

ANNUAL

REPORT

2014-2015

Ombudsman

National Defence
and Canadian Forces



Défense nationale
et Forces canadiennes

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April 2015

The Honourable Jason Kenney, P.C., M.P.
Minister of National Defence
National Defence Headquarters
Major-General George R. Pearkes Building
101 Colonel By Drive
13th Floor, North Tower
Ottawa, ON
K1A 0K2

Dear Minister,

I am pleased to submit to you the 2014-2015 Annual Report for the Office of the Ombudsman for the Department of National Defence and the Canadian Forces. This report provides an overview of our activities and operations from April 1, 2014 to March 31, 2015.

Pursuant to paragraph 38(2)(a) of the Ministerial Directives, please be advised that we intend to publish this report on the expiration of 60 days from this date.

Yours truly,

A handwritten signature in black ink, appearing to read 'G. Walbourne', written in a cursive style.

Gary Walbourne
Ombudsman
Department of National Defence and the Canadian Forces

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Ombudsman's Message

This past year has been one of development and collaboration as we built upon a strong foundation of ensuring fairness and improving the quality of life for Canada's Defence community.

As I began my tenure as the 5th Ombudsman for the Department of National Defence and the Canadian Armed Forces, I looked back at the progress the Office had made and committed myself to continuing the momentum in terms of bringing the Defence community's issues to the forefront.

In looking at the issues, it was obvious that sometimes status quo is not enough. One cannot keep doing things the same way over and over again and expect change. With this in mind, my Office started thinking of ways that we could be more innovative. We made changes to the structure of the organization, which will help us operate more effectively and efficiently, and we started collaborating more with Defence stakeholders, among other things.

In particular, I followed up on my promise to pursue a greater relationship with the Office of the Veterans Ombudsman. We noted an overlap in issues experienced by our constituents and, this past year, we joined forces to examine and make recommendations on the transition process for Canadian Armed Forces members who release from the military and join civilian life.

Related to this was our analysis of Bill C-27 – An Act to Amend the *Public Service Employment Act*. The Bill was created to give ill and injured Canadian Armed Forces members priority appointments to Public Service positions, but a key part of the legislation – and what will make it effective for releasing members – is which department determines an illness or injury is a result of service. Our analysis found the Canadian Armed Forces best placed to determine attribution of service.

In addition to our analysis of Priority Hiring and transition, we also looked into several systemic issues, including the Board of Inquiry process as it relates to military families, and health and compensation issues facing the Reserve Force.

Behind the scenes, we met with Defence leaders in order to help resolve issues brought to our attention. We share a common goal in that we want to ensure all members of the Defence community are taken care of. It is this commonality that has brought us together for the benefit of our members.

In the spring of last year, we received approval from the Minister of National Defence to investigate an issue that pre-dated the mandate of this Office. We are now in the final stages of our investigation into the treatment of cadets affected by a grenade explosion that occurred at Canadian Forces Base Valcartier in 1974.

An important focus for our Office this past year and for the year to come is reaching out to the people we serve – ensuring their voices are heard and they are aware of how we can help them. We now have a Twitter account that we use we share up-to-date information on our activities, including visits to bases and wings across the country where meet face to face with our constituents. We also created a video section on our website that provides answers to frequently asked questions about the Office and issues affecting the Defence community.

As this year marks the 50th anniversary of ombudsmanry in Canada, I am reminded of the importance of what we do as an institution. Ombudsman offices were created out of a need to provide independent oversight bodies where individuals could be assured that any issues they were facing would be looked at fairly and objectively. I am proud to be a part of that community and I look forward to continuing that tradition for Canada's Defence Team.

Mr. Gary Walbourne, MBA, CHRP, CPA, CMA
Ombudsman

"Ombudsman offices were created out of a need to provide independent oversight bodies where individuals could be assured that any issues they were facing would be looked at fairly and objectively. I am proud to be a part of that community and I look forward to continuing that tradition for Canada's Defence Team."

~ Gary Walbourne, Ombudsman

An Office that Can Help

The Office of the Ombudsman was created in 1998 to increase transparency in the Department of National Defence and the Canadian Armed Forces, and to ensure the fair treatment of Canadian Armed Forces members, departmental employees, and their families.

The Office acts as a direct source of information, referral and education. It helps members of the Defence community navigate a large and complex organization in order to access existing channels of assistance or redress when they have a complaint or concern.

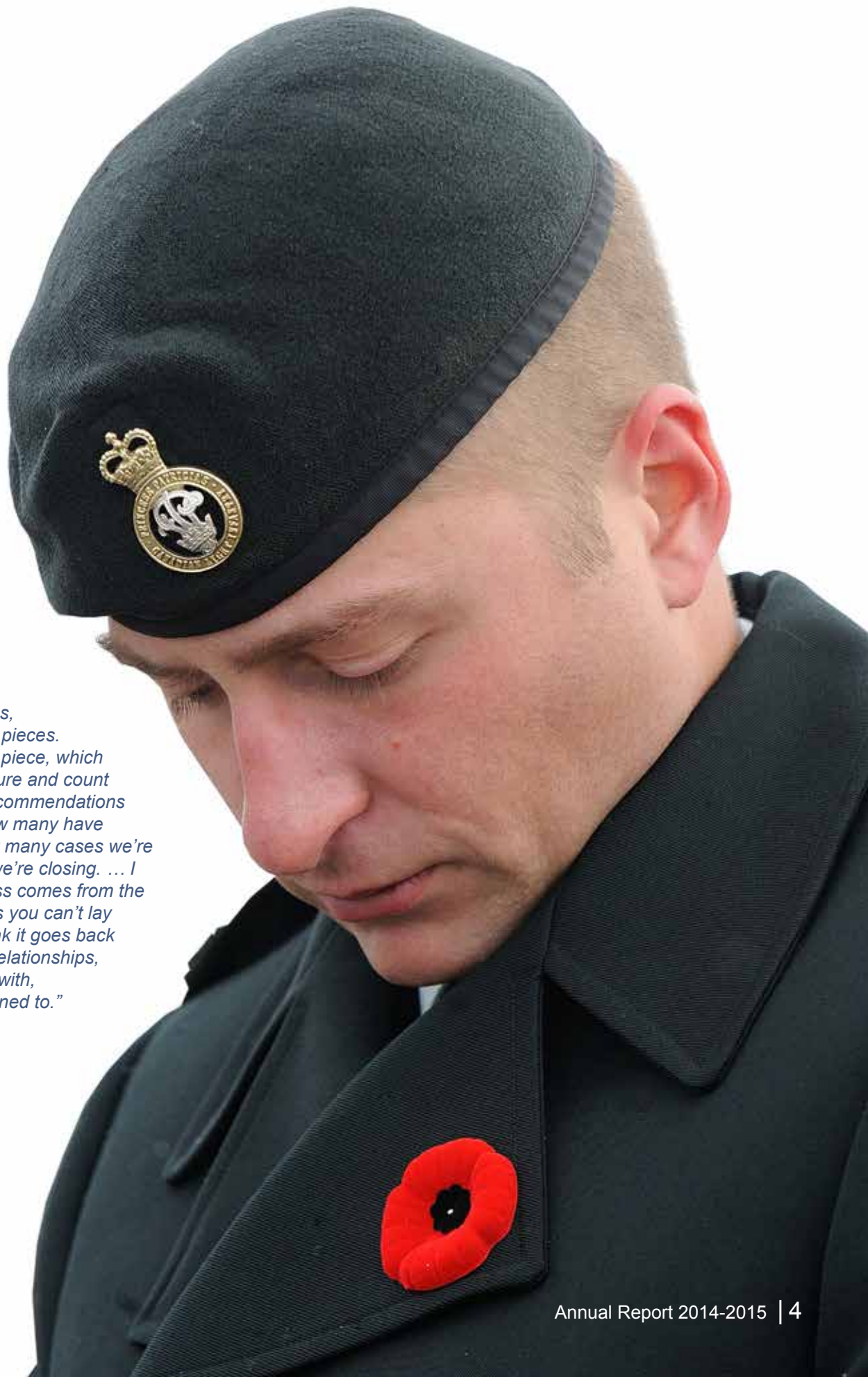
The Office is also responsible for reviewing and investigating complaints from constituents who believe they have been treated improperly or unfairly by the Department of National Defence or the Canadian Armed Forces.

Independent and impartial, we are dedicated to fairness for all

Ombudsman investigators always attempt to resolve complaints informally and at the lowest level possible. However, complaints can also be the subject of thorough investigations, leading to a systemic review resulting in a formal report with findings and recommendations that are made public.

