



Government
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du Canada

Veterans
Ombud

Ombud
des vétérans



Annual Report

2021-2022

Veterans
Ombud
des vétérans

Canada 

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Message From **THE VETERANS OMBUD**

The core of our mission is to ensure that Veterans and their families are treated fairly by Veterans Affairs Canada (VAC). Every member of our team is dedicated to this mission. It means listening to concerns of Veterans or family members, gathering the facts and identifying potential unfairness. It means understanding the legislation, regulations, policies and processes relating to the programs and services offered by VAC, including the limits on authorities. Our team also has to know about other services and supports for Veterans and their families so that they can be directed to the help they may need. I am incredibly proud of the work of each of our team members in their pursuit of fairness.

In early 2022 two of our key leaders retired: Sharon Squire, Deputy Ombud, and Michel Guay, Director of Intervention Services. For many years both of these individuals played a significant role in our work to support fairness for Veterans and their families. We thank them both for their service.

We were fortunate to welcome two very strong leaders to our team: Kirsten Johnson as the new Director of Intervention Services and Laura Kelly as the new Director of Strategic Review and Analysis. Both Laura and Kirsten have a strong understanding of VAC programs

and services. They will strengthen our ability to review individual complaints and systemic issues to ensure fairness for Veterans and their families.

HIGHLIGHTS

Fairness is important – Veterans and their families may have a lifelong relationship with VAC. After serving their country, they want to feel supported and receive the programs and benefits they need for service-related illness or injury. As illustrated in our featured cases, our team advocates every day for fairness: from assisting a Veteran to obtain Income Replacement Benefits, to untangling process issues that saw a Veteran's application for benefits unfairly withdrawn. Our team works to resolve unfairness by engaging with VAC to help explain the unfair impacts of some decisions and seek a correction. Our goal, ultimately, is to connect or reconnect the Veteran and their family with VAC.

While we dedicate significant resources to individual complaints of unfairness, we recognize that unfairness can be systemic and require broader action including amending legislation, regulations, policies or processes impacting the delivery of a program or service.

In 2021-2022, we published a systemic review focusing on Peer Support for Veterans who have Experienced Military Sexual Trauma. As well, we published a systemic review of the Additional Monthly Amount payment calculation. Due to these reviews we made four new systemic recommendations to the Minister.

Furthermore, to learn more about women Veterans of the Royal Canadian Mounted Police (RCMP) and the Canadian Armed Forces (CAF), we completed and published a scoping review, which made clear that more research on women Veterans is needed to understand their unique experiences.

YEAR AHEAD

The Covid-19 pandemic has left many people disconnected. Over the course of the next year, we will be reaching out, in person, to the Veterans community to hear their concerns and share the work of our office. We will also be reconnecting with each other after a long period of remote work.

We expect to increase our capacity to review individual complaints and improve our service response times.

We will assist Veterans and their families by publishing information to help them navigate VAC programs and services; for example we will publish a Care at Home Guide in the Fall of 2022.

Through our systemic reviews we continue to identify gaps in VAC programs and services that result in unfairness to Veterans and their families. Next year we have an ambitious workplan: updating our 2018 Timely and Transparent Decisions review; reviewing how sexual dysfunction claims consequential to psychiatric conditions are adjudicated; complete our review of care at home supports available to Veterans and their families; and review the VAC non-disability decision appeals process.

We will complete the redesign of our website to make our work more accessible to Veterans and their families.

Most importantly we will continue to advocate for fairness for Veterans and their families.



Colonel (Retired) Nishika Jardine
Veterans Ombud

Our Organization: ADVANCING FAIRNESS FOR CANADA'S VETERANS

Our organization is made up of the:

- Veterans Ombud
- Deputy Veterans Ombud and Executive Director
- Intervention Services Directorate
- Corporate Services Directorate
- Strategic Review and Analysis Directorate
- Communications Directorate

The Office of the Veterans Ombud (OVO) has offices in Charlottetown, PEI, and the National Capital Region. We currently have 33 employees. Due to the COVID-19 pandemic in March 2020 we began working remotely. During this time we have continued providing uninterrupted frontline services to individual Veterans and their families, reviewing systemic issues, and engaging with Veterans and stakeholders.

