

**Senate Foreign Affairs, Defence and Trade Legislation Committee**

Budget estimates 2004–2005; June 2004

Answers to questions on notice from Department of Veterans' Affairs

**Question 3**

**Outcome 1 (Compensation)**

Topic: DFISA

Hansard page 96

**Senator Mark Bishop asked:**

Number of clients, if I can, for the various client groups that are affected by DFISA?

**Answer:**

The population estimates for DFISA were prepared by the Department of Family and Community Services (FaCS) and were based on estimates only. DVA does not hold any data on social security payments and recipients, other than some disability pensioners and their partners who receive social security age pension from DVA.

The estimated numbers of recipients of DFISA, and within this, a breakdown of the various client groups receiving the main SSA payment types provided by FaCS is shown below:

Age pension paid by Centrelink	11 808
Age pension paid by DVA	4 984
Carer payment	370
Disability support pension	1 230
Newstart allowance	406
Parenting payment (sole parent)	103
Partner Allowance	142
<b>Total</b>	<b>19 043</b>

**Question 4**

**Outcome 2 (Health)**

Topic: Long Tan Bursaries

Hansard page 101

**Senator Mark Bishop asked:**

- (a) How many applications were received?
- (b) When did the process of assessment finish—that is, when was the decision made?
- (c) When did the draft press release leave your section or department and go to the minister's office?
- (d) Did the minister write letters to the applicants advising them that they were fortunate to have received a bursary?
- (e) Do you know when she would have written those letters?

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(f) Were press releases also prepared by DVA for government members and senators with respect to the successful applicants?

(g) Were similar press releases prepared for opposition members and senators?

(h) Did you receive any instruction or advice to prepare press releases for opposition members and senators?

**Answer:**

(a) The Australian Veterans' Children Assistance Trust advised the Department it received a total of 206 applications for bursaries for the 2004 academic year. Of these, 113 were deemed eligible by the Trust for Long Tan Bursaries.

(b) The Trust advised the Department on 23 February 2004 that it had made its final selection of 30 applicants and three reserves for consideration by the Repatriation Commission. Commission endorsed the selections of the trust on 26 February.

(c) Draft media releases were provided to the Minister's Office in early March 2004.

(d) No. The official letters of offer were sent out under the signature of the Branch Head, Younger Veterans and VVCS, on 6 April 2004.

(e) See (c) and (d).

(f) Shell media releases announcing the individual bursary recipients were prepared. The Members and Senators to whom these materials were provided were determined by the Minister's Office.

(g) As stated in (f), shell media releases announcing the individual bursary recipients were prepared. The Minister's Office determined to whom the releases were provided.

(h) As indicated above, shell media releases were provided to the Minister's Office. No indication of their intended issue was provided.

**Question 5**

**Outcome 1 (Compensation)**

Topic: ANAO

Hansard page 106

**Senator Mark Bishop asked:**

Are you currently engaged in discussions concerning the particular recommendation from the Senate Finance and Public Administration Committee report? Provide us with the detail as to when those negotiations commenced, who attended those negotiations and the requests, if any, that have been made by DVA to ANAO to implement that particular recommendation from the Senate committee report.

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### Answer:

The Division Head Compensation and Support has discussed the Senate Finance and Public Administration Committee report with the ANAO. The ANAO has indicated that the Auditor General would write to the committee noting the report and indicating that the ANAO would look to include such an audit in its 2005–06 programme.

### Question 6

#### Outcome 1 (Compensation)

Topic: Law firms—legal advice

Hansard page 107

#### Senator Mark Bishop asked:

Who the law firms are, by state; how many cases have been referred for any advice over the last two years; and how much has been paid out—in aggregate, state by state and in respect of each case—in seeking legal advice?

Whether there is a pro-forma, either in the manual or elsewhere, as to the type of advice and the form of letter that they can send to the legal firm requesting assistance? What authority is required before requests are made? Does the delegate have an absolute permission or responsibility in that or does he have to refer it up the chain somewhere?

