

# **HANSARD**

**NOVA SCOTIA HOUSE OF ASSEMBLY**

**COMMITTEE**

**ON**

**VETERANS AFFAIRS**

**Thursday, February 14, 2008**

**Committee Room 1**

**Black Watch Royal Highland Regiment of Canada -  
Atlantic Branch**

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**VETERANS AFFAIRS COMMITTEE**

Harold Theriault (Chair)  
Keith Bain  
Patrick Dunn  
Chuck Porter  
Gordon Gosse  
David Wilson (Sackville-Cobequid)  
Percy Paris  
Manning MacDonald  
Wayne Gaudet

In Attendance:

Darlene Henry  
Legislative Committee Clerk

**WITNESSES**

Black Watch Royal Highland Regiment of Canada - Atlantic Branch

Grant Payne  
Sergeant-at-Arms

Gloria Sellar  
Member

Art Snow  
Vice-President

George Megeney  
President, Nova Scotia Chapter

Harold Fraser  
Vice-President, Nova Scotia Chapter

Mr. Charles Harb  
Secretary, Nova Scotia Chapter

Lorraine Bartlett



House of Assembly  
*Nova Scotia*

**HALIFAX, THURSDAY, FEBRUARY 14, 2008**

**STANDING COMMITTEE ON VETERANS AFFAIRS**

**9:00 A.M.**

**CHAIR**

Harold Theriault

THE CHAIR: Maybe I'll bring this meeting to order now. I want to thank the Black Watch group for coming in this morning. I want to wish you all a very happy Valentine's Day from the most romantic town in Canada - Digby, Nova Scotia. So happy Valentine's Day to you all.

What we'll do is we'll go around the table and introduce ourselves. Then you can do your presentations, whatever amount there are here - there are four or five, I believe. Then after your presentations we can go around the table and see if there are any questions or comments and we'll go from there.

[The committee members introduced themselves.]

GLORIA SELLAR: I'm Gloria Sellar, a former member of the Department of National Defence advisory board on the herbicide spraying of Camp Gagetown, and I worked with them until it was finished and the ex gratia was given.

I'm an honoured member of the Black Watch association, and I'm just here to talk a little bit to you about the widows.

GRANT PAYNE: I'm Grant Payne, Sergeant-at-Arms of the Black Watch - Atlantic Branch. I apologize on behalf of our President, Douglas Gaul, who was originally on the list to appear here today, but Doug and another member who was on the list have taken ill with the flu and unfortunately couldn't be here, so I'll try to fill his shoes.

ART SNOW: I'm Art Snow, the Vice-President of the Atlantic Branch association. I'm very honoured to have Gloria Sellar here with us. She is a life member of the Atlantic Branch.

THE CHAIR: So with that, whoever wants to go first may go ahead. Oh, introduce . . .

GEORGE MEGENEY: I'm George Megeney, President of the Nova Scotia Chapter of the Atlantic Branch. The Nova Scotia Chapter has several hundred members of the Atlantic Branch.

DAVID WILSON: Can you just go to the mic here, sir, just to say your name. I noticed the guy on the end wants to make sure he has you on record.

GEORGE MEGENEY: My name is George Megeney.

CHARLES HARB: Good morning, my name is Charlie Harb. I'm the Secretary of the Nova Scotia Chapter of Black Watch.

HAROLD FRASER: Harold Fraser, 1<sup>st</sup> Vice-President of the Nova Scotia Chapter of Black Watch.

THE CHAIR: Don't be shy. (Interruptions) You're the important ones. (Laughter)

GRANT PAYNE: They're not just the wives, they've done an awful lot of this paperwork sitting before you here today, but they're a little shy. We have Lorraine Snow on the end, that's Art Snow's wife, and my wife, Cindy, sitting beside her.

GLORIA SELLAR: They deserve a medal. (Laughter)

THE CHAIR: So go ahead.

GRANT PAYNE: Thank you, Mr. Chairman. I wish to give the panel our heartfelt thanks for the opportunity to air our concerns to this distinguished committee. First of all, I want to talk briefly on Mrs. Gloria Sellar.

Mrs. Sellar's husband was a Brigadier General and commanded the Black Watch - all of us here have served under him at one time or another. He was exposed to Agent Orange or 245T or D - whatever you want to call it with the numbers - at Camp Gagetown between the years of 1963 and 1966. He subsequently became ill with cancer and had approximately a 15-year battle with leukemia. Gloria, for 15 years, fought for her husband for recognition of his disability with Veterans Affairs and a very short time before her husband's passing, she was successful in winning a pension for him in relation to his exposure to the Agent Orange.

General Sellar, on his deathbed, asked Gloria to make sure that the rest of the men in his regiment would also be looked after. He couldn't do anything, of course, but Gloria picked the ball up. For the next two years, Gloria fought for the veterans and not only the Black Watch, but all those who served in Camp Gagetown - the wives, the children and the veterans - and she fought for them.

She made approximately 12 trips from Kingston to Oromocto on a fact-finder mission; she was part of the fact-finder mission. She was appointed by the Minister of National Defence, she had numerous meetings in Ottawa with Standing Committees on Veterans Affairs on the federal level. She also had numerous meetings with the Department of Veterans Affairs - Mr. Thompson and Jacques Dube, Chief of Staff. In addition to that she attended veteran's hearings with DVA, and she wrote I don't know how many letters and filled out how many forms for veterans.

Gloria Sellar was recognized at the Black Watch Annual Reunion in 2007, for her support of the regiment and veterans and is the only woman ever to be made a member of the Black Watch. Gloria is an honorary member of the Black Watch for life and she is a voting member and she is the only woman ever awarded that because we were all a bunch of old fuddy-duddies.

[9:15 a.m.]

GLORIA SELLAR: I'm very proud of it.

GRANT PAYNE: So that's quite an honour. That's just to introduce this wonderful lady and I would have been remiss if I hadn't mentioned it.

Next I'll briefly cover - we have a new chapter in the Black Watch which will interest you as Nova Scotians. I'm a herring choker from New Brunswick, but I'm quite comfortable here. George Megeney has already introduced himself and he's the president of a new chapter with several hundred members and they're out of New Glasgow, Nova Scotia, but they take in Newfoundland and Labrador, P.E.I. pretty well, and Nova Scotia. So it's a very large branch.

Every second year, there is an annual reunion in Camp Aldershot, Nova Scotia, where literally hundreds of Black Watch veterans show up and also those who are attached to the Black Watch, mechanical engineers and these types of people who are support people - cooks, military policy, this type of thing. This chapter was formed and this year will hold the interim meeting. We have an administration meeting one week after the long weekend and New Glasgow will host this meeting and it will probably bring 100 or so people into New Glasgow and make the hotels happy.

We're very glad to have this new chapter, because the Atlantic Branch is pretty much the headquarters, it runs out of Aldershot under President Doug Gaul, but there are chapters right across Canada, just to explain how it works and we welcome the new

chapter.

Has everyone had an opportunity to read their handout on the Black Watch regiment? That is pretty well self-explanatory, I don't feel there's any sense going on further with that, other than this is and was the finest regiment in the Canadian Army and remains so, even though it's a militia unit. There are 10 members serving in Afghanistan and if any way as MLAs you can coax the government into putting a regiment back in Aldershot, it would be much appreciated.

I have a lady coming here on Gloria's subject at 10:45 a.m. and she'll be here for questions. This is a widow, she's a Nova Scotia resident from Dartmouth, her name is Lorraine Bartlett - I have full disclosure to use her name - and she will be here at 10:45 a.m. for questioning for anybody who wants to talk to her. On your handouts you have two statements, one from John Dewaepenaere and one from James Burke. You will see that these soldiers were with her late husband and he was sprayed directly. Lorraine Bartlett will show you DVA documents that said he had no exposure, so that's the gist of that one.

Veterans issues - we'll go into those and I'll just go over these in point form and you can ask questions on it. If I can't answer, I know where to direct it to get it answered.

One of the problems we have as veterans, unfortunately, 40 years ago everybody didn't have a Grade 12 education like they do today. We have a lot of individuals from farms and coal miners and woods-working people and they had a Grade 4 or Grade 5 education. They had people from the cities and towns who came from those less fortunate and were not able to have an education. Many of these veterans have great difficulty filling out their forms and the Royal Canadian Legion, the numbers are on the demise and there's no one to help these people. They can't walk into a welfare department or to anywhere and ask that someone fill their forms out. They have to run around to try to find a friend, and unfortunately a lot of them are proud - and rightfully so, everyone has their dignity - and they say, ah, to hell with it. This is a real problem and these are all senior citizens now and it gets even worse as they get older.

