.

Under limited circumstances the Grievance Board should have and exercise the power, where issues of fairness or fundamental justice have been raised or may be involved, of finding against the applicant on the facts of the grievance, but basing its findings and recommendations on the broader issues. A few cases, including that of Major Henwood, can most appropriately be settled at the ministerial level. This fact should be reflected in the reasons given for the recommendations and the Chief of Defence Staff should lay the grievance before the Minister without further delay. It should take months rather than more than 5 years for a case such as Major Henwood's to reach the final level of adjudication – the Chief of Defence Staff – and to be referred thereafter to the Minister.

The Committee recommends that:

- 5. The Canadian Forces Grievance Board exercise the power to base its findings and recommendations on broader issues of policy where, in its opinion, considerations of fundamental justice or fairness would contradict a decision based on the strict merits of the grievance and that it be given the power to recommend that the grievance be referred to the Minister.**

Since the summer of 2002, his grievance has remained in the hands of the Chief of the Defence Staff, waiting for the latter to make a final decision. By the time Major Henwood appeared before the Committee in

February 2003, the grievance process had been ongoing for 5 1/2 years. Although he had been interviewed by officials of the Ombudsman's office in August 2002, about six weeks after he raised concerns about the length of time it was taking to receive a final ruling on his grievance, the Ombudsman had not submitted a report.¹¹

According to Lieutenant General Couture, under the current regulations there is no time limit for the reply of the Chief of Defence Staff. In 2000 the grievance process was reformed; performance measurement standards were introduced and more staff was assigned in an effort to streamline and speed up the decision-making process. Lieutenant General Couture noted his personal wish that the grievance process be completed within a year, but admitted that there was some distance to go before this objective was reached.

(11) *Ibid.*, 3 February 2003, 2:17-18.

The Committee recommends that:

- 6. The Department of National Defence limit to 12 months the length of time the Canadian Forces take to complete the Redress of Grievance procedure. This period should include the time required for the Chief of Defence Staff to make a final decision, but exclude those times during which the grievance is awaiting action by its originator. If this limit cannot be met, the person who initiated the grievance must be informed in writing of the reasons for the delay and must be given a not-later-than date for a final decision by the Chief of Defence Staff.**

LIST OF RECOMMENDATIONS

The Committee recommends:

1. That the Department of National Defence entitle all members of the Canadian Forces, regardless of rank, to the same full coverage for accidental death and dismemberment.
2. That the Department of National Defence introduce at the earliest possible time retroactivity to the payment of accidental death and dismemberment benefits to Canadian Forces personnel who have been injured while on duty in the past.
3. When a member of the Canadian Forces is seriously injured, the Department of National Defence immediately assign an officer to represent the interests of the member. This officer must be knowledgeable about the various benefits to which the member and his/her family are entitled, and sufficiently senior and experienced to be able and willing to press their interests.
4. On the basis of the best practices of the family resource centres across the country, the Department of National Defence develop guidelines for the counselling, services and benefits to be offered to the families of seriously injured members of the Canadian Forces. These guidelines should include the assignment of

responsibility for contacting, maintaining contact and briefing the family to one person. It is very important that the contact person have experience either as someone who has been injured or as the spouse of someone that has been injured.

5. The Canadian Forces Grievance Board exercise the power to base its findings and recommendations on broader issues of policy where, in its opinion, considerations of fundamental justice or fairness would contradict a decision based on the strict merits of the grievance and that it be given the power to recommend that the grievance be referred to the Minister.
6. The Department of National Defence limit to 12 months the length of time the Canadian Forces take to complete the Redress of Grievance procedure. This period should include the time required for the Chief of Defence Staff to make a final decision, but exclude those times during which the grievance is awaiting action by its originator. If this limit cannot be met, the person who initiated the grievance must be informed in writing of the reasons for the delay and must be given a not-later-than date for a final decision by the Chief of Defence Staff.

LIST OF WITNESSES

37th Parliament – 2nd Session

PUBLIC HEARINGS IN OTTAWA

Couture, Lieutenant-General Christian, Assistant Deputy Minister, Human Resources – Military, Department of National Defence (February 12, 2003)

Geci, Mr. John, President, Canadian Forces Personnel Support Agency (CFPSA) (February 12, 2003)

Henwood, Major (Retired) Bruce (February 3, 2003)

Lemay, Mr. Pierre, President, Service Income Security Insurance Plan (SISIP), Department of National Defence (February 12 and February 19, 2003)

Martin, Ms. Kathleen, Manager, Service Income Security Insurance Plan (SISIP), Maritime Life (February 12, 2003)

McCallum, The Honourable John, P.C., M.P., Minister of National Defence (February 19, 2003)

Mogg, Mr. David, President, March Forth Benefits (February 3, 2003)

Potvin, Mr. Bernard, Principal, Mercer, Human Resource Consulting (February 3, 2003)