The Ombudsman is independent of the military chain of command and senior civilian management, reporting directly to the Minister of National Defence. The Office itself derives its authority from Ministerial Directives and their accompanying Defence Administrative Orders and Directives.

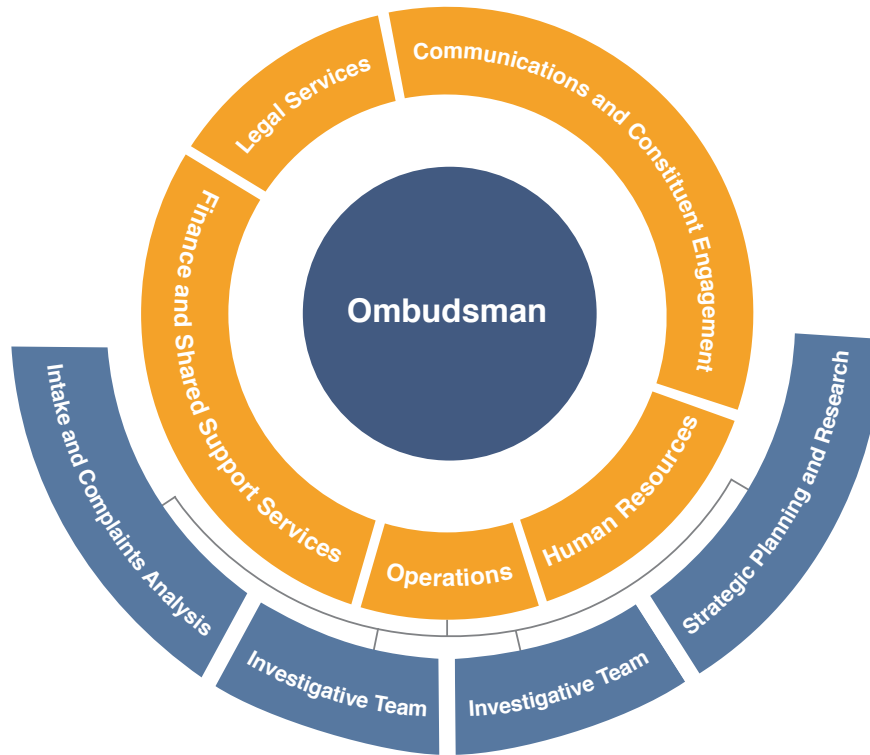
The Ombudsman is supported by an Office of 55 federal public servants, including investigators, conflict resolution officers and other specialist staff. Ombudsman investigators include former police officers, former Canadian Armed Forces members of all ranks and occupations, and public servants from across the federal government.



*"To measure success,
I think there are two pieces.
There's the tangible piece, which
we can easily measure and count
by the number of recommendations
we've made and how many have
been accepted, how many cases we're
getting, how many we're closing. ... I
think the real success comes from the
intangible, the things you can't lay
your hands on. I think it goes back
to ... how we build relationships,
who we collaborate with,
whether we are listened to."*

*~ Gary Walbourne,
Ombudsman*

Our Organization



Any member of Canada's Defence community can approach the Ombudsman's Office. This includes:

- Current and former members of the Canadian Armed Forces (Regular Force and Reservists);
- Current and former employees of the Department of National Defence;
- Current and former members of the Cadets;
- Current and former Non-public Fund employees;
- Individuals applying to become a member of the Canadian Armed Forces;
- Immediate family members of any of the above-mentioned; and
- Individuals on exchange or secondment with the Canadian Armed Forces.

Members of the Defence community who bring a concern or complaint to the Ombudsman's Office can do so without fear of reprisal. In addition, all information obtained by the Office during the handling of cases is treated as confidential. The Office will not provide any information related to a case or investigation to anyone without written consent from the complainant.

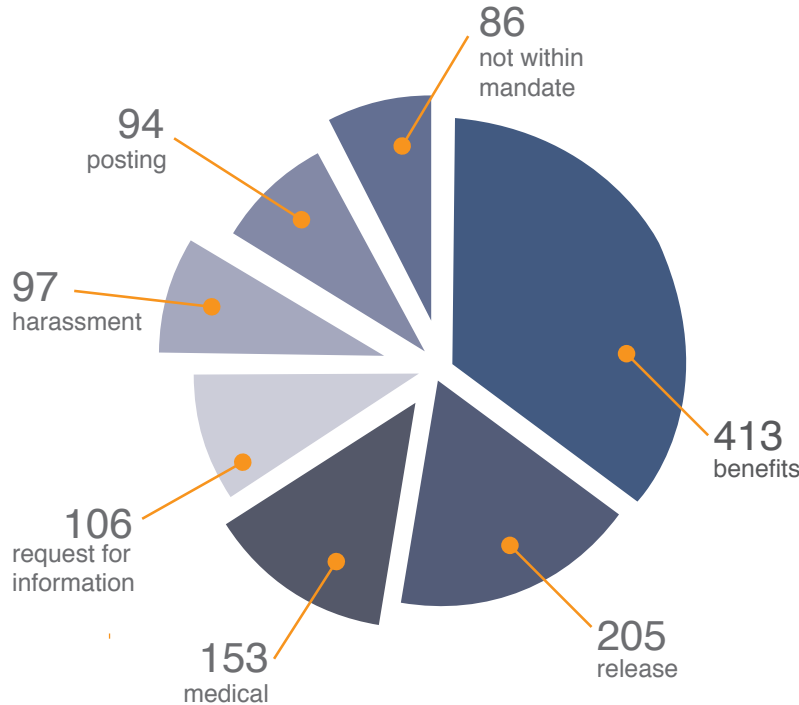
The Year in Review

Individual Cases

In 2014-2015, we achieved **real & positive** results for Canada's Defence community.

2014-2015	vs.	2013-2014
1,436		1,507
new cases		new cases

Top seven categories of new cases:



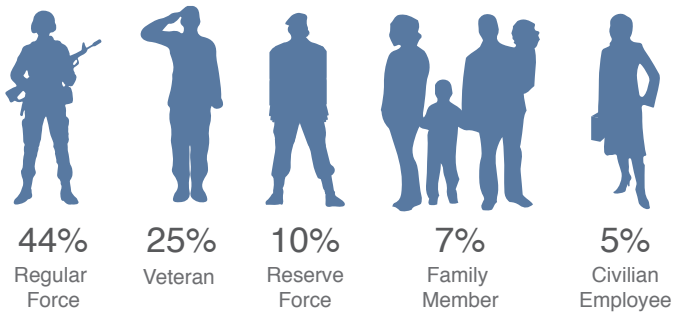
We also assisted with questions and concerns related to:

promotions
recruiting
training
 access to information
grievances
 disciplinary action
leave
vacations

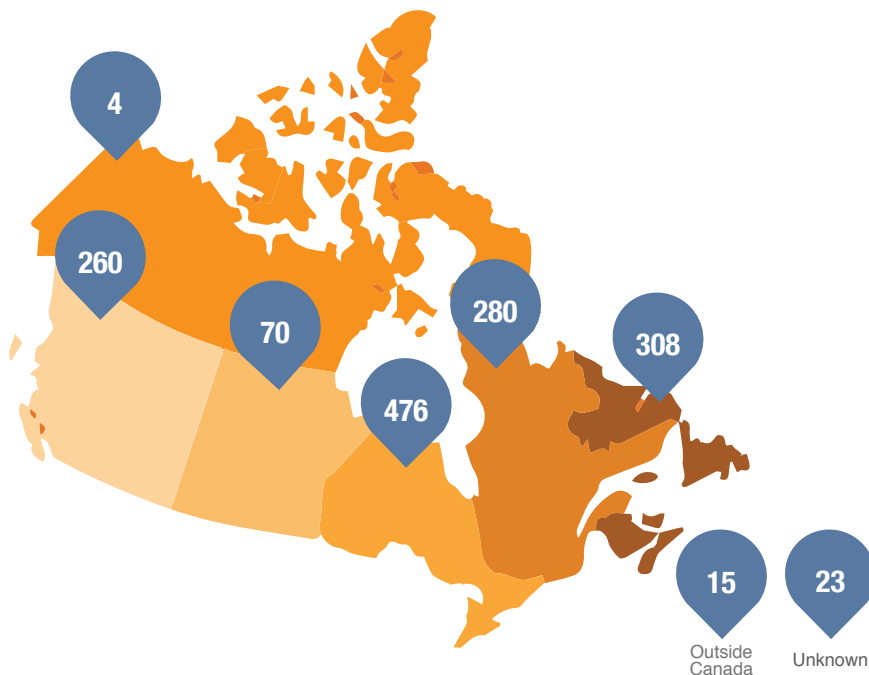
We handled **1,820*** cases & closed **1,637**

