

Veterans Review  
and Appeal Board Canada



Tribunal des  
anciens combattants Canada

# **Veterans Review and Appeal Board**

*Meeting with*  
**Canadian Peacekeeping Veterans Association,  
Canadian Association of Veterans in United Nations  
Peacekeeping,  
Gulf War Veterans Association of Canada**

*January 12, 2012  
Charlottetown, PE*

**Canada** 



# Our Objective

To provide an overview of the  
Board's mandate and program



## **VRAB's Mandate**

- To provide an independent avenue of appeal for disability decisions made by VAC under legislation
- To provide a fair and effective appeal process
- To support Veterans, CF members and RCMP, and their families, in obtaining benefits for service-related disabilities



# Our Organization

- Independent appeal tribunal led by Chair
- Arm's-length operations from Minister/Department
- 24 appointed Members\*: half in major centres and half in Charlottetown
- Selection process prefers military/medical/policing/legal backgrounds
- 85 staff support operations (centralized in Charlottetown)
- Budget dedicated to delivery of national hearing program

\*As of January 2012



# Hearing Program

- Two levels of hearings for disability pension/award decisions: Review and Appeal
- Final level of appeal for War Veterans Allowance
- Authority to change VAC's decision if evidence supports it
- Non-adversarial hearings
- Access to free legal representation
- New evidence and arguments



# Review Hearing

- Conducted by 2 Board members
- Only opportunity for oral testimony
- Cross-Canada hearings in 30 locations
- Alternate hearing options  
(videoconference)
- Presentation of evidence and arguments
- Written decision with reasons



# Appeal Hearing

- Conducted by 3 different Board members
- Further opportunity for documented evidence and arguments
- Held primarily in Charlottetown / video- and teleconference
- Written decision with reasons – final and binding
- Panel's discretion to reopen if error in fact or law or new evidence (s. 32, *VRAB Act*)



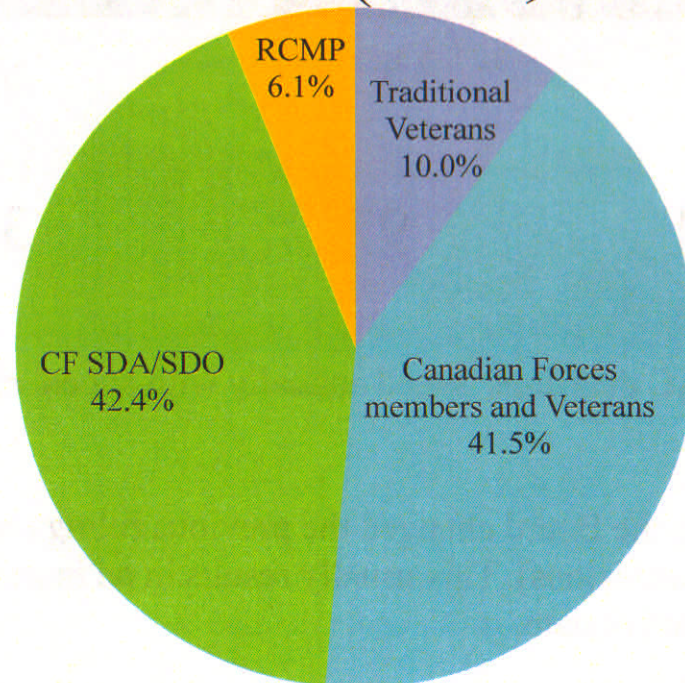
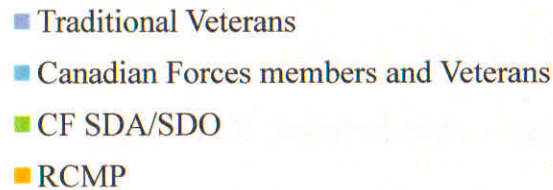
# Decision-making

- Each decision based on unique facts and evidence
- Legislation requires evidence of relationship between disability and service
- Relaxed rules of evidence (s. 39, *VRAB Act*)
- Members are required to make and explain credibility findings
- All decisions reviewed for quality
- On-going training and performance feedback for Members



# Our Applicants

- Traditional Veterans (WWI, WWII, Korea)
- Canadian Forces members and Veterans
- Special Duty Area, Special Duty Operations
- Royal Canadian Mounted Police (SDA, SDO, Still Serving, Former)



\* Includes survivors/dependants

**VRAB applicants 2010-2011**



# Workload Statistics 2010-11

	<b>Decisions Finalized</b>	<b>Varied Rate**</b>	<b>Service Standard Performance***</b>
Review	3539*	50%	85%
Appeal	974	33%	88%

\*Only 10% of VAC decisions issued annually with appeal rights to the Board come forward to VRAB Review.

\*\*“Varied” means the Board changed the previous ruling (based on new evidence or the application of the benefit of doubt provisions). This usually results in an increase in the level of entitlement or assessment or a change in the effective date.

\*\*\*Public commitment to issue written decision within 6 weeks from date of hearing.



# Conclusion

## Strategic Priorities:

- Program delivery
- Improved program delivery
- Communication
- Accountable Management