



**VIETNAM VETERANS, PEACEKEEPERS & PEACEMAKERS
ASSOCIATION OF AUSTRALIA, (NSW BRANCH) Inc.**

AFFILIATED WITH THE VIETNAM VETERANS FEDERATION OF AUSTRALIA Inc.

SUPPORTING ALL WHO SERVE AND HAVE SERVED

AN EXPOSE' ON THE PRODUCTIVITY REVIEW OF DVA

What the National President said – March 2019 Newsletter

AS a result of the recommendation of a Senate enquiry into veteran suicides, the Productivity Commission was tasked to review the Repatriation system.

When our National Office was in Canberra, it, in consultation with the State Presidents, prepared the Federation's submission to the Productivity Commission review. So, even though the National Office is now at Granville, I asked the Canberra group to take charge of our response to the Commission's Draft Report.

They have spent many hours since the release of the report, analysing its 700 pages and coming to grips with the impact of the Commission's recommendations, at both the Federation member level, and at the strategic level.

This has included consultation with other ESOs, seeking comments from Branches, and briefing and debriefing National Office before and after extraordinary meetings at the Alliance of Defence Service Organisations (ADSO), and the ESO Round Table (with the Repatriation Commissioners).

Their response to the Commission's draft report is both comprehensive and objective. It assesses how well (or not) the Commission has addressed issues raised by the Federation in our initial submission, and it responds to all recommendations made by the Commission.

Bill Roberts OAM
National President

The Report from our Researchers

What is the Productivity Commission

'The Productivity Commission was created as an independent authority by an Act of Parliament in 1998, to replace the Industry Commission, Bureau of Industry Economics and the Economic Planning Advisory Commission.

'The core function of the Commission is to conduct public inquiries at the request of the Australian Government on key policy or regulatory issues bearing on Australia's economic performance and community wellbeing.'

The Senate, concerned about suicides amongst veterans, established an enquiry.

It published its recommendations in March 2017.

One of its recommendation was that the Productivity Commission review the workings of the Department of Veterans Affairs.

It seemed a good idea at the time.

After all, the Department of Veterans Affairs has a history of deceit, arrogance, dysfunction and refusal to listen, as recorded in past editions of this journal.

So maybe the Productivity Commission would recommend ways to fix it.

And, indeed, the Productivity Commission's Draft Report does make quite a few welcome recommendations that would improve the system.

Sadly that's not the whole story.

Some of its other recommendations would be so destructive if implemented as to destroy the heart and soul of the Repatriation system; a heart and soul developed in the last hundred years as a result of the wisdom forged in the aftermath of many traumatic wars.

These destructive recommendations show the Productivity Commission out of its depth in dealing with the issues of 'Service' and particularly 'war service'.

For instance, in its Draft Report, the Productivity Commission criticises the Gold Card for covering illness and injury which have not been accepted as Service caused. This benefit, the Productivity Commission claims, 'discourages wellness'.

What the Productivity Commission seems not to understand is that the comprehensive cover of the Gold Card in part reflects the domino effects of any service-caused disability serious enough to warrant a Gold Card. PostTraumatic Stress Disorder, for instance, preconditions sufferers to other illnesses and injuries. It is the same longstanding understanding justifying the 'burned out Digger' early Service Pension, the understanding that military service (particularly war service) can have deep but hard to predict (and sometimes diagnose) health consequences.

The comprehensive cover of the Gold Card also reflects the beneficial nature and intended generosity of the Repatriation system in recognition of veterans having given the highest form of public service.

The Productivity Commission is also questioning whether war widows and dependents should have any non-means tested Gold Card rights. That is, whether their Gold Card benefits should be considered 'compensation'.

The Productivity Commission obviously prefers war widows and other dependents to be stripped of their 'compensation' rights on the grounds those rights are 'poorly targeted'.

It seem that the Productivity Commission has not looked at some compelling statistics.

A 1998 a government study found veterans' partners suffered high rates of psychological distress.

Alarming statistics emerged from a Sydney University study on 'suicidality'. For the wives of Vietnam veterans, the risk of 'thinking about' suicide is 6.2 times higher, 'planning' 3.5 times higher and 'attempting suicide' 6 times higher than for their peers in the general community.

From the year 2000, comes an even more alarming statistic. A government study showed the children of Vietnam veterans suffering a suicide rate 300% higher than their peers in the general population.

After that finding, it was not surprising that the recently published Vietnam Veterans Family Study found higher rates of psychological illness amongst the children.

The main cause of these statistics was found to be family dysfunction caused by the psychological wounding of the veteran husbands.

In other words, the spouses and children of veterans must be seen as second wave casualties of the war.

‘Compensation’ is therefore obviously warranted.

But all this is, apparently, for naught because, as the Productivity Commission puts it:

‘...the gold card runs counter to a number of key design principles that should underpin the future veteran support system’.

So what are these key design principles directing the Productivity Commission?

In short, the Productivity Commission could be said to be under the spell of questionable fundamentalist economics theory.

The theory is that if the Repatriation system focus was on ‘wellness’ rather than ‘illness’, then more veterans will become well and fewer will be ill.

