

To the Acting Committee on Veterans Affairs

Ref: a study on Caregivers and their families

A personal account of how Veterans Affairs Canada treats a veteran in need of mental health

By Roy MacEachern CD

Before I begin, I would like to thank the Committee for accepting my witness statement. Perhaps one day I will be able to appear in person, but at this stage there are too many forces working against me mentally, environmentally, technologically. If I didn't have my wife to pull my thoughts together into this format I would be lost. I'm not really sure where my brief will fall on the spectrum of what the ACVA covers, and I don't want to make it seem to be all about my own personal struggles with VAC, as I know I'm not the only one. But I am so tired of seeing politicians touting all the money that is being spent to aid in the mental health of veterans, when at the boots on the ground level we are being trampled on while VAC marches by waving to the crowds and smiling. This is the first time I have gone public with my plight. Many people have told me to do so in the past but I don't personally feel VAC can be embarrassed into doing the right thing, because to feel shame, one must have a soul.

My story is difficult for me psychologically to reveal, and I'm not even sure if I am shooting myself in the foot by doing so, as I am in the process of suing VAC for denial of benefits and have opened a Human Rights complaint for denial of psychological services. And yet there are too many veterans suffering in silence, they need to know that what VAC is putting them through are not isolated cases, there are many of us in the same situation. And the Canadian people need to know that when VAC sets its sights on destroying a veteran, they will do so by attacking their mental health, all under the guise of "just following policy", until the vet either dies (naturally or otherwise), or gives up the fight for the benefits they are entitled.

To explain my point, though my situation is not identical to all veterans, the end result we face is usually the same. I spent 16 years in the infantry, with four tours overseas before being medically released. My injury was of a physical nature, and in my last few weeks before official release, I received a letter from VAC that informed me that they had assessed my disability at 1% in terms of compensation and that I should expect a one-time cheque for \$643.55 in a few weeks. I'm not faulting VAC on their assessment process as I know nothing about it, however the letter was instrumental in creating only two thoughts in my mind: 1. That my injury was severe enough to cause me to lose my career in the Canadian Armed Forces, yet that's how little my life was worth to the military despite all I had previously endured, and 2. That I didn't want to live anymore. I'm not going to go into further detail here other than to say that there was a suicide attempt, and the RCMP were involved.

A year later, at the request of my wife, I attended a VAC office for the first time and they suggested I go to an Operational Stress Injury Clinic. I began seeing a psychologist at the OSIC, but after a series of sessions of me peeling back the layers of things I had been witness to and involved in, the Dr. said to me one day, "*I'm not sure I can do anything for someone like you*". I pray the quality of therapy at OSIC's across the country have improved in the last decade, but at the time, when an ex-soldier is told he has PTSD and goes to a person who is supposed to me an expert on the matter, that was not the response I was expecting. To me, I heard those words as "*sorry, you're too far gone mentally to be helped*", so I got up, walked out of the OSIC and never returned.

In the decade that followed I slowly descended into deeper mental illness and solved every problem with alcohol and violence, but I became so adept at hiding my illness, that I was able to become what had been called a “functional alcoholic” and I guess a “functional PTSD sufferer” as well. When I could no longer hide what I had become, and for the sake of my wife and child, I once again put my pride behind me and attended a VAC office. There I was told by VAC employees that I must reengage with mental health and start a Rehabilitation Program. They produced a list of every psychologist in the city and told me to select any one I felt comfortable with.

I read about only one that said they dealt with PTSD, so I selected that Doctor. Over the next three years he did his best to treat what he had classified as “Complex” PTSD. Eventually VAC asked for an updated assessment of my progress, and after reading the Dr’s report, VAC determined that it contained “veiled threats” towards them, and City Police were dispatched to my home and a restraining order was applied prohibiting me from ever attending any VAC office. I don’t resent VAC for following their procedures as they were conducted openly and were understandable under the circumstances. But what followed next was totally unnecessary and did more to damage my mental state than any tour I had previously been on.