The appeal board of Veterans Affairs - and I'm not airing my concerns here, I'm airing the concerns of veterans and not only Black Watch veterans, I'm airing the concerns of all veterans here - artillery, armoured, naval, air. You sit in on a board as a soldier and try to tell someone you spent a night in the trench with ice water up to your knees and you were not allowed to get out because you were in a defensive position in training. This is not during war this is during training, this is after landing in an assault craft in Shelburne, Nova Scotia, going ashore, going up on a hill behind Shelburne, digging a trench and standing in ice water all night long on your knees and God help you if you got out of the trench. You try to tell a civilian with no experience in the military something like that, and they think this guy just came from Mars.

The conditions in certain parts of the military are extremely harsh and the

problem is when soldiers go into Veterans Appeal Board and they have issues such as osteoarthritis for example - we all have that when we get older, but soldiers tend to have it more because of exposure to extreme conditions. Also, the people sitting in these boards have good educations and for the most part are honest and people of integrity. However, to judge a person, someone must have walked in his shoes on that panel or someone must be there who has walked in their shoes. Unfortunately, this is not the case. There are a few in Veterans Affairs who have served, but there are many who haven't. This is also one of the problems.

The DVA doctors - there's a shortage. Some of the waits are horrendous, it goes into years. Appeals, some of them go into years. I didn't want to breach anyone else's personal information, but I have one that I just won that went on for five years. Now it's over something simple and if anyone wants to see it, I'll show it to them. I'm not concerned about my private business, it's just to show you what some of the difficulties are, to illustrate it.

The Veterans Affairs Act states that you must be given the benefit of the doubt. This lady who will come today will certainly illustrate to you that she hasn't been given that. One gentleman who has really been violated - and I have permission to use the name - is Mr. Wilfred MacEachern, if anybody wants to copy that down. His phone number is (506) 357-8226. This is a person who has just completely fallen through the cracks and has a disability. He has not been given the benefit of the doubt and many haven't.

One of the problems here is they'll say, it's not only your medical records. Ladies and gentlemen, if you'll look at your handouts, on one of the handouts is a statement from a medical sergeant who retired as a chief warrant officer in the Canadian Forces, who was advised to strip medical documents. Now how could one produce evidence of an injury in the service if they've stripped your documents?

Also, you will find a photograph in there of two people with Royal Canadian Army Medical Corps on the shoulder and a gentleman sitting there getting a hearing test. For years the VA has said, oh, we're going to use these hearing tests, these hearing tests are accurate - that's how they did the majority of hearing tests. Those are not approved hearing booths. The technicians - there are statements there from Maureen Proctor; George Pollock who is a 39-year chief warrant officer. You get a half-hour of training to learn how to test people's hearing in the Canadian Forces and the VA bases their evidence for pensionable benefits on that. I put it to you that this is, for lack of a better word, draconian. This is from the Stone Age; it's a Fred Flintstone test. This is really a bone of contention with the veterans.

So I've covered the destruction, the documents, and I've covered the hearing. Another problem - back in our day when we served, to go on sick parade was a shameful thing to do. You were classified as a wimp, a malingerer - and I can think of other names that I won't mention here. It was a matter of scorn to go on sick parade.

If you did go on sick parade out in the field and you had an injury, we had a medical assistant, a corporal - and I'm not sure of what kind of training they had, but you don't see them working in the V.G. They would give you 222s and return you to duty, and there was nothing ever marked down. So if you had a back injury, a leg injury, a knee injury and you could walk, instead of doing field duty they put you in the kitchen to wash pots - they gave you a break. They sort of fit it in to whatever you could do.

So that's just an overview of the problems we have, as veterans. I thank you very much for the opportunity to allow me to present them.

THE CHAIR: Thank you, Grant. Would anyone want to ask questions now? Or maybe we should go through all the presentations first.

GRANT PAYNE: I'd like now to go to Mrs. Sellar. Mrs. Sellar will address the widows. This is a prominent issue more in Nova Scotia than in New Brunswick. It is a great problem down here. I've been working with this for three years with Gloria and Nova Scotia is just - I don't know how many widows I've had contact with here and assisted. So it's a real problem in Nova Scotia and a lot up in the old Cornwallis-Digby end, up in there.

THE CHAIR: Okay, we'll do all of our presentations first and then we'll have a question period.

GLORIA SELLAR: I'd like to stand up, if I may.

GRANT PAYNE: This is the last one.

THE CHAIR: Please do.

GLORIA SELLAR: My subject, of course, is the army wife and the soldier's widow. Being married to a soldier for 60 years, before I lost him, I hope qualifies me to speak to you this morning a little bit about service wives.

We all know the Agent Orange horror was finally recognized and partially dealt with. Greg Thompson worked his heart out over this and we're all very grateful to him and to Veterans Affairs. Greg is a very good man.

Now some are pleased about the ex gratia and others are bitterly disappointed. The chosen date that soldiers had to be alive in order to get some help was February 6, 2006. This was the date that our present government took office. It had nothing to do with what happened to all of these people, it was just the date that the government chose to make this ex gratia official.

Now this absolutely crushed the widows of soldiers. You had to be alive - you must understand - the soldier must be alive on February 6, 2006, to qualify for the ex



gratia or for his wife to qualify for the caregiver's dividend. Now this absolutely crushed the widows of soldiers who could not live any longer and had died before February 6, 2006. Some now say - this is the widows - that they should have kept their men on life supports to make the date. Now isn't this horrible, to feel so neglected and passed over. Now this was a political statement and devastating to widows and their children.

Let me give you a glimpse at a widow affected by the denial of receiving compensation for her husband and she's not even allowed the caregiver's portion, although she had nursed him for many, many years before he died a terrible end. Death is dreadful for anyone, but could there be anything more awful than to be poisoned by your own country, on your own home base, while you were serving your own country?

[9:30 a.m.]

Now we're all fully aware that the Department of National Defence controlled our lives; they decided where we would live, where our children went to school and if the wife and the children could accompany this man they love or stay behind. I was constantly amazed and full of admiration for the strength, tenacity, affection and loyalty of these remarkable women to their soldier husbands who needed and must have - and they still today must have this - 100 per cent support to do their job, and hopefully survive in dangerous and fragile situations worldwide.

They had to be confident that things were all right at home, they couldn't be thinking about anything else but what they had to do, although trained to perfection to fight, defend, negotiate, jump out of airplanes, work individually or as a unit, face any situation, take or give orders, fire any weapon, to kill if necessary. They protected each other but could not possibly concentrate to do their job without the assurance that their wives at home loved and supported them. Support is a big word for army wives, and completely supported them.

The women accepted their husbands' love of the regiment, their loyalty and pride in it, and the pride that they had in themselves. The wives shared in this in their own way. We loved these honourable men who offered their lives, if required, to their country. We all looked after each other as best we could in the regiment, we were a family. My own husband cared for his men far more than they ever knew.

Now being a soldier is not just a job, it is a complete way of life for each military family and now, like our sick and dying or dead husbands, their families are suffering emotionally and physically with their own diseases. The horrors of chemical warfare settled into the men's systems and, of course, into their sperm. They thought they were loving us, and they were, and giving us their children to carry under our hearts for a time. They did not know, at the same time, that they were giving us frightening diseases and cancers beyond description.

I have cancer. The children of these physically fit men were being born with brain

tumours, club feet, leukemias, Crohn's disease, skin cancers, brain retardation, to name just a few. It's not a happy story, is it? One child in my file has only half a chromosome. We are all born with two and this little girl has only half. She'll never finish high school. She's beautiful, she'll never get married. She's exhausted, she has no energy, there's nothing they can do for her. I don't believe they can transplant chromosomes.

Dr. Al Rowland, Massey University, New Zealand - world authority on dioxins - researched and published his findings. He was absolutely devoted to finding out the causative results of being exposed to the herbicides. He took 20 New Zealand soldiers who had served in Vietnam and 20 soldiers who had not served in Vietnam. Of the 20 soldiers who had not served in Vietnam, they all had normal illnesses that most people get during their lives. Of the 20 who had served in Vietnam, he found drastic results. He found that their DNA had been changed, never, ever to be returned to its original state. He also found that their gene pool had been altered - never, ever again to be returned to its original state.

They also found that the wives were ill, many had predeceased their husbands. They had died of all sorts of female diseases. There are no ladies' diseases on the magic lists that Veterans Affairs has put out for the ex gratia payment, other than one which I think is unisex.

They found that the children of these people had the same altered DNA and gene pool, that their children's children - we're at the grandchildren now - have the same altered DNA and gene pool, and we're now into the great-grandchildren on his research. It's like Star Wars, isn't it? Probably the only way they could ever stop it, is stop having children or sterilize them - who knows? They've all got this in them and, as a result of course, they're all having illnesses that normally people don't get.

Now how can we help the widows of these soldiers? They loved them, they nursed them and they gave their lives to assist them. When a soldier husband dies, his service pension is divided in half. Also, if he has a Veterans Affairs pension, it is reduced 50 per cent as well. After this is over, I think Grant can give me some figures, give you all some figures on what sort of money this amounts to. It isn't much money.