*This includes new cases, cases re-opened and cases carried over from previous fiscal years

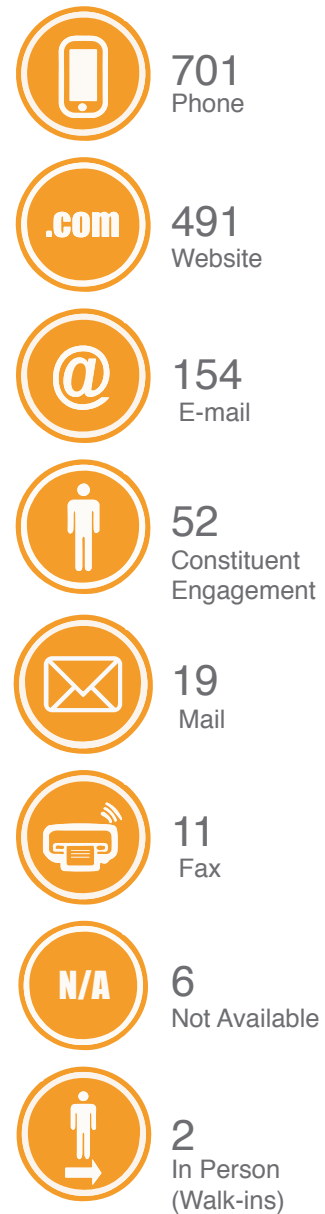
New cases by top 5 constituent groups:



Complaints by region:



Means of Communication



Systemic Investigations

Military Transition to Civilian Life

In early 2014, the Office launched its first joint investigation with the Office of the Veterans' Ombudsman on Canadian Armed Forces members' transition to civilian life and the impact of the process on their families. The Office was concerned about ensuring that members leaving the Forces would experience a seamless and timely changeover from military to civilian life.

The *2012 Fall Report of the Auditor General of Canada* contained a chapter on the transition of ill and injured military personnel to civilian life. Noted among the findings was that members and veterans, as well as departmental staff responsible for assessing and managing the delivery of services and benefits, were finding the transition process complex, lengthy and challenging to navigate.

Complaints to our Office and that of the Veterans Ombudsman supported the Auditor General's findings. In addition, there appeared to be a disconnect in the processes of the Canadian Armed Forces and Veterans Affairs Canada, wherein a member must navigate departure from one before entrance to the other.

Another catalyst of our investigation was the recent and significant interest of parliamentarians in Defence and Veterans' issues: 2014 saw a record number of reports published by various committees and organizations, including the *2014 Fall Report of the Auditor General* (chapter on Mental Health Services for Veterans), the House of Commons Standing Committee on Veterans Affairs' report *The New Veterans Charter: Moving Forward*, the House of Commons Standing Committee on National Defence's report *Caring for Canada's Ill and Injured Military Personnel*, and the Standing Senate Subcommittee on Veterans Affairs' report *The Transition to Civilian Life of Veterans*.

The initial phase of this multi-phased investigation involved charting the transition process for members of the Canadian Armed Forces from the time they receive their release message until their integration within Veterans Affairs Canada.

The next phases of the investigation will include the following:

- Further assessment of the process and the results of a gap analysis that was carried out to determine the difference between what current capabilities are and what is required;
- A review and analysis of the departmental responses to the Parliamentary, Senate and Office of the Auditor General reports related to the transition process;
- Examination of the transition process for Reserve members;
- The role of the family in the transition process;
- Charting of the Service Income Insurance Plan, the Veterans Affairs Canada Rehabilitation Program, and the Department of National Defence Vocational Rehabilitation Program for Serving Members;
- A review of the role and impact of third-party service providers to the transition process; and
- A review and analysis of all legislation that currently exists in relation to all benefit programs and services offered to members and veterans, and other designated beneficiaries.

The investigation will be carried out over the next fiscal year, with several brief reports/analyses published during the course of the review.

Priority Hiring of Ill and Injured Canadian Armed Forces Members

On March 4, 2014, Parliament introduced Bill C-27 – An Act to amend the *Public Service Employment Act*. One of the goals of this bill is to give ill and injured Canadian Armed Forces members priority for appointments to Public Service positions. A key aspect of the Bill is the need to choose one Public Service organization to determine whether the military member's medical condition is a result of service.

After a thorough review of Bill C-27, the Office decided to undertake its own analysis and weigh in on the crucial question of who should be given authority to determine whether medical release is attributable to a member's service.

In particular, the Office looked at the three organizational stakeholders – the Public Service Commission, Veterans Affairs Canada, and the Canadian Armed Forces – and based its decision on the following fundamental assumptions:

- Releasing Canadian Armed Forces members should not be disadvantaged;
- The entry point into the priority administration should be as uncomplicated and quick as possible; and
- The administrative mechanisms put in place in order to give effect to Bill C-27 should be both efficient and cost effective.



"I wanted to take the time to thank you and your office for making yourselves available to our community. As the Vice-Chair of [a Military Family Resource Centre], a [veteran], military spouse and former OSISS [Operational Stress Injury Social Support] staff, I can honestly say the work done in the office of the CF Ombudsman is making a difference. I have accessed and assisted others in accessing your support and I have seen the power of change that this office can bring."

*~ Long-time member of the
Defence community*



“A new Military Family Panel now exists to help the Canadian Armed Forces (CAF) better serve military families. Military Family Services, a division of Canadian Forces Morale and Welfare Services, has introduced the Military Family Panel to increase and improve discussion with families about the challenges they face. The Military Family Panel process is a direct response to reports released in 2013 by the Canadian Armed Forces Ombudsman and Chief Review Services.”

*~ Chief of Military Personnel
Newsletter, March 2015*

Overall, our analysis demonstrates that the Canadian Armed Forces is best placed to determine whether a medical release is due to service. The Canadian Armed Forces has expertise in making such a determination, has control of the evidence (personnel and medical records), is already responsible for registering military members for priority hiring status, and has a system already in place that currently makes this determination for compensation for Reservists. More importantly, the Canadian Armed Forces is positioned to make the timeliest decision (i.e., at the time of a member's release), thereby providing the quickest access to Public Service jobs, which is the main advantage intended by Bill C-27.

Ultimately, assigning the responsibility to the Canadian Armed Forces encourages a straightforward and uninterrupted transition for former Canadian Armed Forces members who have become ill or injured as a result of their service.

In February 2015, officials from our Office, the Veterans Ombudsman and the Public Service Commission were called before the Senate Subcommittee on Veterans Affairs during the report stage of Bill C-27 to discuss our findings. Although encouraged by the interest of the Senators, our Office remains concerned by the opposing position taken by both Veterans Affairs Canada and the Canadian Armed Forces. We will continue monitoring the implementation of this Bill and pushing for what we believe is the more efficient, effective and simplified process.

Boards of Inquiry – Families in Focus

The Office has been tracking and reporting on issues related to the Canadian Armed Forces' engagement of families during a Board of Inquiry process for the past 10 years.

Although progress has been made, Boards of Inquiry remain military-centric and difficult to understand for many families. The human dimension sometimes gets lost in a process designed for fact gathering, not family engagement. As such, the current Board of Inquiry process seems lacking for those families who are seeking answers while also grieving the loss or serious injury of a loved one.

To that end, the Office provided a brief report to the Minister of National Defence, in which we recommended that a family coordinator position be established for a one-year trial period to help identify the needs of families and effective methods of communication and liaison. The Office further recommended that the position coordinate requirements between the Chief of Review Services and the Director Military Family Services (or any other key stakeholder) to develop the requirements from a holistic family-needs perspective.

The Office has committed to working in collaboration with the Department by providing the resources necessary to fulfill this undertaking. This recommendation would help ensure the Department is better equipped to reinforce family inclusiveness regarding the Boards of Inquiry process. We are pleased that the Canadian Armed Forces has made significant changes to improve the process and that the Chief of the Defence staff accepted our final recommendation. Further updates will be provided throughout fiscal year 2015-2016 on this next phase of the investigation.


Investigation into the 1974 Cadet Incident at Canadian Forces Base Valcartier

On July 30, 1974, at the Cadet Camp at Canadian Forces Base Valcartier, Canadian Armed Forces staff gave more than 130 cadets a demonstration on safety in relation to military explosives. During this demonstration, staff distributed what they believed to be non-active grenades to the cadets for them to handle. One cadet requested and received permission to unpin one. Within seconds, the grenade exploded, killing six cadets and wounding more than 50 others (cadets, instructors and military members). Administrative and criminal investigations were conducted after the incident.