SERVING VETERANS AND THEIR FAMILIES

WHY SHOULD VETERANS CONTACT US?

Everyone seeking or receiving services or benefits from VAC has the right to be treated with respect, dignity, fairness and courtesy.

The *Veterans Bill of Rights* sets out their right to fair treatment by VAC.

If they feel that any of their rights have not been upheld or a decision is unfair, they have the right to make a complaint to the Veterans Ombud.

WHO WE ARE

The OVO investigates complaints and challenges the policies and decisions of VAC where we find individual or systemic unfairness. We strive to be an independent and respected voice for fairness and a champion for the well-being of Veterans and their families.

WHAT WE DO

We operate independently of VAC and we are impartial:

- We listen to our clients
- We review their files
- We walk them through the process

If we start a formal review of a complaint, we will explain how that works, evaluate how a client was treated, how the process was followed and whether the outcome is fair.

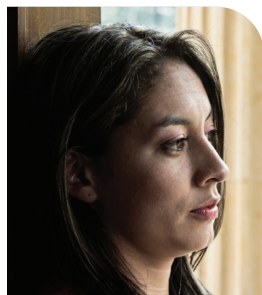
OUR PRIORITIES

- **Building trust:** Meet regularly with the Veterans community and provide excellent service to everyone who brings an issue to us.
- **Better outcomes for the Veterans community:** Recommend changes to the VAC programs and services that improve the health and well-being of Veterans and their families.
- **Fair and timely access:** Identify unfair, inefficient and overly complex elements in the administration of VAC programs and services.

Our Work:

FEATURED CASES

GETTING IT RIGHT: Correcting a Veteran's Income Replacement Benefit Calculation



The Income Replacement Benefit (IRB) provides a taxable monthly amount to Veterans in the VAC rehabilitation program, and to Veterans whose permanent physical or mental health condition prevents them from working.

A Veteran who had served in the Reserve Force contacted us because she believed that her IRB had been incorrectly calculated. In reviewing her file, we discovered that her IRB had been determined using the salary she was receiving decades earlier when she had been injured, instead of her significantly higher pre-release salary.

VAC policy states that when a Veteran continues to serve after an injury has occurred, the IRB should be calculated based on the period of service that has the highest monthly military salary. This policy is the result of a 2020 report and recommendation by our office that addressed an unfairness in the way VAC calculated IRB for reservists.

We asked VAC to review the Veteran's file and her IRB calculation. VAC corrected the error in accordance with their updated policy, and the Veteran's IRB was increased to its proper amount; the Veteran also received a retroactive adjustment.

UNTANGLING A KNOT: Client's Mistakenly Withdrawn Application is Processed



A Veteran reached out to us for help after VAC withdrew multiple applications for benefits.

The Veteran, who needed the support of a caregiver, had been informed by VAC that his application for

Attendance Allowance was withdrawn because he did not have the required Disability Pension of at least 1%. The client then applied for the Caregiver Recognition Benefit (CRB) and was advised that his application was being withdrawn because he had an entitlement under the *Pension Act*, even though this was assessed at 0% and did not qualify for any payments.

We asked VAC to review the decisions to withdraw both applications in case the rules had not been properly applied. Thanks to our involvement, VAC found that the CRB application was withdrawn in error, and the Veteran's submission was processed and retroactively approved.

SUPPORTING QUALITY OF LIFE: Getting Access to a Recommended Drug



A Veteran who was experiencing a decline in her pensioned health condition contacted us for help getting access to a much-needed medication. The Veteran had been receiving a specific drug treatment aimed at managing her serious condition.