Now these women, many of them can no longer afford to remain in their homes or pay for what we would consider a decent rental accommodation. Many are living in substandard places and have had to go home to their mothers or their sisters at an outpost in Newfoundland and Labrador. They don't really want her and her five children and her dog and her old car, but she's desperate and she needs a roof over her head and the money that she's getting cannot keep all of them where she is any longer. Many don't have a telephone and they don't get the newspaper, because these are two things that they can do without and they are both expensive. Also, many of them have ill children who need special attention.

Now back on the pensions. Our soldiers, their wives and children who bounced

around the world under amazing circumstances, to keep their families together and their men fighting for their country - are they lesser people than government people who live their entire lives in Ottawa, P.E.I., et cetera? I only bring this up because government employees' wives receive 65 per cent of their husbands' pensions when they die, while we get 50 per cent. I checked with the pension board in Ottawa to be sure I was right, before I left home. Pretty bad, isn't it? Perhaps an increase in their husband's service pension would change their world. Some have had to club-up - three or four wives all living in the same apartment, just to make expenses. Some of them don't like each other very much but they do it, nevertheless, just to keep going.

I'd hoped the Ombudsman would be here today to listen to this, I think it would be a very good thing for him to be working on. However, he is not but I do hope that you people, if you have any power at all, will bring this up and try to bring it forward. I know that Veterans Affairs have worked on it themselves, but with no success whatsoever.

Grant and I worked very closely on all of these people and are very knowledgeable about the neglect of the wives and the children, the widows of servicemen. These men all died serving their country; many, like my husband, had served in the Second World War, they were in Korea, they were professional soldiers, were in for the full term and did remarkable work. We're all terribly proud of them.

I can speak of one woman who has received the ex gratia payment and it's a lot of money. When I was working with these people I would always say to them, don't go out and buy a new car until you've got the money in your hands, because they never knew if they would qualify or even get it. But some have and it has just been a wonderful boost for them.

How much is a life worth? They got \$20,000. The Indians, the Chinese had tax, the people who were gassed got \$24,000. I hate to use the overused word "discrimination" but I sort of have to and you can judge for yourselves.

Lastly, I guess, I could say to you, please try to help these forgotten secondary victims. They are secondary victims, they soldiered right along with their husbands. Their husbands could not have functioned without them. They could not come home on Friday say, I'm on a plane to Cyprus next Wednesday, unless they knew that this remarkable woman - and some of them are sitting right here behind me - would just do everything to keep the home fires burning and welcome them back when they came. We had a lot of tearful farewells and a lot of joyous homecomings.

Please try to help these forgotten, secondary victims, the widows, then we can all sleep a little quieter at night. Thank you.

THE CHAIR: Thank you, Gloria. Just one quick question, has this presentation ever formally been done to the Minister of Veterans Affairs in Ottawa?

GLORIA SELLAR: No, but I'm seeing him next week.

THE CHAIR: So you mentioned that Art may have something to add to this? Some figures?

GLORIA SELLAR: Yes, I will, I'll get it typed up for him. I'm going to see him on the 26<sup>th</sup>.

ART SNOW: Grant and I joined together and we worked together. Grant got to talk, I do the listening.

GLORIA SELLAR: And I work with both of them.

THE CHAIR: Gloria mentioned that you had figures to back this up.

ART SNOW: Our figures are pretty straightforward, aren't they? Take myself, for example, say if I were receiving a DVA pension - and I am receiving a DVA pension - of \$1,500 a month, if anything was to happen to me, that's cut in half. My wife's is cut in half.

Now I also receive what we call a VIP, which entitled me to lawn care and housekeeping stuff. If I was to pass, my wife would have to reapply to get that. I'm not saying that she would get it, and I don't know why because the entitlement was there when I passed, it should remain there until she passes. My pension would be cut in half, my military pension also. I served 35 years with the military and I also continued on with the militia for another three years.

I enjoyed the Forces, none more than the Black Watch because I joined the Black Watch as a young soldier, 17 years old. When the Black Watch disbanded I was devastated. I was forced to go to another regiment but I stayed Black Watch and remain Black Watch today, because there was never a finer regiment that ever served the Canadian Forces.

THE CHAIR: Thank you, Art. Maybe we could go around now.

GRANT PAYNE: Mr. Chairman, one more short presentation, if we could, please, Mr. George Megeney. George, would you take a couple of minutes, please?

GEORGE MEGENEY: I'll be very brief. In addition to what Grant and Mrs. Sellars have told you, recently we have recognized a problem with the fieldworkers from the DVA who are sent out to assess our veterans and their eligibility for benefits. I can speak personally of three veterans who have had in excess of 90 years service; one of them has 795 parachute drops, another worked in the infantry, all three of them. The field representative who went to the first home, she opened the door and said to the veteran, you smoke, this won't take long. Consequently, he was turned down for the VIP. He

appealed that and complained about the fieldworker, and without any explanation or whatever he got his VIP.

[9:45 a.m.]

The second fellow, the fieldworker came, asked him if he smoked and he said, yes, but I don't smoke in the house and he said, well, I couldn't smell smoke - whatever that has to do with anything. She spent an hour with him, took all the information about his difficulty getting up and down stairs and what have you, told him to go ahead, get quotes and have a railing installed, no problem with his VIP. He did that and then he got a very irate call from that fieldworker, where did you get the authority to go ahead and he said, well, from you. She said, I never talked to you. She had no record of visiting him, sitting with him for an hour.

In the third case the same thing. She came to his door, you smoke - and consequently he has been denied. So I just want to say the professionalism of these fieldworkers who are making the assessments is lacking, they have no empathy whatsoever with the veterans that they're dealing with. Thank you.

THE CHAIR: Thank you, George. Mr. Paris, I believe you had your hand up earlier for a question.

PERCY PARIS: I did, thank you, Mr. Chairman. I recognize that there is going to be someone else coming at 10:45 a.m., so I do have a couple of questions. I don't know if you just want me to try to regulate it to one and have the go-round if time permits then maybe have the second and third? I guess my first is not a question, but it's more of a comment. My experience has been with this particular committee that we've been very sympathetic to any and all veterans who have appeared in front of us. I personally want to thank you for appearing. I'm the son of a deceased war veteran who served in the 87<sup>th</sup> and I hear what you say about the Black Watch being the finest and that might be up to debate if my father was still living, and I say that with all due respect.

ART SNOW: We would appreciate that.

PERCY PARIS: I certainly don't want to take anything for granted, but you talked about the difficulty that some of the veterans had with filling out forms and how they have to go around and look for people to assist them, whether it be an MLA, whether it be a son or daughter or whoever. I don't want to assume anything, what would be your suggestion to try to remedy that?

GRANT PAYNE: Just to reiterate, the difficulty is the lack of education and lack of writing skills, just to put it right on the plate. Years ago the Legions in the towns and villages were fairly large and they had Legion service officers; most of the small Legions now have closed and they exist only in the larger centres and they're not readily available. I know in Yarmouth there's a problem, for example, and in Digby there's a

problem, just to name a few, because I get calls from there (Interruption) Amherst, all over Nova Scotia and New Brunswick, eastern Quebec, P.E.I. the whole Maritimes, there's a problem. The problem is, just to reiterate, the education.

Now when your form goes into DVA it must point out that the injury was obtained while you were in the service of your country; they break it down into fifths, it goes from one-fifth to five-fifths. Just for example, if you had a knee injury in the Canadian Forces and they saw on your medical record that you had a car accident and your knee was injured, they would maybe award you, just as an example, three-fifths for your injury in the Forces and two-fifths was attributed to your civilian car accident. That's just an example.

These reports that go in - to get back to the reports - they must be very detailed, they must be accurate and they must be backed up by medical documentation. Sometimes you're sent out to a doctor or whatever, but the difficulty exists especially with the tardy record keeping that existed back in our day; not now. We lived back in the age of the dinosaur, everything was written in pen and nobody really checked up to make sure that all the records were accurate. They were interested in you being a soldier and they didn't really give a damn whether your medical record was kept up or not.

When these veterans go to apply and fill out their forms, they get a letter back saying, there's nothing on your service record. We didn't have release seminars as they do today, as you do in the provincial government. I was a police officer in New Brunswick and when I retired, my wife and I went on a three-day retirement seminar - there was nothing we didn't know. When I left the Canadian Forces in the Military Police, I got a handshake and thanks for coming out. I didn't get a medical, a hearing test or anything else on release. This is the difficulty, going back to George Pollock's statement - inaccurate medical records, records there were destroyed for whatever purpose, and the inability of the veteran, education-wise, to meet the requirements that the DVA want written down on these letters.

