

SUBMISSION TO THE SENATE FOREIGN AFFAIRS, DEFENCE AND TRADE LEGISLATION COMMITTEE

Review of Schedule 9 of the Veterans' Entitlements, Treatment and Support (Simplification and Harmonisation) Act 2025

Date: 30 June 2025

Submitted by: Ian Lindgren

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EPIGRAPH

405,000 Australians carry the weight of Defence and veteran-related loss¹.

Most who die by suicide are transitioned veterans. The very people who received the least funding after the Royal Commission's Final Report.

Since the release of the Final Report by the Royal Commission into Defence and Veteran Suicide we have lost over 70 veterans affecting another 9,450 Australians while the Government Parliament debates process. The \$200 million Royal Commission becomes worthless if its recommendations gather dust. For grieving families, the Commission was not just a waste of time – it was a betrayal of trust.

A future veteran support system needs to have a focus on the lifetime wellbeing of veterans. It should be redesigned based on the best practice features of contemporary workers' compensation and social insurance schemes, while recognising the special characteristics of military service. This will change the incentives in the system so more attention is paid to the prevention of injury and illness, to rehabilitation and to transition support².

Veteran Anonymous date 3 March 2025. DVA themselves either cannot or will not answer the question openly as I have discovered through several reviews and appeals of various determinations, the DVA will instead refer to the legislation and state that it (offsetting) is "self-executing" and that it is unable be amended or adjusted by DVA, almost like offsetting is its own authority removed from the control of the officers of DVA. A DRCA Determination for a Lumpsum resulted in Offsetting being applied to the VEA pension (which reduced the pension by approximately one third for the remainder of my lifetime regardless such that for example if the lump sum is \$40,000 I would over my lifetime pay through offsetting pay back \$75,000 approximately. Since 2019 to date, I estimate that the Offsetting legislation as interpreted and applied by DVA has cost myself approximately \$450,000.

Dear Ian,

Further to our email of 15/6/23 (Thursday last), we had a phone call from "redacted" of DVA the following day (Friday 16/6). Redacted said he had been asked by "the Director" to contact us after Ian Lindgren had made inquiries and ask what our concern was. I explained that firstly, we want an explanation of what DVA is doing.DVA claim they did not receive the documents until 3/1/23, meaning that Registered Parcel Post took 12 days from Monbulk, Victoria, to DVA in Brisbane and the DVA signature did not pass them on.

97 year old Mrs M passed away before any action to investigate started and no answer was ever provided.

¹ Lifeline Australia: Beyond the tragic loss of the person, the impact of suicide deaths are felt by up to 135 people, including family members, work colleagues, friends, first responders at the time of death.

<https://www.lifeline.org.au/resources/data-and-statistics/>

² Productivity Commission Inquiry Report- A better way to Support Veterans 227 June 2019 Pp 2

ABOUT THE AUTHOR

I submit this paper in a personal capacity. I am a veteran, the Immediate Past Chairperson of Australian Peacekeeper and Peacemaker Veterans' Association (APPVA) and a former member of the Ex-Service Organisation Round Table (ESORT). The views and recommendations expressed here are mine alone. I draw on incidents I witnessed, actions I took (and others took) and lessons learned during my tenure as Vice Chairperson and Chairperson of the APPVA.

Those experiences inform my analysis; they should not, however, be attributed to the APPVA. My analysis is largely in leading up to transition and for the remainder of a veteran and veteran family's life.