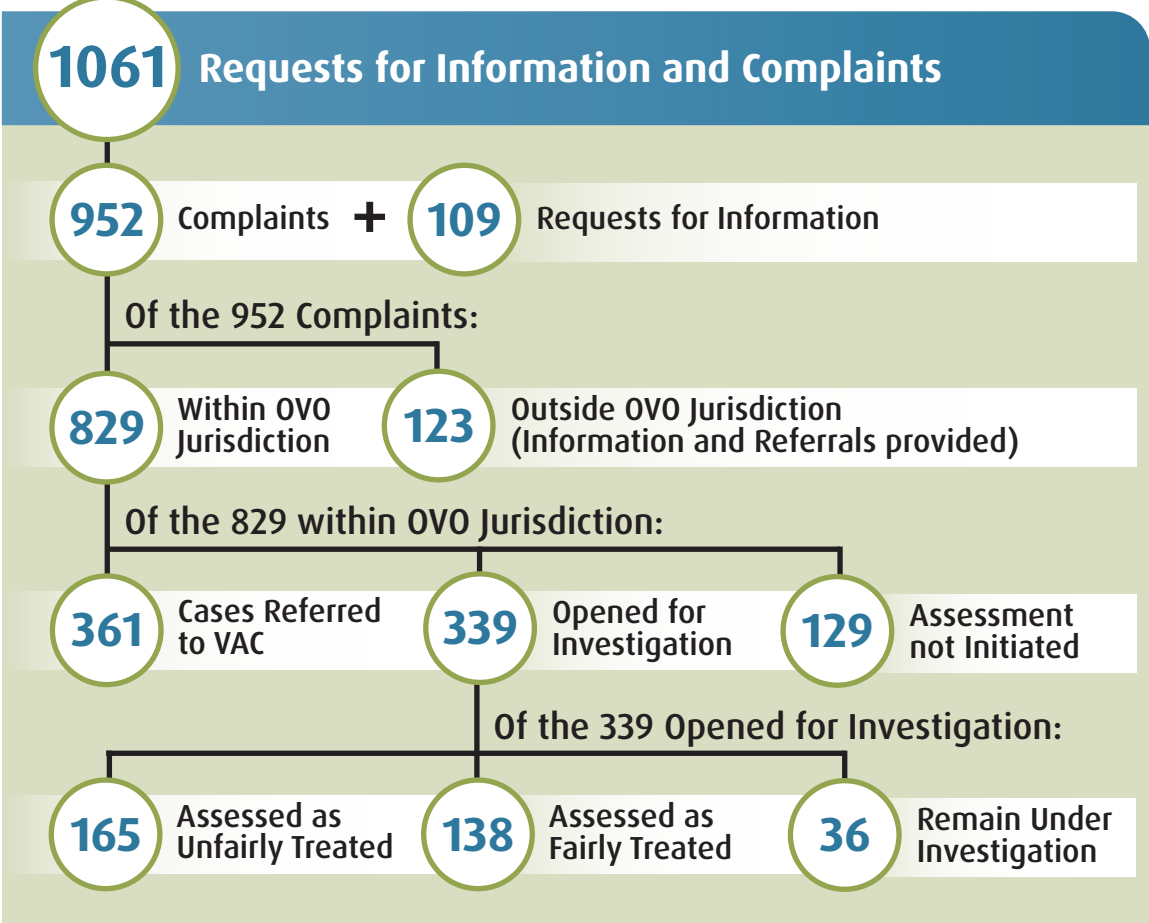
When her health began to deteriorate, her doctor prescribed a new drug to be taken in combination with her previous treatment to help stabilize the situation, but VAC denied this drug request despite supporting medical documentation from a specialist.

Unable to pay out of pocket for the medication and facing the prospect of worsening health during the lengthy appeal process, the Veteran expressed her concerns to our office.

