

Senate Estimates – Barry Aldcroft – Submission

dictated to Pat McCabe by Barry Aldcroft

1st August 2024

Foreign Affairs, Defence and Trade Committee
Department of the Senate
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Senators

Submission – Veterans' Entitlements, Treatment and Support (Simplification and Harmonisation) Bill 2024 [Provisions – Specifically Offsetting of Compensation Payments]

Mr Barry Aldcroft asked that I present this verbal submission to you on his behalf due to his physical and technological inability to complete this personally.

Mr Aldcroft is a Vietnam Veteran who, because of his Service, received a small disability compensation payment of 10% from DVA, from the time he returned from Vietnam in 1966-67, due to a back injury he sustained in Service.

This percentage of disability, which represents Pain & Suffering Compensation gradually increased over the years until 1995 when he was granted a TPI Compensation payment. Also, in 1995 as a result of a fall on an oil rig he received a lump sum payment of \$170,000 for back injuries that were aggravated by the fall. DVA also, at that time, added \$15,000 – for an offsetting total due of \$185,000 – that Mr Aldcroft did not receive as they were for his legal fees.

When the TPI was granted, even though the offsetting had begun from the time that the \$170,000 payment was received, the four years back TPI payments that were due to him were deducted as another payment of the offsetting.

This week Mr Aldcroft was advised that his offsetting had increased to \$691 per fortnight. The offsetting payments have already occurred for approximately 25 years for an average of \$300 per fortnight. Mr Aldcroft is now 78 years of age and, should he live to age 90, this would mean that he has 'paid-back' the offsetting of his mere \$185,000 for almost 40 years. Even working on the average of \$300 for the 37 years this would total a repayment of the lump sum payment he received of \$288,600.

If the amount of \$691 is correct that would mean that for the next 12 years the offsetting would total \$215,000 plus the first 25 years payment of \$650,000 for a total of \$865,000.

Why is the Government continuing to proceed with such an immoral position of 'taking back' more than they should. They are enabled to do this in the current legislation and the Simplification and Harmonisation Bill does not address offsetting at all.

Mr Aldcroft has tried to obtain an Excel spreadsheet explaining the past 25 years and the projected 12 years of offsetting repayment but the Department has not provided it.

Mr Aldcroft asks that this Senate Inquiry examine the legislation of the offsetting provisions as it affects the older Veterans as well as the younger Veterans and their families. The theft of Mr Aldcroft's compensation payments for a continuing debt over-and-above the initial lump sum might currently be legal but it is definitely immoral.

Yours sincerely

Pat McCabe OAM
President
TPI Federation of Australia

On Behalf of –
Mr Barry Aldcroft