Ranger, Mr. Richard, Director of Finance, The Senate (February 3, 2003)

Siew, Captain (N) Andrea, Director, Quality of Life, Department of National Defence (February 19, 2003)

APPENDIX 1

MATRIX OF BENEFITS AS SUBMITTED BY MAJOR HENWOOD

APPENDIX II

BIOGRAPHIES OF MEMBERS OF THE COMMITTEE



The Honourable NORMAN K. ATKINS,
Senator

Senator Atkins was born in Glen Ridge, New Jersey. His family is from Nova Scotia and New Brunswick, where he has spent a great deal of time over the years. He is a graduate of the Appleby College in Oakville, Ontario, and of Acadia University in Wolfville, Nova Scotia, where he studied economics and completed a Bachelor of Arts programme in 1957. (Senator Atkins subsequently received an Honourary Doctorate in Civil Law in 2000, from Acadia University, his old “alma mater”.)

A former President of Camp Associates Advertising Limited, a well-known Toronto-based agency, Senator Atkins has also played an active role within the industry, serving, for instance, as a Director of the Institute of Canadian Advertising in the early 1980’s.

Over the years, Senator Atkins has had a long and successful career in the field of communications – as an organizer or participant in a number of important causes and events. For instance, and to name only a few of his many contributions, Senator Atkins has given of his time and energy to Diabetes Canada, the Juvenile Diabetes Foundation, the Dellcrest Children’s Centre, the Federated Health Campaign in Ontario, the Healthpartners Campaign in the Federal Public Service as well as the Chairperson of Camp Trillium-Rainbow Lake Fundraising Campaign.

Senator Atkins was also involved with the Institute for Political Involvement and the Albany Club of Toronto. (It was during his

tenure as President in the early 1980's that the Albany Club, a prestigious Toronto private club, and one of the oldest such clubs across the country, opened its membership to women.)

Senator Atkins has a long personal history of political involvement. In particular, and throughout most of the last 50 years or so, he has been very active within the Progressive Conservative Party – at both the national and the provincial levels. Namely, Senator Atkins has held senior organizational responsibility in a number of election campaigns and he has served as an advisor to both the Rt. Hon. Brian Mulroney and the Rt. Hon. Robert L. Stanfield, as well as the Hon. William G. Davis.

Norman K. Atkins was appointed to the Senate of Canada on June 29, 1986. In the years since, he has proven to be an active, interested, and informed Senator. In particular, he has concerned himself with a number of education and poverty issues. As well, he has championed the cause of Canadian merchant navy veterans, seeking for them a more equitable recognition of their wartime service. Senator Atkins served in the United States military from September 1957 to August 1959.

Currently, Senator Atkins is the Chair of the Progressive Conservative Senate Caucus, Deputy Chair of Internal Economy, Budgets and Administration, as well as a member of both the National Security and Defence Committee and the Veterans Affairs Subcommittee. He is also the Honourary Chair of the Dalton K. Camp Endowment in Journalism at Saint-Thomas University in Fredericton, New Brunswick and Member of the Advisory Council, Acadia University School of Business.



The Honourable JOSEPH A. DAY, Senator

Appointed to the Senate by the Rt. Honourable Jean Chrétien, Senator Joseph Day represents the province of New Brunswick and the Senatorial Division of Saint John-Kennebecasis. He has served in the Senate of Canada since October 4, 2001.

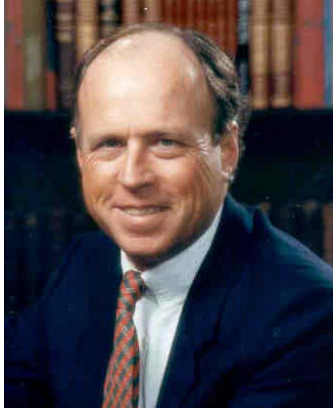
He is currently a Member of the following Senate Committees: Agriculture and Forestry; National Security and Defence; and, the Subcommittee on Veterans Affairs, National Finance and Transport and Communications. He is Deputy Chair of the National Finance as well as the Subcommittee on Veterans Affairs. Areas of interest and specialization include: science and technology, defence, international trade and human rights issues, and heritage and literacy. He is a member of many Interparliamentary associations, including the Canada-China Legislative Association and the Interparliamentary Union.

A well-known New Brunswick lawyer and engineer, Senator Day has had a successful career as a private practice attorney. His legal interests include Patent and Trademark Law, and intellectual property issues. Called to the bar of New Brunswick, Quebec, and Ontario, he is also certified as a Specialist in Intellectual Property Matters by the Law Society of Upper Canada, and a Fellow of the Intellectual Property Institute of Canada. Most recently (1999-2000) he served as President and CEO of the New Brunswick Forest Products Association. In 1992, he joined J.D. Irving Ltd., a conglomerate with substantial interests in areas including forestry, pulp and paper, and shipbuilding, as legal counsel. Prior to 1992 he practiced with Gowling & Henderson in Kitchener-Waterloo,

Ogilvy Renauld in Ottawa, and Donald F. Sim in Toronto, where he began his career in 1973.