### Answer:

The table below details all cases referred for legal advice by office by year. The office listed is the office where the original claim was lodged. The only offices that refer files to the legal panel are Brisbane (covering cases from QLD, NSW and NT) and Canberra (ACT, WA, SA, Vic, Tas). Without examining individual cases it is not possible to break the figures down to that level.

There is no pro-forma to follow when referring a file. Referrals for legal advice on reconsiderations are made by reconsideration delegates or the manager of the Brisbane and Canberra Offices. If a primary claim delegate proposes to seek legal advice the request needs to be approved by the manager.

#### Sparke Helmore

	2002–03		2003–04	
	No. of cases	Amount	No. of cases	Amount
Canberra	20	\$130,384.93	19	\$119,530.32
Sydney	45	\$278,762.75	86	\$502,653.86
Melbourne	30	\$88,807.99	43	\$150,676.79
Brisbane	163	\$524,612.81	241	\$551,008.97
Adelaide	10	\$40,640.33	13	\$47,281.67
Perth	31	\$264,462.10	30	\$267,265.30
<b>Total</b>	<b>299</b>	<b>\$1,327,670.91</b>	<b>432</b>	<b>\$1,638,416.91</b>

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**Phillips Fox**

	2002–03		2003–04	
	No. of cases	Amount	No. of cases	Amount
Canberra	186	\$305,488.10	223	\$377,086.61
Sydney	15	\$107,546.15	17	\$121,621.64
Melbourne	41	\$195,729.95	42	\$225,748.08
Brisbane	214	\$689,353.94	175	\$745,478.75
Adelaide	12	\$129,704.25	9	\$59,510.12
Perth	7	\$35,129.88	10	\$52,337.45
<b>Total</b>	<b>475</b>	<b>\$1,462,952.27</b>	<b>476</b>	<b>\$1,581,782.65</b>

**Dibbs Barker Gosling**

	2002–03		2003–04	
	No. of cases	Amount	No. of cases	Amount
Canberra	4	\$30,948.11	4	\$22,666.89
Sydney	32	\$93,207.29	17	\$77,832.46
Melbourne	22	\$121,388.33	31	\$168,164.07
Brisbane	240	\$493,894.40	211	\$712,983.33
Perth	16	\$21,632.32	2	\$2,655.00
<b>Total</b>	<b>314</b>	<b>\$761,070.45</b>	<b>265</b>	<b>\$984,301.75</b>

**Australian Government Solicitor**

	2002–03		2003–04	
	No. of cases	Amount	No. of cases	Amount
Canberra	105	\$170,756.97	52	\$71,792.81
Sydney	39	\$222,165.89	38	\$212,299.25
Melbourne	42	\$224,436.81	49	\$329,834.76
Brisbane	55	\$336,687.14	60	\$245,065.92
Adelaide	18	\$82,334.38	20	\$251,535.65
Perth	13	\$67,510.35	13	\$101,358.49
Hobart	33	\$183,721.41	30	\$192,805.25
<b>Total</b>	<b>305</b>	<b>1,287,612.95</b>	<b>262</b>	<b>1,404,692.13</b>

**Blake Dawson Waldron**

	2002–03		2003–04	
	No. of cases	Amount	No. of cases	Amount
Canberra	2	\$8,560.72	1	\$10,930.43
Sydney	16	\$108,909.32	11	\$81,865.92
Melbourne	10	\$49,062.98	7	\$24,763.09
Brisbane	38	\$217,015.01	21	\$98,914.22
Perth	6	\$135,276.27	0	\$0.00
<b>Total</b>	<b>72</b>	<b>\$518,824.30</b>	<b>40</b>	<b>\$216,473.66</b>

<b>TOTAL</b>	<b>1465</b>	<b>\$5,358,130.88</b>	<b>1475</b>	<b>\$5,825,667.10</b>
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**Question 12**

Outcome 1 (Compensation)

Topic: War widows

**Senator Mark Bishop asked:**

- (a) Can it be confirmed that a war widow convicted for either manslaughter or murder of her veteran husband can retain a war widow's pension, even if a gaol sentence is served.
- (b) What are the provisions of the Act for payment of other pensions to payees who are serving gaol sentences.
- (c) In the particular case referred to in the media and during Estimates on 1 June 04, on what basis was it accepted that the veteran died of war caused circumstances when in fact he was killed by his partner.
- (d) What legal advice has been sought on this case, and what remedial action is proposed.