Forty years later, the Office received 58 complaints from various cadets, family members and Canadian Armed Forces members involved in the incident. Concerns surrounded the long-term physical and mental health needs of those who were impacted by the explosion, and the perceived inequity between the services and benefits available to the Canadian Armed Forces members and the cadets.

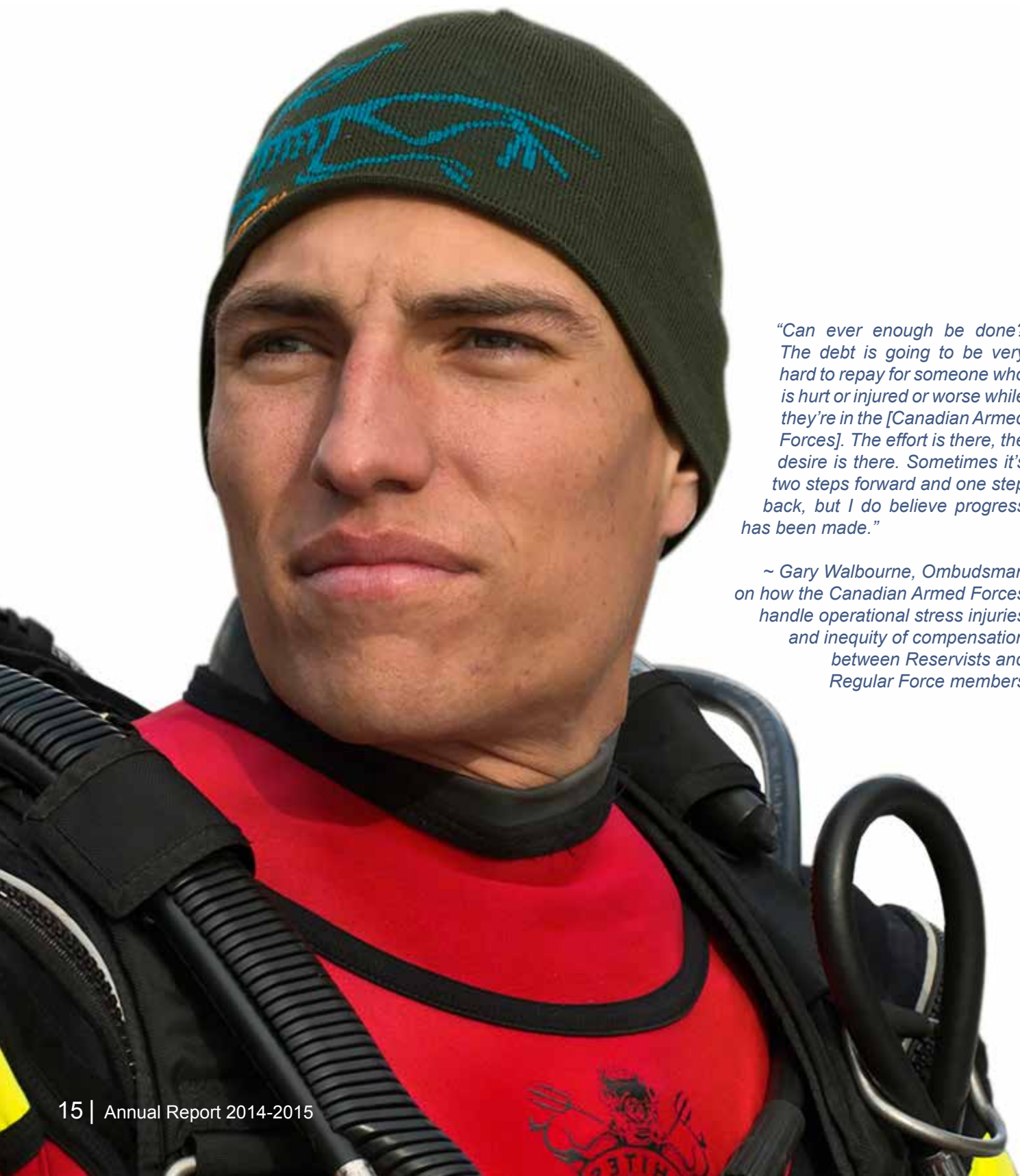
The Office's mandate notes that the Ombudsman is not permitted to investigate any matter or complaint prior to June 15, 1998 (the date the Office was established). Given that this incident was 40 years previous, the Office sought and received permission from the Minister to investigate. That investigation was officially launched in the summer of 2014, with the aim of determining whether the 130 cadets (and six families of the victims of the explosion) were treated fairly by the Department of National Defence and the Canadian Armed Forces in the wake of the incident.

The facts of the case are in the final stage of analysis, and we expect to release our findings this summer. Additionally, it is expected that the results of the investigation will lead to continued research and future collaboration into the care and services provided to the youngest members of the Defence community.

A young woman with brown hair tied in a bun, wearing a blue military-style cap with a crest and a blue jacket. She is looking to the left. The background is white.

"I know the individuals, who have been campaigning for this for some time [...], will be very delighted to know that this has moved to this step. We look forward to a full investigation by your office and we would be happy to cooperate in any way we can, but I think that's extremely good news..."

*~ Jack Harris, NDP
Defence Critic, on the
Office's investigation into
the 1974 Valcartier Cadets
incident*



“Can ever enough be done? The debt is going to be very hard to repay for someone who is hurt or injured or worse while they’re in the [Canadian Armed Forces]. The effort is there, the desire is there. Sometimes it’s two steps forward and one step back, but I do believe progress has been made.”

*~ Gary Walbourne, Ombudsman
on how the Canadian Armed Forces
handle operational stress injuries
and inequity of compensation
between Reservists and
Regular Force members*

Review of the Reserve Force Compensation Approval Process

Last fiscal year, the Office launched an investigation into Reserve Force Compensation – a benefit available to Reservists who become ill or injured as a result of service.

Previous investigations by the Office on the care and well-being of Reservists revealed major issues regarding entitlements for ill and injured Reservists, as well as multiple issues with Reserve Force Compensation and the *Government Employees Compensation Act*. Following those investigations, our Office also noted an increase in complaints specifically about Reserve Force Compensation.

The purpose of this investigation is to identify any gaps in the compensation process and to determine Reservists' levels of knowledge and awareness of their entitlements available under Reserve Force Compensation as well as the *Government Employees Compensation Act*.

The investigative team has conducted close to 50 interviews and is in the final stages of its analysis. The results are expected to be released in the summer of 2015.

Operational Stress Injuries and the Reserve Force

The Office has completed several investigations into operational stress injuries as well as into the Reserve Force; however, these reviews focused exclusively on members of the Regular Force and on Reservists serving in Canada. As a result of issues and concerns raised while conducting those investigations, the Office decided to look into operational stress injuries from the Reserve Force perspective. The Reserve contribution to the Afghanistan war was significant and the occurrence of operational stress injuries will continue to be an issue. This is especially true given that symptoms of operational stress injuries do not always appear immediately. This latency, combined with the known deficiency in post deployment tracking, makes it important to identify how Reservists with an operational stress injury are supported.

The aim of this investigation was to assess five areas relating to the care and treatment of Reservists suffering from post-traumatic stress disorder or other operational stress injuries. More specifically, the Office set out to:

- Identify and clarify entitlements to care for Reservists;
- Assess the levels of knowledge and awareness among Reservists;
- Determine the capacity of the Canadian Armed Forces to deliver on what is currently in place for Reservists suffering from operational stress injuries;
- Determine if there are any impediments that could deter Reservists from seeking care and support and, if so, what those impediments are; and
- Examine the role and responsibilities of leadership in the communication and dissemination of information and the education and support to those under their command.

The investigative team has conducted over 160 interviews and is finalizing the analysis as of the date of this report. It is anticipated the results will be published in the summer of 2015.

The Feasibility of Providing Periodic Health Assessments to All Primary Reservists Regardless of Class of Service

The Office's 2008 and 2012 reports on the treatment of injured Reservists raised concerns about the lack of consistency in the provision of periodic health assessments to Reserve Force members, and recommended that Regular Force standards be applied equally to Reserve Force personnel. Although the Department of National Defence and the Canadian Armed Forces aim to conduct periodic health assessments on all Primary Reservists, the scope of the resource requirements (money, time and personnel) remains unclear.

The Director Health Services Reserves is the organization responsible for providing functional leadership, planning and support to Canadian Armed Forces Reserve elements as well as advising the Surgeon General on health issues related to Reservists. It does not, however, have the capacity to undertake a study to determine the investment required to provide periodic health assessments to all Primary Reservists. Recognizing this limitation, the Ombudsman offered to partner with the Director Health Services Reserves to conduct the periodic health assessment study. This study, which began in September 2014, is the first collaboration that the Ombudsman's Office has undertaken with a Defence organization. The report will be jointly released by the Surgeon General and the Ombudsman early in the upcoming fiscal year.