It is a variation on the old and tired idea that ‘compensation promotes illness’.

There are very few mentions of ‘compensation’ in the Productivity Commission’s Draft Report. It is as though it is a dirty word.

It is however mentioned in the Productivity Commission’s criticism of the system under which Vietnam veterans compensation claims are determined.

That system, the Productivity Commission claims, is too focused on ‘illness’ rather than ‘wellness’, compensation rather than rehabilitation.

This does not align, the Productivity Commission complains, with ‘contemporary workers’ compensation schemes’.

Being ‘compensated’ the Productivity Commission seems to be saying, is an unnecessary failure and suggests it’s recommended ‘wellness’ system emphasizing rehabilitation won’t have much need for it.

This is naïve, to say the least.

‘Wellness’ is a relative concept. There will always be many veterans suffering from the trauma of war (and in some cases hazardous service) who will never be capable of holding down full-time jobs regardless of the earliness of intervention and the focus on rehabilitation. In these cases

compensation is the key to some degree of wellness because it alleviates financial anxiety. In other words, for these veterans, compensation promotes wellness.

There are over 20,000 Vietnam veteran TPI pensioners.

Is the Productivity Commission suggesting that there would have been almost none under its 'wellness' centered scheme?

Even in the fanciful event of their system cutting that in half, it would still be a very large number.

And this focus of the Productivity Commission can be dangerous.

Readers will know that the Repatriation System's delay of compensating Jesse Bird, a delay based on just the principle the Productivity Commission is espousing, preceded his suicide.

We don't know if any other recent veteran suicides were preceded by this fetish for rehabilitation over compensation, but we would not be surprised if there were.

And the Productivity Commission's claim that 'compensation promotes illness' suggests that, it believes that veterans fake or exaggerate illness in an unprincipled pursuit of financial gain. This simply does not fit with our experience.

Our organisation has had some thirty year's experience of advising sick and troubled veterans at our State branches round Australia. In that time many thousands of veterans have come to us for help. (our New South Branch alone has processed over 1,000 compensation claims per year for many years). It is our overwhelming experience that those who have come to us have done so reluctantly. Often, veterans have been dragged to our offices by their worried and wearied wives or have arrived at our doorstep only after dramatically 'hitting the wall'. Not infrequently, the veteran has 'hit the wall' a number of times before seeking our help, each time changing his job and hoping for the best. In most cases the veterans could have and should have stopped work and sought help and compensation years earlier; their strong desire to remain in the workforce preventing them from doing so. This reluctance to cease work has often gone as far as damaging their health and the health of their families.

The assertion that compensation 'encourages' veterans' illness finds no support in our long experience in the vast majority of cases. For most veterans, 'work' has had value beyond its economic significance. Indeed, 'depression' caused by the inability to 'work' has been a serious problem amongst Vietnam veteran TPI pensioners.

Earlier in this article, the Productivity Commission was quoted as saying that its preferred scheme caring for sick and wounded veterans would be aligned with 'contemporary workers' compensation schemes'.

Indeed, the Productivity Commission even challenges the need for a separate scheme for veterans. Why not just have a civilian scheme. The Productivity Commission claims that the military, like firefighters and police, are already paid enough market-rate upfront remuneration and allowances so that a separate and comprehensive Repatriation system may not be warranted or deserved.

Talk about the Productivity Commission being out of its depth!

We know that there is no other job like war service.

Those preparing for and those sent to fight Australia's wars must be prepared to face a well armed, well trained enemy whose soldiers are determined to seek them out and kill them. Every day and night there is the possibility that the enemy will find some way to outsmart or overwhelm our troops' defences and achieve their killing objective. No matter what precautions our troops take, no matter how careful, how prepared, how diligent and how disciplined they are, there is no place on the battlefield offering sanctuary from the enemy's probing fingers of death.

But not only must our troops face an enemy trying to kill them, they must also seek out and try to kill the enemy troops.

And it is not as though killing and being killed is some accidental or unintended consequence of war service; it is central to it.

Service men and women cannot limit the risks they take; they cannot refuse a task even if the probability of their death or wounding is high.

Every service man and woman knows that losing their life or being seriously wounded are not rare accidents but the result of purposeful enemy activity. Being killed or wounded are integral parts of the job which they have no choice but to accept.

Indeed, war service is a service so dangerous that governments know, even before deployment of the troops, that some of those sent are likely be killed, many more likely to be wounded and at least one third will suffer a psychological illness requiring professional help at some time. Governments know that the health and lifestyle of the families of veterans suffering the traumatic effects of war will also suffer. The government's own studies show that spouses of Vietnam veterans suffer a high rate of psychological distress whilst their children have an alarming 300% higher rate of suicide than their equivalent in the general population.

The Productivity Commission report suggests that those fighting our wars, like firefighters and police, receive pay and allowances that take account of the risks inherent in their jobs at market rates.

Or, in plain words, members of the armed forces should not be given special consideration when being compensated for war caused disabilities because they have already been financially compensated in their wages, like the firefighters and police, for the risks inherent in their job.