The only recommendation I could give is if the provinces could somehow, with the social welfare departments, make an arrangement or agreement with the federal government - we do it with prisons. I know as a police officer we did it with prisons, that if a person gets over so many months he can go to the federal system - and we could, out of the provincial coffers, make some agreement out of the federal government for our social welfare people to assist these widows who also fill out applications for their deceased husbands and also have faced the same difficulties, or the veterans could go to the Nova Scotia social welfare, whatever you call it here and get some assistance in filling out their forms. This would alleviate many of the problems.

PERCY PARIS: I think I'm hearing two recommendations. The last one about the co-operative or the partnership with a provincial agency to assist, but also that maybe the forms themselves, because of the lack of the historical data, shouldn't be so much in-depth and so much of a requirement.

I just have to piggyback on that if I may, Mr. Chairman. When you talk about the appeal boards, is it because there is a lack of anyone - you talked about the experience, so was it because it's all made up of civilian personnel?

GRANT PAYNE: For the most part, yes, sir. It doesn't matter, civilian personnel, it's knowledge of the job. I certainly couldn't give a two minute talk on what you people do. How could you assess me as an infantry soldier? This is the difficulty. I have a recommendation that could go and one is there are army, naval and air force personnel and I can't, for that matter, comment on the navy. Now the air force I could because I was a military policeman after they disbanded the Black Watch - I went into the MP and served with the air force and the army. So I could go to either element in a hearing as not part of the panel, but as an adviser. You wouldn't have to have an airman, a sailor or a soldier on a permanent payroll, but you could have some representatives, say have one in Hants County, another in Cumberland, another one in Colchester, whatever the requirement was and when you had a hearing on a sailor you could say okay, Charlie Brown, we have a hearing with a sailor here today, a naval person, could you attend and just authenticate what he's telling us?

This is where I get into - and I gave you an actual event. We stood in ice water up to our knees in trenches in Shelburne, Nova Scotia in 1963 all night and God help you if you got out of that trench. I can tell you, the discipline was discipline and for good reason. But people don't believe these things, they don't believe that you finished a seven day exercise living in a tent in the middle of winter and then the CO decided to march 40 miles into camp with a 60 pound rucksack pulling a 250 pound toboggan and then march to attention with a pipe band another mile to the parade square, just to entertain the wives and children that were home. This is true. You need to have walked in their shoes and this is a great difficulty.

There is nothing wrong with these people who are on the DVA boards. They're well educated, many of them are social workers and they understand human problems, but they don't understand soldier, sailor, airman problems. They have no idea.

PERCY PARIS: And it's a different era.

GRANT PAYNE: Yes.

THE CHAIR: Thank you. We'll have a second round, I'm sure. Mr. Porter.

CHUCK PORTER: Mr. Chairman and again, thank all of you for coming, it was a pleasure to meet you earlier and chat for a few minutes. Your stories, we've heard a lot of stories in the past on this committee and that's why I like this committee. We're here to exactly do what Mr. Payne was just saying about the everyday educated person - as well educated as they might be, they really don't have an understanding of what it might mean to stand in that ice cold watered trench.

It doesn't matter where you served or how long you served, your life was affected in some way, shape or form and it still is today. With all due respect about yourselves and the veterans of the day, but also about those in the future that need to be looked after as well and I speak from experience there. I have a number of family members who are serving right now, one unfortunately is in Afghanistan and he just went this week.

Just on the forms, I've been working with a gentleman from East Hants for some time now who was in New Brunswick years ago and was sprayed by Agent Orange and has had many difficulties, as Mrs. Sellar has explained, a lot of those similar issues, has not had a lot of luck to date. We filled out more forms and I can imagine I don't know how many times and sent them and there have been some interesting discussions, I guess, between my office and our friends in Ottawa as to how much they really understand about certain things. But the forms are somewhat confusing, too and I can understand how that gentleman, just as an example, has no idea. Again, not very well educated and went right into the service, spent many years and so on.

I've been fortunate enough to work with a number of veterans and help them with different grants and assist them with forms. I'm not sure what other members do, I'm sure we all see them, but your recommendations are certainly good ones, I think, having someone out there to assist them. I know we do as much as we can and I only see a small portion, I'm sure, of the ones that are being sent in. I know my door is always open to assist them and I'm sure all members are as far as that goes. I think a lot of the recommendations you brought forward, so thank you for that and I know others have questions.

GRANT PAYNE: Just to add a little bit there, I have talked to in excess of 100 widows from the Province of Nova Scotia in reference to filling out forms for the ex gratia payment and also for the Veterans Affairs, this lady coming today as a matter of fact is one of them and I'm in New Brunswick. Here we have Nova Scotians - and no slight on Nova Scotia because it exists in New Brunswick, P.E.I., Newfoundland, it's all over - phoning me and phoning Gloria Sellar in Kingston, Ontario. So what does that tell you.

CHUCK PORTER: Unfortunately, I've dealt with more widows than I have veterans.

GRANT PAYNE: That's a real problem.

GLORIA SELLAR: I'm dealing with a chap on Salt Spring Island. I don't want you to think that this problem is unique to the Maritimes, it isn't - there are people right across the country. This chap is in such terrible shape, he's lost one side of his face, he only has one eye and he can't fill out his form, so I researched and found a niece who lives within a few miles of his house and between she and I on the telephone, we're getting his forms filled out and getting him on his way.



I used to come to Oromocto, and Grant would set up tables down in the basement of the Legion hall, all the way around. I would go around and spend a little time at each table, with each couple, family, whatever they were and get them started on a form - he was doing the same thing. As long as you sat with them, they didn't do too badly. Next trip around, you would get a little bit more done. They're terrified of these forms. They're afraid that it will affect their pensions, they're afraid that it will affect their disability pensions - they are just afraid of government forms. They really need some good people who can do this properly, full time. We certainly did it properly, but the people who are interviewing them must help them more. They can't just say this isn't good enough, goodbye, you don't qualify - they really must have some compassion and try to help these people a little more. Don't you think, Grant?

[10:00 a.m.]

GRANT PAYNE: Yes, I totally agree.

THE CHAIR: Thank you. Mr. Dunn.

PATRICK DUNN: Mr. Chairman, again, I reiterate, thank you for coming in today. I think it is safe to say that all the members of this committee find this is our favourite standing committee and we enjoy it very much. We have such great admiration for people who have and are presently serving in the various forces.

I have a question for Gloria. Do you have any idea how many secondary victims we may have? Just a ballpark - it may be difficult to come up with a number?

GLORIA SELLAR: How many, Grant, hundreds? There are not a huge number. They've been at this so long a lot of them have died and they die angry and this is not a very good thing.

GRANT PAYNE: There would be 1,000 in the Maritimes . . . .

GLORIA SELLAR: About 1,000 here in the Maritimes.

GRANT PAYNE: . . . yes, judging by what I've dealt with in Nova Scotia, Newfoundland, P.E.I. yes, 1,000 wouldn't be an exaggeration.

GLORIA SELLAR: It's probably the same in each province across Canada. Many of them have not applied or they just say oh, I'm fed up with them, I can't be bothered with this. They've given up and it's a sadness, it really is. But the few who have have not been very successful.

PATRICK DUNN: You're going to visit the Minister of Veterans Affairs next week?

GLORIA SELLAR: Yes, I am, but this is a Department of National Defence problem as well. The Minister of National Defence was the one who gave the talk announcing the ex gratia, and it was one of his very first speaking engagements I think after becoming the Minister of National Defence - Mr. MacKay. I think he is taking pretty good care of the soldiers, I just would like him to look back a little bit because the military is familial. For every soldier that is in, he's had a father, an uncle, a brother, a cousin - someone who was in the army. They've liked their service, enjoyed it, thought it was an honourable thing to do, so these boys have joined up. The Maritimes is a great recruiter of soldiers and very good ones, too.

My husband just thought the world of his people. He said they were just amazing - they could all do anything you asked them, they were so naturally smart. But the big issue is to get the papers in because there's a cutoff date for this and if you haven't applied by a certain date then you're out of luck. But it's the ones who did not receive it that are the painful ones, all of the soldiers who died before this magic date in 2006, they won't get anything. I'm perfectly all right, but my husband doesn't get anything. He was 35 years in the Armed Forces, honourable service, served everywhere, went to war twice, but he died before the cutoff date. I'm just using him as an example and of course he doesn't qualify for the ex gratia and although I nursed him for years and years, virtually carried him around, I don't qualify either. So this is one of the reasons why I took hold of this, not for me, but for all of the other women who have just had such an appalling struggle and so have their men. They didn't want to die like that.

