

medical advisors took another seven weeks to make a recommendation on that case.

The Canadian pension commission then took six weeks to make a final decision. After its decision was rendered it took another six weeks for DVA to inform the veteran of that decision. That totals 42 weeks for an elderly veteran to wait for a decision on his claim. It is clear where the delays lay. It is clear the fateful decision to move the Canadian pension commission to Charlottetown is largely responsible, though not exclusively, for the delays.

This experiment in regional economic development has cost veterans dearly and I hope the government has learned a very valuable lesson from this unfortunate and unnecessary story.

I have spent a considerable amount of time detailing where the delays come from because I want to establish a very important fact. The current independent bureau of pension advocates, its lawyers and paralegals are not responsible for these delays.

• (1255)

The goal of the legislation is to speed up the time it takes veterans to get their disability pensions without the veterans losing any of the rights they currently possess. This is also the aim of the Reform Party, yet we disagree on the means to this end.

One of the main points of disagreement centres on whether the bureau of pension advocates should remain an independent body at the disposal of veterans at the first level or whether it should be moved and made a part of the Department of Veterans Affairs at the appeal level only.

A number of arguments have been made by the standing committee on defence and veterans affairs and in the House in this regard and I have reviewed them extensively. After careful consideration I have concluded the bureau of pension advocates should remain an independent body at the disposal of veterans. Why? I fail to see how removing the bureau from the first level will save any time in the current system. The only way to speed up the system is to ensure more applications are accepted at the first level. These applications must be well prepared because the department currently rejects 70 per cent of them but goes on to accept 80 per cent of the appeals at the second or third level.

The typical time it takes for the bureau lawyer to prepare an application is in the area of two to three months, a modest period of time to prepare a case when the veteran knows he will be forced to do battle with the department to receive his disability pension.

The remaining delays at the first level, which commonly take a year and a half, are the responsibility of the department.

Government Orders

Ironically, the government feels removing the bureau from the first level will speed up the system because it will focus on appeals only.

Under this legislation the government intends to have a departmental clerk assist the veteran in filling out the first level application. The first level decision will then be adjudicated by the department, not the Canada pension commission. It could be true that the first level decision will be faster, but will the acceptance rate be greater than 30 per cent? Given the department's past record of rejecting 70 per cent of first level applications, I have to question that.

If the veteran has to appeal the case he has to then go to a bureau lawyer who now is not working for the veteran but working for the Department of Veterans Affairs. The lawyer who answers directly to the minister must start to prepare the appellant's case from scratch, which will take months or years because nothing in the bill speeds up the appeal process which currently takes up to three and a half years.

If the government intends to focus all of the bureau's resources at the appeal level it is obvious the first level acceptance rate will not increase. The intent is obviously not there. The majority of veterans will still have to wait years to get their disability pension. With the average age of veterans approaching 74 this is too little, too late.

I firmly believe that if the process is to be speeded up the first level acceptance rate must be increased so there are few appeals. The way to accomplish that is twofold. First, have first level applications expertly filled out by a bureau lawyer so the veteran's case is solid. Second, the department should consider the success rate for past appeals, which is about 80 per cent, and use the benefit of the doubt clause more liberally to increase the first level acceptance rate. This two track approach would substantially speed up the system and serve the best interests of veterans.

Now I will tackle the issue of veterans' rights. Last week the hon. member for Bonavista—Trinity—Conception stated the bill would not take away any of the current rights of veterans. This is not fact but it is a point of debate. I would argue that Bill C-67 takes away the rights of veterans in a number of areas.

• (1300)

It removes the Bureau of Pensions Advocates from the first level of decision making by adding it to the department. This calls into question the veterans right to solicitor/client privilege.

At the first level the veteran will deal with a pension officer or paralegal who works directly for the department, not an independent lawyer or paralegal under the direction of a lawyer. Thus at the first level solicitor/client privilege is lost.