

Advocates Manual



RCMP Veterans Association

REV: 01 SEP 2017

INTRODUCTION

Provincial & Territorial Advocates

This manual contains the benefits services available to RCMP Veterans. In particular, if a RCMP member or Veteran has a disability caused by their service, they will be eligible to receive a tax-free pension or compensation and may be eligible for additional allowances, benefits and services in addition to the basic benefits and services.

Terminology is critical to making applications to Veterans Affairs Canada (VAC) since the benefits and services vary between RCMP and Canadian Forces members and Veterans. Therefore, it is important to guide and counsel the Veteran concerning the potential benefits and services available.

There are several agencies that are available free of charge which will assist our veterans, such as the Royal Canadian Legion (RCL) Provincial and Dominion Command Service Officers, the Bureau of Pension Advocates (BPA) and the Veterans Review and Appeal Board (VRAB). These agencies have full time employees whose sole purpose is to assist our veterans. They are security cleared and have expedited electronic access to our service/health files. Therefore, let's use them.

Mike Duffy

Chief Advocate

RCMP Veterans' Association

Original developed by Ron Lewis

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All Advocates Please note: If you assist with a Claim or Appeal to Veterans' Affairs Canada (VAC), please ensure that you & the Veteran complete VAC Authorization to Collect/Release Information Form:

VAC 520e - <http://www.veterans.gc.ca/eng/forms/document/473> (in English)

OR

VAC 520f - <http://www.veterans.gc.ca/fra/formulaires/document/473> (en Français)

Submitting this Form will allow VAC to include you when assisting the Veteran. Not submitting this Form will result in VAC invoking the Privacy Act and you will be not able to assist further.

2. DISABILITY BENEFITS and DISABILITY ALLOWANCES

Serving or Veteran members of the RCMP may be eligible for disability pensions under the Canada Pension Plan (CPP) and/or Disability Allowances through a process administered by Veterans' Affairs Canada (VAC). They must meet two criteria:

1. Have a medically supported disability.
2. The disability is a service-related injury, illness or condition.

The CPP Disability Benefit is a taxable monthly payment that is available to people who have contributed to the CPP and who are not able to work regularly because of a disability.

To see more on this topic and the eligibility criteria see the CPP Overview page at this Website: <https://www.canada.ca/en/services/benefits/publicpensions/cpp/cpp-disability-benefit.html>

The VAC Disability Allowances is a non-taxable monthly payment.

The VAC Adjudicator will determine first if the applicant is **Entitled** to a disability pension according to the two criteria. Full entitlement (5/5th) means the medical condition was totally caused from service factors. Partial entitlement (1/5 – 4/5th) means the medical condition was partially caused or aggravated by service factors. There may have been other non-service injuries or illnesses that contributed to the medical condition.

Next the Adjudicator will determine **Assessment** in percentages. That is calculated from a table of disabilities comprised of medical impairment and quality of life. Percentage values of the disability can be anywhere from 1% to 100%. If the disability is less than 5%, the Veteran will receive a onetime lump sum payment. For disabilities 5% and over, the payment will be a Tax Free monthly allowance. Assessments can be reassessed after 2-3 years if there is medical evidence of a deteriorating condition.

Additional amounts may be paid to qualified dependants such as spouse, common-law partner and/or children.

A disability allowance can be applied for each separate injury or illness.

Upon receiving a Disability Allowance, a Veteran **MAY** be eligible for other benefits from VAC such as:

- Attendance Allowance (Does not need to be related to medical reason of the pension)
- Clothing Allowance

- Exceptional Incapacity Allowance
- Health Care Benefits (vision, hearing, dental, physiotherapy, psychological etc.)
- Survivor Benefits
- Operational Stress Injury (OSI) Clinics
- VAC 24 hour Crisis Help Line

THE PROCESS

The first step is to complete an application and forward it to VAC for adjudication. If the proper documents to support the two criteria listed above are submitted initially, the success rate for obtaining a disability pension is very high (78%). Some of the critical documents are:

- Medical records from RCMP files
- Incident reports at time of injury
- Medical test results after retirement
- Witness statements from fellow members or civilians
- Notebook entries at time of related incident

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RCMP Veterans' Association

In order to enhance a positive result, it is recommended the Veteran seek assistance from the nearest RCMP Veterans' Association Division which will provide guidance and contact information. The RCMP Veterans' Association have volunteer Advocates in the Provinces and Territories to assist members with issues related to disability benefits, allowances, services and other issues.