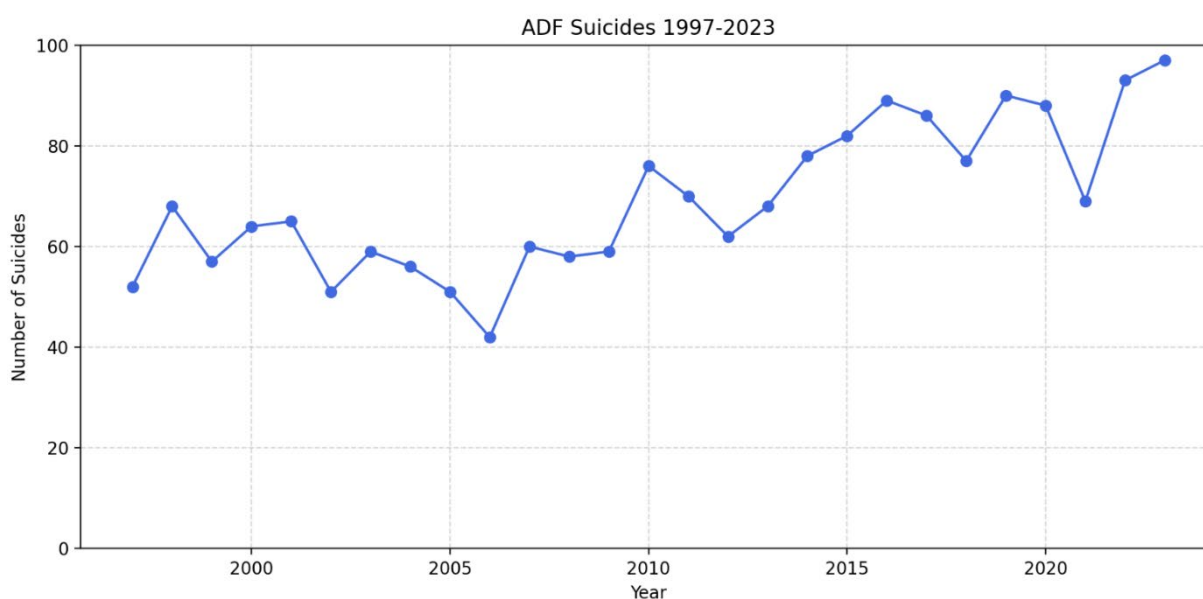
Professionally Experience:

- Inaugural Head of ADF Personnel Information Systems (1997)
- Chief of Information Systems, Multinational Force and Observers - Rome, Tel Aviv, El Gorah Sinai, and Cairo (2000)
- First Enterprise Architect deployed across Defence Groups (2003-2004)
- Head of Global Information Systems, Austrade (2005)
- Chairman of three nationally operating family businesses (2008-present)

Qualifications

- Australian Institute of Company Directors - Graduate and current member (2008-present)
- Master of Defence Studies
- Associate Diploma in Information Technology
- Graduate Diploma in Project Management

A Statistic that is Rising



Source³.

³ AIHW-PHE-327-Australian-Defence-Force-suicide-monitoring-data-tables

EXECUTIVE SUMMARY

1. **Rescind** Schedule 9 and draft a stand-alone statute that fulfils Royal Commission Recommendation 122 by creating an independent Office of the Defence and Veterans' Services Commissioner (DVSC).
2. **Direct** that drafting responsibility rest solely with the Office of Parliamentary Counsel; **require** successive exposure drafts to be publicly consulted on with veterans and families.
3. **Mandate** that DVSC design and implementation follow best-practice governance and project-management frameworks, including the Public Governance, Performance and Accountability Act 2013 (PGPA Act)⁴, Machinery-of-Government (MoG) guidance⁵ and the APS Mobility Framework⁶ and global project management methodologies.
4. **Redraft** the Objects and Simplified Outline to give a plain-language statement of intent aligned to the purpose described by the DVSRC.
5. **Select** the Commissioner through an open, merit-based process assessed by an independent panel, with appointment by the Governor-General to cement independence.
6. **Confirm** that the DVSC sits outside the Defence portfolio to avoid conflicts of interest and safeguard impartial oversight.
7. Endorse Interim Commissioner Mr Michael Manthorpe PSM's recommendations, except those contingent on the assumption that Schedule 9 meets the business case need.

Why Schedule 9 Cannot Be Patched

8. Schedule 9 embeds inherent conflicts of interest and lacks coercive powers comparable to other Commonwealth oversight entities such as the National Anti-Corruption Commission (NACC). The NACC is an independent Australian Government agency that detects, investigates and reports on serious or systemic corrupt conduct in the Australian Government public sector⁷.
9. I urge the Committee to weigh these matters not only in policy terms but in human terms, consider the toll on veterans, veteran families, Australian families, on the communities you represent, and ultimately on the future readiness of the Australian Defence Force.
10. I believe in the Leadership of DVA, however as the Epigraph shows, veterans need support.
11. By legislating an independent Commissioner now, Parliament can convert loss into lasting safeguards for every future service-member. The opportunity – and responsibility – is yours.