**Answer:**

- (a) Section 13A of the Veteran's Entitlements Act 1986 (VEA) provides for an automatic grant of war widow/er's pension where the veteran's death was not war-caused and immediately prior to death, the veteran was in receipt of a pension at the Special Rate or the Extreme Disablement Adjustment, or in receipt of an increased rate of pension due to being a double amputee, or the veteran was a former prisoner of war. The VEA has no provision which allows such a grant of war widow/er's pension to be withheld where the veteran died at the hands of his or her spouse and the spouse served a goal sentence as a consequence of the death.
- (b) The VEA provides for the withholding of income support payments to payees who are serving goal sentences.
- (c) In that case, the grant of the war widow's pension was made under the circumstances described in (a) above.
- (d) Legal advice was sought from the Australian Government Solicitor (AGS). As a result of that advice the Repatriation Commission is finalising guidelines to be used in considering whether or not the Forfeiture Rule under Common Law should be applied in any similar future cases. These guidelines have not yet been finalised because the form of appeal provisions required is still being examined.

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**Question 14**

Outcome 1 (Compensation)

Topic: MCRS legal Advice

**Senator Mark Bishop asked:**

- (a) How many letters to the panel of law firms seeking legal advice on MCRS compensation claims have been sent in each of the last 3 years, by state.
- (b) What total payments were made to each law firm by name in each of those years for that same purpose.
- (c) How many invoices were received in each year, and in total, how many cases were entailed
- (d) Of those letters, by state, how many sought to have a decision written, as opposed to seeking legal advice on points of law.
- (e) In how many determinations, as advised to the applicant, were the terms of the advice supplied copied into the determination.
- (f) In how many determinations made by the Brisbane office in each of the last 2 years, where legal advice was provided have there been reconsiderations resulting in overturned primary decisions.
- (g) With respect to the officer referred to as having been "counselled" during evidence to the Committee on 1 June 2004, how many referrals for advice to the legal panel have been made by that officer in each of the last 2 years.
- (h) How many referrals have been made by that officer since the Knight case referred to at Estimates.
- (i) How many referrals to legal firms have been made by that officer's immediate supervisor.
- (j) What retraining if any has that officer been engaged in since he was "counselled".
- (k) How many other officers in the Brisbane MCRS office have also been "counselled".
- (l) What guidelines exist for MCRS staff for the referral of matters to legal firms.
- (m) Why has DVA not responded to the recommendations of the report of the Senate Finance and Public Administration Standing Committee of December 2003 into administrative review of veteran and military compensation and income support
- (n) Specifically what has been done about the first recommendation for an audit of this particular practice of referral to private law firms, and for the development of guidelines.
- (o) In evidence to that Committee did the DVA representative assert that legal advice was only sought for reconsiderations, and if so has that now been

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contradicted by the use of legal advice for a primary claim in the Knight case referred to in the media.

- (p) For how many other primary claims has legal advice been sought in each of the last three years.
- (q) When this matter was first raised in evidence before the Senate Committee, what enquires were made of the Brisbane office as to the facts of the situation, and what instructions were issued.
- (r) What instructions have now been issued on this matter to all MCRS claims assessors.
- (s) On how many cases this year has the MCRS referred claimants for fresh medical assessment where the medical doctor or specialist was not the treating doctor.
- (t) How many referrals for disability assessments have been made by MCRS in Brisbane to Dr D Alcorn in each of the last two years, for both primary claims assessments and reconsideration.
- (u) How many decisions on both primary and reconsiderations have been made in each of the last two years personally by the manager of the MCRS in Brisbane.
- (v) What is the same figure under the VEA.

