

SUBMISSION - Veterans' Entitlements, Treatment and Support (Simplification and Harmonisation) Bill 2024 [Provisions]

Introduction

Dear Senate Committee, thank you for the opportunity to comment on Veterans' Entitlements, Treatment and Support (Simplification and Harmonisation) Bill 2024.

My name is Michael Carlon, I am a volunteer Level 3 Compensation Advocate at the Portarlington & St Leonards RSL, and I also represent The Australian Special Air Service Association (ASASA) at the DVA Operational Working Committee (OWP).

The issue

This bill is long overdue, and is strongly supported, it will simplify the DVA claims process for both veterans and DVA. However, we strongly contend that veterans who are currently only covered by DRCA, will continue to be treated iniquitously once the new Bill is in force.

Under existing rules, a veteran who is covered only by DRCA has no entitlement to a Gold Card.

The draft Bill advises that for a DRCA veteran to be assessed for the Gold Card, that they will have to pass the MRCA test of a 5 point whole of person disability increase or submit a new claim, after the new Act is in force. There is no provision for an assessment, at the time of implementation of the new Act, to bring this category of veteran into line with VEA or MRCA veterans. For many DRCA veterans a 5 point disability increase will be problematic as they have maximized their entitlements, under the system in place, to meet their needs of living.

These veterans were injured during their service for Australia and as such they should have access to the same medical and concession provisions that VEA and MRCA veterans have. The introduction of the new Bill is the opportunity for our government to rectify past wrongs in respect to the issuing of a Gold Card to DRCA veterans.

Rectifying this matter would mean that DRCA veterans are no longer second class veterans - at no fault of their own, their situation is solely due to a Compensation Act that was ill conceived and short lived.

The remedy

The introduction of the new Act provides an excellent vehicle to right past wrongs for veterans who are only covered by DRCA, in respect of, medical treatment and other concessions that flow from being the recipient of a Gold Card.

As such it is strongly recommended that a provision be inserted into the Bill that provides for, at the time of implementation, 1 July 2026, that all veterans who are only covered by DRCA be subject to a DVA review to ascertain if their accepted injuries are such that they meet the threshold for a Gold Card (60 MRCA points).

Failure to review DRCA veterans for a Gold Card and bring about change at the time of implementation of the new Act will only perpetuate past iniquities.

DVA has the skills and resources to address this issue at the time of implementation. Administratively would be easy for DVA to form a Tiger Team to specifically address this matter. The matter could be cleaned up once and for all. This action will be seen as compassionate by the veteran community, and it will bring DRCA veterans into line with the rest of the veteran community. It will right past wrongs in respect to the treatment of DRCA veterans.

Finalising this matter at the time of implementation would free DVA staff to address the many claims that are awaiting assessment. There is time to plan and even begin the assessment process prior to the implementation date. We all wish to see a smooth implementation of the new Act and cleaning this matter up would certainly assist with this objective.

Failure to address this matter at the time of implementation of the new Act will see piecemeal claims over many years, the use of DVA staff for claims that are both time consuming and unnecessary, as the matter could have been rectified earlier, and the perpetuation of the message to the veteran community that DRCA service is not valued as highly as VEA or MRCA service.

It is most logical to clean this matter up in a well thought out and methodical manner at the time of the introduction of the new Act, rather than ongoing piecemeal claims over many years.

Conclusion

ASASA and I, strongly recommend that on implementation of The Veterans' Entitlements, Treatment and Support (Simplification and Harmonisation) Act 2024,

that all DRCA veterans be assessed for the Gold Card and if the threshold is achieved, that it be granted. This process should be just for the Gold Card. After that time, should the veteran have any other claims, normal claim provisions should apply.

I am most happy to be contacted should you have any question regarding this submission.

Thank you for this opportunity to provide input.

Yours sincerely,

Michael Carlon

Michael Carlon JP
Volunteer Level 3 Compensation Advocate at the
Portarlington & St Leonards RSL and ASASA OWP
Representative