GRANT PAYNE: Just to support what Gloria has said, I recently wrote an appeal for a lady in New Brunswick - her husband was a Black Watch soldier. There are three requirements to receive the ex gratia payment. One, you must have served in Camp Gagetown between June until September 1966, and June to September 1967. You must have one of the 12 diseases as identified by Veterans Affairs on the application form, there's type 2 diabetes and all the rest are cancers. A point to notice, not one cancer for women and this really irks me because we have a very high incidence of cancer in the ladies and they just totally, the ladies didn't exist, I'll just put it as simply as that, they just weren't there. The last of the three, you must have been alive on February 6, 2006.

This widow approached me and asked me if I would assist her to apply for the ex gratia. I did. We filled out all the forms and on there if it is the surviving wife it is identified as the caregiver. We filled it out and sent it in and she received a negative reply back. It said, Dear Mrs. So and So: Your application is denied because your husband was not alive on February 6, 2006. I'm not a lawyer and I certainly don't profess to be one, but being an old policeman I dug into the Act and I read the Act.

The Veterans Affairs Department has a charter - they have an SOP, we called it in the military and police. Theirs is the Veterans Affairs Act and they must go by that. It says in the Veterans Affairs Act that a veteran must be given the benefit of the doubt, so I wrote her a letter of appeal saying you didn't apply Section 21(1), Section 21(2) of the

Veterans Affairs Act as you are required to do and give this lady the benefit of the doubt because certainly 66 and two-thirds per cent of the requirement should warrant the benefit of the doubt. So we will wait and see what happens there, but I can tell you what's going to happen. It will come back like a bullet and then we'll go after it again in another way, but that's what we're up against.

PATRICK DUNN: I didn't mention earlier, it's nice to see some familiar faces, George, Charlie and Harold are with us today. Just perhaps one last question, Mr. Chairman, a question for George, and George will have to come up to the microphone. Just as president of this new branch and I heard in the preliminary remarks about hosting an event this coming September?

GEORGE MEGENEY: September 5<sup>th</sup> and 6<sup>th</sup> in Stellarton, it will be the annual general meeting of the Black Watch Association, Atlantic Branch. The last time it was hosted there, about 250 people showed up and tentatively this year the guest speaker will be the Minister of Defence - depending on the political situation, elections or whatever. Hopefully, General McAlpine will also attend, we're not sure of that yet, but he will be invited.

PATRICK DUNN: Thanks, George.

THE CHAIR: Mr. Manning MacDonald.

MANNING MACDONALD: Mr. Chairman, first of all I would also like to welcome everybody here today and say at the outset that we've all heard a very compelling story here this morning, especially the story and the events portrayed by you, Mrs. Sellar and I really appreciate that. You have given us a lot of food for thought here and some of the thoughts that I have that I'd like to pass on are that it seems to me in a lot of cases you have civil servants determining your fate and while these civil servants are good people in their own right, they have very little knowledge about what you went through in the military and what your group went through, not only the Black Watch, but all military people who have served. It seems to me that in some cases the way we do business in Canada, the bureaucracy costs more than solving the problem in a lot of cases. Certainly the bureaucracy spends a lot of its time telling you why you can't get something rather than dealing with the issue.

In dealing with the issue it brings to mind something that happened in my area regarding miners over the years, coal miners who have served underground in submarine mines for years. The words automatic assumption come to mind and for many, many years miners were fighting for automatic assumption in terms of illnesses that they obviously contracted in the mines and for years were fighting government about justice for those injuries to their bodies, lung cancer is a good example of that. I think the words automatic assumption apply to you people as well and the quicker the government does away with finding compelling reasons why they shouldn't do something for you, there should be a criteria set to enable you to use that term automatic assumption if you've

served so long and if you've been in the kinds of situations you described, Mrs. Sellar, all of those things, I think the government perhaps would do you people a service and do the people of Canada a service and decide that automatic assumption is going to apply here, much as it has now with some of the miners' situations that I was more familiar with in Cape Breton.

With regard to the Legion situation, you're right on the Legion. I'm a member of the branch in my area and at one time I can recall three or four branches in Sydney having service officers who would actually take veterans into the branch, because most of them belonged to the Legion anyway, but even if they didn't they would fill those forms out for them and take them down to Veterans Affairs and take them to the other social agencies that they needed to access. You're right, that's not existing anymore, the Legion is in serious shape these days and the old service officers that I was familiar with, for example, are no longer there and there are no young people coming up through the ranks which begs the question, I guess, Veterans Affairs perhaps should be looking at increasing the number of people in their employ to do nothing but provide these kinds of services to members of the Armed Forces, their spouses, their relatives who have been affected by series of events over the years and to try to come up with a plan of assisting them - not telling them why they can't assist them, but a plan of assisting them with their day to day functions. I believe that that is where government should be heading in this regard.

I might just finish up by saying that most Canadians don't realize the story that you've told here today. I'll be honest with you, most Canadians have no idea who the Black Watch is today and have no idea that there were aircraft carriers in the Canadian Navy, for example, and I know because my background was naval. So you have to do a re-education program and I suggest that the way to do that is to do what you're doing today and to keep that story going, Mrs. Sellar, that you told today. I think you should be on national television telling that story not here in this committee. Some of the incidents that you alluded to in your story would certainly make a lot of people perk up and say, if this really happened, this is a shame. It is a disgrace, really, that this has been allowed to go on without being corrected. Let me just say - and I know you want to comment - that you people have served your country and it's time your country started serving you. Thank you.

GLORIA SELLAR: I just was going to say that most soldiers enjoyed being soldiers, they really did, they were very proud of being soldiers. My husband was supposed to be a lawyer once he came home from overseas and I always said he got me first. (Laughter) He liked being a soldier, of course, he didn't like the wartime part of it - that was a deadly business - but he liked being a soldier and they do. I think generally soldiers, they may complain among themselves but they are very proud of being soldiers. Actually this is my first shot at publicly, shall we say, with the wives because I've always been so busy working for the men and I felt that it was important that the men be paid first, if you like. I remember saying that at P.E.I. but they stopped it too soon and now I'm working on the girls. I hope that's okay.

[10:15 a.m.]

GRANT PAYNE: Mr. Chairman, there's part of the story that hasn't evolved here today and that is the military wives - Gloria has done a fantastic presentation - however, the military wives when they set this ex gratia payment up, they said during the months of June to September, 1966, during the months of June until September, 1967, you must also have lived within 5 kilometres of the base.

Now we have civilians who never, never resided in the PMQs, never washed the dirty clothing of the soldiers, weren't exposed in the house to the dirty rucksacks, combat boots. When we used to come out of the field, five yards was a good distance from us, depending on the wind. The ladies washed our clothes, the ladies helped us clean up our gear, get us back in order and back into the field. We weren't . . .

GLORIA SELLAR: And you hugged us.

GRANT PAYNE: Yes. We weren't husband, we were a team. So you had to be a team, if you were married, in the military because if mom wasn't functioning, you were in a bunch of trouble. These ladies had direct exposure to our kit, to our clothing.

Now there is one lady who had Type 2 diabetes who worked in a medical office in Oromocto and no slight to her - I won't mention her name - but she got an ex gratia payment of \$20,000. She was not a military dependent. There are a number of civilians who got this. She was not a dependent, she never washed his clothes.

Now keep in mind, in Camp Gagetown they sprayed whatever - no one knows - from 1952 to 1972. So these ladies not only washed and were exposed to rucksacks and boots and clothing . . .

GLORIA SELLAR: We slept with them.

GRANT PAYNE: . . . for two years, they were exposed for the whole time. So I just thought I'd like to add that. Thank you, Mr. Chairman.

ART SNOW: I'd like to add something, Mr. Chairman, if I can. In 1979, the Black Watch was taken out of the Battle of Order. At that time, in two battalions, we had 2,400 members. Since that time - and I keep a pretty good record of it - of people who died since 1979, 75 per cent were cancer-related. We are around 900 right now, so that in itself tells me that something is wrong somewhere, for our government to deny that something happened, that was my problem and still have. I am out of Cape Breton and my dad was killed in the coal mine. Thank you.

THE CHAIR: Thank you. Mr. Wilson.

DAVID WILSON: Thank you, Mr. Chairman. I, too, want to thank you for

coming forward to our committee and encourage you to continue to speak publicly about this. My knowledge of it is limited but it really relates to what the media covers. So you've educated myself and definitely I'll continue that on to as many people as I can and hopefully this committee can encourage you and support you in your future progress in trying to get what's right I think for not only the veterans but especially the widows.

I have just a few questions. One was around what Mr. Snow stated around the VIP program. This committee, and I've been a member of this committee almost five years now - we get different groups in here and the Department of Veterans Affairs comes often. I was under the assumption with the VIP program that once a veteran receives that program, their spouse is able to continue that on. You stated today . . .

ART SNOW: Only if they apply.

DAVID WILSON: They have to reapply after . . .

ART SNOW: Every year.

DAVID WILSON: Okay, and that's something we can maybe clarify or try to get some answers for, because it was my assumption that once they received it, they had it for life.