**Answer:**

(a) It is not possible to identify the number of letters sent however the number of cases referred are in the table. Reconsiderations are handled in Queensland and the ACT only, hence all referrals to the legal panels are made by these offices. AAT matters are all handled by the ACT office, however the Qld figure includes AAT cases that originated in that state.

<b>State</b>	<b>01/02</b>	<b>02/03</b>	<b>03/04</b>
ACT	636	608	598
Queensland	838	857	877
<b>Total</b>	<b>1474</b>	<b>1465</b>	<b>1475</b>

(b)

<b>Firm</b>	<b>01/02</b>	<b>02/03</b>	<b>03/04</b>
Sparke Helmore	\$1,148,469	\$1,327,671	\$1,638,417
Phillips Fox	\$1,004,379	\$1,462,952	\$1,581,783
Dibbs Barker Gosling	\$ 600,511	\$ 761,070	\$ 984,302
AGS	\$1,300,542	\$1,287,612	\$1,404,692
Blake Dawson Waldron	\$ 497,376	\$ 518,824	\$ 216,474

(c)

2001/02 4033 invoices for 1488 claims  
2002/03 4246 invoices for 1447 claims  
2003/04 4457 invoices for 1439 claims

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(d) In accordance with Comcare practice, where advice is provided on a case subject to internal review a draft reason for decision is also provided. The advice from the legal firms makes it clear that it is the responsibility of the delegate to make the determination. Only one case has been identified where a decision letter only was sought.

(e) The information sought is not readily available. To provide a complete response would require departmental officers to go through 2940 individual files which would involve considerable time and resources. In the interest of efficient utilisation of departmental resources, the authorisation of the expenditure of resources and effort to provide the information requested is not justified.

(f) This information is not available over the last two years without referring to individual case files for the reasons stated in (e). However, more detailed records have been kept since 1 October 2003 and in the period 1/10/03 to 20/6/04 there have been 414 cases referred to legal panels for advice. The outcomes show that 278 were affirmed, 45 were varied, 88 were revoked and 3 were withdrawn.

(g) Each request for advice in relation to “Initial Claims Management” (i.e. primary) is referred via the MCRS Manager. The Manager considers each request, discusses cases to establish that a legal opinion is required and then makes the referral. There is no break-up for individual officers. In the last 2 years there have been a total of 91 referrals. This represents approximately 2% of the total claims determined in Qld for that period. All of the cases were complex and in most instances involved claims for sequela conditions or for third party claims ie cases where another company may be liable for the injury.

(h) Records are not kept on the referrals by individual officer but it is estimated by the officer that there would have been 5 cases referred since the Knight case.

(i) All cases are referred via the Manager. The number is 91: Reconsiderations and Appeal Handbook was circulated to the ACT and Queensland offices for information and comment in January 2004.

(j) The officer has been involved in training and information sessions in relation to the Federal Court case of *Oudyn and Australia Post* and the officer has had training in relation to Unintended Consequences of Medical Treatment. The officer has also been made aware of policy instructions in relation to seeking legal advice.

(k) None but they all have had training as listed for the previous answer.

(l) A chapter in the draft MCRS Review and Appeals handbook which has been provided to staff (see (r) below) addresses the issue of use of Legal Panels. It states that they should be used rarely by primary claims delegates. It also states that reconsideration matters should not be referred as a matter of course.

(m) A draft response is under consideration and preparation.

(n) The conduct and timing of any ANAO audit is the responsibility of the Auditor General. They have indicated that it is likely to be included in the 2005/06 program. Further guidelines on the use of legal panels are being developed for approval by the Military Rehabilitation and Compensation Commission.

(o) No such assertion was made.



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(p) 7 in 2001/02, 37 in 2002/03 and 54 in 2003/04.

(q) No enquires were made to Brisbane to add to the understanding already available to National Office and no specific instructions were issued at the time. However work was in hand reviewing the Reconsiderations and Appeal Handbook.