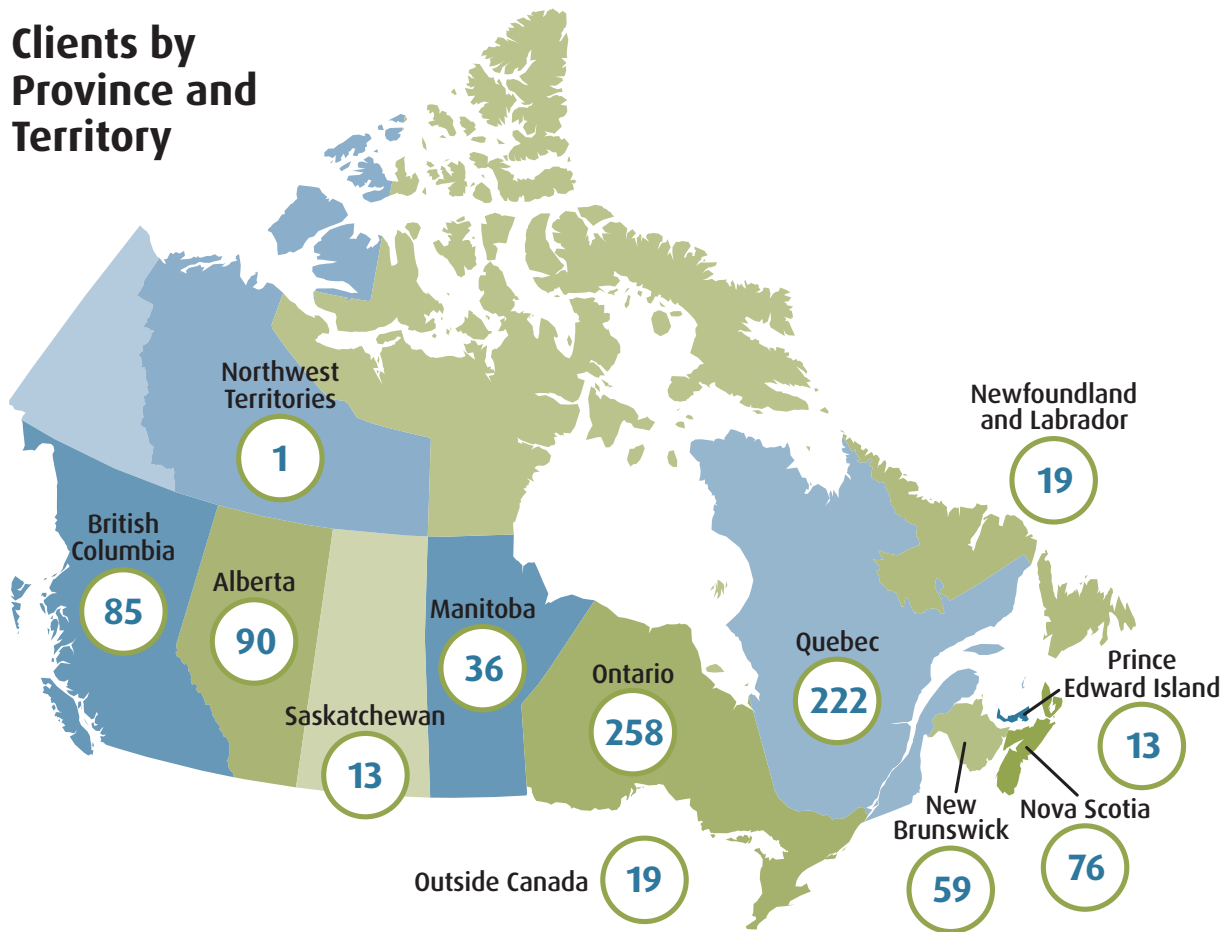
In an early intervention, the OVO contacted VAC's Program Management team and asked them to review the request on a priority basis. In consultation with Health Professionals, the VAC team approved the new drug therapy and notified the client, who was then able to receive the treatment she needed.

Our Work: **OUR CLIENTS**

Intervention by the Numbers



Clients by Province and Territory



Clients by Category

Merchant Marine	0	Former RCMP Civilian Member	0
Serving RCMP Civilian Member	0	Civilian	6
Allied Veteran	0	Traditional Veteran	7
Serving RCMP	16	Former RCMP	24
Family/Survivor	16	Unknown	72
Former Reserve Force	82	Serving Reserve Force	9
Serving Reg Force	66	Former Reg Force	593
Total		891	

Clients by Age

20-29	15	60-69	154
30-39	109	70-79	44
40-49	203	80-89	23
50-59	266	90+	10
Missing (not identified)			67
Total			891

Clients by Gender

Another Gender	3	Man	726
Prefer not to say	5	Woman	157
Total			891

Service	Standard	Achieved
Complaint Investigation	75% - 60 days	92%
Information	85% - 5 days	85%
Referral	80% - 10 days	87%

Our Work:

INVESTIGATING SYSTEMIC ISSUES

Our Strategic Review and Analysis team identifies and conducts reviews into systemic issues that could impact many Veterans. These issues come to light through individual complaints, stakeholder engagement, and reviews of VAC programs and policies.