Other Agencies

There are agencies that have designated full time employees to assist RCMP Veterans to process disability pension applications. All are provided **free of charge**. They are listed below:

The Royal Canadian Legion (RCL) -Dominion and Provincial Command Service Officers

The Bureau of Pension Advocates (Lawyers)

The Veterans Review and Appeal Boards (VRAB)

The Royal Canadian Legion (RCL)

There are 24 full time professional **Service Officers** employed by the RCL across Canada who will assist RCMP Veterans and families to process an application for a disability pension and related benefits. These Service Officers have expedited access to the applicant's RCMP service and health files. They will also prepare and represent the applicant at the Veterans Review and Appeal Board (VRAB) if required.

Service Officers for your area can be contacted toll free 1-877-534-4666. The contact information for all Service Officers in Canada is listed below:

<http://www.legion.ca/we-can-help/contact-a-service-officer/>

The Bureau of Pension Advocates (BPA)

The BPA is an organization of full time lawyers who will provide **FREE** advice, assistance and representation for RCMP Veterans dissatisfied with decisions rendered by VAC regarding their application for disability pensions or awards, Attendance Allowance, Exceptional Incapacity Allowance, Clothing Allowance and Dependent/Survivor benefits. All BPA lawyers are specialists in the area of claims for the mentioned disability benefits.

A VAC decision on an application for disability benefits must be rendered before the services of the BPA can be accessed. These decisions can be "Reviewed" by VAC. If not satisfied, the decision can be "Reviewed" and later "Appealed" if necessary to the Veterans Review and Appeal Board (VRAB).

Two aspects of the original decision can be reviewed and appealed:

- The "ENTITLEMENT" is decision whether you qualify for disability benefits.
- The "ASSESSMENT" is the decision about how much you will receive in benefits.

Even though RCL Service Officers are available to assist and represent Veterans at the VRAB, you may choose a lawyer from the BPA as well.

After reviewing your file, the BPA lawyer may arrive at one of three conclusions:

- The evidence provided is sufficient for redress to proceed

- It is necessary for the client to obtain additional evidence
- There is little chance if redress is pursued

The ultimate decision rests with you, the client, as to whether or not to proceed with redress, regardless of the legal opinion provided by the BPA lawyer.

Redress can be in many forms including:

- A “Departmental Review” in which VAC will reconsider the original decision
- An Entitlement or Assessment **Review Hearing** before the VRAB
- An entitlement or Assessment **Appeal Hearing** before the VRAB
- An **Application for Reconsideration** before the VRAB

The head office is located in Charlottetown, PEI and 14 District Offices across Canada. All offices can be contacted via one number 1-877-228-2250.

Veterans Review and Appeals Board (VRAB)

The VRAB can review decisions made by VAC on disability pensions or awards, allowances and dependent/survivor benefits.

The first level is a **Review Hearing** at approximately 30 locations in Canada which is conducted by 2 board members. The veteran can appear in person (travel costs covered) or teleconference or video conference with a Legion Service Officer or a Bureau of Pension Advocate or both. Favourable decisions average 51%.

The second level is an **Appeal Hearing** which is conducted by 3 different board members in Charlottetown or by teleconference. The veteran’s representative makes a verbal and/or a written argument. Favourable decisions average 34%. There is no limitation of Action. The decision is binding and final.

However, the decision may be reopened at the board’s discretion if new evidence can be produced or there was an error in fact or law.

The decision of the Appeal Hearing can be sent to the **Federal Court** for a Judicial Review at your own cost.