The Senate's Decision Tree

12. The Senate's Decision Tree is as follows:
 - a. **Option 1.** Keep Schedule 9 unchanged and entrench today's defects.
 - b. **Option 2.** Rescind Schedule 9 and legislate an independent agency to be designed and implemented by project management consistent with the PGPA Act, Machinery-of-Government rules and APS project-management standards.
 - c. **Option 3.** Rescind Schedule 9 and do nothing. This will leave the systemic gap unfilled.

⁴ PGPA Act. <https://www.legislation.gov.au/C2013A00123/latest/text>

⁵ MoG Guidance. <https://www.finance.gov.au/government/machinery-government-changes-guide>

⁶ The APS Mobility Framework: <https://www.apsc.gov.au/initiatives-and-programs/aps-mobility-framework>

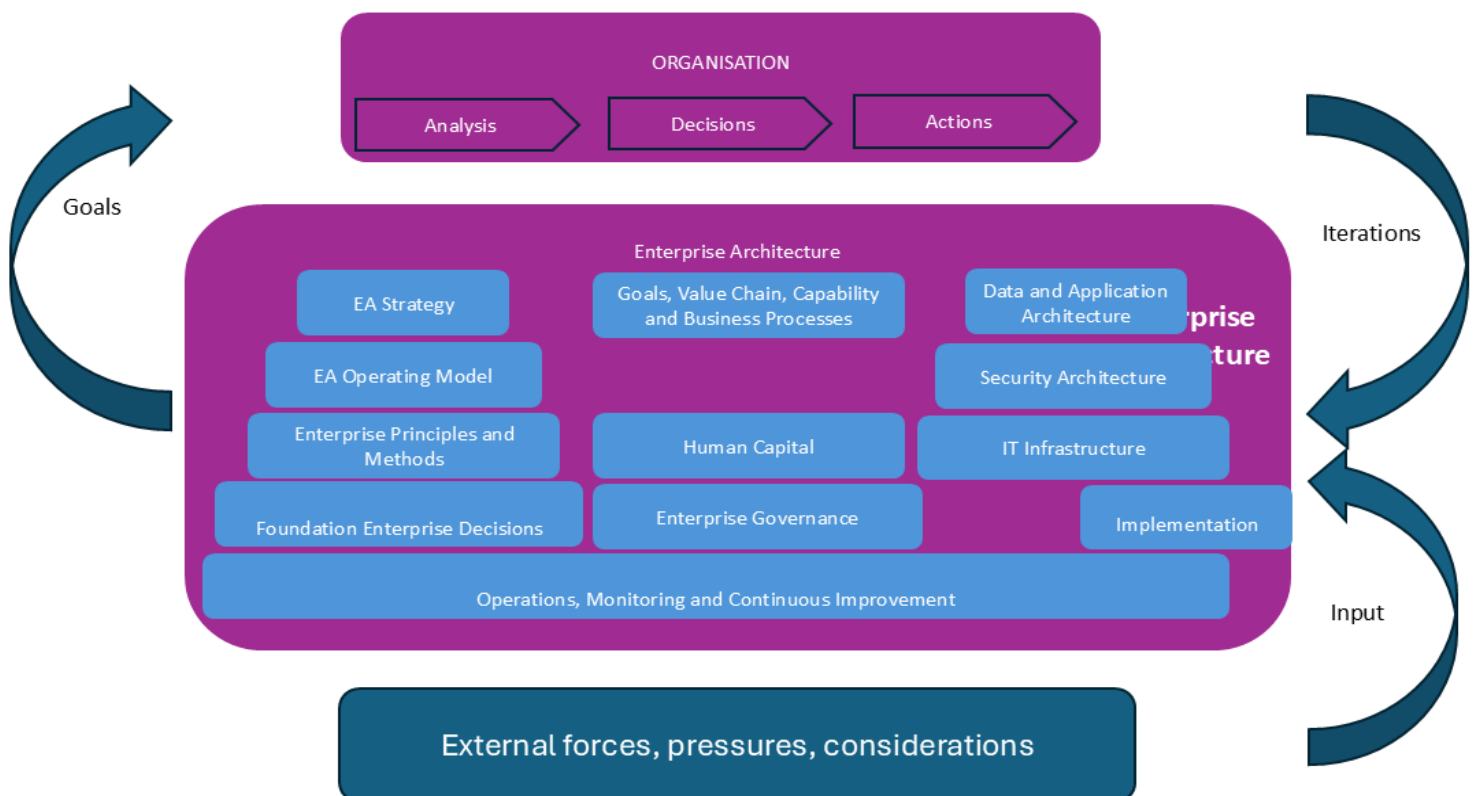
⁷ The NACC: <https://www.ag.gov.au/integrity/national-anti-corruption-commission>

