

July 17, 2020

Mr. Erin O'Toole, PC, CD.
1720-130 Albert St.
Ottawa, Ontario K1P 5G4

Letter of Endorsement

As you know, The Equitas Society is a nonpartisan organization that advocates for increased benefits for injured or disabled Canadian Forces members who receive benefits under *The New Veterans Charter and the Veterans Well Being Act*.

As you are also well aware, we pursued a legal action against the Government of Canada seeking a declaration that Canada owed an obligation to its Veterans to provide them with suitable benefits as a result of their service to Canada.

Although we were not able to fully settle the matter, when you became Minister of Veterans Affairs you were **instrumental in changing the tone of your predecessors, whose lawyers had argued that Canada did not have an obligation to veterans. Your intervention and removal of the Justice lawyers was a turning point.**

Additionally, more than tone changed. Working with Equitas and other veterans' organizations in a transparent and cooperative manner, we were able to make significant headway in improving benefits for veterans and their families. Wait times were decreased, OSI clinics were opened, the Critical Injury Benefit was created, educational benefits were improved, the Caregiver Relief Benefit was created, and the lump sum was made optional rather than imposed among other improvements.

Significantly, **you reversed the position taken by the Department of Justice and attempted to withdraw the Appeal of the Trial level decision in Equitas' favour.** Unfortunately, the Court of Appeal would not allow the appeal to be withdrawn and the following Government chose to pursue the appeal, adopting the arguments of your predecessors, notwithstanding having promised in the election not to take Veterans to court.

Although, the Court of Appeal was sympathetic to the merits of the criticism of the treatment of our veterans, it was of the view that Parliament was required to address the issue in legislation. Ultimately, the Courts did not allow the action to proceed. It became clear during this process, however, that more needs to be done to provide benefits to our ill and injured Canadian Forces members and to assist their transition to civilian life.

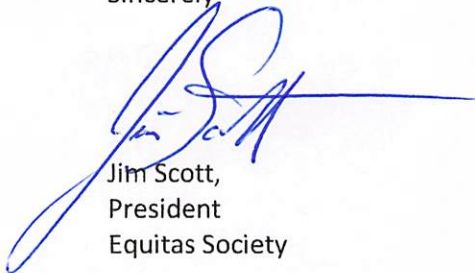
Since a federal election is likely in the near term and our experience with the reversal of positions taken by candidates before elections once they become elected, the Equitas Society is asking candidates for a clear statement on adoption by the Canadian Government of a **Canadian Military Covenant** in language similar to what has been done in the United Kingdom. Such a covenant would provide the fundamental guidance to the creation and interpretation of Veterans' Benefit legislation. To that end, and as the Conservative Party may form the next government, the Board of the Equitas Society reached out to all

four of the Conservative Party of Canada leadership campaigns and requested that they comment on their willingness to enact the **Canadian Military Covenant** written below and comment on **how they will improve injury and disability benefits.**

Your campaign was the only campaign to respond both directly and positively. Based on this response, it is the position of the Equitas Society that **you are the Conservative Party of Canada leadership candidate most aligned with our vision for the enactment of the Canadian Military Covenant and improve injury and disability benefits for Canadian Forces members, veterans and their families.**

For more information on this endorsement, please contact Equitas' lead counsel and author of the Canadian Military Covenant, Mr. Donald J. Sorochan, QC at 604 488-4731.

Sincerely



Jim Scott,
President
Equitas Society

Below you will find the text of the intended Canadian Military Covenant:

**A SOCIAL COVENANT BETWEEN THE PEOPLE AND GOVERNMENT OF CANADA AND THOSE WHO SERVE
IN THE ARMED FORCES OF CANADA (THE "CANADIAN MILITARY COVENANT")**

The Canadian Forces are the armed forces of Her Majesty raised to defend Canada and protect its people, free institutions and interests in a manner that best serves the nation's parliamentary democracy. The service men and women who make up the Canadian Forces, while serving, must forego basic Human Rights enjoyed by other Canadians. They must obey and support lawful authority and comply with the additional legal and disciplinary requirements of military service. When necessary this will include taking up arms against Canada's enemies and resisting them in battle using lethal force. They will be called upon to take risks to life and limb and to make personal sacrifices – including the possibility of the ultimate sacrifice of their lives – and in every sense to act honourably in the service of the Canadian people.

This Covenant recognizes that there is no equivalent profession to that of service in the Canadian Forces and the uniqueness of military service extends to the experiences of military families.

In return for their sacrifice and endurance, Members of the Canadian Forces must always be able to expect, from the Government of Canada on behalf of their fellow Canadians, to be valued and treated with dignity and respect as individuals and to receive adequate recognition and benefits for the sacrifices they make, including fair care and treatment, fair compensation for injury or death and re-establishment

in civil life. They further must always be able to expect that the families of those who die as a result of their service to Canada will be fairly cared for and supported.

All enactments of Canada shall be liberally construed and interpreted to the end that this Covenant and the recognized obligation of the people and Government of Canada to provide compensation to those members of the forces who have been disabled or have died as a result of military service, and to their dependants, may be fulfilled. The guiding principle for their recognition, care and compensation must always be compassion and must always properly take into account the unique nature of military service. No current or former member of the Canadian Forces or their families shall be put at a disadvantage compared to other Canadians because of their service in the Canadian Forces and they shall be given the benefit of doubt in all applications for and proceedings related to military service benefits.

This mutual obligation forms the Military Covenant between the people and Government of Canada, the Canadian Forces and each individual member of the Canadian Forces. It forms an unbreakable common bond of identity, loyalty and responsibility that has emerged during the service of the Canadian Forces throughout the history of Canada.