What wasn’t shared with me about the above events, was that my VAC file had now been given a “security red flag” and would henceforth inhibit with any further interactions I would have with VAC employees. About 6 months after the incident, my then Case Manager opened an application for a Diminished Earning Capacity (DEC), a VAC status that meant the veteran was unlikely to ever return to the workforce and earn a reasonable wage. My CM gave me dates to attend vocational and psychological assessments by the Canadian Veterans Vocational Rehabilitation Services (CVVRS), an organization that would determine if I held a DEC for VAC. Then my CM handed off my file to a new person who would now manage me.

About a month after these employability assessments had been set up for me to attend, the supervisor for the testing contacted VAC asking them what this “security flag” meant? He wanted to know if his staff would be in any danger in dealing with a veteran whom VAC had labeled such? The supervisor, in an e-mail to VAC, stated that if VAC felt that I was such a high-risk client, that neither vocational nor psychological testing need be conducted to determine I held a DEC, as it seemed quite obvious to him that I did. (But I knew nothing of this at the time). Rather than accept his opinion, VAC held an Inter-Disciplinary Team meeting to decide my fate. These IDT meetings are not unique, however, the outcome was the decision that my DEC application would be halted. This would have been fine if this had been expressed openly to me, and the reasons for it, so that VAC and I together could have ironed out any misunderstandings.

Instead, my new Case Manager lied to me, told me that my DEC application was still ongoing, but that the CVVRS assessments would not be necessary in my case, as it would be “*too stressful*” for me. As a result, I stayed home on the testing days. A month later, my CM informed me that a DEC Board had sat and it was determined that I did not meet the criteria because VAC wanted further proof. Their recommendations were:

1. That I get a complete physical from a family Dr.
2. That I get a psychological assessment from a psychiatrist
3. That I agree to admit myself into a hospital for 9 weeks
4. That I agree to take some form of anti-psychotic medication
5. That a Clinical Care Manager be attached to my case to aid me in decision making.

VAC's first mistake in all of this was not being upfront and honest with me. Had they alerted me to the concerns of the CVVRS supervisor, I could have reassured him that none of his employees had anything to fear from me. The security flag was connected to a totally unrelated matter. The Veterans Bill of Rights clearly states that the veteran is to *"take part in any discussions that involve the veteran or family"*, and yet I was kept in the dark about the IDT discussions about me, and as a result, things snowballed from there.

Dumbfounded by what had happened, I appealed the DEC denial and provided the following rebuttal.

1. VAC was aware I no longer had a family Dr. for the last 6 months or more, making getting a complete physical a daunting task.
2. My psychologist had already submitted numerous reports about me to VAC. VAC held them in such regard that they ordered the police sent to my home, and yet they wouldn't validate these assessments during a DEC board, why? (* I later found out, through using the Access to Information, that my CM had approached the local OSIC asking about the availability of me to see their psychiatrist. The nurse there said in an e-mail it was a bad idea. She stated that my own psychologist had documented that I was not a good candidate for group therapy which is what the OSIC offered. And that the best person to assess me would be the Dr. with whom I had established a rapport these last three years, not a new psychiatrist to the situation.) but VAC ignored this professional advice.
3. It was so easy for VAC to recommend that I just leave my home situation behind and fly to a separate province and admit myself into a treatment center. No regard given to what turmoil this isolation would impose on my family for 3 months, and the fact that such a clinic also specialized in group therapy which was already determined as not being productive for me. A place mind you that isn't even veteran trauma specific, but plunks the soldier down into a circle amid civilians with every problem from gambling to sex addiction.
4. It was documented in my psychological profile that I believe that the taking the anti-malaria drug Mefloquine while in Afghanistan had altered my brain in a negative way. Because of this I had sworn off all medications designed to affect a persons mind regardless of the promised outcome. VAC knew I would never again willingly subject myself to being drugged.
5. To date (3 years running), no Clinical Care Manager has ever attempted to contact me by e-mail or phone. I would have gladly welcomed any help navigating VAC's mine field of medical polices, it never came. It was VACs job to set me up with one, not for me find one. That's their fault.

