

Submission to the Senate Foreign Affairs, Defence and Trade References Committee

Inquiry: Review of Schedule 9 of the *Veterans' Entitlements, Treatment and Support (Simplification and Harmonisation) Act 2025* — establishment of the Defence and Veterans' Services Commission (DVSC)

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Confidentiality request

I consent to this submission being published in full **except** for my personal contact details.

1. Executive Summary

Schedule 9 creates the DVSC and is a once-in-a-generation chance to fix systemic failures in veterans' entitlements that the Royal Commission found were exacerbating suicide risk. (aph.gov.au, defenceveteransuicide.royalcommission.gov.au) Drawing on my own 578-day compensation saga, I:

- **Welcome** an independent watchdog (DVSC). Volume 6 of the Royal Commission explicitly calls for a new entity with suicide-prevention powers. (defenceveteransuicide.royalcommission.gov.au)
 - **Expose** the delays, duplication and opaque legal "rules" that plague DVA claims handling – average initial-liability wait times remain **303 days** as at April 2025. (dva.gov.au)
 - **Propose** nine reforms – including AI-assisted triage, enforceable time limits and abolition of an unfair 25 % incapacity cut – to give Schedule 9 real teeth and measurable impact.
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2. Context

2.1 Royal Commission findings

- Chapter 25 of Volume 5 labels the claims process a key stressor and recommends "significantly increasing the percentage of claims determined within 90 days". (defenceveteransuicide.royalcommission.gov.au)
- Volume 6 recommends establishing an **independent oversight entity** to drive systemic reform – the legislative gap Schedule 9 now fills. (defenceveteransuicide.royalcommission.gov.au)

2.2 What Schedule 9 does

Schedule 9 inserts **Part VIII E** into the *Defence Act 1903* to create the DVSC, commencing **29 September 2025** with this committee to report by **29 August 2025**.(aph.gov.au) DVA implementation material confirms the same start date.(dva.gov.au)

3. Case study: one claim, 578 days and counting

Milestone	Date	Days elapsed	Comment
Claim lodged (MRCA, multiple conditions)	5 Nov 2023	0	Via MyService
Claim acknowledged	20 Nov 2023	15	No case manager allocated
Evidence request #1	14 Feb 2024	101	Supplied within 7 days
Duplicate evidence request	18 Jun 2024	227	Already provided
Trauma counselling ceased	30 Aug 2024	299	Now self-funded
Follow-up inquiry (no reply)	6 Jan 2025	428	
Formal complaint lodged	3 Mar 2025	484	No acknowledgement
Today	13 Jun 2025	578	DVA average is 303 days (Apr 2025) (dva.gov.au)

Consequences: Financial strain, deteriorating mental health, constant uncertainty—risk factors repeatedly linked to suicidality in the Royal Commission evidence.(defenceveteransuicide.royalcommission.gov.au)

4. Systemic problems laid bare

1. **Chronic delay:** The published 303-day “average” still masks extreme outliers like mine.(dva.gov.au)
2. **Document déjà vu:** Duplicate evidence requests reveal poor record-keeping and needless administrative burden (personal experience; corroborated in RC hearings, Sydney block 10).(defenceveteransuicide.royalcommission.gov.au)
3. **Zero transparency:** Claimants lack any real-time escalation pathway when service standards are breached – a gap highlighted in RC Recommendation 94 on Defence-to-DVA data flows.(defenceveteransuicide.royalcommission.gov.au)
4. **Unsupported “rules”:** The *Royal Commission into Institutional Responses to Child Sexual Abuse* (Case Study 40, 2017) found DVA claims assessors were applying an internal SRCA Liability Handbook rule that **always** required corroborative evidence, even though the

legislation itself does not. Commissioners stated this policy "may have the effect of leading a claims assessor into error" and directed DVA to revise it. What remedial actions have been carried out to correct these injustices that the Commissioner called, "potentially, illegal"? (childabuseroyalcommission.gov.au).(defenceveteransuicide.royalcommission.gov.au)