Reviews provide information about important benefits and services for Veterans and their families, highlight gaps and fairness issues in those programs, and may include recommendations to the Minister of Veterans Affairs.

In 2021-2022, the OVO published two systemic reviews and made four new recommendations. We also completed a scoping review of research about Women Veterans of the CAF and the RCMP.

PUBLICATIONS

Peer Support for Veterans who have Experienced Military Sexual Trauma

This systemic review examined whether Veterans who have experienced Military Sexual Trauma (MST) have access to VAC peer support programs. The OVO launched a review after receiving a complaint from a Veteran that they had been referred away from the peer support program provided by VAC because they had experienced MST. This review found that this was not an isolated case.

Veterans who experienced MST did not have access to VAC's peer support programs compared to those who suffered from other military-related injuries or trauma. The review also found a lack of program monitoring, data collection and analysis, making it impossible for VAC to fully measure the effectiveness of the program outcomes, and ensure the needs of all Veterans are met.

The review made three recommendations:

- 1) Provide a funded peer support program that meets the needs of Veterans who have experienced MST;
- 2) Publish the Gender-Based Analysis Plus for the establishment of a funded peer support program for Veterans who have experienced MST;
- 3) Establish a performance measurement system and report annually on all peer support program outcomes to ensure that the needs of Veterans and their families are addressed.

Women Veterans of the Canadian Armed Forces and Royal Canadian Mounted Police: A scoping review

This scoping review was published in the *Journal of Military, Veteran and Family Health* in October 2021. The review examined academic and non-academic literature about women Veterans of the CAF and the RCMP.

Through it we learned that women Veterans are more likely to have experienced sexual misconduct and gender discrimination than their men counterparts, and tend to leave the CAF and RCMP with fewer years of service. We also learned that women Veterans of the CAF experience higher rates of chronic pain and gastrointestinal disorders, and are more likely to have suicidal thoughts or die by suicide, than women in the Canadian general population.

The research also showed that women Veterans have lower employment rates and lower incomes post-release than men Veterans. They more often have a difficult military to civilian transition and experience different issues with transition, such as feeling tension between different social expectations of them in and out of the military.

The review concluded that more research is needed about Canadian women Veterans and their intersecting identities, particularly for RCMP women Veterans, as virtually no research is focused on their needs and experiences.

Additional Monthly Amount

From 2006 to 2019, VAC financially compensated CAF members and Veterans for service-related disabilities through the Disability Award—a lump sum payment.

In 2019, VAC replaced the Disability Award with the Pain and Suffering Compensation (PSC)—a monthly payment for life. For more than 45,000 Veterans, the Disability Award received was less financially valuable than if the Pain and Suffering Compensation had been available at the time.

To compensate these Veterans, VAC pays them an Additional Monthly Amount (AMA) every month. The calculation of the AMA is complex. Overall, we found that the AMA is fair until Veterans reach a certain age. At that time, we found two fairness issues.

In response, we made the following recommendation: Correct the financial unfairness between the two benefits at the crossover point. Increasing the Additional Monthly Amount payment to the same rate as the Pain and Suffering Compensation payment for Veterans who live beyond their crossover point would be one way of achieving this.

Our Work: SHARING, LISTENING AND CONNECTION

Connecting with Veterans, their families and other stakeholders is critical to our success. This connection helps guide our work and ensure it is relevant to those we serve. We use a mix of virtual and face-to-face engagement to educate our target audiences about the OVO's services and to hear about issues impacting Veterans and their families.

Reaching Out to Our Audience Virtually

Due to the COVID-19 pandemic the OVO relied heavily on virtual engagements to connect with Veterans and their families. Through phone, email, our online complaint form, and social media, we have been able to connect with Veterans and their families. Through virtual outreach we have helped them understand VAC programs and benefits and advocate against unfair decisions made by VAC.