ART SNOW: And that was the problem with some of the spouses, that they were under that assumption, too, but it was cut off as soon as the member passed, and they didn't know that they had to reapply, so they would have to get the information from veterans who were receiving it.

GLORIA SELLAR: When I said every year, every year the Department of Veterans Affairs sends you a questionnaire and if you are having the VIP program, then you have to fill this out and this is your affirmation about how you're doing and that sort of thing.

DAVID WILSON: Mrs. Sellar, you mentioned the percentage of the pension is reduced by half once a veteran passes away. Have you formally sent correspondence to the federal government, especially indicating what I think is most important, which is around the example of civil servant pensions being not reduced as much as a widow. Have you sent formally, correspondence to the government? If you have, what response maybe did they give you?

GRANT PAYNE: Most members belong to PSAC - it is a federal superannuates. The federal superannuates have addressed two issues. One, they're in progress now - I'm not sure what level they're at - a committee is in progress now to have parity with the Civil Service for 65 per cent. Also, the clawback - the good, old clawback. At age 65, they claw back your annual increases or your indexing; they claw that back.

Now I'll just give an example here of a sergeant who retired in 1970, we'll say, because I know of one particular case. His pension was \$800 full pension. With his index and everything he probably would have went up to approximately \$1,500 or \$1,600. I don't remember the exact change but I assisted this lady, so I'm fairly familiar with the numbers. He passed away and of course her pension was cut in half and then bang, the indexing was clawed back, so you can imagine what she got.

These widows, they get hit and then they get slapped because the pension is cut in half if he passes before he's 65 and then when he gets to be 65, they claw some more back. Mind you, she picks up on her Old Age Pension and if she doesn't get enough she gets a supplement, and one thing and another, but it's not a very good state of affairs for these ladies. Sixty-five per cent, if we can get it, the same as the Civil Service, should suffice, because that leaves at least 35 per cent for what the husband would have spent, the extra food and use of a vehicle and whatnot, and that's more reasonable. But 15 per cent is quite a bit on a small pension, as you can appreciate.

GLORIA SELLAR: And it would take care of the ex gratia - do you think? - the 15 per cent, if they got it on a pension?

GRANT PAYNE: It would certainly help, and pay the light bill, or some of it.

GLORIA SELLAR: But these women are really hard up. I have to emphasize it, they never have any new clothes, they never go anywhere. They're in tough straits and they shouldn't be.

DAVID WILSON: No question, and I think this committee is quite familiar with the clawback. Especially myself, sharing an office with Mr. Stoffer for a couple of years, I know that fight and support it fully.

So the number of widows right now, I think I heard mentioned there may be 100 in Nova Scotia?

ART SNOW: There may be 1,000 in the Maritimes. So I'd say that Nova Scotia being the biggest populace of Black Watch, we're just looking at Black Watch, it would probably be in the hundreds, and if you take the full service . . .

GRANT PAYNE: And we're not familiar with the naval or the air but you know, let's not forget these people. They're our brothers and sisters - let's not forget them. So what kind of problems are they having? I have no idea. I know some people from the air element have contacted me, because they served with helicopters in Camp Gagetown. But how many air people are there who are having trouble and how many naval personnel, I have no idea.

GLORIA SELLAR: I only know that all of the helicopter pilots, who I know assisted in the actual physical spraying, are all dead. They have been dead for some time.

DAVID WILSON: That's a shame. You had mentioned there's a cut-off for applications, you said for people. What's the date for that?

GLORIA SELLAR: It's 2009.

GRANT PAYNE: I think they run it from February 6<sup>th</sup> to February 6<sup>th</sup>. Don't quote me on that, but it's 2009 and I think it's until February 6<sup>th</sup>.

GLORIA SELLAR: So there's a little bit of time left.

DAVID WILSON: So just in closing, I want to again thank you for coming here and educating us a little bit more on this issue and that as a younger person, I do know that there was an aircraft carrier because my father served on the Bonaventure.

GRANT PAYNE: The Bonnie and the Magnificent.

DAVID WILSON: That's right, so again I appreciate you coming here and taking the time to enlighten us and educate us on this important issue.

GLORIA SELLAR: Let me leave you with one little story that has touched me all of my life. We had a corporal's family who lived behind me in the married quarters - we all lived in the married quarters under the umbrella. This is another problem, of course, that when you're a widow, you're not under that umbrella anymore. They want your house for someone else and you're not turned out but you have to get out and that's a problem.

Anyway, this corporal had been out on exercise and the base commander took me out into the area. I had never been there before, and I had no reason ever to go while we lived there - my husband certainly wasn't going to tour me around. Anyway, he pointed - we were standing on a hill and the artillery were firing down in the valley, they were putting up smoke. He said, I'm reluctant to do this but I want you to look across the valley at that yellow spot on the hills on the far side, quite a distance away. He said that's clones, the area clones, and he said this was one of the homes of the Black Watch and other infantry artillery people during the exercise. There isn't one thing alive on it; it's still just yellow. It killed all the trees, all the bushes, all the grass. You can imagine the soil.

I went away and had a little cry, I felt so badly. This corporal who lived behind me came home, he had been away on exercise. You know their clothes smelled so badly that I used to put things in the washer and dryer and go upstairs because I was afraid the thing would explode from the fumes. I'm not exaggerating, I did this.

Anyway, this young fellow came home and his wife had a new baby outside, asleep in the carriage, and two little ones, three and five maybe, we all had little children



at that time. He didn't go into the house, he walked around to the back of the house and took this baby up in his arms, with his field clothes on and was hugging it and kissing it and there was a child hanging onto each of his legs. He sat down in the garden chairs with one on each lap and this baby in his arms and his wife came out in a pretty dress, she was trying to make herself look as nice as she could for his homecoming. It should have been the sweetest picture in the whole world but it's so tragic because you just know what happened to all of them, not a happy ending.

THE CHAIR: Thank you. Mr. Bain, please.

KEITH BAIN: Thank you, Mr. Chairman, and thank you very much for the information and education you have given all of us here this morning. We've covered a lot of issues this morning. We've covered issues that related to the veterans and to the widows or, as you refer to them, the forgotten victims. I think the way you presented it, it is certainly true.

I'd like to follow up. Mr. Wilson mentioned that the VIP program - I, too, was unaware that the widows would have to reapply. How many widows are out there who don't know that they have to reapply? Is there any communication being done by Veterans Affairs? We're assuming this, we're not involved in it, but you mentioned the people who are affected.

[10:30 a.m.]

GLORIA SELLAR: There's no advertisement, it's all kept very quiet. I keep saying to these women, do you have the VIP? They need it. A lot of them are on walkers and very unwell and they often say no, and I keep saying apply, go to Veterans Affairs and apply, but they're afraid.

KEITH BAIN: Unless the veteran was receiving VIP the widow is ineligible?

GLORIA SELLAR: No, there's never anything in the newspapers, any advertising, anything like that.

GRANT PAYNE: That's correct. Now to add to that, the biggest difficulty with not only DVA but many other government departments is trying to get the message to the public. Veterans are an isolated group and to put things in the mass media - here's a problem we're having with the widows right now, men tend to read newspapers more than women. I don't know why - maybe we're nosier, who knows - but when I ask the ladies who call me I say, have you read the paper, there was a notice in the paper, well, I don't get the paper or I don't read the paper. Many of these senior ladies - and they are senior ladies now for the most part - don't watch the news, they don't watch Don Newman on politics, they don't read the papers. The message is not getting there.

I'm a full-fledged veteran because I was injured overseas and I get a magazine

quarterly called Salute, I don't know if any of you are familiar with it or not and that has information for veterans in it. If you were not a veteran who was injured in a war zone or a special duty area you don't get it, so there's a breakdown in the communication. Recently a friend of mine passed away from cancer, a Black Watch veteran, near Sarnia, Ontario, I can't think of the name of the place offhand. I phoned Bill's wife and gave her my condolences for her husband passing, he was a friend of mine and all the guys know him here, Bill Hexter. I said you should apply for the ex gratia payment because he passed away from lung cancer and she said, what's that? Now here's a lady who is entitled to the \$20,000, but has no idea and obviously her husband didn't have any idea because he was ill with this well over a year.

While I'm on that, another one that really bugs me about this situation is I had a gentleman call me, not from my regiment, it doesn't matter, he's a veteran. He said, Grant, they turned me down on the ex gratia payment and I said, why? He had soft-tissue sarcoma which is on the list and that's something to do with flesh or anyway, they removed a kidney. They removed his kidney in March 2006 - remember the magic date of February 6, 2006? You must have been diagnosed with your illness prior to February 6, 2006 or in the process of being diagnosed. Now this gentleman had a kidney out in March 2006 and they turned him down. I said go to your doctor and get him to see if he'll truncate or wind back. Cancer just doesn't jump up and eat everything out in a few weeks - I'm certainly not a doctor but I think we all have a reasonable understanding of some of these things. He went to his doctor and received a letter and we sent the appeal in and we're waiting for it to come back, but this is how ludicrous and how tight this is. This February 6<sup>th</sup> is the date - and I'm not getting political here and I'm an old soldier and policeman, I'm not political - what does that have to do with when you die or when you get sick? Ladies and gentlemen, it has nothing to do with it.