(r) The draft Reconsiderations and Appeal handbook has been finalised and was released to all staff in June 2004. This contains a chapter on the use of legal panels. The subject of use of legal panels has also been recently submitted for consideration by the MRCC, which has assumed responsibility for supervision of administration of SRCA in relation to defence service.

(s) The information sought is not readily available from the Department. To provide a complete response would require manually reviewing individual case files for approximately 6500 Liability claims and 4500 Permanent Impairment claims. In the interest of efficient use of departmental resources, the authorisation of the expenditure of resources and effort to provide the information requested is not justified.

(t) It is not possible to accurately differentiate between requests for medico legal reports and invoices for treatment, without referring to records for individual cases. The Department estimates the number of referrals for medico–legal reports over the three year period is 25.

(u) It is estimated that the Manager's position would have made approximately 6 decisions.

(v) The manager of VEA claims does not do any primary level or reconsideration (know as S31 review) decisions. The manager of the S31 Review section in the VEA does, on occasions, make S31 review decisions and it is estimated that position has also made about 6 in the last 2 years.

**Question 17**

Outcome 1 (Compensation), Outcome 2 (Health) and Output group 6  
Topic: Grants

**Senator Mark Bishop asked:**

(a) Has a grant been sought from DVA by the Royal Australian Regiment based in Adelaide for the purchase or rowing shells.

(b) If so, when was the grant sought and who were the proponent office bearers sponsoring the proposal.

(c) Was the grant approved, and for what amount.

(d) To whom was the cheque for payment addressed, and into what bank account was it paid.

(e) Who signed the original proposal and the contract of agreement for the grant.

(f) Is that person a T&PI pensioner currently in payment by DVA.

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- (g) Is that person currently resident in Australia, and when was the last examination made of his income and assets.
- (h) Has that person been investigated in connection with this grant by the DVA Fraud Unit, and if so, with what result.
- (i) Has the AFP also investigated the management and acquittal of this grant; if so when, and with what outcome.
- (j) Has the DPP also been involved, and if so, with what outcome.
- (k) Can it be confirmed that the rowing shells are currently in storage at Scotch College, and that rental for their storage is being paid by the Veterans of the Vietnam War Inc (US).
- (l) Is the principal of the Royal Australian Regiment Association also an office bearer of the VVW Inc, both in Australia and the US.
- (m) What connection is there between the Royal Australian Regimental Association and the VVW Inc, and what was the involvement of the latter with the grant.
- (n) How many rowing shells were purchased, and what associated equipment was acquired.
- (o) What usage is currently being made of those rowing shells by veterans.
- (p) What claim does DVA have over the shells to settle any money owing to DVA in acquittal of the grant.
- (q) How much of the original grant was spent and what acquittal has been made.
- (r) Is there any sum outstanding, and if so, how much.
- (s) Have representations been made on this matter to the Minister by the Member for Mayo and the member for Hindmarsh, and if so, what action was taken to investigate the matter.
- (t) When were those representations made, and what undertakings were given by the Minister in reply.
- (u) Was any member of DVA staff counselled in connection with this matter, or was any disciplinary action taken.
- (v) What approaches have been made to DVA by other veteran organisations to gain access to the rowing shells.

**Answer:**

(a) In April 1998 DVA received an application for grant funding from an organisation called the National Vietnam & Gulf War Veterans Coalition. The letterhead of this organisation described it as being a joint venture between the Royal Australian Regiment SA Branch Inc, the Veterans of the Vietnam War Inc (VVnW) and the Vietnam Veterans Motorcycle Club SA Inc. The funding application sought a grant of \$61,700 for the purchase of rowing skulls and related equipment to assist in promoting a health lifestyle for members of the various bodies that made up the joint venture.