Performance Audit by the Office of the Auditor General

A performance audit of the Office was conducted by the Auditor General of Canada covering the period February 2009 to August 2014. This period included the five year tenure of the previous Ombudsman and the four-month transition period of the tenure of the current Ombudsman.

The focus of the audit was to determine the sufficiency of administrative controls and audit mechanisms internal to the Ombudsman's Office. Since taking office in April 2014, the Ombudsman has conducted a gap analysis of the Office's system of internal controls and is in the process of strengthening and/or refining those controls as necessary. Furthermore, the Ombudsman is working with senior officials at the Department of National Defence to define mechanisms that will ensure that the delegated authorities by which the Ombudsman operates are appropriately exercised while ensuring that the operational independence of the Office is not compromised. The results of the audit are expected to be released in the spring of 2015.

Our Successes Are Your Successes

A military member with post-traumatic stress disorder requested a voluntary release because he was the victim of alleged workplace harassment. He then changed his mind because he was one year away from 20 years of service, and decided he wanted to remain in the military for this milestone and be eligible for an immediate annuity.

Upon realizing that he would have to return to the same work unit where the alleged harassment took place, the member opted to continue with his release.

A family member contacted our Office 48 hours before his release date to see if any other options were available.

Upon receiving the member's signed consent, an Ombudsman investigator spoke with the member's medical team as well as his career manager and Director General Military Careers. The investigator facilitated a holistic review of the member's situation and mitigating factors.

Thanks to the intervention of the Ombudsman's Office, the member's voluntary release was cancelled and he received a suitable posting where he could complete his remaining year of service.



"My position has always been, a soldier's a soldier: Once you put a uniform on, you're in service to Canada. And if you get hurt while you're in uniform, serving Canada, you should be treated as a soldier."

*~ Gary Walbourne, Ombudsman
on inequities in entitlements to care for
Reserve Force members vs Regular
Force members*

Constituent and Stakeholder Engagement

As part of the Office's ongoing engagement activities aimed at enhancing the overall awareness and understanding of the Ombudsman's role and mandate within the Defence community, the Ombudsman and his staff visited a number of military installations across the country, connected with constituents at military and departmental events, and reached out broadly to military and civilian leaders, stakeholders and like-minded organizations. These engagements have also provided the Ombudsman and his staff with a better understanding of the issues and challenges facing members of the Defence community.

Visits to Military Installations

The Ombudsman's Office is committed to connecting directly with constituents where they live and work. In this vein, the Ombudsman and his staff travel regularly to Canadian Armed Forces bases and wings where they meet with senior leaders, non-commissioned members of all ranks and occupations, family members, health care providers, chaplains, social workers and civilian employees. These sessions are meant to provide information on the Office's services, discuss issues of importance, and receive complaints.

In 2014-2015, the Ombudsman and Ombudsman staff travelled to a number of Canadian Forces Bases (CFB), where they met with over 1,200 constituents and stakeholders in total:

- 15 Wing/CFB Moose Jaw (Saskatchewan) from February 2 to 6, 2015;
- Maritime Forces Atlantic/CFB Halifax (Nova Scotia) from March 2 to 4, 2015;
- 12 Wing/CFB Shearwater (Nova Scotia) from March 5 to 6, 2015;
- 9 Wing/CFB Gander (Newfoundland) from March 16 to 20, 2015;
- 5 Wing/CFB Goose Bay (Labrador), from March 22 to 28, 2015.

In the context of investigations and reviews, Operations staff also visited Canadian Forces Bases Valcartier (Quebec), Shilo (Manitoba) and Wainwright (Alberta) as well as Reserve units in St. John's (Newfoundland), Montreal and Quebec City (Quebec), Ottawa (Ontario), and Calgary and Edmonton (Alberta).

Interacting with Constituents at Departmental Events

Over the course of 2014-2015, the Ombudsman's Office participated in numerous events across the country, meeting with constituents and increasing the organization's visibility. These interactions included:

- Participation at two national events at National Defence Headquarters in Ottawa (Ontario), where we met with over 200 constituents.
- Participation at three events in support of military families, including the 4th Annual Defence Community Family Appreciation Day in Ottawa (Ontario). In total, we met with approximately 1,700 constituents – largely, military members and their families.
- Participation at five awareness campaigns for Reservists across the country (New Brunswick, Quebec and Ontario), where we met with over 1,500 Reservists.
- Kiosk presentation at the Montfort Hospital in Ottawa (Ontario), where we met with approximately 150 constituents.
- Presentations to 38 civilian employees at two National Defence Civilian Employee Orientation Sessions in Ottawa (Ontario).
- Presentations to over 100 military personnel at a number of leadership courses, including those in St-Jean (Quebec), Winnipeg (Manitoba), Kingston (Ontario) and Halifax (Nova Scotia).



Would you like someone from the Ombudsman's Office to speak to your group/organization?

E-mail the details of your request to:
ombudsman-communications@forces.gc.ca
or call 1-888-828-3626.

Fostering Relationships with Leaders, Stakeholders and Other Ombudsman Organizations

In order to foster and maintain constructive working relationships, the Ombudsman often meets with military and civilian leadership to discuss issues of importance and concerns brought forward by constituents. Over the course of the year, the Ombudsman and other Office staff regularly attended meetings with key Defence officials, including the Minister of National Defence, the Chief of the Defence Staff, the Chief of Military Personnel and a number of other senior leaders within the organization.

The Office also maintained relationships with Parliamentarians through updates on key issues and committee appearances. In particular, the Ombudsman appeared before the Standing Committee on National Defence in May 2014 to discuss his appointment as the National Defence and Canadian Forces Ombudsman. And in February 2015, he was called as a witness before the Senate Subcommittee on Veterans Affairs to discuss the Office's analysis of Bill C-27: An Act to Amend the Public Service Employment Act.

In addition to these meetings, the Ombudsman and his staff attended two key conferences this past fiscal year, namely, the True Patriot Love Forum in support of military families, and the 5th Annual Military and Veteran Health Research Forum 2014. The latter included over 165 presentations held over two days on themes relating to mental health and rehabilitation; physical health and rehabilitation; social health and well-being; occupational health; novel health technologies; and transitioning from military to civilian life.

Most recently, the Ombudsman participated in a roundtable discussion hosted by the Conference of Defence Associations Institute on improvements to the New Veterans Charter and the successful transition from military to civilian life. The Ombudsman, Veterans' Ombudsman and members of the Institute discussed, among other things, the need to simplify the transition process to make it more seamless and to give the direction needed for veterans to access their respective services. The audience included approximately 50 individuals from the Defence and Veterans communities (both public and private), as well as health care groups and other independent oversight offices.

International Engagements

The Office participates in international events and often meets with Ombudsmen from other countries to help advance issues of fairness and human rights for armed forces personnel – an area in which Canada is recognized as a world leader. In the past, the Office has provided advice to South African officials seeking assistance with establishing their own ombudsman's office for their armed forces personnel and has shared its expertise at international conferences in Germany and Austria.


This fiscal year, the Ombudsman met with the Inspector General of the Australian Defence Force, who wanted to learn more about the role of the Office in relation to such topics as contemporary military justice issues, redress of grievance, internal processes, tracking of issues, reporting mechanisms, and more.

Online Engagements

Constituents need to have easy, unfettered access to the Office and they need to be heard without necessarily talking directly to us. By engaging the Defence community via our website and on social media, the Office can provide access to information 24/7, actively listen to individuals, and ensure that Ombudsman services are meeting their needs.

Throughout the past year, the Office continued efforts to make its website more dynamic, user-friendly and educational. The Frequently Asked Questions (FAQs) section of the website continually makes it into the top five visited pages. The Sample Cases section also receives a lot of attention. The latest addition to the website – educational videos – is proving to be a sought-after communications tool, and one that we intend on expanding upon in 2015-2016.

The Office launched its Twitter account in May 2013. Over the course of fiscal year 2014-2015, we saw a 58% increase in followers. The Office also tripled its Twitter activity, in terms of original tweets, retweets, and responding to direct tweets.