KEITH BAIN: I think, in listening to the conversation, education and communication is a very vital role here that is not happening. When you made reference to some of the widows not even having a telephone because they can't afford it, a telephone is an essential in today's world.

GLORIA SELLAR: It's one of the things they can do without.

KEITH BAIN: Just for emergencies, if nothing else. Even if they never use the phone, they should at least have the entitlement to have the phone there. Again, I want to thank you, this has been very educational for me, I know that.

GLORIA SELLAR: These are not just privates and corporals, these are officers' wives too. I know many of them and every year they can do less because their money doesn't go as far. They're good managers and everything is gradually being taken away from them.

KEITH BAIN: Sure. Thank you.

THE CHAIR: That is the end of round one and I believe we may have our guest here. We only have one person here for another question or two, Mr. Paris, for round two and then we'll hear from our guest.

PERCY PARIS: I guess my next question would have an A and a B to it. I heard you mention that you're non-political and I know you're going to be meeting with the minister so my question is, how far have you gone politically with this issue? Up until this point in time with our meeting here, have you met with Members of Parliament? That is the A question and the B question is, have you considered or are you in partnership with other veterans? You are the Black Watch, so have you reached out to the other veterans and said look, our issues are the same here, our fight is the same here? So that's the A and the B.

ART SNOW: We are in touch with other veterans of all other units. Anybody who has any effect from within Gaagetown at that time, which they allow only two years, within the month - if anybody has any sickness or illness it matters not what regiment or outfit he was with, we are more than willing to go to work for them and help them in any way we can, by all means.

GRANT PAYNE: I work with the Royal Canadian Legion and a wonderful lady in Saint John, who is a Legion service officer for the province, she's the head Legion service officer. She's probably one of the most knowledgeable people with veterans' issues, I would say, in Eastern Canada. Her name is Kelly Newstead and she's an employee of the Royal Canadian Legion. This lady is absolutely fantastic. She has 13 years service with the Legion as a service officer, she has heard all the arguments, the stories, complaints and she has argued just about everything there is to argue on behalf of veterans and she's very successful.

I work with the Royal Canadian Legion, the Regimental Association together and I'll talk to any politician who will talk to me, regardless of his or her stripes because the issue is veterans and not politics, that's why I stay non-partisan. I've spoken with Mr. Stoffer in Fredericton, he was at the University of New Brunswick, I took the day off and went up and had a very nice meeting with Mr. Stoffer, I was very pleased with the meeting. I've had meetings with the Minister of Veterans Affairs, Mr. Thompson, I've had meetings with his Chief of Staff, Jacques Dubé, who was a former minister in the Government of New Brunswick and who has now gone to the department . . .

PERCY PARIS: What were the outcomes?

GRANT PAYNE: The outcomes for the most part have been good, they're very receptive and the communication is much better since Mr. Thompson and Mr. Dubé are up there, I can say that. At least someone will answer the telephone and someone will get back to you and this is always nice. As far as getting anywhere, February 6<sup>th</sup> is written in stone and it has iron bars over it. Gloria has tried to break the wall down, I've tried to break the wall down and February 6<sup>th</sup> is February 6<sup>th</sup> and there's absolutely no movement.

Again to reiterate, the issue is Veterans Affairs and the government have an Act to follow, they have a law to follow, we all have our legislative rules and regulations to follow. It is my suggestion, in the example I gave earlier where a widow met two out of three requirements. But what's February 6<sup>th</sup>, what does that have to do with it? They are not following their own Act and their own regulations by giving the benefit of the doubt. Certainly 66 and two-thirds per cent would be the benefit of the doubt.

PERCY PARIS: As receptive as those members that you've mentioned have been, regardless of their political stripes, did any of them say that they were going to carry the ball and take this to their Cabinet or to their . . .

GRANT PAYNE: Mr. Stoffer is the only one who has fought for us, in my experience.

GLORIA SELLAR: Let me give you a little background on this. I got this pension through for my husband. He had it for a month and a half before he died, so it didn't really mean much to him, he was very sick at that time. I expected that Veterans Affairs would do something because this was the first pensionable benefit that had been awarded, but they didn't. Several months went by and I kept looking and waiting for something which never came and I decided to publish.

The Globe and Mail was very anxious to have this story, however, the lady crossed the floor to the other Party and she was bigger news than I was. All the photographers and news people had gone to Ottawa, however, I was given the chap - you'll see him on television all the time - he is the political analyst for Sun Media and he came and spent a whole day with me and published in 147 newspapers across the country and this rather blew the thing open.

I was invited to go to speak in the House and there were members from all the Parties there. All were absolutely in favour of it, hugged and kissed me. The Bloc Québécois man came up and hugged me and said, we love you, we love you, but it took a long, long time for this to go through the House, to go through all the meetings and things that one has to do to get it passed before we finally got the ex gratia payment a very short time ago at the Fish and Game Club in Fredericton.

PERCY PARIS: If I may, Mr. Chairman, I want to replay the tape because you had mentioned earlier in your presentation about benefit of the doubt and you had mentioned doctors and the shortage. I wrote down because this struck me - you said DVA doctors. I'm going to plead ignorance here, when you say DVA doctors could you tell me what that means?

GRANT PAYNE: Say, for example, you have a disability that you relate to your service career, an injury that you may have encountered or an illness or a problem. You fill out the application and send it down to the DVA. How it works is there is a provincial

agency - it's federal, but it's located in each province and here it is Halifax. In your papers go, I don't know what they do with them, but they forward them to Prince Edward Island. This takes a horrendous amount of time, some of these are six months from New Brunswick and Nova Scotia, I've seen them six months, I've seen them almost a year, so it's quite a lengthy process.

Finally, they get to P.E.I. and they say okay, Charlie Brown, you have a knee problem. We want you to go to the hospital and get some X-rays and then you'll report to the doctor at the VA in Halifax, Nova Scotia or Saint John, New Brunswick, where it is done. This doctor is, something you can relate to, like a Workers' Compensation doctor only he works for the VA. You have to get into this doctor and be assessed by him, he writes out the assessment and that goes back to Prince Edward Island. I can relate to one of my cases, it took six months to go from the Sussex hospital to Saint John, had my examination and back to P.E.I., it took six months, this is not a big distance. This doctor is an employee of Veterans Affairs.

PERCY PARIS: So he or she is not your family doctor, he's somebody who's assigned by DVA?

[10:45 a.m.]

GRANT PAYNE: But you can. When you initially have the problem - and I'll give you my example of how I did it - I had my problem so my family doctor was treating me for my problem. I applied to the DVA, my family doctor gave me a statement that yes, Mr. Payne has problems with his ankle because of a service-related injury and she saw my medical docs from the military and we sent that to P.E.I. They said okay, Mr. Payne, go to Sussex hospital, get an X-ray and you have an appointment with our VA doctor in Saint John. So I went in and they did an examination on me and six months later it arrived in P.E.I.

Also, if you are awarded a benefit and they break these down, as I alluded to earlier, in fifths, say for example you're awarded three-fifths for a knee injury, what happens then is they may send you down to the VA doctor because now we're talking a percentage of pension. How much percentage of disability out of 100 per cent do you have. So you go down and the doctor says okay, Mr. Payne, you have a disability, they don't tell you what it is, they put the percentage they feel is on there and they send it back to the DVA in Prince Edward Island. They subsequently put it beside a chart they have for monetary gains and with the successful applications, we'll go to the ankle, you would get corrective footwear, they would give you a card that says you can have corrective footwear. Anything related to that injury, the medical costs are covered under the VA and this is for appliances and different things, so that's how it works.

PERCY PARIS: Thank you.

GLORIA SELLAR: And once you get in with the Veterans Affairs, they are very

good to you, aren't they Grant?

GRANT PAYNE: Yes.

GLORIA SELLAR: They are. People who are terribly ill, they brought Gordon a wheelchair and a raised toilet seat, all of the things that keep you at home if you are sort of chronically, desperately ill and just able to get about. They were very good and we had a service officer or whatever he was called and he would come every six months and say, how are you doing. So once you sort of get in there then they are really very good, but the problem is, of course, to get a start.

THE CHAIR: Thank you, Gloria. I want to thank you for your presentations and I believe we have a guest here who is going to do a short presentation. We have approximately 15 minutes left, I'm not sure how long the presentation is, but . . .