An active member of the community, Senator Day currently chairs the Foundation, and the Board of the Dr. V.A. Snow Centre Nursing Home, as well as the Board of the Associates of the Provincial Archives of New Brunswick. Among his many other volunteer efforts, he has held volunteer positions with the Canadian Bar Association and other professional organizations, and served as National President of both the Alumni Association (1996) and the Foundation (1998-2000) of the Royal Military College Club of Canada.

Senator Day holds a Bachelor of Electrical Engineering from the Royal Military College of Canada, an LL.B from Queen's University, and a Masters of Laws from Osgoode Hall.



The Honourable COLIN KENNY, Senator

Career History

Sworn in on June 29th, 1984 representing the Province of Ontario. From 1970 until 1979 he worked in the Prime Minister's Office as Special Assistant, Director of Operations, Policy Advisor and Assistant Principal Secretary to the Prime Minister, the Right Honourable Pierre Trudeau.

Committee Involvement

During his parliamentary career, Senator Kenny has served on numerous committees. They include the Special Committee on Terrorism and Security (1986-1988 and 1989-1991), the special Joint Committee on Canada's Defence Policy (1994), the Standing Committee on Banking Trade and Commerce, the Standing Committee on National Finance, and was the Chair of the Standing Committee on Internal Economy, Budgets and Administration (1995-1997).

In 1995, Senator Kenny became the first Senator to successfully pass a Private Senator's Bill through parliament to become a law. The bill was the Alternative Fuels Act, which mandates that 75% of the federal governments vehicles run on alternative fuels by the year 2004.

He is currently Chair of the Standing Senate Committee on National Security and Defence. Senator Kenny is also currently a member of the Steering Committee of the Standing Senate Committee on Energy, the Environment and Natural Resources and in the past has served as Vice- Chair. Senator Kenny has been a member of this committee since 1985.

Defence Matters

Senator Kenny has been elected as Rapporteur for the Defence and Security Committee on the NATO Parliamentary Assembly. Prior to that he was Chair of the NATO Parliamentary Assembly Subcommittee on the Future Security and Defence Capabilities and Vice-Chair of the NATO Parliamentary Assembly Subcommittee on the Future of the Armed Forces.



The Honourable MICHAEL A. MEIGHEN,
Senator

Appointed to the Senate in 1990, the Honourable Michael Meighen serves on various Senate Standing Committees including Banking Trade and Commerce, Fisheries, National Security and Defence, and chairs the Subcommittee on Veterans Affairs. He has also served on the Special Joint Committee on Canada's Defence Policy and the Special Joint Committee on a Renewed Canada.

In his private career, Senator Meighen is Counsel to the law firm Ogilvy Renault, and was Legal Counsel to the Deschênes Commission on War Criminals. He is Chairman of Cundill Funds (Vancouver) and sits on the Board of Directors of Deutsche Bank Canada, Paribas Participations Limited, AMJ Campbell Inc., J.C. Clark Ltd. (Toronto).

Senator Meighen's record of community service includes the Salvation Army, Stratford Festival, Toronto and Western Hospital, Prostate Cancer Research Foundation, Atlantic Salmon Federation, T.R. Meighen Foundation, University of King's College (Chancellor), University of Waterloo Centre for Cultural Management, Université Laval, McGill University.

Senator Meighen is a graduate of McGill University and Université Laval. He lives in Toronto with his wife Kelly and their three children.



The Honourable John (Jack) Wiebe, Senator

Jack Wiebe is one of Saskatchewan's leading citizens. He has been a highly successful farmer, as well as a member of the Saskatchewan Legislative Assembly.

And in 1994, he became the first farmer to be appointed to the position of Lieutenant Governor of Saskatchewan in almost 50 years.

Senator Wiebe first became known in Saskatchewan as a leader in the farm community. He and his family built a thriving farm in the Main Center district of the province, and from 1970-86 he was owner and President of L&W Feeders Ltd.

Senator Wiebe has been very involved with the co-operative movement, and has served on the Main Center Wheat Pool Committee, the Herbert Credit Union, the Herbert Co-op, and the Saskatchewan Co-operative Advisory Board. He has also been active with the Saskatchewan Wheat Pool, and the Saskatchewan Stock Growers Association. He is currently the Saskatchewan Chairman of the Canadian Forces Liaison Council.

Senator Wiebe was elected in 1971 and 1975 as a Member of the Saskatchewan Legislative Assembly for the constituency of Morse.

Senator Wiebe and his wife, Ann, have raised three daughters and have four grandchildren.

Current Member of the following Senate committee(s):

Agriculture and Forestry, Deputy Chair; National Security and Defence; Subcommittee on Veterans Affairs; Rules, Procedures and the Rights of Parliament.