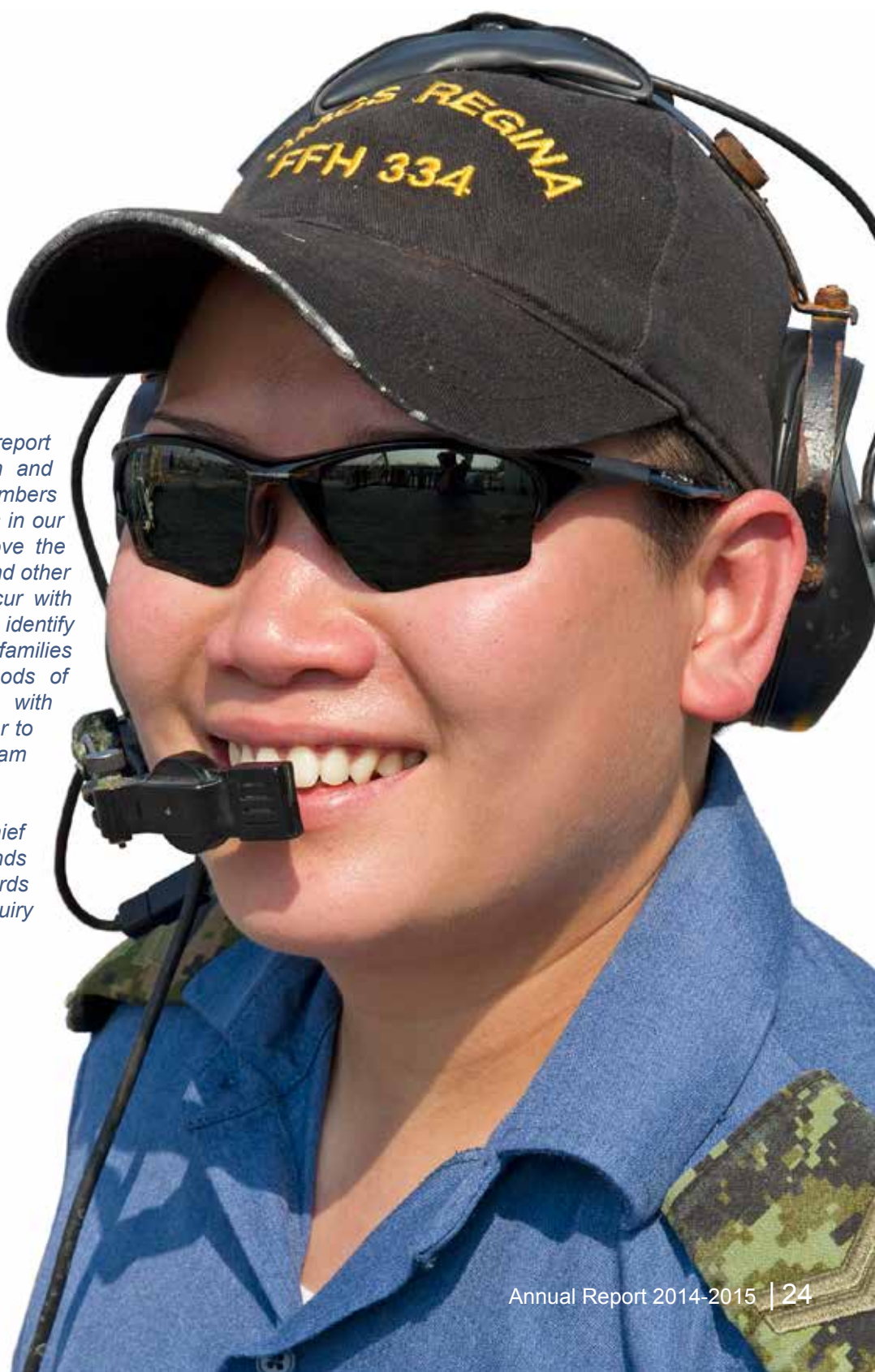
Positive Change: Accidental Dismemberment Insurance Plan

On December 7, 2012, four years after the Office published its systemic report on the treatment of injured Reservists, the Government of Canada announced an amendment to the *Accidental Dismemberment Insurance Plan* (ADIP) for all Primary Reservists. This amendment stemmed from recommendations made by the Office in its systemic report.

In the 2008 report, the Office indicated that some Reservists would receive only 40 percent of the amount of accidental dismemberment benefits of their Regular Force counterparts, representing a significant inequity in the benefits provided to Reservists. The Ombudsman made it clear to the Department of National Defence and the Canadian Armed Forces that the value of a leg, an arm or an eye should not be different for Canadian Forces members depending upon their class of service.

The Office recommended that ADIP be changed, retroactive to the date it took effect (February 13, 2003) to ensure that all military members receive the same compensation for the same injury. Although the amendment was not made retroactive, the Office welcomed the change announced in 2012.

As a result of recent work done by an Ombudsman investigator, the Office was pleased to see the gap closed for two Reservists who did not originally qualify for the benefit post-amendment.



“The work contained in that report reflects the professionalism and objectivity of your team members and the results will assist us in our goal of continuing to improve the [Board of Inquiry] process and other CAF processes. [...] I concur with your recommendation to identify the information needs of families and ensure effective methods of communication and liaison with them, and I accept your offer to provide a member of your team to do help us do so.”

~ General T.J. Lawson, Chief of the Defence Staff, responds to the Office’s report on Boards of Inquiry

Website Trends



In fiscal year 2014-2015:

4,291






visits to our videos

1,168

visits to our sample cases

Top Tweets

Impressions³

- 
#MilitaryFamilies – Come enjoy pizza and meet your ombudsman and staff tonight @ HRMFRC, 6-8. Childcare will be provided. **3,778**
- 
Ombudsman: #CanadianForces should be the ones who decide whether a member’s medical release is a result of service #cdnpoli **3,283**
- 
Today we are at #MVHRForumTO 2014, focussed on the well-being of #militaryfamilies, #canadianforces members and #veterans. @CIMVHR_ICRSMV **2,862**
- 
#CAF mbrs and families, you are not alone. Pls seek help if you are struggling. (link) #WorldSuicidePreventionDay **2,352**
- 
Speaking to #RCAF personnel at 12 Wing #Shearwater #CAF (picture) **2,193**

¹ The number of individuals who came to our website
² The number of times individuals came to our website
³ The number of times users saw the tweet on Twitter



Our Successes Are Your Successes

A Class “A” Reserve member was injured when a bus transporting members of his unit to Remembrance Day ceremonies was involved in an accident. As a result of his injuries, the member lost a leg. As he was on duty at the time of the accident, he was insured and received \$50,000 from the Service Income Security Insurance Plan (SISIP) for the loss of his limb.

Less than four weeks after the accident, a change to the *Accidental Dismemberment Insurance Plan* took effect, giving equal coverage to Reserve and Regular Force members in the case of the loss of a limb. The new amount provided to all Canadian Armed Forces members is \$125,000.

An investigator was assigned to the file in order to determine whether the member had been treated fairly in terms of the insurance benefit he received. The investigation concluded that the member was treated fairly in that he had received compensation for his injury in the amount for which he was covered at the time of his injury.

But after considering the inequity of the situation, the investigator looked further and determined that since 2003, only four Reservists had ever claimed for dismemberment insurance. Of these, just two would have been affected by the inequity in the coverage prior to December of 2012. The investigator shared this information with appropriate authorities at the Department in order to explore whether an ex-gratia payment could be made to bring the fairness scales back into balance for those two Reserve members.

Encouragingly, the Department agreed to look into the matter. In the end, the investigator was informed that the Chief of Defence Staff granted authority to pay the outstanding amounts of \$75,000 to each of the two Reserve members, including the member who contacted our Office.

Corporate Priorities and Initiatives

Aligned with Departmental priorities for 2013-2017 in terms of strengthening the Defence team and ensuring Defence affordability, the Ombudsman will continue to deliver quality services to the Defence community and value for money to Canadian taxpayers by focusing on four key areas in 2015-2016.

Engage the Defence Community

In order to discharge its responsibilities completely and effectively, the Office must ensure that all members of the Defence community are aware of and understand its mandate and role within the Department and the Canadian Armed Forces. But awareness is only one part of being able to help the Defence community – constituents also need to have easy access to the Office. By regularly reaching out to constituents where they live and work, the Office can actively listen to them and ensure that Ombudsman services are meeting their needs.

With this in mind, the Office will continue to enhance awareness of the Ombudsman's role and mandate by maximizing engagement activities with key internal and external stakeholders, including conducting visits to bases and wings across Canada. In addition, the Office will focus on enhancing its online presence through improvements to its website content and regular participation in social media.

Assist and Educate the Defence Community

The Office will build upon the progress made in 2014-2015 with respect to improving its ability to be a direct source of information, referral and education, as well as improving the provision of impartial, evidence-based investigations.