APPROACH

13. The following pages give the rationale behind the Executive Summary and Decision Tree by:
 - a. defining essential terms,
 - b. evaluating Schedule 9 against Recommendation 122, and
 - c. then surface the outstanding risks and concerns that have yet to be articulated.

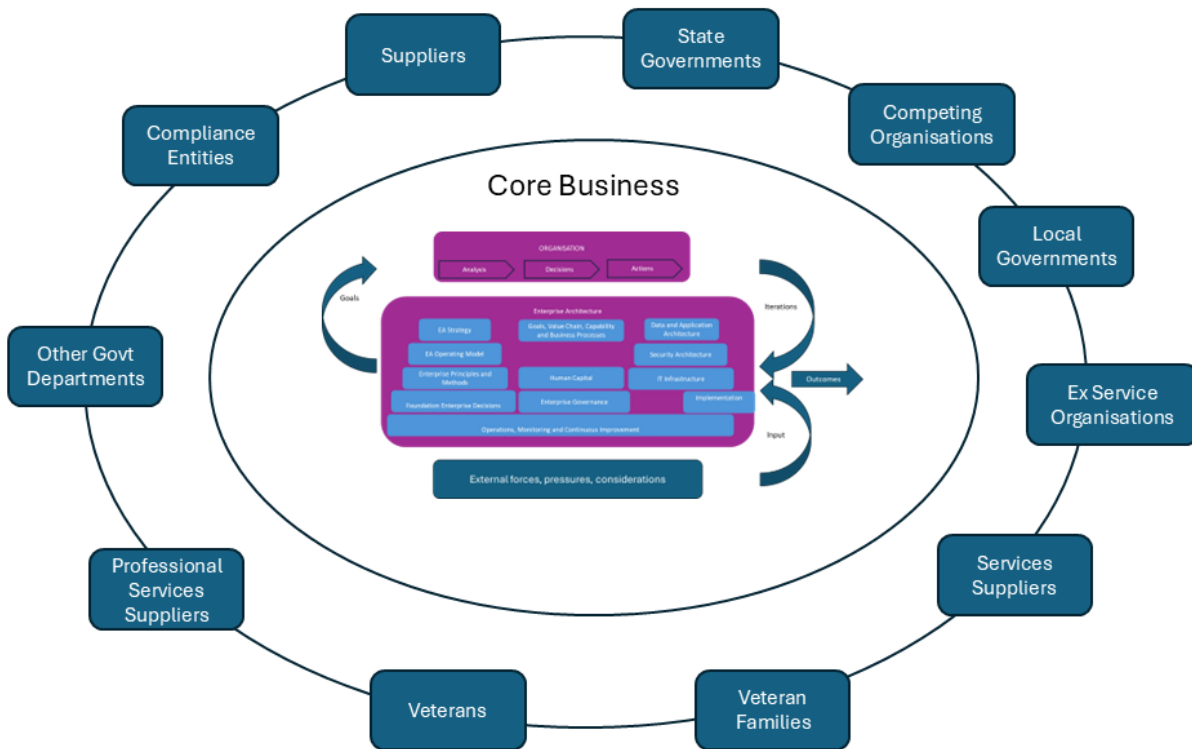
DEFINITIONS

14. Few stakeholders yet grasp “concept of operations” at the Defence and Veteran Ecosystem level because:
 - a. **It is New.** The Royal Commission has only recently popularised an ecosystem-wide lens, so shared language, diagrams and case studies are still emerging.
 - b. **Complexity.** The ecosystem spans Defence, DVA, other Commonwealth departments and agencies, state health systems, non-government organisations and private providers.
 - c. **Jargon Overload.** Terms like “enterprise risk appetite” deter non-specialists, further limiting the pool of people who truly understand the model.
15. **The Defence and Veteran Ecosystem.** There is no clear definition of the Defence and Veteran Ecosystem. Here is a way to start to comprehend the Defence and Veteran Ecosystem:
 - a. **Tactical, Strategic and Operational Levels of Business.** These are well known.
 - b. **The Enterprise Level of Business.** A single organisation viewed at as one complete system: its purpose, people, rules, information, money and technology. It’s the way the whole organisation is set up and run to meet its goals.



