

# THE AUSTRALIAN VETERAN COMMUNITY

16 November 2022

64 Ivo Whitton Circuit  
Kambah ACT 2902

Dear Senators, Ministers and MPs,

## THE DEPARTMENT OF VETERANS' AFFAIRS - THE ROOT CAUSE OF VETERAN ISSUES

I am writing as the founder of the newly formed [Australian Veteran Community](#) to ask that the 47th Parliament of Australia refer Recommendation 1 from the Interim Report by the Royal Commission into Defence and Veteran Suicide to the Joint Standing Committee for Foreign Affairs, Defence and Trade. This will ensure transparency, bipartisan input and true consultation and put in place the conditions to ensure that veteran legislation is fit for purpose for many decades to come.

This request infers nothing negative about our current Minister for Veterans' Affairs, Hon Matt Keogh MP and the Assistant Minister, Hon Matt Thistlethwaite MP because both overtly support the Australian veteran and veteran family communities. What I am indicating is that the Department of Veterans' Affairs (DVA) has creatively misadvised successive Ministers to the extent that it is so confident at this practice of hiding the truth, that from the Secretary DVA down, many of the senior leaders refuse to answer questions and some "are offended" if the senior veterans ask probing questions.

This culture is so effective at being ineffective that despite the Royal Commission for Defence and Veteran Suicide now running for over a year it has taken 10 months for DVA to publish claims information at [this page](#). Again, if you look closely at the information in the two top tables you will see that the figures do not add up and you are unable to determine whether or not DVA is improving because there is no trend analysis.

Likewise, it has now been 156 days since the Secretary DVA was advised that "*any barrier to veterans lodging claims should be removed because every veteran deserves the same opportunity to lodge a complete and properly supported claim.*" After being given this advice with 100% support by veteran leaders at ESORT, the Secretary DVA refused to discuss the matter any further and this is still the case.

Veterans' trauma continues, and so does veteran suicide such as the tragic loss of Heather Anderson last Sunday. Though I am not implying that DVA was in any way linked to this heartbreak.



I am a senior member of the veteran community and a regular attendee at the peak veteran body, the Ex-Service Organisation Round Table (ESORT) as the Vice Chairperson of one of the 14 veteran associations at the ESORT. My wife and I have founded and funded the Australian Veteran Community which is a group of like minded veterans, veteran organisations, medical and health specialists, lawyers, leading Australian psychiatrists and supportive Australians such as the Human Rights Commissioner and Dr Bernadette Boss CSC.

DVA is the root cause of veteran issues due to its poor leadership, culture and systemic focus on self-preservation and unnecessary processes at the expense of veterans and their families. It conducts itself in a manner where it advises government that the veteran leaders have been “consulted”, however consultation to DVA is a one way action as the [terms of reference to ESORT](#) show. Advising ESORT is “consulting” the veteran community, and if all veteran leaders at ESORT disagree with something DVA has decided; it goes no further than the Secretary of DVA.

It is unlikely that you have heard senior veterans speak so unfavourably of DVA and this is the case because before I became a regular attendee at the ESORT the practice was to accept the Secretary DVA’s decision on issues even if all veteran attendees disagreed with the Secretary DVA and even if all veteran and veteran families were adversely affected. Attendees that spoke out against the Secretary DVA did so at penalty of being removed from ESORT, and I have now been threatened with this three times publicly, and once by email and once by telephone. After speaking out as I did, many of the women that are members of ESORT supported my action and the men were uncertain. Now the men are beginning to challenge the Secretary as I describe below.

### **The Root Cause of Veteran Issues**

I was asked by DVA this year to review the governance of the whole veteran environment and the senior leaders of DVA supported the document I co-authored before it was sent to the Royal Commission on Defence and Veteran Suicide, and to the then Minister for Veterans’ Affairs, Andrew Gee MP. I then dug deeper and found the root cause of veteran issues to be DVA itself.

The most current issues I have examined commence on 14 June 2022 when the Secretary DVA was presented [with this paper](#) and asked if all veterans deserve an equal chance at lodging a successful claim. Without consulting the veteran attendees, the Secretary closed the discussion. I asked again on 26 October 2022 and was given a vague answer. Whatever the case, it remains that veterans can lodge claims without supporting documents on the application known as MyService and the survey I have conducted, while small, indicates that 80% of veterans do not feel as if they have an equal chance of success using MyService as opposed to a paper claim with the help of advocates.

I have also examined the DVA approach to Recommendation 1 of the DVSRC Interim Report of 11 August 2022 was that “the Australian Government should develop and implement legislation to simplify and harmonise the framework for veterans’ compensation, rehabilitation and other entitlements.” The Government agreed to this recommendation in its response dated 26 September 2022.

The crucial importance of this legislative reform necessitates a high degree of transparency, so it achieves acceptance by the veteran and veteran family community, from the Australian Parliament and the wider Australian community.

To initiate the reform process the Government has tasked DVA to define the resources needed to design, prepare, draft and implement the proposed legislation, by 23 December 2022. On 18 October 2022 DVA announced a three week “consultation process” calling for submissions from “the community” by 14 November 2022. No guidance was given to “the community” on how to approach the “consultation process” and the community was advised that DVA would not be publishing the submissions.

On 26 October 2022 the Secretary DVA was unable to inform the ESORT of the timeline and activities needed to be completed by 23 December 2022. Nor was it confirmed that ESORT or the veteran community would be consulted. Subsequent discussions that day identified that few, if any, DVA employees have the training and experience to undertake this program of projects and their main effort appeared to be directed delivering an outcome on or before the 23 December 2022. The date appeared to be more important than the quality of the deliverables and whether they were acceptable to the veteran community. The Secretary DVA was also asked whether the legislative reform process would consider the option of delivering workplace compensation and rehabilitation to the same standard as all other Australians, to the standards that Safe Work Australia defines. No answer was given.