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- (b) The application for funding was submitted in April 1998. The proponent office bearer was a Mr Peter Forbes who described himself on the letterhead of the joint venture as being the President RAR Association SA Branch Inc.
- (c) A grant of \$61,000 was approved by the then Minister for Veterans' Affairs on 28 August 1998.
- (d) The original conditions of grant were approved with the grantee being the Royal Australian Regiment Association—SA Branch. The reason for this being that the joint venture was not a legal entity. When the completed grant conditions were subsequently received from Mr Peter Forbes, the details of the grantee had been altered to be the VVnW. Mr Forbes was subsequently contacted and asked for an explanation as to the basis for his alteration of the name of the grantee. Mr Forbes advised that the VVnW was the overriding body responsible for the Veterans' Rowing Club. The subsequent cheque was made payable to the VVnW and therefore would have been deposited into a bank account bearing the name of that organisation.
- (e) Mr Peter Forbes signed the original grant proposal and the grant agreement.
- (f) As a response to this question involves “personal information” relating to an individual veteran and their eligibility under the *Veterans' Entitlements Act 1986* I do not propose to provide these details for inclusion in Hansard.
- (g) As a response to this question involves “personal information” relating to an individual veteran and their eligibility under the *Veterans' Entitlements Act 1986* I do not propose to provide these details for inclusion in Hansard.
- (h) The management and acquittal of the grant by the VVnW was investigated by the Department's Fraud Unit and subsequently referred to the Office of the Director of Public Prosecutions (DPP) in Adelaide.
- (i) The AFP did not conduct an investigation and referred the matter to the Department.
- (j) Information was referred to the DPP. The DPP subsequently advised that there was insufficient evidence to prosecute in relation to a breach of Commonwealth law and that no further action would be taken.
- (k) As the grant period has expired and the grant was acquitted in accordance with the conditions of the grant agreement, there is no legal ability on part of the Department to continue to monitor the use of and access to the rowing skulls purchased with the grant funds. The Department has therefore been unable to confirm the current arrangements with the rowing skulls or to otherwise intervene in the apparent dispute concerning the granting of access to the rowing skulls.
- (l) In correspondence with DVA, Mr Forbes advised that at the time of the grant application and during the period of the grant he held the position of President of the Royal Australian Regiment Association SA Branch and Commander of the VVnW. Mr Forbes wrote to the Department in January 2003 advising that he was travelling to the United States and was taking up the honorary position of the VVnW World Vice Commander, which was apparently based in that country. In recent correspondence, Mr Forbes has indicated that he is the United States Vice Commander and Australian Commander of the VVnW.

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- (m) As stated in (a) the Royal Australian Regiment Association and the VVnW were two of the three legal entities which apparently made up the joint venture to establish the 'Veterans Rowing Club'. The VVnW was the legal entity that became the grantee, having signed the grant agreement.
- (n) Five rowing skulls and eight oars were purchased with the grant.
- (o) As stated in (k) the Department is no longer monitoring the project, therefore this information is not known.
- (p) (q) and (r) The grant was acquitted in accordance with the grant conditions by an independent auditor. There were no unspent funds.
- (s) The Member for Hindmarsh made representations to the Minister on these matters. The matter was referred to the Department's fraud control unit. There is no record of representation from the Member for Mayo in relation to this matter.
- (t) The Member for Hindmarsh made a number of representations between February 2000 and November 2002. The former Minister for Veterans' Affairs undertook to investigate the matter and for the Deputy Commissioner of the Department in South Australia to write to Mr Forbes to ask him to transfer some boats to the veterans at the Riverside Rowing Club. This was followed up by correspondence and meetings between staff in the South Australia State Office and Mr Forbes and members of the VVnW Executive to request the transfer of some of the boats. However, as the term of the grant had expired at this time, the Department had no legal power to direct the VVnW in relation to the use of or granting access to the rowing skulls.
- (u) No counselling or disciplinary action under the *Public Service Act 1999* took place in relation to the management of this grant however disciplinary action was taken in relation to a staff member as a result of separate dealings with the VVnW.
- (v) Representations have been made by the veteran rowers, many of whom joined Riverside Rowing Club, by the RSL, and, informally to the SA Office, by the Vietnam Veterans Federation.