The response to my appeal came back, still denied.

In addition to the above required criteria, VAC added two more new reasons for my Diminished Earning Capacity denial:

1. That even though I was now declared disabled by Canada Pension due to the extent of my mental and physical injuries, VAC stated that they had taken this into consideration, but that being on CPPD was no indication that I held a DEC.
2. That I had not taken part in CVVRS psychological/vocational assessments. (??)

I was also informed that I was allowed one final appeal of this denial.

I responded by producing the e-mails of my then Case Manager instructing me not to attend CVVRS assessments because VAC had deemed them “*unnecessary*” for a DEC determination, otherwise I would have enthusiastically taken part.

The response to that second appeal also came back denied.

VAC never addressed the reason for my CM's e-mails. Instead, they stated yet another new reason why my DEC was denied, that I had “*provided no new medical information to the situation*”. (Even though VAC has now assessed the extent of my previously undiagnosed military injuries to be between **100-150%** on their own disability charts.). I was also told by VAC that I could make no more appeals on this DEC denial matter. What I wasn't told in the letter was that I had 30 days to open a Judicial Review with a Federal Court Judge if I was unhappy with the outcome, or else I would have. Deflated, and not knowing where to turn, I began a letter writing campaign to those organizations that have boasted of being able to help a veteran in need. I wrote to the Head of Legion Command (they sided with VAC), I wrote numerous times to my own Liberal Member of Parliament, (he has not once responded even to tell me he could do nothing for me), I wrote to the Veterans Ombudsperson (Though 80% of complaints to that office are dealt with in the first 60 days, they are still “looking into my situation” a year and a half later).

After gaining no solace from any of these organizations, I wrote to the Access to Information and obtained my entire VAC file. It was at this time, after reading all of it, that I learned of various behind the scenes antics by VAC; The security flag having been placed on my person, the e-mail from the CVVRS supervisor, the decision to close my DEC application, the slanderous comments made about me by the members at the IDT meeting,(i.e. that the reason for my psychosis had to be from “all the cannabis I must use” – when in fact I have never smoked drugs in my life!), attempts to have me banned from using the My VAC account e-mail system, that my CPPD medical documents had never been accessed by VAC etc. There were numerous other examples in the file of VAC employees discriminating against me and denying me services, too many to detail here. I am desperately trying to not make this statement all about me, instead I am trying to show the tactics VAC employs to slowly chip away at a veteran's psyche until they have nothing positive left to offer society. It's almost as though they enjoy it, like some sadistic chess match. What was being done to me could not be ignored, so I opened a Human Rights Complaint.

VAC initially responded to the complaint by telling the CHRC to throw it out as it was “none of their concern”. When this failed, it eventually led to a mediation which even the CHRC mediator saw as a good sign. But the teleconference consisted of me basically reiterating all that I’ve said here, and disproving things said about me during the IDT meeting. But the VAC legal team only responded that my accusations were “*frivolous*”, they mocked me, and called my cries for help to the various outlets to which I had written letters, “*forum shopping*”. VAC insisted that I take them to Federal Court if I expected any change in their decision. A prospect which VAC knew would drain me mentally, emotionally, financially, but they did not care, because compassion is not something they are known for, despite all the hoopla they profess surrounding funding for this clinic or that program. As evidenced by what they would do next;

Shortly after the mediation, I was informed by my new Case manager (not the one who lied to me during my DEC application, she had already quit working for VAC by now), that,

1. VAC would accept no further reports from my current psychologist because he was “*taking too long to get to the heart of my trauma*” and that the “*ONLY thing he was doing was regulating my emotions on a weekly basis*”. I was told that after 3 years of therapy and attending 4 times a month, I was welcome to start all over again and find a new provider in the community if desired.

I didn’t understand, nor was I explained the reasoning for this, especially since my Dr. still had other VAC clients, so it wasn’t a question of his credibility. I didn’t know there was a time line/cure for PTSD? And if VAC truly felt I was so volatile, wouldn’t having a medical professional seeing me weekly be a good thing, as who better to gauge my mental state? Regardless, the result was that I lost my treatment provider and was set adrift to survive in a world I no longer belong in.