In our view, such a claim is ludicrous. Whilst the pay and allowances soldiers get may go a good way towards compensating for discomfort, physical pain and exhaustion, frequent family separation, requirement to obey orders under stringent military law, requirement of be on duty 24 hours a day when required, and so on, the pay and allowances come nowhere near compensating for war-time risks.

As we have said, when troops are despatched on war service, they are required to fight an often well armed, well trained, well organised, numerous enemy who are determined to kill them. It is not

just a dangerous environment like a fire or a building site. The fire has no malice towards the firemen and the building site no intention of harm towards the construction worker. And whilst it is true that occasionally police may have to face an armed criminal, these occasions are infrequent and the criminal's first priority is usually to escape, not the death of the policeman.

Not only do members of the armed forces not receive pay and allowances which includes up-front market rate compensation for the risks of the battlefield, but governments could simply not afford to pay such amounts to the numerous members of any national army in any moderately serious armed conflict. For instance:

- What would be the market rate for someone to follow a wounded Viet Cong down a narrow tunnel system sporting only a pistol and torch? Many Engineers did similar things time and time again.
- What would be the market rate for a medic to go to the aid of a soldier just blown-up on a mine, prodding his bayonet into the ground as he goes in the hope of detecting the side of an anti-personnel mine before treading on its prongs and himself joining the scatter of badly wounded and dead? Medics had to be prepared to do this and, in fact, did it on many occasions.
- What would be the market rate for a helicopter pilot balancing one skid on a rock whilst casualties are loaded, so he does not risk detonation more mines? This and similar situations were commonplace.
- What would be the market rate for a medic to go to the aid of a wounded soldier under fire? Medics did this time and time again.
- What would be the market rate for an infantryman carrying out his everyday duty of cutting his way through bamboo infested jungle in areas of known enemy bunker concentration knowing that if he misses the well hidden sign of their presence and approaches close to one which is occupied, he is as good as dead? Not a few soldiers died in this way.
- What would be the market rate for the common requirement of infantrymen crawling out from a night ambush position after the ambush has been sprung to attach ropes to the legs of the (hopefully) dead enemy so they can be dragged back and saved from being retrieved by their comrades? This was a common requirement.
- What would be the market rate for taking part in a counter attack when your mortar platoon has been half overrun by North Vietnamese regulars? Or what would be the market rate to cross the start line of any attack on the well entrenched enemy? This was the infantryman's bread and butter.
- What would be the market rate for repeatedly driving a truck from the port and stores depots to the forward operational base on roads which could very well be mined and under the surveillance of snipers? This was normal driving duties.
- What would be the market rate for sappers laying or lifting a minefield or RAEME recovery teams recovering blown up vehicles.

· What would be the market rate for driving an armoured personnel carrier into the teeth of well-constructed bunker system with well-trained enemy determined to cut short your advance with their pattern of criss-crossing anti-tank grenades? This happened on not a few occasions.

· And so on...

As we have said, it is ludicrous to suggest members of the armed forces are paid or could be paid enough up-front to compensate them at market rates for the risks they take in war.

And our troops have never expected to be paid danger money at market rates. They have fought Australia's wars for mainly other than financial reasons. But what they have expected is that should they die as a result of facing Australia's enemies, their families would be well and specially cared for and if that determined, well armed enemy should succeed in wounding them physically or mentally, that the Australian government would care for them medically and compensate them with added generosity.

All this, apparently, has been beyond the Productivity Commission's understanding.

So, while a review of DVA seemed a good idea when recommended by the Senate Committee, it turns out the Productivity Commission's cure, in basic ways, would be worse than the disease.

It is some comfort that the Productivity Commission assures us that 'no veteran or dependent of a deceased veteran who currently receives a benefit or entitlement will be worse off under our proposals'.

But does that mean that there will be no change? Or does it mean that there will be changes that the Productivity Commission, in its wisdom, judges will not make current recipients worse off?

The difference is critical.

So whilst we welcome many of the Productivity Commissions recommendations which would improve the current system and hope they will be implemented, we reject its attack on the Repatriation ethos developed as a result of the wisdom forged in the aftermath of many traumatic wars.

And we note that even if current beneficiaries of the Repatriation system would be spared, veterans of the future will not.

...AND JUST TO CAP IT OFF;

Yes, the Productivity Commission's Draft Report made some fine recommendation, especially round the rehabilitation area.

These are to be applauded.

But some others show that the Productivity Commission just doesn't get it.

Here's an example.

In the Draft Report it says:

‘To streamline and simplify outdated payments made to only a few clients, they should be paid out and removed. The Australian Government should amend the Veterans’ Entitlements Act 1986 to remove the recreation transport allowance, the clothing allowance and the decoration allowance and pay out those currently on the allowances with an age-adjusted lump sum.’

Note that the reasons for eliminating these benefits is not that they are not needed or appreciated, it is that, in the Productivity Commission’s view, they are outdated (whatever that means).

The recommendation to axe the allowances is particularly offensive in the case of the decoration allowance. This is more than a financial transaction, it is a continuing recognition of the greatest of public services and personal worth.

We are advocating leaving these allowances alone. .../-end