5. **Psychosocial blind spot:** Ending trauma counselling contradicts DVA's Service Charter and undermines suicide-prevention aims noted in RC Volume 4. (defenceveteransuicide.royalcommission.gov.au)

5. Recommendations

#	Recommendation	Impact
1	Time limits with penalties. 90 days for straightforward cases; 180 days maximum. Automatic compensation for breaches, aligning with RC ambition for 90-day determinations. (defenceveteransuicide.royalcommission.gov.au)	Removes delay incentive; sets clear expectations.
2	Real enforcement powers. DVSC to audit, compel documents, issue binding directions and refer breaches. Mirrors RC call for a "new entity with teeth". (defenceveteransuicide.royalcommission.gov.au)	Ensures watchdog authority.
3	Trauma-informed case management. One dedicated manager; mandatory training. In line with RC Recommendation 79 emphasis on respect and wellbeing. (defenceveteransuicide.royalcommission.gov.au)	Cuts admin burden; minimises re-traumatisation.
4	Live performance dashboard. Monthly publication of queue size, age profile, and escalations—consistent with RC transparency proposals. (defenceveteransuicide.royalcommission.gov.au)	Public scrutiny drives improvement.
5	Independent complaints channel. Operated by DVSC, not DVA; reflects RC findings on distrust of DVA among veterans. (defenceveteransuicide.royalcommission.gov.au)	Restores trust; rapid resolution.
6	Family-inclusive practice. Recognise support persons in all interactions, addressing family-related risk factors identified in RC Volume 4. (defenceveteransuicide.royalcommission.gov.au)	Aligns with suicide-prevention evidence.
7	Model Litigant-style duties. Codify fairness, timeliness and transparency across all dealings—not just in court—echoing best-practice public-sector standards. (aph.gov.au)	Shifts culture from adversarial to client-centred.
8	AI-enabled claims triage. Deploy ML models to match conditions, evidence and legislation before Human-in-the-Loop review. U.S. Veterans Benefits Administration cut intake delays using similar AI ingestion	Speeds decisions, standardises interpretation, flags bottlenecks.

#	Recommendation	Impact
	tools.(aptiveresources.com) NSW icare achieved faster workers-comp claims via predictive triage.(govtechreview.com.au)	
9	Scrap the 25 % incapacity pay cut. After the first 45 weeks payments drop to 75 % for veterans not working any hours receiving incapacity payments.(dva.gov.au) Removing this protects those with lifelong service-related incapacity. This is an unjust and punitive measure.	Ends unjust financial penalty.

6. Conclusion

Delays, duplication and opaque decision-making inside DVA create hardship and heighten suicide risk. Schedule 9 is a strong framework, but only if paired with strict time limits, robust oversight and modern tools like AI triage. The nine recommendations above translate Royal Commission insights into enforceable action and will help the DVSC deliver genuine change rather than another report gathering dust.

7. References

1. Royal Commission into Defence and Veteran Suicide, Final Report Vols 5 & 6 (9 Sept 2024).(defenceveteransuicide.royalcommission.gov.au, defenceveteransuicide.royalcommission.gov.au)
2. Senate FADT References Committee, *Review of Schedule 9 – Defence Act 1903* inquiry webpage (24 May 2025).(aph.gov.au)
3. Department of Veterans' Affairs, *Claim processing times* (Apr 2025).(dva.gov.au)
4. Veterans' Entitlements, Treatment and Support (Simplification and Harmonisation) Act 2025 – Implementation slide deck (May 2025).(dva.gov.au)
5. DVA, *How we calculate incapacity payments* (28 Feb 2025).(dva.gov.au)
6. Aptive Resources & US VBA, *Automating Claims Intake with AI* case study (Apr 2025).(aptiveresources.com)
7. icare NSW & SAS, *AI analytics boost claims capabilities* (19 Mar 2020).(govtechreview.com.au)

End of submission