On 31 October 2022 the veteran organisations in ESORT wrote to the DVA Secretary requesting confirmation of the project plan to get to 23 December 2022 mark, and the draft project plan proposed for the various stages involved in the drafting of the legislation in successive years. The Secretary DVA was also asked if ESORT could be appraised progressively of the work of the project team and if there would be regular opportunities for qualified members of the veteran community to review the draft legislation. The Secretary DVA advised that “once the preferred pathway is developed, I anticipate the Government will then make a decision to commence consultation with stakeholders. Consultation could start in the first half of 2023.” This is poor stakeholder engagement on an issue that is the subject of a royal commission.

A series of three veteran community symposiums held between 30 September and 9 November 2022 identified several first principles for the design the necessary legislation and concluded that best option for achieving the transparency and acceptance required for a successful legislative reform process would be for the Joint Standing Committee for Foreign Affairs, Defence and Trade to consider legislation to satisfy Recommendation 1. This is the case because the Joint Standing Committee for Foreign Affairs, Defence and Trade will provide transparency, bipartisan input and true consultation with access to the best minds and thinking. This will produce a superior result to DVA’s result.

### **Solution**

In order to address the need for improved transparency as well as permitting ownership by the 47th Parliament of Australia and the veteran and veteran family community, the Australian Veteran Community proposes that the legislative reform process be referred to the Joint Standing Committee for Foreign Affairs, Defence and Trade. The enquiry process would allow public submissions from all parties and active involvement by members of parliament across the political spectrum.

If this was completed in the first half of 2023 it will support the DVSRC timeline at Recommendation 1.

Examples of the first principles identified in the three symposia include:

- Veterans and their families want swift action to create functional and progressive legislation for veteran entitlements.
- A single act to replace the current three dysfunctional acts, piecemeal revisions, band-aid revisions, and statements of principle to support quality of life for veterans and the institution of the family.
- Access to the same human rights as other Australians injured at work, ie being able to see a medical professional immediately and without waiting for DVA approval.
- Claims resolution based on transparent case management and appropriate key performance indicators to resolve injury and illness claims.

Referral to Joint Standing Committee for Foreign Affairs, Defence and Trade can be achieved with a majority vote by either the Senate or the Lower House, or referral by a minister.

### **Clearing the Backlog Immediately - \$400m in savings**

A second project that is the responsibility of the First Assistant Secretary Claims Benefits is the elimination of the claims backlog and no alternative approach has been identified other than engaging an additional 500 employees. These employees will be trained to put veterans through the same traumatic processes that veterans currently experience.

One alternative option that is consistent with the experience of all other Australians who work as employees is to allow veterans to see medical professionals if they have evidence that an injury or illness is related to their service. Similar to workers compensation insurance and Safe Work Australia's Code of Practice.

This would see the cost of veterans' treatment, which may also include operations, be paid for by a veteran card without first seeking permission from DVA and waiting anywhere from 200 days to 600 days to be given an answer. Current DVA employees could focus on compensation, and more importantly this option would almost totally remove triggers for suicidal ideation.

The savings are estimated to be the cost budgeted for the additional employees of \$233.9m, plus removal of the medical staff employed by DVA to review the work of any doctor that sees a veteran. Potentially this saving could be as high as \$400m. Given that the Secretary DVA has indicated at ESORT that fraud rate on claims is 3% then this basic human right should be considered so veterans and their families can live in happiness.

### **Business Case**

I plan to have a business case based on the feedback from veteran and veteran families prepared by COB 22 November 22.

### **Recommendation**

We would appreciate your support in bringing about referral of Recommendation 1 from the Interim Report by the Royal Commission into Defence and Veteran Suicide to the Joint Standing Committee for Foreign Affairs, Defence and Trade by 22 November 2022. If this succeeds, the Joint Standing Committee for Foreign Affairs, Defence and Trade will ensure transparency, bipartisan input and true consultation with access to the best minds and thinking to inform a better result for veterans now and in the future.

We would also appreciate if serious consideration can be given to allowing veterans to see the medical community on work related injuries without first gaining permission from DVA, like every other Australian, so the majority of the medical claims backlog can be cleared within a few months. This would realise savings in the order of \$400m.

### **A Casual Explanation**

A casual explanation of these issues can be provided should you have time to see me with at least one other senior veteran member of ESORT during the upcoming final two weeks of parliament. I do live in Canberra and am available at any time.

**Prepared by:** Ian Lindgren (Lieutenant Colonel Retired) Founder, Australian Veteran Community

**Dated:** 16 November 2022

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**In Consultation with:**

- Ex service organisations (national and state/territory based)
- Services Associations
- Rural/Regional/Remote Veterans and Families
- Female Veterans Associations
- Partners and Widows/Widowers of Veterans
- Children of Veterans
- Military Compensation Advocates
- Veteran Support Organisations
- Military Health/Medical professionals
- Allied Health professionals
- Individual ex ADF members
- Volunteers in veteran support
- Human Rights Commissioner
- Dr Bernadette Boss, CSC

**Reference Documents and articles**

[Ministerial Brief - The Veteran Support System - 9 March 22](#)

[Decision brief to ESORT on MyService Version 2](#)

[The Root Cause of Veteran Issues](#)

[Ministerial Brief to the Current Minister for Veterans' Affairs Chief of Staff.](#)