Item	2020-2021	2021-2022	Increase or decrease #	Increase or decrease %
Website visits	54,207	70,400	+16,193	+29.9%
Facebook followers	6,130	6,438	+308	+5%
Twitter followers	3,312	3,378	+66	+2%

Veteran and Stakeholder Engagement

The OVO has always placed great importance on outreach to Veterans, Veterans groups, stakeholders and decision-makers. Due to the COVID-19 pandemic, engagement strategies had to be adjusted to a virtual environment. Although not ideal, the Ombud and the OVO were able to connect with Veterans and stakeholders to remain up to date on Veteran's issues and concerns.

2021-2022 Ombud Virtual Engagements			
Meetings with Veterans and Organizations	30	Major Stakeholder Meetings	18
		Parliamentary Committee Appearances	3

The Ombud and staff look forward to resuming in-person engagement in the coming year. Insights gained from the virtual meetings over the past two years will help shape the OVO engagement strategy, and the Ombud's strategic priorities in the coming years.

VETERANS OMBUD ADVISORY COUNCIL (VOAC)

VOAC advises the Veterans Ombud on matters related to the OVO's mandate. VOAC members bring to the table the diverse perspectives found within the Veterans community. Through their expertise and knowledge, Council members identify emerging issues and provide advice on how to address them. VOAC members also raise awareness within the Veterans community about the role of the OVO.

MEMBERS 2021-2022

Pierre Allard
Heather Armstrong
Jane Hall
Jacquie Hannigan
Brigitte Laverdure
Heather MacKinnon
David MacLeod
Brian McKenna
Jay Milne
Rebekah Mitchell
Shauna Mulligan
Tim O'Loan
Albert (Al) Rivard
Paul Rutherford
Kimberley Unterganschnigg
Steve Walker
Christine Wood

VETERANS OMBUD COMMENDATION AWARDS

The annual Commendation Awards honour outstanding individuals and groups who demonstrate their commitment to the Veterans community through their selfless hard work. Recipients have been nominated by their peers for their exceptional contributions and dedication to improving the lives of Veterans and their families.

2021 RECIPIENTS

Lifetime Contribution

Helen Escott
Dr. John Whelan

Individual Contribution

Jacqueline Zweng
Kyle Scott
Terry Malchuk

Local Organization

Heroes Mending on the Fly
– Nova Scotia

National Organization

Canada Company: Many Ways
to Serve

FINANCIAL STATEMENT

As per the 2021-2022 Departmental Plan, the Veterans Ombud planned spending was \$5.6 million for fiscal year 2021–2022. The actual authorities at the end of fiscal year 2021-2022 were \$4.3 million.

Planned Spending and Treasury Board Authorities 2021-2022

Organization	Salary (Planned)	Operating (Planned)	2021-22 Planned	2021-22 Authorities
Office of the Veterans Ombud	\$3,113,000	\$816,500	\$3,929,500	\$2,832,567
Veterans Affairs Canada (provision of services to the Office)	\$765,474	\$336,808	\$1,102,282	\$1,102,282
Employee Benefit Plan			\$574,014	\$414,859
TOTALS	\$3,878,474	\$1,153,308	\$5,605,796	\$4,349,708

Veterans Ombud Program and Operational Expenditures 2021-2022

Program or Operational Requirements	Expenditures
Salaries and Wages	\$2,982,177
TOTAL SALARIES AND WAGES	\$2,982,177
Transportation and Communications	\$16,294
Information	\$25,501
Professional and Special Services	\$338,352
Rentals	\$4,694
Purchased Repair and Maintenance	\$6,279
Utilities, Materials and Supplies	\$8,520
Acquisition of Machinery and Equipment	\$0
Other	\$40
TOTAL OPERATING EXPENDITURES	\$399,680
TOTAL – OVO	\$3,381,857

2021-2022 Veterans Affairs Canada, Program and Operational Expenditures for the Provision of Services to the OVO (Excluding Internal Services)

Program or Operational Requirements	Expenditures
Salaries and Wages	\$909,676
Operating Expenditures	\$62,786
TOTAL	\$972,462

2021-2022 Summary of Expenditures

	Expenditures
Office of the Veterans Ombud	\$3,381,857
Veterans Affairs Canada (provision of services)	\$972,462
Employee Benefit Plan	\$414,859
Other (Paylist Allocation etc.)	\$31,371
TOTAL EXPENDITURES	\$4,800,549