Enterprise Architecture Example

- c. **Ecosystem Level of Business.** All the organisations, people, rules and tools that interact to support Defence members and veterans. Think of it as the whole “community” that must work together, Defence, DVA, Commonwealth and state health services, charities, families and private providers, so veterans get the help they need.



The Concept of a Business Ecosystem Example

16. **A Definition of the Defence and Veteran Ecosystem.** The total, end-to-end network of organisations, functions, information flows and stakeholder relationships that influence a veteran's journey from enlistment through ADF service, transition, civilian life and, ultimately, old age and death. It spans Commonwealth, state, territory, private-sector and community actors and is held together by shared objectives of readiness, wellbeing and commemoration. In terms of scope, it is much more than wellbeing and suicide.
17. **Schedule 9 ignores these fundamental concepts Entirely.** The Defence and Veteran Ecosystem is not simple. It cannot be developed in isolation by well-intentioned people who lack the expertise to understand its complexity. "Adequate" is not good enough when lives are at stake. Arbitrary deadlines imposed by those who do not grasp the scope will guarantee failure.
18. **This is not a routine administrative task.** It requires project governance comparable to Annex B, combining specialised ecosystem knowledge with established Office of Parliamentary Counsel expertise. Without this disciplined approach, the Commission will fail before it begins.
19. The choice is between proper implementation and predictable failure. There is no middle ground.

AN EXAMINATION OF SCHEDULE 9

At a Crossroads

20. We stand at a crossroads: after a three-year Royal Commission, hard-won insights, and \$200 million of public expenditure to give us a clear blueprint to stop preventable veteran deaths.
21. Recommendation 122 sits at the heart of that blueprint, calling for a genuinely independent, fully empowered Defence and Veterans' Service Commission. Yet the Government's proposed Schedule 9 dilutes that vision, subordinating the new body to ministerial direction and eroding the very independence promised to veterans and their families.

A System Wide Reset

22. In order to get to enterprise and ecosystem architecture Recommendation 122 of the Final Report of the DVSRC calls for nothing less than an uncompromising, system-wide reset of the Commonwealth's approach to veteran wellbeing and suicide-prevention because it is complex. At its centre is an independent, purpose-built statutory agency, headed by an Accountable Authority (the Commissioner) equipped with real powers, credible data and a clear mandate to hold Defence, the Department of Veterans' Affairs (DVA) and every related body across the Defence and Veteran Ecosystem to account.
23. The Commission envisaged the Commissioner sitting "at the apex of the organisation", responsible for:
 - a. governing the entity and charting strategy,
 - b. advancing Government priorities while remaining free from political interference,
 - c. installing robust systems for risk-management, oversight and internal control,
 - d. fostering collaboration across jurisdictions and sectors,
 - e. weighing the impact of any obligations imposed on others; and
 - f. keeping both the responsible Minister and the Minister for Finance fully informed.
24. Consistent with practice for other independent offices, the head would be appointed by the Governor-General, visibly signalling distance from day-to-day ministerial control and underscoring the gravity of the suicide-prevention task.

A Fundamental Contradiction of the DVSRC' Intent

25. Against that benchmark, Schedule 9 presents itself as the Government's translation of Recommendation 122. A close reading, however, reveals a fundamental contradiction between the language of independence and the mechanics of ministerial direction:
 - a. Section 110ZJD asserts the Commissioner "has complete discretion" and "is not subject to direction by any person."
 - b. Section 110ZFB then empowers the Minister to order the Commissioner to "inquire into, and report on" any matter—and the Commissioner must comply.
26. These twin pathways invert the hierarchy envisaged by the DVSRC. In practice the Minister's requests outrank the Commissioner's own-motion inquiries, eroding the very independence veterans were promised.