VRAB 1-800-450-8006 www.vrab-tacra.gc.ca

3. CANADA PENSION PLAN (CPP) DISABILITY BENEFIT **Vs. PENSION BRIDGE BENEFIT**

When being discharged to pension we are all required to notify the RCMP Pension Office if we are receiving a CPP Disability Benefit.

If we receive the CPP Disability Benefit, we are not eligible to receive the Pension Bridge Benefit.

There are reminders in our Annual Pension Statements that we are required to notify the RCMP Pension Office if we receive the CPP Disability Benefit.

Failure to notify the RCMP Pension Office of receiving the CPP Benefit while taking the Pension Bridge Benefit may be investigated as fraud.

If the CPP Disability Benefit is received as well as the Pension Bridge Benefit – the RCMP Pension Office will become aware of it – AND repayment of the Pension Bridge Benefit is required.

Repayment requirements are covered in the Royal Canadian Mounted Police Superannuation Regulations (RCMP SR). Here is a link to the RCMP Superannuation Regulations: http://www.laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._1393/index.html

Court Orders or lawsuits are not required for the RCMP Pension Office to adjust pensions to meet repayment obligations. Section 9.1 of the Regulations refer.

The required repayment could be a financial hardship. There are provisions in the RCMP Superannuation Regulations to consider a financial hardship. Section 9.06 refers.

If the repayment is not complete upon the death of the Pensioner, his/her estate will be required to meet the financial obligation.

There is very little that an Advocate can do when a RCMP Pensioner puts himself or herself into this situation except to refer the Pensioner to the hardship provisions in the Regulations.

4. ATTENDANCE ALLOWANCE

What is it?

The Attendance Allowance is a Special Award that is paid monthly in addition to a disability pension or compensation. An assessment is required to determine the grade level (1 to 5) for payment purposes. This is for **PERSONAL CARE** rather than home maintenance.

Eligibility

- A veteran must have been awarded by Veterans Affairs Canada (VAC) a disability pension or compensation or both (1% or more) or totally disabled (defined) as a result of their RCMP service, **and**:
- In need of assistance or supervision whether it is related to the disability or other health issues. The services could be feeding, bathing, dressing, toileting, mobility or medication administration.

Application

Contact VAC - Telephone 1-866-522-2122

Process

A VAC representative will visit the veteran to conduct an assessment. The assessment will be analysed to determine eligibility and if applicable, assign a grade level.

Review/Appeal

If dissatisfied with the decision, it may be appealed to the Veterans Review and Appeal Board (VRAB).

Reassessment

The veteran may request a reassessment once every two years or earlier if the condition of disability or illness has substantially changed.

Payment

If approved, the Attendance Allowance will be provided as a tax free monthly amount according to the grade level assessed. Grade 1 is defined as total care while Grade 5 needs occasional assistance or supervision with activities of daily living. The range of payment in 2013 is Grade 5 \$274.65 to Grade 1 \$1716.01 per month. No receipts are required so the veteran may choose services at their discretion.

Terminology

There have been many instances when veterans have contacted VAC and requested Attendance Allowance and then cited the need for help to maintain their residence. VAC usually then advises the veteran does not qualify and ends the call. Remember Attendance Allowance is for PERSONAL CARE such as **feeding, bathing dressing, toileting, mobility or medicating.**

4. EXCEPTIONAL INCAPACITY ALLOWANCE

If you are receiving a Disability Pension and are exceptionally incapacitated you may qualify for an additional tax-free monthly allowance. The amount of the allowance is based on the extent of the pain and loss of enjoyment or shortened life expectancy.

You may qualify for an Exceptional Incapacity Allowance if you:

- have a Disability Benefit of 98% or more;
- **or**
- have a combination of a Disability Benefit and POW compensation totaling 98% or more;
- **and**
- have an exceptional incapacity that is a consequence of, or is caused in whole or in part by the condition(s) for which you have received a Disability Benefit.