In particular, the Office will:

- Continue to focus on early resolution of complaints at the lowest level (effective and timely investigations of individual cases will continue to be a priority);
- Review and refine service standards in order to improve the quality of contacts with the Office, including ensuring timely and accurate assessments of cases; and
- Create a culture of continuous learning by focusing on professional development, such as training, mentoring and job shadowing.

This priority will be further supported through the creation of multi-year training and developmental programs to ensure that the current staff has the necessary skill-sets moving forward. In doing so, the Office will help to ensure a robust and sustainable pool of candidates for the organization through better succession planning.

Effectively Address Systemic Issues

In 2015-2016, the Office will maintain the capacity to quickly identify and address systemic issues affecting the Department and the Canadian Armed Forces and the ability to quickly launch systemic investigations or case studies without affecting daily operations.

Moreover, in the upcoming year the Office will conduct two pre-planned systemic investigations and up to two preliminary assessments, and it will develop standard operating procedures for Operations work processes, including systemic investigations.

Demonstrate Value for Money

The final key priority activity for the Office in 2015-2016 is to seek innovation and business improvements, and optimize the use of resources. Such initiatives will include:

- Continuing work on the Department's Record Keeping Initiative through implementation of a final file plan and corporate repository structure, disposition, and ongoing training;
- Maximizing Communications' in-house publishing capability to develop new communications tools and products to assist with the education goals of the organization;
- Developing and implementing an internal control auditing system in Corporate Services to review human resources and finance files;
- Continuing digitization of Operations work processes, aiming for a paperless Office;
- Implementing a service level agreement with ADM (Human Resources – Civilian) to improve efficiency in staffing and other human resources processes; and
- Updating the Office's performance measurement framework to more accurately assess the organization's performance and relevance.



"We're in a great position in that we have passionate advocates in both the National Defence Ombudsman and the Veterans Affairs Ombudsman."

*~ The Honourable Erin O'Toole,
Minister of Veterans Affairs*

Ombudsman's Advisory Council

The Ombudsman's Advisory Council consists of volunteers with specialized expertise in military matters and/or comprehensive knowledge of the ombudsman profession. The council provides the Ombudsman with advice related to the mandate, professional principles and structure of the Office.

The Ombudsman's Advisory Council consists of the following individuals:

- **Colonel John Conrad** is a published author, lecturer and a Reserve Brigade Commander in 3 Canadian Division in Western Canada. He has 32 years of experience in the Canadian Armed Forces regular and reserve components. In 2006, he served as Commanding Officer of the Canadian Logistics Battalion, the unit responsible for sustaining the Canadian Task Force in Southern Afghanistan.
- **Lieutenant-Colonel Leslie Dawson** is the Director of Chaplain Services in Ottawa. Since joining the Canadian Armed Forces in 1989, she has served in numerous chaplain positions, including: Chapel Life Coordinator, Unit Chaplain, Base Chaplain, Brigade Chaplain and Formation Chaplain.
- **Lieutenant-Commander Deborah-Lynn Gates** grew up on the Eastern Shore of Nova Scotia and has served in the Canadian Armed Forces – both Reserve and Regular Force – since the late 1980s. She currently has the dual responsibilities of Commanding Officer of Canadian Fleet Atlantic Headquarters and Logistics Officer for the Fifth Maritime Operations Group.
- **Ms. Sharon Gosling** served in the Canadian Armed Forces for more than 27 years before retiring at the rank of Chief Warrant Officer. Since 2008, Ms. Gosling has provided administration and support to ill and injured soldiers first as the Officer in Charge of the Service Personnel Holding List followed by Services Manager at the Integrated Personnel Support Centres in Cold Lake, Alberta, and Comox, British Columbia.
- **Ms. Gaynor Jackson** is the Executive Director of the Esquimalt Military Family Resource Centre. She has worked in a variety of roles within the organization over the past 24 years, including as a front-line social worker, community developer, educator, fundraiser and administrator.

- **Captain (Navy) (Ret'd) Kimberly Kubeck** joined HMCS DONNACONA in 1980 and received her commission in 1989. Throughout her career, she served in a variety of positions including a secondment to Maritime Staff following the events of September 11, 2001. In June 2011, she was appointed as Director Reserves at National Defence Headquarters in Ottawa and Naval Reserve Regional Advisor for Eastern Region. After more than 32 years of service, Capt(N) Kubeck retired in January 2013.
- **Mr. Howard Sapers** was appointed as Correctional Investigator of Canada in 2004. He has a strong background in corrections, rehabilitation of offenders and crime-prevention gained through employment and community service. He has also authored several publications and a number of articles regarding the role and principles of ombudsmanny.
- **Chief Warrant Officer Mike Scarcella** is currently the 17 Wing Chief Warrant Officer. Following his enrolment in the Canadian Armed Forces as a Weapons Technician Air in 1981, CWO Scarcella served at bases both in Canada and around the world, including a posting to Baden, Germany, in 1987. Following his promotion to Chief Warrant Officer in December 2006, CWO Scarcella completed a six-month deployment as the Theatre Support Element Chief Warrant Officer at Camp Mirage.



Positive Change: Equal Benefits for Reservists

On March 13, 2015, the Government of Canada closed a gap in the benefit program for Reservists who are injured during military service, putting them on equal financial terms with Regular Force members of the Canadian Armed Forces. The change means the minimum benefit to cover lost earnings for Reservists almost doubles from \$24,300 to more than \$42,000 a year. The military estimates about 200 Reservists will benefit when the change takes effect in April 2015.



(L-R) Dr. Andrea Hoffman, Major Michel Chauvette, Major Heather Collins, Mr. Gary Walbourne (Ombudsman), Captain Sundus Shamsi, Captain Donald Lamb, and Colonel François Malo (Director General Canadian Forces Grievance Authority)
(Photo credit: CFSUO)

Liz Hoffman Memorial Commendation

The Liz Hoffman Memorial Commendation is awarded annually to recognize Canadian Armed Forces members, civilian employees and family members who have gone the extra mile and exceeded expectations in helping other members of the Defence community resolve a difficult problem or in bringing about positive and lasting change to the Department of National Defence and the Canadian Armed Forces.

At a special ceremony held in Ottawa on October 16, 2014, the Ombudsman honoured four outstanding members of Canada's Defence community with commendations. The Office was pleased to have several senior Defence officials in attendance, including Colonel Doug Butt, Director General Air Personnel; Colonel Francois Malo, Director General Canadian Forces Grievance Authority; and Colonel CJJ Mialkowski, Director Army Force Readiness.

Recipients of the 2014 Liz Hoffman Memorial Commendation

Major Michel Chauvette

In his post as grievance analyst with the Canadian Forces Grievance Authority, Major Chauvette demonstrated his willingness to go well above the normal call of duty when a member of the Canadian Armed Forces was forced to repay an alleged overpayment as a result of retroactive changes to a compensation policy. Major Chauvette detected a possible unfairness and spent countless hours investigating the matter. Through his research, Major Chauvette discovered that other members had suffered a similar fate, and set out to right the wrong for all. Major Chauvette's actions were fearless and inspiring. He tirelessly dissected the Canadian Armed Forces Pay system and went head-to-head with pay policy analysts and programmers to uncover flaws in the program, eventually finding a solution that would be just and fair to all. Major Chauvette has shown relentless dedication – spending time above and beyond what was normally expected – to correct a systemic issue that was unjustly penalizing many Canadian Armed Forces members. There is no doubt that Major Chauvette will continue to demonstrate exceptional commitment to the well-being of Canada's Defence Community throughout his career.

Major Heather Collins

As the Housing Liaison Officer for 17 Wing Winnipeg, Major Collins has consistently and selflessly dedicated herself to the betterment of Canadian Armed Forces members and their families. As an advocate for the quality of life of members in military housing, she strives to ensure that each and every problem is resolved at the lowest level. Her approach to managing an extremely difficult situation concerning a member suffering from potential mental health issues clearly demonstrated her willingness to go above and beyond the normal requirements of her position. Although this member was facing imminent and lawful eviction from his residential housing unit, Major Collins swiftly identified the critical nature of the member's medical condition. She worked relentlessly to engage the members of the Joint Personnel Support Unit, the Canadian Forces Housing Agency, the member's former unit and the chain of command to devise a suitable solution. Her efforts ensured that the member not only received JPSU support, but was able to vacate the residential housing unit without the added stressor of an eviction.