The Objects

27. The objects of Schedule 9 lack:
 - a. A description that states what Schedule 9 is to achieve, and
 - b. Anything to guide courts, agencies and the public when interpreting ambiguous provisions,
28. **110ZJE.** This clause grants sweeping appointment power to the Minister with minimal transparency, few merit safeguards, and inadequate independence protections, running counter to multiple recommendations aimed at ensuring the Commissioner is selected openly, on merit, and insulated from political influence. **Recommendation.** The Commissioner should be chosen through an open, merit-based selection. The role must be publicly advertised, and an independent assessment panel should evaluate applicants for suitability.
29. **110ZJC and 110ZJD.** The Commissioner should not be subordinate to the Minister. The Commissioner needs to be appointed by the Governor General. The Commissioner's duties should not be determined by the Minister.
30. Schedule 9 erects what looks like a safeguard but, in practice, is a levee that cannot hold back the flood of systemic failings that drive distress, delay and, too often, despair and death among veterans. Instead of correcting design flaws identified by the Royal Commission into Defence and Veteran Suicide (DVSRC), it hard-wires them.

The Senate's Decision Tree

31. The Senate's Decision Tree is as follows:
 - a. **Option 1.** Keep Schedule 9 unchanged and entrench today's defects.
 - b. **Option 2.** Rescind Schedule 9 and legislate an independent agency to be designed and implemented by project management consistent with the PGPA Act, Machinery-of-Government rules and APS project-management standards.
 - c. **Option 3.** Rescind Schedule 9 and do nothing. This will leave the systemic gap unfilled.
32. The Senate's obligation could not be clearer. In the face of a veteran suicide toll that results in tragic outcomes, incremental fixes and half-measures will not suffice. Veterans and their families have earned, by service and by sacrifice, an oversight body whose independence is substantive, not symbolic; whose powers are exercised, not promised; and whose accountability runs upwards to the Parliament, not sideways to the portfolio.
33. Schedule 9 in its current form cannot deliver that standard. The only responsible course is to withdraw it and introduce a stand-alone Establishment Bill for the Defence and Veterans' Service Commission.
34. Give the Commissioner the legislative footing, budget line and operational freedom envisioned by Recommendation 122. Anything less risks perpetuating the very failures the DVSRC was convened to end and condemns another generation of veterans to wait for the justice and care they were told would arrive "next time." The Senate now holds the pen, and history will record whether we chose expedience or the structural change; whether or not we prioritised opportunism over veterans, their families and the 135 people that are affected each suicide.

THE WAY AHEAD

35. The way ahead is:
- a. Accept the Recommendations of the Interim DVSC, Mr Michael Manthorpe PSM except for the ones that relate to continuing with a flawed foundation defined in Schedule 9. Instead, do it once and do it right, and incorporate them in a new standalone act as follows.
 - b. Utilise the guidance within:
 - 1) the PGP Act,
 - 2) the Department of Finance's Machinery of Government Guide,
 - 3) the APSC Effective Project Manager tool, and
 - 4) the APS Mobility Framework which is a key element of a future-fit APS Ecosystem operating model.
 - c. Obtain an external advisor,
 - d. Implement the project Management Methodology such as that at Annex B or a very similar process focused option.
 - e. Cease using the 80/20 Rule (the Pareto Principle) to agree that a task is finished when 20% of the work has been completed because multiple use of this sound principle causes Pareto Myopia which means that an ever increasing number of tasks, risks and issues build up until they are dominant.
 - f. Cease drafting of legislation behind closed doors and without wide ranging veteran stakeholder consultation unless it relates to national security. Veteran healthcare legislation is unlikely to set a foreign state based actor with a purpose to hack into it.
 - g. Be transparent and publish and regularly review the project mandate (an act of Parliament is not a project mandate)
 - h. Develop Key Performance Indicators and Objectives and Key Results as well as the list of initiatives that are and will be address by the DVSC.
 - i. The Minister and DVA should not be drafting this type of legislation with little oversight because it leaves both open to the questions posed in Annex B.