Contact VAC 1-866-522-2122

5. CLOTHING ALLOWANCE

If you are receiving a disability benefit for a condition that causes wear and tear on your clothing or requires you to wear specially-made clothing, you may qualify for a monthly tax-free clothing allowance.

Contact VAC 1-866-522-2122

6. HEALTH CARE BENEFITS – FROM VAC

- **Health Care Benefits:** Discharged RCMP regular members (RM) and discharged RCMP civilian members, are eligible to receive health care benefits for a pensioned condition. This includes items such as
 - hearing aids;
 - vision care;
 - dental and medical costs;
 - prescriptions;
 - special equipment;
 - physiotherapy;
 - occupational therapy;
 - psychological services; and
 - nursing services.

7. OPERATIONAL STRESS INJURIES (OSI) CLINICS

What is an Operational Stress Injury?

An operational stress injury (OSI) is any persistent psychological difficulty resulting from operational duties performed while serving as a member of the Royal Canadian Mounted Police (RCMP). It is used to describe a broad range of problems which include diagnosed medical conditions such as anxiety disorders, depression, and post-traumatic stress disorder (PTSD) as well as other conditions that may be less severe, but still interfere with daily functioning.

The symptoms and the injuries themselves vary according to the individual and nature of their experience. Other duties such as serving in a war zone, in peacekeeping missions or following other traumatic or serious events can cause ODI.

It is normal to experience some form of distress after being exposed to a traumatic event. Fortunately, help is available for those struggling with an OSI. The earlier help is sought, the better the rate of recovery.

What is a Traumatic Event?

"Trauma" is different for everyone, but there are a number of events that can cause significant distress. These include, but are not limited to:

- threat of death;
- serious injury;
- viewing or handling of bodies;
- death or serious injury of a close friend, colleague or family member;
- exposure to a potentially contagious disease or toxic agent; and
- an action or inaction resulting in serious injury or death for others.

What are Common Reactions?

Most people experience strong reactions after traumatic events which may include:

- feelings of panic or anxiety;
- a desire to avoid anything attached to the event;
- feeling sad, tearful, hopeless, depressed, angry and/or guilty;
- increased consumption of alcohol or abuse of other substances;
- a change in personality;
- difficulties concentrating, disorientation and/or memory problems;
- sleep disturbances or excessive alertness;
- being easily startled;
- trouble controlling moods;
- difficulties with relationships;
- painfully reliving the event (while awake or asleep); and
- intrusive thoughts about the event.

Often these reactions resolve themselves or go away soon after the event. However, at times they may continue.

What Should I Do if My Symptoms Persist?

Seek help as soon as possible if you are experiencing any symptoms of distress which are affecting your ability to work or function socially.

How do I access an OSI clinic?

Their service is available to RCMP Veterans **and their families** presenting with problems due to work-related psychological trauma or stress.

OSI clinic services require a referral.

- If you have a VAC case manager, speak with them.
- If you don't have a case manager contact VAC at 1-866-522-2122
- If or call or a Veteran or Friend calls on your behalf – this must be said “I am a RCMP Veteran (calling on behalf of a RCMP Veteran) and I am in Crisis (he/she is in Crisis)”.
- If you are assisting a Veteran with dealing with VAC the very first thing that must be done is complete Form VAC 520e (Third party Consent Form) and have the Veteran sign it. If this is not done VAC cannot accept your assistance or disclose the Veterans information to you. (Privacy Act Legislation)
- The Third Party Consent Form VAC 520E is available separately and also from the VAC Website currently under Forms: <http://www.veterans.gc.ca/eng/forms/document/473>

Services offered at the OSI clinics

Each clinic has a team of psychiatrists, psychologists, social workers, mental health nurses, and other specialized clinicians who understand the experience and needs of Veterans. Together they work with the Veteran to improve their quality of life by identifying therapeutic activities and working toward realistic goals.

Services are based on current best practices and are customized to meet the individual's needs. The team also works closely with health care providers or organizations in the community to help ensure follow-up is available when needed.

Family members may also receive or participate in some of the services provided through the clinic.