**Question 7**

**Outcome 2 (Health)**

Topic: Treatment population

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**Senator Mark Bishop asked:**

What is the order of magnitude of people affected by declining number of the treatment population?

**Answer:**

The table below indicates the order of magnitude of the declining treatment population from June 2003 to June 2009.

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**Table 1: Treatment Population—actual\* and projected\*\***

	June 2003	June 2004	June 2005	June 2006	June 2007	June 2008	June 2009
<b>Gold</b>	277,747	270,300	263,600	257,000	250,300	243,600	236,800
<b>White</b>	57,413	56,100	55,000	53,600	52,000	50,300	48,600
<b>Total</b>	335,160	326,500	318,600	310,600	302,300	293,900	285,300

\*Actual 2003

\*\* Projected 2004-2009

**Question 8**

**Outcome 2 (Health)**

Topic: VVCS review

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**Senator Mark Bishop asked:**

Provide a copy of the terms of reference of the review.

**Answer:**

The terms of reference for the review of support arrangements for the VVCS are as follows:

*Review Objective*

Within the context of DVA's Performance Management Framework and the Vietnam Veterans Counselling Service (VVCS) National Strategic Plan the objective of the review is to assess the effectiveness of the existing management and administrative arrangements that support the VVCS. The review will identify any changes that should be considered for implementation.

*Review Scope*

In doing so the review will take into account the findings and recommendations of the Department's 2003 Strategic Services Review of the VVCS and work with the National Management Team (NMT), VVCS Offices (both National and Regional) and State/Territory Centres to:

1. Assess the effectiveness of the National Office management structure that supports VVCS administrative arrangements;
2. Examine the administrative structures of VVCS State/Territory Centres and Regional Offices;
3. Analyse unit costs and the current formula for funds distribution to the State/Territory Centres;
4. Consider the accreditation process undertaken by VVCS, particularly that element affecting National Office;
5. Examine the effectiveness of the Service Level Agreement between VVCS and the Repatriation Commission;

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6. Examine the funding formula and administration of the Memorandum of Understanding with the ADF (for the provision of counselling services to current serving members) and the F111 Deseal/Reseal Health Scheme (for the provision of counselling and group programs to eligible participants); and
7. Assess the implications (short-term impact) of the anticipated Military Rehabilitation and Compensation Act on the administration of the VVCS.

### *Review Exclusions*

The review will not involve any examination of the clinical aspects of the VVCS, nor Work Level Standards for clinical and administrative personnel.

### *Methodology*

The primary work will be managed by Olivia Witkowski, Director (Special Projects), Health Division, with administrative support provided by the Executive Officer, Younger Veterans & VVCS Branch, National Office. The review team will, under direction of a Steering Committee comprising Ken Douglas (DH Health), Wes Kilham (BH Younger Veterans & VVCS), a VVCS State/Territory Director (TBA) and possibly a Deputy Commissioner (TBA):

- examine relevant internal documentation and files;
- consult with key stakeholders (such as VVCS National Office, State/Territory Centres and Regional Offices, National Management Team (NMT), Commission and DH Health) concerning the adequacy of administrative support and management needs;
- consult with and provide briefing advice on the review to the National Advisory Committee (NAC); and
- prepare a report to management (eg DH Health, Commission, Executive Management Group (EMG), NAC, Health Committee of Management (HCoM) and NMT).

## **Question 9**

### **Outcome 2 (Health)**

Topic: Psych services

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### **Senator Mark Bishop asked:**

How much is paid by the Commonwealth for psych services at Heidelberg at present?

### **Answer:**

The following table details the expenditure in 2002–03 on Psychiatric Services for entitled beneficiaries at the Austin & Repatriation Medical Centre:

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	<b>2002–2003</b>
Post Traumatic Stress Disorder— (PTSD) Outpatient Courses	\$1,565,721
Inpatient Services	\$2,252,323
Outpatient Services	\$62,542
<b>TOTAL</b>	<b>\$3,880,586</b>

Please note:

- the table is based on the latest available annual expenditure figures;
- the inpatient and outpatient services are those services which are reported through the Victorian Department of Human Services as part of the Health Services Agreement the Commission has with that Department for the treatment of entitled beneficiaries in the Victorian Public Hospitals;
- the PTSD amounts are in accordance with the contract that the Department has with the Austin & Repatriation Medical Centre (ARMC);
- the 2002–2003 PTSD amount is reconciled data;
- the 2002–2003 Inpatient services have been partially reconciled.