CONCLUSION

36. The following is offered:
- a. The Royal Commission demanded independence. Schedule 9 delivers ministerial control.
 - b. The ecosystem demands complexity. Schedule 9 offers simplistic solutions.
 - c. Veterans demand accountability. Schedule 9 provides bureaucratic theatre.
 - d. Every flaw in Schedule 9 will cost lives. Narrow objects mean limited scope. Imprecise definitions mean legal challenges.
 - e. This is not the independent, robust oversight body the Royal Commission envisioned. It is the same failed approach wrapped in new legislation.
 - f. Schedule 9 cannot deliver its business case. It must be closed.
 - g. No competent project manager would continue a project that cannot achieve its stated objectives. The Senate must apply the same standard here.
37. It is recommended that Schedule 9 be Rescinded and we start again. Do it transparently. Do it with stakeholders who understand what veterans actually need and do it correctly,

- 38. Independence cannot be rushed. It must be real.
- 39. A compromised commissioner is worse than no commissioner. False independence breeds false hope, and veterans have endured enough broken promises.

Parliament faces a defining moment: choose genuine structural reform that saves lives or choose political expedience that perpetuates tragedy.

The 405,000 Australians carrying the weight of Defence and veteran loss are watching. Choose wisely.

Ian Lindgren
30 June 2025

Annexes:

- A. Implement Project Management
- B. Fundamental Concerns about Ministerial and DVA oversight

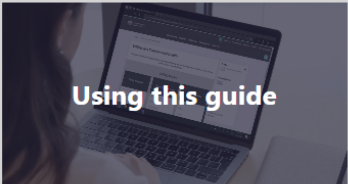
IMPLEMENT PROJECT MANAGEMENT

1. Consider the approach described here at a high level.

Setting up a Commonwealth entity

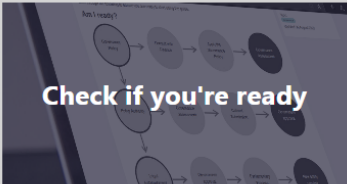
This interactive guide will support you when setting up a Commonwealth entity, help you find important information and who you can talk to for assistance.

Getting Started




Using this guide

Find out who this guide is for and how to use it



Check if you're ready

Make sure you have everything you need to begin



Initial priorities

Learn what you should do first when starting a new entity

Key topics

Accommodation → Domestic accommodation, property management, leases and office fit-outs.	Appointments & staffing → Executive and staff recruitment, employment terms and conditions and advertising.	Communications & media → Government websites, branding and advertising, media enquiries and communications.
Funding & financial → Budget, funding arrangements, banking and cash management and financial reporting.	Governance & compliance → Public interest disclosure, performance reporting, internal controls and spending government money.	IT & security → Protective and cyber security policies, security advisors and buying technology.
Information management → Information and data management, copyright, privacy and freedom of information.	Purchasing → Buying and selling for Government, whole-of-government arrangements and travel.	Risk & insurance → Risk management and culture, insurance and Comcover services.
Corporate services → Corporate service providers, accounts, payroll, travel and credit card.	Tax & superannuation → Australian business number, pay as you go, fringe benefits tax and super contributions.	Work health & safety → Comcare, workers compensation insurance and rehabilitation and return to work.

MoG Key Topics that relate to Setting up a New APS Entity

ANNEX A

2. This is a checklist for people who are not qualified in Project Management. The Public Governance, Performance and Accountability Act 2013 objects are to:
 - a. to establish a coherent system of governance and accountability across Commonwealth entities;
 - b. to establish a performance framework across Commonwealth entities;
 - c. to require the Commonwealth and Commonwealth entities:
 - d. to meet high standards of governance, performance and accountability;
 - e. to provide meaningful information to the Parliament and the public;
 - f. to use and manage public resources properly;
 - g. to work cooperatively with others to achieve common objectives, where practicable; and
 - h. to require Commonwealth companies to meet high standards of governance, performance and accountability.
3. The key considerations that can be drawn from these documents are:
 - a. Entities should adopt a project management approach to managing MoG changes⁸.
 - b. Entities are encouraged to appoint an independent adviser early in the process⁹.
 - c. MoG Guidance lacks:
 - 1) Value metrics for external stakeholders
 - 2) Stakeholder impact assessments
 - 3) Service quality maintenance requirements
 - 4) External consultation protocols
4. These are the Commonwealth's key documents on the framework of rules, relationships, systems and processes within and by which authority is exercised and controlled in corporations. It encompasses the mechanisms by which those in control, are held to account. In other words, it is Governance.
5. If we then consider the APS Mobility Framework¹⁰ which has as its objective "the Framework identifies three uses of mobility which, when aligned with Government, agency, and whole-of-APS enterprise priorities, have significant potential to deliver value to agencies"¹¹.
6. The APS Mobility Framework goes on to say that a key element of a future-fit APS enterprise operating model alongside other tools and processes such as workforce planning, start to recognise that this could just as easily be stated as "the APS Mobility Framework which is a key element of a future-fit APS Ecosystem operating model alongside other tools and processes such as workforce planning". This then starts to show is that the Defence and Veteran ecosystem and the APS Ecosystem intersect, many times.
7. Perhaps this is why the Australian Public Service Commission states the common problems with Project Management are that:
 - 1) Not having any project management leaves you vulnerable to missed deadlines, criticism from decision-makers and inefficient use of staff,
 - 2) Having an inconsistent approach to project management will create confusion and diminish the value of project management altogether, and

