



ABN 56 838 671 889

25 February 2019

**Committee Secretary
Foreign Affairs, Defence and Trade Legislation Committee
Department of the Senate
PO Box 6100
CANBERRA ACT 2600**

By email

Submission – Australian Veterans' Recognition (Putting Veterans and their Families First) Bill 2019

Purpose

Thank you for the opportunity to comment on the above Bill. This submission is made to the Committee on behalf of the United Nations & Overseas Policing Association of Australia (UNOPAA).

Who are we?

UNOPAA is an Australia-wide organisation whose members are serving, retired and former police officers from police forces across Australia who have served overseas with the United Nations and on other Australian peacekeeping/capacity building missions since 1964. Its membership also includes the widows and relatives of those who have passed on.

The aims of UNOPAA are to maintain and foster the memory and service of Australian police who have served overseas through the provision of welfare and other support, the promotion of commemorative activities and social events, and improving the benefits available to our members.

Australian police who have served overseas as peacekeepers are included in Schedule 3 of the *Veterans Entitlement Act 1986* (VEA). This provides an entitlement to full or part disability pensions and access to treatment for any disease or injury that is accepted as being caused by peacekeeping service. Gold and White Cards can be applied for, as well as non-liability health care for cancer, pulmonary tuberculosis and any mental health condition.

The coverage provided by Schedule 3 has been extended, by Ministerial determination, to an additional five overseas missions. The full list, as it pertains to policing, is as follows:

Schedule 3 VEA

Location	Description of Peacekeeping Force	Start Date
Cyprus	United Nations Force in Cyprus (UNFICYP)	14 May 1964
Cambodia	The Australian Police Contingent of the United Nations Transitional Authority in Cambodia (UNTAC)	18 May 1992
Mozambique	The Australian Police Contingent of the United Nations Operations in Mozambique (UNOMOZ)	27 March 1994
Haiti	The Australian Police Contingent of the Multi-National Force in Haiti	10 October 1994

Ministerial determinations

Location	Description of Peacekeeping Force	Start Date
East Timor	The Australian Police Contingent of the United Nations Assistance Mission in East Timor (UNAMET)	11 June 1999 - 25 October 1999
East Timor	The Australian Police Contingent of the United Nations Transitional Administration in East Timor (UNTAET)	25 October 1999 - 19 May 2002
East Timor	The Australian Police Contingent of the United Nations Mission in Support of East Timor (UNMISSET)	20 May 2002
Solomon Islands	The Australian Police Contingent of the Regional Assistance Mission Solomon Islands (RAMSI)	23 July 2003
Sudan	The Australian Police Contingent of the United Nations Mission in Sudan (UNMIS)	1 January 2006

Our involvement in these missions has now concluded and no Australian police are currently serving in UN peacekeeping roles overseas.

Australian police have also been deployed in the past to peacekeeping in Somalia, and to in order maintenance, capacity building and training roles in locations such as Bougainville, Papua New Guinea, Jordan and Pakistan. A number are still working in places including Timor Leste and Afghanistan. None of these missions have been included in the VEA to date.

The VEA is the only legislation that specifically addresses the service of Australian police as overseas peacekeepers. They were specifically excluded from the *Military Rehabilitation and Compensation Act 2004*, when it was enacted, on the understanding that their needs and requirements would be separately addressed. An election commitment to do so was made by then Australian Government in 2007. However this has never occurred.

Our View on the Bill

UNOPAA believes that recognition of the service and sacrifice of our military, as proposed by the Bill, is well justified and the principles to be enshrined through Clause 5 (General recognition), Clause 6 (Australian Defence Veterans' Covenant), Clause 7 (Beneficial interpretation of legislation) and Clause 8 (Cooperation) have our strong support. However, it begs the question – what about non-Defence Force personnel?

Around 4,500 Australian police have worked as overseas peacekeepers, some at times of severe conflict. For example, during the Turkish occupation of Cyprus in 1974, during the evacuation of civilians from Lebanon in 2006, and in East Timor during the ballot for independence when the unrest and violence caused the deployment of the multi-national task force under Sir Peter Cosgrove to quell it.

In some theatres, Australian police have been serving at the same time as ADF personnel, who have been awarded active service medals for serving in “warlike operations”, yet our police have not. For example, Somalia in 1993-95, Cambodia in 1993 and East Timor in 1999-2003.

Many police now have Gold or White cards due to their overseas service, and the number is growing. We are so concerned about the trend that we have recently submitted a request for funding to undertake a feasibility study into the need for a police peacekeepers health audit.

Sadly many of our members, particularly from the earlier contingents, have now passed on and the health and well-being of others needs close monitoring. Victoria Police, for example, sent 118 members to Cyprus from 1964 to 1976 (12 years). 55 are now deceased.

The limited definition of a “veteran” in the Bill also conflicts with the provisions of the *Treatment Benefits (Special Access) Bill 2019* and its related legislation. This proposes to provide a Gold Card to the civilian doctors and nurses who served in Vietnam - deservedly for their service - yet does not recognise them through a covenant.

What we would like Changed

- The definition of “*veteran*” should be extended, so it includes members of “Peacekeeping Forces” as defined in Section 68(1) of the VEA.

A “veteran” would then be defined as “a person who has served, or is serving, as a member of the Permanent Forces or as a member of a Peacekeeping Force or as a member of the Reserves.”

A definition of “Peacekeeping Forces” could then be inserted to link it to Section 68(1) of the VEA.

- Other consequential amendments should then be made:
 - In *Clause 5* (General recognition)
 - “or peacekeeping” should be inserted after “Military” in sub-clauses (1), (3) & (5)
 - “or serve” should be inserted after “defend”
 - *Clause 6* (Australian Defence Veterans’ Covenant) should be amended by deleting the word “Defence” in the heading and in the text (where it occurs once)
 - *Clause 9* (Issue of pins, cards or other artefacts) should be amended by inserting the words “or peacekeeping” (where twice occurring) after “military” in sub-clause (1) and sub-clause (2)(a)
 - *Schedule 1* (the Covenant) should be amended to include “peacekeeping” or consideration given to a separate schedule for peacekeepers.

This does not address the civilian doctors and nurses mentioned earlier. Something should be inserted into the *Treatment Benefits (Special Access) Bill 2019* to say that the Australian Veterans’ Recognition Act, with necessary modifications, applies to them.

This could also be an option in lieu of our suggested amendments to the the Recognition Bill. That is, the insertion of a new provision to say that it will also apply (again with necessary modifications) to members of “Peacekeeping Forces”.

In Conclusion

We ask that the Committee consider our comments and proposals, and agree that peacekeepers ought to be included in the Bill and in the Australian Veterans' Covenant.

We support the legislation. But our members' service should not be overlooked.

If any further information is required, my contact details are below.

Submitted on behalf of UNOPAA

Peter McDonald APM
Chief Superintendent (Retired)
National Secretary/Treasurer
United Nations & Overseas Policing Association of Australia Inc. (UNOPAA)