Patients may also be referred to an **addiction treatment centre** for specialized counselling services if alcohol dependency, substance abuse or other difficulties require more intensive treatment.

Services include:

- comprehensive assessment,
- psychological treatment,
- medication treatment,
- couple and family counselling, and
- consultation with professionals.

Common presenting problems include:

- Post-traumatic stress disorder,
- depression and other mood/anxiety disorders,
- substance abuse,
- sleep disturbance,
- anger,
- interpersonal conflict,
- social isolation, and
- workplace problems.

List of OSI clinics

- [Calgary](#)
- [Edmonton](#)
- [Fredericton](#)
- [London](#)
- [Montreal](#)
- [Ottawa](#)
- [Quebec City](#)
- [Winnipeg](#)
- [Vancouver](#)

OSI Connect - Mobile Application



[OSI Connect](#) is a free mental health learning and self-management mobile app developed to help OSI patients and their families understand the nature of operational stress injuries (OSIs). It provides help through the OSI Clinic Network across Canada. The resources on OSI Connect address challenges including post-traumatic stress and triggers, depression, anger, sleep problems, substance abuse, stress management and more.

8. 24-HOUR TOLL-FREE CRISIS HELP LINE

Veterans Affairs Canada Assistance Service

Call our Assistance Service Operators at:

- **1-800-268-7708**
- **TDD 1-800-567-5803**

- [Marital and Family Problems](#)
- [Transition to civilian life](#)
- [Emotional and Psychological](#)
- [Substance Abuse](#)
- [Financial Difficulties](#)
- [Legal Difficulties](#)
- [Other Personal Problems](#)
- [Work-Related](#)
- [Gambling Problems](#)

When you Meet with A Councilor . . .

You have decided to contact the VAC Assistance Service. Here is how your meeting will proceed:

1. **Identification of the Problem**
Your councilor will help you clearly define your problem.
2. **Using Available Resources**
If necessary, your councilor will put you in contact with specialized services in your area.
3. **Follow-up Services**
The professionals and the resources which contribute to the VAC Assistance Service will work together to establish a personal action plan that will help you resolve your problem. You may also be referred to the nearest VAC District Office for information on other benefits and services

If the circumstance are severe, or in cases of immediate danger, the councilor has received the appropriate professional training to make the necessary crisis intervention.

Specialists from Various Backgrounds

A councilor from the VAC Assistance Service can put you in contact with a wide variety of organizations and professionals:

- family service agencies
- social services
- marriage councilors
- substance abuse intervention programs
- support groups (eg: Alcoholics Anonymous)
- medical doctors
- psychologists

- psychotherapists and councilors
- community mental health centres
- career councilors
- lawyers and legal aid
- financial councilors and credit counseling bureau
- social workers
- clergy
- Veterans Affairs Canada District Office

It's Free!

Veterans Affairs Canada pays for the cost of this program.

If you or a family member require services that are more specialized or for an extended period of time, the councilor will direct you or a family member toward the appropriate professional help. These specialized services may incur an expense, however, the councilor will make every effort to direct you or the family member to free or affordable services.

Telecommunication Device for the Deaf (TDD)

A special service is available for hearing-impaired callers. Anyone having access to Telecommunication Device for the Deaf (TDD) is now able to reach our telephone councilors.

The telephone number to contact the TDD is **1-800-567-5803**.

9. MEDICAL COVERAGE PSHCP

Member / Dependent Information: Contract 055555 (Medical)

To see the details of your Medical benefit coverage, select Member or Dependent and select the expense type from the list below. Please note that some of the expense types covered under your plan may not be shown. For more details, refer to your benefits booklet or contact the Customer Care Centre at 1 888 757-7427 if the expense is not listed below.