2. I was informed that because I refused to enter a treatment facility in another province for 9 weeks, that VAC deemed that I was no longer “following the rules of my Rehabilitation Program”, and the wheels were set in motion to cut off my Income Replacement Benefit. (IRB)

So, as I now wait to be heard by a Human Rights Tribunal, one that may be years away. VAC has no conscience about leaving a mentally disabled veteran with no psychological help, and attempted to drastically reduce my household income when I can no longer work. Where were they secretly hoping this would lead?

After reading my entire VAC file, about being tagged with a security flag and the reason why my DEC application process was halted, I continuously brought up my point of view to VAC. Eventually the CVVRS testing was rescheduled and I was permitted to attend, and there were no unsafe incidents. In fact, the assessors commented in their reports about my politeness and congeniality. The result of the CVVRS report was the conclusion that I did in fact suffer from a Diminished Earning Capacity. VAC agreed this time, and a new label was attached to my person, that of DEC.

One might think that the situation ends there. However, back when my original DEC tests were supposed to occur, the dates of Mar. 7 & 8 2019, there was a disability benefit attached to that status known as the Career Impact Allowance Supplement (CIAS). The catch was that the veteran had to be found to have had a DEC before April 1 2019, because on April Fool's Day, the Right Honourable Prime Minister Justin Trudeau introduced his new Pension for Life Platform. Though it offered different benefits to some veterans, one of the casualties of the package was the disappearance of the CIAS. So, despite my now having been found to have a Diminished Earning Capacity, an understanding that I will never work again. I am no longer entitled to the CIAS monthly income because my testing took so long to complete.

This is where I sit today, and though in 2015 The Right Honourable Prime Minister Justin Trudeau swore on live television that "no veteran will be forced to take his government to court for benefits which he deserves", that is exactly what I am now forced to do. My main arguing point being; What had changed by May/June 2020 that allowed my CVVRS assessments to finally take place? I still have a security flag on my file, I am still banned from VAC premises nationwide, why was the safety of these current assessors no longer a concern after April 1 2019? (other than the obvious, that the veteran compensation aspect no longer existed). VAC's trick may have saved the Government a pittance over the course of my life, but at what cost to the quality of life of my family? They can do what they want to me, but why make my wife and children suffer?

To add fuel to the fire, just last month I asked through ATIP for a list of all veterans from my local VAC office that had an open application for a DEC prior to April 1 2019, so that I might use the information in my court case. What I was given instead from VAC were 95 pages that provided the lists of veterans for every VAC office from Corner Brook to Windsor - except the one that I actually asked for. After everything else that has gone on, I cannot write this off as a simple "accident". These are the type of mind games VAC likes to play with a mentally disabled veteran. All designed to encourage him to spiral out of control so that they can once again involve the police. They are like bullies in a playground doing whatever it takes to win a fist fight with no regard for the damage they are deliberately causing on a veteran's home front. If I were to try and make one recommendation from all of this it would be that VAC has to at some point pull their head out of their stack of policies and look at things from a human perspective when dealing with Veteran issues. They bend their own rules at their leisure but it is never in favour of the veteran, if I let them continue to walk all over me then my entire existence on this earth has been for nothing, I become as worthless as pennies they are trying so desperately to hoard.

When I started writing this brief, I never wanted to make it solely about me, but in order to show the vindictiveness, the retaliatory, the callousness, the conniving true nature of VAC to veterans, one has to live it. And I am, every day. I am still here not as a result of any mental health care initiative offered by VAC, but due to the unconditional love of my 6-year-old son. A mere boy who understands nothing of what is wrong with his father, but he does he judge me, nor persecute me, he just accepts me as I am, and that's enough to keep me going. If I didn't have him and the joy he brings into my life, I don't know what I do.

Once again, I thank you all for taking the time to read this.

