

**ADSO’S Current Defence Family Concerns**

In recent times the Government, Defence Department and DVA have come under intense national public and social media scrutiny in the following matters:

1. **The Royal Commission into Defence and Veterans Suicide** revelations:
	1. DVA’s Claims Processing massive backlog caused overly complex and bureaucratic processes often resulting in adversarial situations compounded by staffing level restrictions and inadequate finance allocations;
	2. ADF/DVA Transition Authority’s performance inadequacy, which has improved but still requires priority attention.
	3. Mental health failings.

Its final Report will be released in September 2024

1. **The Brereton Report**.
* The public statements of previous PM Morrison and CDF Campbell has denied the presumption of innocence.
* The delay in implementing its recommendations: Justice delayed is justice denied.
* Defamation cases arising from media reporting (Ben Robert-Smith and Heston Russell).
* Defence Family’s perceived lack of adequate support from the ADF higher command to the special forces: SAS and Commandoes.
* Media misreporting.
1. **The Australian Defence Veterans Covenant**. Is symbolic and needs enforcement legislation. It only partially meets the original objective of fostering support for the veterans and their families by all levels of government, commerce & industry and the general public. The Australian Veterans’ Recognition (Putting Veterans and their Families First) Act needs to include a provision that the Commonwealth acknowledges that veterans, or their families, will not be disadvantaged relative to any other section of the community.
2. **Veteran Homelessness** remains a contentious issue.
3. **Government and APS Integrity - Breaches of Ministerial Standards and APS Codes and Values.** Multiple examples of denials of a fair process and natural justice provide evidence of systematic problems. Reactions to claimants’ claims include denial, delays in the process with years of procrastination and obfuscation in an adversarial manner. This is evidenced in the Ethicos – Howard Whitton Report that reviewed the Department of Defence’s and the Government’s approach in determining the nature of service of Rifle Company Butterworth 1970 – 1989. The latest DHAAT’s Report recommendations are with the Minister but are being contested by the claimants.
4. **The Veterans Legislation Reform – the Harmonisation** of the three Rehabilitation Acts (VEA, MRCA and DRCA) first reported in the 2019 Productivity Commission’s Report has been very slow in consultation. Draft legislation is in the process of being tabled for consideration after consultation by the veteran community. A key caveat is that no veteran will be disadvantaged or at risk of reduced benefits.
5. **The need for an independent of government third party** to consider mediation and recommendation of disputed claims to the approving authority - The Minister.
6. **DFRDB Commutation and Reversionary Benefits** campaign remains active with both [ADFRA](https://www.adfra.org/) and Ken Stone.
7. **Funding support to Veterans Peak Advocacy Organisations.** Contrary to previous ALP promises in Opposition since 2016 to provide financial support to ADSO and DFWA involved in advocacy (advisory for serving members, with pensions and welfare support and advocacy representation to the Parliament), it is very disappointing that the ALP in Government has reneged on that promise.
8. **Lack of Trust in DVA and Defence Nature of Service processes.**
9. **Lack of Ministerial visits to veterans’ organisations** in regional electorates particularly where the Defence Family represents a large percentage of the voting population.
10. **The Confidentiality of DVA Clients’ Medical Records**. [Gordon Legal](https://www.australianveterannews.com/post/gordon-legal-launches-class-action-investigation-into-dva-mates-program-data-breach?postId=de79e502-2c7b-4182-9311-80e9a59bd286&utm_campaign=c7dfd72e-1ef1-49a2-aee6-3bfe96d742a8&utm_source=so&utm_medium=mail&utm_content=1d5c8d6a-860e-4829-97ce-3179308135c3&cid=bc35f2f2-861f-4b4f-a0a7-6aaa6d577974) has initiated an investigation for a potential class action lawsuit against the Department of Veterans’ Affairs (DVA)
11. **The inequitable taxation treatment of Veteran Superannuation Invalidity Benefits**: The Federal Court’s decision in the Douglas Case, has seen the Government only applying it to the older super schemes where payment started on/after 20 September 2007. Other veteran Invalidity Benefits continue to be taxed as though they are permanent benefits.
12. **Brittany Higgins Compensation:** its speedy process and settlement vis-à-vis veterans’ slow claims process.
13. **Defence’s retention and recruitment policy failures** andtheir potential remedies: bonus inducements, hirings of foreign mercenaries and conscription.
14. **Delays in the implementation of the Strategic Defence Reviews recommendations and Defence procurement inaction** that threatens Australia’s national security.
15. **The removal from the National Security Council the ASIO Director and the ASIS Director as permanent members**
16. **Comparative Wage Increases**.
	* The recent huge increase in wharfies’ wages in the DP World disputes supported by the Unions and the Industrial Relations Minister, Tony Bourke, shows a stark comparison to our veterans’ advocacy failure to influence the Defence and DVA Ministers’ support in their Workplace Remuneration Arrangement. For the ADF their increase was 11.2% (over 3 years).
	* The ADF is a unique workforce that warrants their pay to be considered separate to the Australian Public Service (APS).