Coverage level: Family

Hospital benefit: Level 1

Coverage for: Member Dependent

Ambulance

[Ambulance - Air - Own Province](#)

[Ambulance - Ground - Own Province](#)

Diabetic Supplies

[Autolet](#)

[Glucometer/Dextrometer](#)

[Insulin Jet Injector Device](#)

[Insulin Pump](#)

Health Care Products and Supplies

[CPAP/Bi-PAP machine](#)

[Ostomy Supplies](#)

[Oxygen](#)

[Oxygen Equipment](#)

[Tens machine/muscle stimulator](#)

Hearing Aid and Supplies

[Hearing Aid - Purchase](#)

[Hearing Aid - Repair](#)

Hospitalization

[Hospital Room & Board](#)

Medical Equipment

[Braces](#)

[Casts, Splints, Trusses](#)

[Crutches, Canes](#)

[Cushions \(Orthopaedic\)](#)

[Electric Wheelchair](#)

[Walker](#)

[Wheelchair - Purchase](#)

[Wheelchair - Rental](#)

[Wheelchair - Repairs](#)

Nursing Services

[Nursing Services - Out of Hospital](#)

Orthopaedic Supplies

[Elastic Support Stockings](#)

[Orthopaedic Shoes - Custom-made](#)

[Orthotic Devices](#)

[Shoe Modification](#)

Paramedical Services

[Acupuncture](#)

[Chiropractor](#)

[Electrolysis](#)

[Massage Therapist](#)

[Naturopath](#)

[Osteopath](#)

[Physiotherapy](#)

[Podiatrist](#)

[Speech Therapy](#)

Prosthesis

[Limb Prosthesis - Purchase](#)

[Limb Prosthesis - Replace/Repair](#)

[Mammary Prosthesis \(Left\)](#)

[Mammary Prosthesis \(Right\)](#)

[Ocular Prosthesis](#)

[Surgical Bra](#)

[Temporary Limb Prosthesis](#)

[Wigs/Hairpieces](#)

Psychologist Services

[Psychologist Services](#)

Vision Care

[Contact Lenses](#)

[Glasses - Lenses & Frames](#)

[Ophthalmologist](#)

[Optometrist](#)

10. BENEFITS FOR SURVIVORS (OF DISABILITY PENSION RECIPIENTS)

Continuation of Disability Pension

When a disability pensioner dies, if he or she was pensioned at 5% or greater, the survivor will continue to receive (for a period of one year) the same Disability Pension that was being paid to the pensioner. This includes any Attendance Allowance and/or Exceptional Incapacity Allowance the pensioner was receiving at the time of death. After this one year period, a survivor's pension will be automatically paid.

Survivor's Pension

A survivor's pension will be paid to the survivor of a disability pensioner commencing one year from the time of death. The pensioner's benefits continue in full for the first year.

If the pensioner was receiving a pension of 48% or greater, the survivor is entitled to a full survivor's pension. If the pensioner was receiving a pension between the 5% and 47% rate, the survivor will receive one-half of the Disability Pension that was paid to the pensioner.

Surviving spouses/surviving common-law partners who remarry will continue to receive the survivor's pension. Children and other qualified dependents may also qualify for benefits following a pensioner's death. Contact VAC for more information.

11. CONTACTS

Veterans Affairs Canada	1-866-522-2122	www.veterans.gc.ca
PWGSC (Public Works)	1-855-502-7090	http://www.tpsgc-pwgsc.gc.ca/remuneration-compensation/index-eng.html (Pension)
Morneau Shepell	1-800-661-7595	www.pbs-sra.ca (Insurances)
Sun Life Financial	1-888-757-7427	www.sunlife.ca/member (Dental, PSHCP)
Veterans Ombudsman	1-877-330-4343	www.ombudsman-veterans.gc.ca
VRAB	1-800-450-8006	www.vrab-tacra.gc.ca
Bureau of Pension Advocates	1-877-228-2250	www.veterans.gc.ca/eng
Royal Canadian Legion	1-877-534-4666	www.legion.ca
NAFR (formerly FSNA)	1-855-304-4700	www.federalretirees.ca
RCMP Veterans Association	1-877-251-1771	www.rcmpva.org

Provincial & Territorial Advocates: Primary List Maintained and Updated Separately - Contact Mike Duffy to Update

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