Captain Donald Lamb

Captain Lamb consistently strives for fairness for the members of 15th Field Regiment RCA. He has never backed down from a difficult situation despite the immense personal cost of time and energy. He is resourceful, has no fear of hard work, will ask the difficult questions and will try various approaches to solve problems. In his position as G1 Services, he has assumed many tasks in addition to his normal Adjutant duties. He dedicates his personal time to tutor Air Operations Centre candidates and actively participates in all Artillery-related activities, often travelling significant distances to pay respects at Artillery funerals. Captain Lamb's dedication to the well-being of Canadian Armed Forces members is further evident in his willingness to work hand-in-hand with his members, their parents and the chain of command to resolve issues. In one such instance, Captain Lamb strived to remedy an issue related to the repatriation of an injured Afghanistan veteran. Captain Lamb reached out to the parents on behalf of the chain of command, and took the time to hear their issues and address them as effectively as possible. For these reasons and more, Captain Lamb is recognized as having an unwavering base of loyalty, integrity and fairness.

Captain Sundus Shamsi

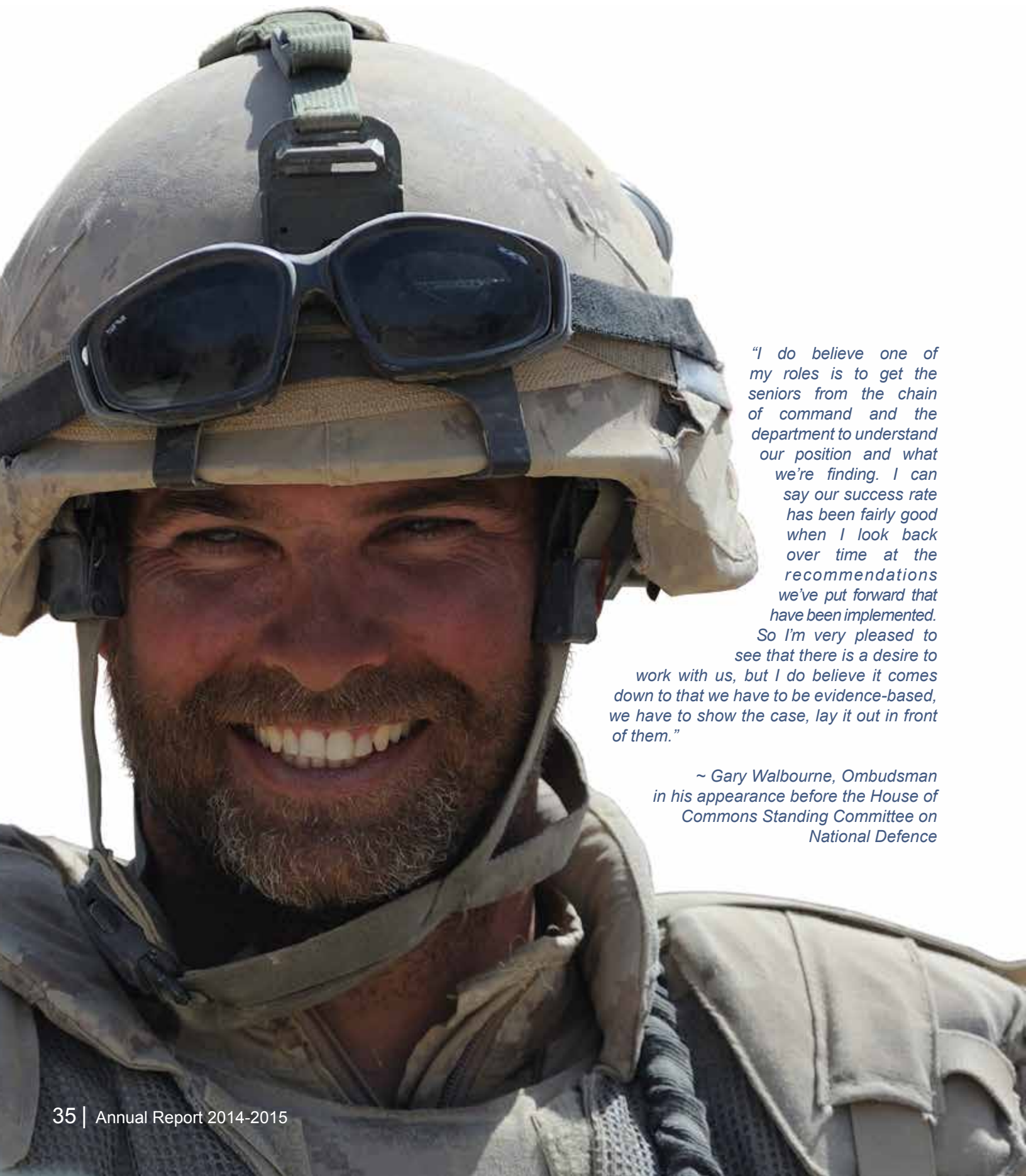
As the Administrative Officer for two units at 14 Wing Greenwood, Captain Shamsi has demonstrated a commitment to the principles of equity and fairness in the workplace. Having sought out training in Alternate Dispute Resolution, she has helped more colleagues resolve difficult and complex problems in one year than many do in their careers. In the past year, Captain Shamsi spent a significant amount of time handling a particularly complex case between two members. She became personally involved in counselling sessions, and attempted to open communication and build trust between the individuals, all the while advising a way ahead. This level of commitment was well above the normal requirements of her position. Her maturity, finesse and calm demeanour were critical in allowing for a positive outcome in this situation. Captain Shamsi's resourcefulness and innovative approach to problem solving has also led to a much improved 14 Wing Basic Training List. Her ability to influence, mediate and rectify unfairness lead to the development of a new plan, which was eventually adopted as the mode of operations for 14 Wing, thereby bringing positive change to the entire Wing.

Our Successes Are Your Successes

A National Defence civilian employee contacted the Office after he and four of his subordinates were removed from a collective classification grievance process because they did not meet the 35-day deadline to submit their grievances. The employee found this to be unfair due to some miscommunication about the deadline.

The Ombudsman investigator found a number of known problems affecting the reclassification and classification grievance processes involving the employee and his colleagues dating back to 2007. Specifically, there was a great deal of confusion about the information provided about the grievance process and associated deadlines, as well as different understandings of this information among the employees, and that of the Union of National Defence Employees, Director Civilian Classification and Organisation, and representatives of the Director Civilian Human Resource Service Centre National Capital Region.

The Ombudsman investigator discussed the issue with all parties involved and, due to known problems with the grievance processes, the employee's file was re-evaluated and he and his colleagues were included in the collective grievance.



"I do believe one of my roles is to get the seniors from the chain of command and the department to understand our position and what we're finding. I can say our success rate has been fairly good when I look back over time at the recommendations we've put forward that have been implemented. So I'm very pleased to see that there is a desire to work with us, but I do believe it comes down to that we have to be evidence-based, we have to show the case, lay it out in front of them."

*~ Gary Walbourne, Ombudsman
in his appearance before the House of
Commons Standing Committee on
National Defence*

Appendix I – Disposition of Cases

Total Cases Handled	1,820
New Cases	1,436
Cases Carried Over from Fiscal Year 2013-2014	182
Cases Re-opened	202
Cases in Progress (as of March 31, 2015)	180
Total Cases Closed	1,637
Cases Closed at Intake	1,408
Information or Assistance Provided	1,170
Outside Mandate	63
Referred to Existing Mechanisms	111
Withdrawn	24
Abandoned	40
Cases Closed at Complaint Resolution	106
Informal Resolution	32
Information or Assistance Provided	56
Withdrawn	10
Referred to Existing Mechanisms	7
Contact Provided Information	1
Cases Closed at Investigation	123
Investigated: No Follow Up Required	25
Information or Assistance Provided	28
Unfounded	15
Informal Resolution	17
Referred to Existing Mechanisms	17
Investigated: Follow Up Required	6
Abandoned	7
Withdrawn	4
Outside Mandate	1
Contact Provided Information	3

Note: Any discrepancy in totals is a result of rounding and the transition to a new case management system.

Appendix II – Financial Report

Summary of Expenditures

In 2014-2015, the Minister of National Defence approved a budget of \$6.07 million for the Office of the Ombudsman. The approved budget was reduced by \$106,000 mid-year as a result of the Deficit Reduction Action Plan. Actual expenditures for the year totalled \$5.51 million, of which \$4.89 million was related to salaries.

	(\$)
Mail and courier services	4,700
Supplies/furniture	12,313
Training and professional dues	101,218
Acquisition/rental of office equipment	10,127
Network maintenance and support	56,673
Telecommunications & IT connections	59,545
Travel and transportation	69,627
Communications & public outreach	23,921
Professional & special services	255,707
Salaries*	4,712,538
Total	5,396,369

* Total for salaries includes \$173,004 charged for the extra pay period for the switch to payment in arrears.