**For ADSO it’s time for assertive action to prove our relevance by protecting our DF’s well-being and service entitlements with assertive advocacy engagement direct to the Minister and the Australian people. We are the protectors of our nation’s protectors.**

**The Federal Government’s Responsibility**

It is the Defence of Australia and its people. Defence is the essence of the social contract the Government has with all Australians. In turn, military service to Australia creates a bond that unites all generations to the Australian Defence Family: for this reason, our governments have legislated specific support to our Family.

The impact of the unique nature of military service on serving persons and their dependant families is recognised in Federal legislation and its Defence Veterans Covenant administered by the Defence Department and Veterans Affairs Department.

**How effective is the Government in meeting its responsibility?**

We believe that responsibility and commitment has deteriorated over the last seven years as witnessed by the following:

1. **Ignoring** ADSO’s Policies (2022 -2025) submission to both major political parties prior to the last May 2022 Federal Election: as at today’s date no response has been received from either the Labor Government or the Coalition Opposition.
2. **Removing** the DVA Minister appointment from the Labor Government’s Cabinet.
3. **Disbanding** the Prime Ministers Advisory Council on Veteran matters.
4. **Delaying** action on the recommendations of the 2019 Productivity Report into DVA-A Better Way to Support Veterans and consultation with the veteran community over its recommendations.
5. **Delaying** the approval of a Royal Commission into Defence and Veterans Suicide that has now publicly exposed the continued failure of successive Governments through its DVA, Defence and Finance Departments to discharge their legislated responsibilities to the Defence Family.
6. **Ceasing** the regular face to face meetings with the DVA and Defence Personnel Minister to discuss and advise on relevant policy issues.
7. **Reducing** the frequency of DVA Ministers’ visiting regional areas (particularly in areas of major veteran and DVA client population) to engage with veterans and their families on their concerns. DVA Minister Alan Griffin ALP (2007-2010) is the model for effective engagement.

**ADSO as a peak advocacy voice for the Defence Family has been ignored by successive Federal Governments and Oppositions for the last five years.**

However, the Government’s responsibility with the**DVA’s National Consultative Framework** **(NCF),** established in 2009 by the Labor Government,is effective as a formal consultative structure designed to facilitate effective communication on operational matters between the veteran and ex-service community, the Repatriation and Military Rehabilitation and Compensation Commissions, and the Department of Veterans' Affairs (DVA). **ADSO is not a member of the NCF because it is not a deliverer of DVA services.**

**The NCF** **is not a formal peak advocacy policy making body.**

**The Royal Commission into Defence and Veterans Suicide** **(Jul 2021 – Sep 2024)**

****The Government’s reluctance to appointing a Royal Commission Inquiry was overcome by Julie – Ann Finney’s successful public action campaign as well as the public advocacy of Heston Russell (Veterans Support Force).

The Commission’s focus is the identification of systemic problems and solutions to suicide and suicidality among serving and ex-serving ADF members. **Its final report release date is September 2024.**

In its Interim Report August 2022, the Commissioners questioned the veteran’s community Ex-Service Organisations (ESOs) and Veteran Support Organisations (VSOs) involvement in mental health support to the Defence Family and noted that there was a lack of and an operational need for a one voice veterans advocacy peak body to Government.

Arising from that observation the RSL National (with RSL Qld and RSL NSW active involvement) initiated a National Forum for ESOs culminating in this submission to the RC - Answering the Call: An ESO informed response to a Sector Peak Body. It outlines the proposed process to establish a Peak Advocacy Body and another recommended action.

**ADSO supports in principle the one voice Peak Advocacy Body concept and has advised it wants to be represented on any future joint Proposal’s Development, Planning and Implementation Team.**

**ADSO does not support the second recommended proposal action – a compliance Peak Body overwatch of ESOs/VSOs performance to its approved standards.**

**What ADSO’s Wants From Government**

1. To re-establish an effective regular working relationship with the DVA and Defence Personnel Minister, emphasising our representative credentials and discussion of our ADSO’s Policies 2022-2025 document and current concerns so that we can keep our Defence Family and all Australians advised of his decisions and monitor their implementation.
2. To have the DVA/Defence Personnel Minister appointment reinstated in the Cabinet.
3. To re-introduce regular periodic meetings quarterly and as required with the DVA and Defence Personnel Minister.
4. To be consulted in the formulation and determination of the Terms of Reference on matters that affect our Defence Family and to present relevant submissions to those inquiries.
5. To have the appointment of a National Veteran Dispute Commissioner along similar lines as the National Commissioner for Health and Veteran Suicide Prevention - Bernadette Boss, established at no expense to the veterans.
6. To formally have an independent of government investigation into the past Integrity issues allegations.
7. To ensure Government, Ministers, Parliamentarians and their Ministerial and APS staff comply with the principles of Administrative Law, the Prime Minister’s Ministerial Standards and for APS and ministerial staff their Codes of Conduct and Values. See the Whitton Report. *(This is a MUST-READ document for the application of its findings to other issues that have failed – you may be surprised.)*



1. To further enhance the Defence Veterans Covenant concept.
2. To provide funding support to Veterans Peak Advocacy Organisations.
3. To assist establish a Veteran’s National One Voice Advocacy to Government legal entity. (Refer to the RSL National Forum’s proposal).



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