

My understanding of the pension situation is this: Pensions are awarded on the basis of a man's disability in the labour market, not as to whether he is able to carry on clerical work in an office. The whole test is whether the man is fit to go into the labour market and do a day's manual labour. If he is not, his disability is rated accordingly. It represents the percentage of ability that he lacks to do day labour. Now the man with that thigh case whose bone has been scraped time after time, and who has had a major operation year after year—there is a record of at least six operations—surely he is entitled to more than a 10 or 15 per cent pension. This is where the thing is all wrong. No board of pension commissioners can deal with one or two thousand cases in a month, and see all the cases of this nature, and do justice to them.

There is this anomaly in the Pension Act and in the organization of the pensions board and of the federal appeal board: The pension commissioners take the evidence, and they sit in Ottawa. The federal appeal board can take no evidence, and they tour the country. Now whoever heard in law of the appeal court doing the travelling, and of the trial court sitting in a central place to which all litigants had to come? The thing is all wrong. The practice should be reversed. There ought to be at least five, perhaps six, members of the Board of Pension Commissioners, and a quorum of this board should go to western Canada, a quorum to central Canada, a quorum to eastern Canada, and make personal investigation into these cases. Let the men come before them. Encourage the board to get independent medical opinions, and let them take the evidence down. The appeal board should sit in Ottawa or some other central place, and have the soldiers' advocates appear before them. I assure the government that that would save tens of thousands of dollars annually. As it is now, the Federal Appeal Board travels about the country, and if a new opinion is offered to the appeal board they cannot take it down as evidence; they are debarred by law. The thing is ridiculous.

The Board of Pension Commissioners ought to go to Vancouver, for instance, and hear any new evidence, pass judgment upon it, and then the file when completed should go before the Federal Appeal Board for review if necessary. The organization at present is all wrong, and I trust that the government will take that matter into consideration in drafting amendments to the Pension Act.

I submit that a new act should be drafted

[Mr. Clark.]

by the government and submitted to the pensions committee for consideration. The responsibility is the government's. The government cannot expect a committee of men who are not really experts in drafting legislation to re-draft the act. The act ought to be re-drafted for them, and then the committee could consider it section by section, just as a bill is considered in committee of the whole house.

I have one other suggestion to make in this connection, and that is that the pensions committee should be a joint committee of the two houses of parliament, if it is possible to arrange that. We have had enough experience now to know that a great many of the difficulties that have arisen over amendments to the Pension Act have arisen through the other house not hearing the evidence as the committee of this house has heard it; and largely due to a misunderstanding of the situation amendments have been refused by the other house which, properly understood, they would have accepted. If a joint committee of the two houses could be arranged it would save a lot of duplication of effort, and we would be able to come to a common decision in a matter which in my opinion is a very, very urgent one indeed.

Mr. MALCOLM LANG (South Timiskaming): I am glad, Mr. Speaker, that this resolution has come before the house at this time. The resolution is deserving of our most serious attention. I am sure that the people of Canada generally wish to see the overseas men who are suffering from any disability properly taken care of. Putting the onus on the overseas man to prove that his disability was due to war service has worked a hardship in many, many cases ever since the war. There is not a doubt in my mind that there are to-day many overseas men in Canada who are deserving of a pension which they have not as yet been able to get.

I am not sure that the wording of the resolution entirely meets the needs of the day. I think sometimes that we perhaps bother a little bit too much about doctors' diagnoses in the cases that have to be considered. The resolution before the house states that if the soldier submits evidence or an opinion from any reputable physician that his disability was directly or indirectly attributable to war service, the onus of disproof shall be upon the Board of Pension Commissioners. I am not so sure but that a local committee in the section where the man has resided since the war might not be able to give very good evidence on a case that they were familiar