⁸ Machinery of Government Changes Guide para 70

⁹ Machinery of Government Changes Guide para 21

¹⁰ The APS Mobility Framework, Australian Public Service Commission: <https://www.apsc.gov.au/initiatives-and-programs/aps-mobility-framework>

¹¹ The APS Mobility Framework, Australian Public Service Commission: <https://www.apsc.gov.au/initiatives-and-programs/aps-mobility-framework> Objective

ANNEX A

- 3) Lack of ownership of project management responsibility, resulting in no follow-up or accountability to ensure tasks are done and increasing the risk of missed deliverables.

ANNEX B

FUNDAMENTAL CONCERNS ABOUT MINISTERIAL AND DVA OVERSIGHT

The Independence Paradox

1. While I acknowledge the Minister and DVA's courage in tackling veteran reform, I remain deeply concerned about their substantial control over what was designed to provide independent oversight of the very same people. This creates an inherent structural contradiction that undermines the Commission's intended purpose.

Ministerial Constraints and Financial Imperatives

2. Ministers, regardless of party, operate within clear political and fiscal constraints. Minister Keogh's role includes implementing party directives, typically focused on fiscal responsibility. This creates unavoidable conflicts when overseeing veteran welfare decisions that may require increased expenditure.

Current examples of this tension include:

3. Offsetting Arrangements: Veterans continue to experience offsetting, where superannuation becomes compensation, resulting in dollar-for-dollar reductions in veteran compensation. While this saves the Commonwealth millions annually, it causes significant distress to veterans and their families.
4. The Service Differential. Peacekeepers deployed to active conflict zones like the Golan Heights are classified as being on "non-warlike operations." This classification reduces lifetime compensation costs for identical injuries, prioritising fiscal savings over accurate service recognition.
5. These examples demonstrate why ministerial oversight, however well-intentioned, creates structural conflicts requiring truly independent resolution.

DVA's Preparation and Consultation Failures

6. DVA's claims of insufficient drafting time are demonstrably incorrect. The Department had two years' notice of the independent commissioner proposal, clearly outlined in both the Interim Report and subsequent recommendations.
7. Similarly, suggestions that veteran organisations demanded rushed legislation misrepresent the situation. No veteran entity requested a compromised, non-independent commissioner to expedite the VETS Bill passage. This is best captured in the RSL's 13 February 2025 media release that states:

"The late amendment to establish the DVSC within the Defence portfolio rather than as an independent entity was brought forward by the Government without proper consultation and has not been informed by the veteran community. The RSL calls on the Government to promptly establish an open and transparent public consultation process and remain open to further amendments to ensure the DVSC has necessary independence."

The Trust Deficit

8. Veterans will not accept DVA's assurance that the Commissioner will gain independence "sometime in the future." This approach fails on multiple levels:
 - a. No consultation occurred with the veteran community

ANNEX B

- b. The outcome fails to meet the Royal Commission's business case
 - c. Schedule 9 cannot be retrofitted for true independence
 - d. Independence is binary—one either possesses it or does not
9. The suggestion that Royal Commission-like powers provide adequate independence is meaningless when the Minister retains removal authority.

CONCLUSION

10. The fundamental issue is clear: you cannot create independent oversight by placing it under the control of those it is meant to oversee. Schedule 9, in its current form, perpetuates the very systemic failures the Royal Commission identified.