



## ***Bureau of Pensions Advocates***

### **About the Bureau of Pensions Advocates (BPA)**

BPA is a nation-wide organization of advocates within Veterans Affairs Canada (VAC). The Bureau's main function is to provide free advice, assistance and representation for individuals dissatisfied with decisions rendered by VAC. This may be with respect to their claims for entitlement to disability benefits, or any assessment awarded for their entitled conditions.

The Bureau's Head Office is in Charlottetown, Prince Edward Island. The Executive Director and Chief Pensions Advocate is the overall manager of operations. BPA has 14 District Offices across Canada, each staffed by at least one advocate, and there is an Appeal Unit in Charlottetown, comprising a team of advocates.

### **Mandate**

The Bureau's mandate is to assist clients in the preparation of applications for review or for appeals and to arrange for them to be represented by an advocate at hearings before the Veterans Review and Appeal Board.

All BPA advocates are lawyers and members of their respective law societies. Given their experience in pension matters, they are considered specialists in the area of claims for disability benefits. If you seek assistance from BPA, you will be treated in the same manner as if you were hiring a private lawyer to represent you. The solicitor-client privilege relationship between you and your advocate ensures that your confidentiality will be fully respected.

### **The Redress Process**

If you have concerns with the decision you receive regarding your application for disability benefits, you may request the legal services of BPA **without charge**. Your advocate will inform you of your options. Some of these options are listed below.

### **Departmental Review**

If you produce new evidence after receiving a decision with which you are dissatisfied, it is possible to have your claim reviewed again by VAC through a written submission called a **Departmental Review**. Alternatively, your case could proceed before a Review Panel of the Veterans Review and Appeal Board (VRAB), which is an independent federal tribunal.

### **Review Hearings**

At VRAB Review Hearings you have the opportunity to appear personally before members of the Board (usually two). The advocate will conduct the hearing by going through the documentation in your file with the Board members, asking questions of you and/or any witnesses, introducing new evidence, and making oral argument on your behalf. If you are unable to appear personally due, for example, to illness, your advocate may proceed in your absence, with your consent. Alternatively, with the agreement of the Board, you may be permitted to testify by telephone.

## **Appeal**

If you are dissatisfied with the decision of the VRAB Review Panel, you have the right to appeal that decision to the Appeal level of the Veterans Review and Appeal Board. You may also be represented by a BPA advocate at this stage, at no charge.

At the **Appeal Hearing**, there is no provision for oral testimony by a client, therefore, there is no requirement for you to be present. Appeal Hearings are held in Charlottetown before a different panel from your Review level hearing. At the Appeal level, Bureau lawyers file a written submission with the VRAB prior to the hearing. Written or oral arguments are made by advocates at the hearing, at which time any additional written documentation deemed relevant to the case may also be submitted.

Decisions of the VRAB Appeal level are normally final and binding, however, there are provisions in the *Veterans Review and Appeal Board Act* that allow the Board to reconsider the matter if there has been an error of fact, error of law, or if new, significant evidence is brought forward. These reconsiderations are not automatic.

The role of the Bureau throughout this process is to provide clients with the best advice and representation possible. If your advocate, on a detailed review of the documentation, comes to the conclusion that your claim is not meritorious, you will be counselled in this regard. However, the ultimate decision rests with you as to whether or not to proceed.

## **Contacting the Bureau of Pensions Advocates**

Our national, toll-free telephone number is **1-877-228-2250**

Our Web site address is **[www.vac-acc.gc.ca](http://www.vac-acc.gc.ca)**

(Click on “Department Information”, then “Organization”, then “Bureau of Pensions Advocates”.)