GRANT PAYNE: Mr. Chairman, I can help her out at the preliminary and this will save a bit of time, we arranged it. This lady is Lorraine Bartlett, she is the widow of a Black Watch veteran, Jimmy Bartlett, who I knew and many of my comrades here knew well. Lorraine resides in Dartmouth, Nova Scotia and she has lost her husband, James, to cancer.

At the outset of this Lorraine contacted me, I don't know how she got my name, but she did and said, Grant, what can I do? We subsequently applied for a pension under the DVA Act because Lorraine did not qualify for the pro gratia payment because her husband pre-deceased February 6, 2006.

LORRAINE BARTLETT: Excuse me, he did not apply for a pension before his death and I questioned that because somebody who has been diagnosed with terminal cancer, why would they apply for a disability pension? That made no sense to me whatsoever, but that's why I didn't qualify for the \$20,000 or whatever.

I was not involved with this issue. I didn't even know until October or November sometime of this year, 2007, that my husband had been directly sprayed with Agent Orange. The only reason that I did get involved is because my brother knows Grant and he pushed me and pushed me. When I found that out, that he was directly sprayed, then I said well, okay, I started talking with Grant and said, well maybe I should look at that.

I would be here for a week if I were to tell you my life from the time my husband was diagnosed with cancer until today. We had a daughter born with multiple, severe disabilities. Nobody could figure out what happened, there was no family history of it and all they could put it down to was heredity because they didn't know what it was. I have a picture of her here, there was an article done on her. She is doing well now, everything is fine for her now, but it was such a rare condition and I have the information with her condition and so on and if you look back, it's way back when it originated over in the Asian countries. Is that where Agent Orange came from? I don't know. Then my son was

born with chronic asthma, ADHD and he has gone through two major surgeries in the last five years for colon cancer, the same cancer that his father has had. So that is that in a nutshell.

With Grant's help and I had a long conversation with Gloria, they told me what to do and they said I had to do all of this stuff, so I did. I just recently got the decision back from Veterans Affairs and they're telling me that my husband's colon cancer did not qualify as being caused by Agent Orange, or whatever.

GRANT PAYNE: Can I say something here?

LORRAINE BARTLETT: Okay, you go ahead.

GRANT PAYNE: Mr. Chairman, for everyone here I will just cut in here. You have two statements before you, one if from a James Burke and the other one is from John Dewaepenaere. As you know with Veterans Affairs, they just don't give the public money away, so you have to have proof and in this case, it is proof of exposure.

I did an investigation on Mrs. Bartlett's behalf and contacted the last two surviving members of what's called a machine gun platoon. On a time, date and place - I'm not just sure when it was - Jimmy Bartlett was the driver of a machine gun jeep. All of those are old enough and ever watched the Rat Patrol on TV, this is what we're talking about - a 50 calibre mounted on a jeep with a crew of three men.

There were nine men in this group and there were three gun jeeps and they were travelling on the Olinville Road in the southern part of Camp Gagetown. An aircraft came over and sprayed the roadway - apparently it was trying to spray the ditch of the roadway - and literally soaked the nine soldiers with whatever. They were so immersed in the spray that they had to change their clothing and they went to, I believe, George's Lake or Morgan Lake down in the bottom and washed off as best they could, but they were literally soaked in their clothing.

Five of those nine people are dead from cancer - Mrs. Bartlett's husband one of them. I went and saw these people, their statements are self explanatory, I don't have to expand on them. These are honourable citizens, they're not liars, they're not trying to prop anybody up. I interviewed them separately, I did not advise one of information on the other statement, I know how to take statements, I took them properly and we produced them to Veterans Affairs in Mrs. Bartlett's report.

Mrs. Bartlett gets this letter back and she has agreed to let you have photocopies of it which says, you have no proof of exposure. Well, good heavens, what do you want?

This is one of the most flagrant ones I've seen to date. Her husband was predeceased so she doesn't qualify for the ex gratia payment, nor did we apply for it. We applied for a pension that was directly related to his military service. We established that

he was exposed and he was strongly exposed.

Now I have in my briefcase the fact-finders final decision and it says, only those who had direct contact with the substance were affected. Well, I've met that burden - Mrs. Bartlett has met that burden of proof. He was sprayed, his clothing was soaked and they've just completely dismissed it.

Now I'm going to appeal it on her behalf, we're going to work on an appeal, but that is just how ludicrous this is.

LORRAINE BARTLETT: Well, I really didn't prepare anything as such because this came up for me so fast but I did Xerox some stuff here, letters that my son wrote and I wrote a letter on behalf of my daughter as well. All this information has been sent off to the DVA and it was sent off with my application and then I get this letter. There have been a lot of medical issues - not so much myself, other than a thyroid condition, but my husband came down with cancer, died of colon cancer. As I said, my daughter was born with multiple, multiple disabilities, a very rare condition, there is none in North America, it originated over somewhere. We had geneticists do all kinds of research on it and the whole business, and they can't understand where this came from.

I was in Gagetown, we lived in Gagetown for about two years, 1970 to 1972, so I would definitely not have been exposed like my husband was but I was there, but not in the magic 1966 and 1967 - he was but I wasn't. This is what I find, that the parameters are very narrow, the parameters that they're trying to slot people into are very narrow. Very few people are going to fit their criteria because they're all gone. There's nobody left, or there are very few people left. So I find that upsetting.

What I did was I put in correspondence, just to give them a Reader's Digest view of what my life and what my children's lives have been like since the death of my husband. We were very young, the kids were young when my husband died. He just turned 42 when he died of cancer. I had a severely disabled daughter to deal with. I had a young child, chronic asthmatic, ADHD, and I had to work full time. I was seven months pregnant when we moved to Halifax and then Tracey was born in October. There was no chance or no opportunity for me to form relationships or have a support system around me because when she was born we were put right into a whole new world of doctors and tests and the whole business.

Then Jimmy came down with cancer and here we went again, trying to deal with that. There was no support, I felt, we didn't have a chance to form a support system. Then when he died, it was like - I don't want to say anything nasty about the military or anything - we didn't exist. He was gone, my husband was gone. I didn't exist, my two kids didn't exist and I was left there to try to figure out how I was going to get through this maze of whatever. We were just non-existent, so it has been a real struggle. It would have been helpful if there had been some help for us at that time.



I can remember at one time going over to Stadacona somewhere, I had paperwork to do and I was asking them questions about something - oh no, we can't help you any more. So if you had any questions, but this stuff I can leave here if anybody wants it, I did send it off to the DVA.

THE CHAIR: Thank you, Mrs. Bartlett. Maybe we could have those tabled so we could have a copy of it.

LORRAINE BARTLETT: You can have them, I was at Staples at eight o'clock this morning. I didn't get everything xeroxed but what is here, you are welcome to have because I have my copies, yes.

THE CHAIR: For the sake of time, it is eleven o'clock at the closing hour, I guess. We are here as a committee to do what we can for our veterans in Nova Scotia, that's what this committee is about, to help our veterans and to help our veterans' spouses in any way we can, so that's what we'll try to do.

Next week, I know that Gloria said that they will be meeting with the Minister of Veterans Affairs. I'm not sure about that date but hopefully we can put together some kind of a support letter and maybe you could have that in hand at the time.

You asked about any way we had of swaying anything. Well, we try our best, that's what we do. We're here for you and for the veterans and, with that, I'll ask for a motion from the table. Mr. MacDonald.

MANNING MACDONALD: Thank you very much, Mr. Chairman. First of all, another compelling story, Mrs. Bartlett. Thank you very much for taking the time to come here today. Incumbent with my motion would be that hopefully that the remarks and the information that both Mrs. Bartlett and Mrs. Sellar has today could be included in the package that will go with the motion that I intend to raise.

The motion is that this committee write to the Veterans Affairs Minister to consider implementation of the recommendations made here today by the Atlantic Branch of the Black Watch Association and that included with that would be the correspondence and the remarks made here today by both of the speakers who spoke very compellingly about their personal situations and also the situations surrounding the veterans and their wives over the years. So I would move that as a motion, that this go immediately to the Minister of Veterans Affairs.

THE CHAIR: Seconded, Mr. Dunn. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

I want to thank you very much. I would like to ask Gloria when that meeting is

going to be with the Minister of Veterans Affairs. What is the date?

GLORIA SELLAR: The 26<sup>th</sup>.

THE CHAIR: So maybe we can get this all together for you to have at that date. I think it would be great to have this in hand and what weight we do have will be with you. Thank you all for coming in. I hope everything works out for the best for you. I know it will and I guess that we'll do what we can to help.

GRANT PAYNE: Mr. Chairman, on behalf of the Black Watch Association, I would like to thank you very much for your time and your consideration.

THE CHAIR: Thank you.

[ The committee adjourned at 11:03 a.m. ]