**Question 10**

**Outcome 2 (Health)**

Topic: Ballarat

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**Senator Mark Bishop asked:**

Whether the local office of DVA or VVCS is involved in the community work being done to help veterans in distress in Ballarat, the level of their involvement and their activities?

**Answer:**

A range of VVCS services and support groups is available to all veterans, partners and eligible sons and daughters. These are arranged through the VVCS centre in Hawthorn. The telephone number is 9818 0388 or Freecall 1800 011 046 which also provides after hours telephone crisis counselling to the State.

For veterans and their families living in the Ballarat region, counselling is offered primarily through Outreach Program counsellors located in Ballarat (6), Horsham (2) and in the adjacent area of Sunbury (1). There is also a counsellor available in Gisborne.

In the period January 2003 to May 2004 there were 165 new referrals, 380 re-referrals and 144 case closures. A total of 757 counselling sessions were delivered in Ballarat by Outreach Program counsellors from 1/1/2003 to 14/6/2004. There were 175 sessions in Horsham and 230 in Sunbury and some of these are for people in the Ballart region.

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The VVCS operates a number of group programs including *Stress & Anger, Lifestyle, Heart Health, Alcohol Management, Retirement, Partners of Veterans* and *Sons & Daughters*. These are offered where there are sufficient numbers, either in local areas or at the Hawthorn Centre.

Group programs are promoted through newsletters, ex-service organisations and through the Department of Veterans' Affairs mailing list databases and on the VVCS website ([www.dva.gov.au/younger veterans/counselling](http://www.dva.gov.au/younger_veterans/counselling)).

Heart Health has now been offered across Victoria with some metropolitan areas having had several programs to date. Two Heart Health programs were conducted in Ballarat ending in March 2003 last year. An information night for the next round of Heart Health was held in May 2004.

There are no current programs running in the Ballarat region at this time but in the past there have been groups for women's self care; early retirement for veterans, and veterans and partners who have attended lifestyle management programs.

The VVCS Area Coordinator visited the Ballarat region on 12 June 2004. The visit included:

- the Ballarat Veteran Support Centre (to talk to Welfare Officers);
- the "Diggers Retreat" (to talk to the committee);
- the Veterans' Affairs Network (VAN) office; and
- meeting with VVAA representatives.

**Question 13**

Outcome 2 (Health)

Topic: Long Tan Bursaries

**Senator Mark Bishop asked:**

- (a) When was the closing date for bursaries to children of veterans, as recently announced
- (b) How many applications were there by state.
- (c) When were decisions made on successful applications.
- (d) When were the unsuccessful advised.
- (e) When were the successful advised.
- (f) By what authority is the administering trust established.
- (g) What is the Trust's annual budget and what are the sources of funds.



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- (h) What assistance including accommodation and running costs are provided by DVA.
- (i) Who are the current appointed members of the Trust and who has the authority for selection and appointment.
- (j) What are the sources of funds contributed to the Trust for 2003/04.
- (k) Did DVA prepare media releases for the minister to announce the successful applicants, and on whose request or direction.
- (l) Was the Trust consulted on the media preparation, when and by whom.
- (m) Did Government Members and Senators announce the successful applicants, and if so by whose request or instruction was material prepared for them by DVA.
- (n) What was the estimated cost for DVA undertaking this work for the Minister.
- (o) What are the current running costs for the Trust, and what sum is granted in total this year?
- (p) Why was the announcement of the bursaries delayed until May 2004 given that applications closed in October 2003.
- (q) What instructions were given from the Minister's office, to whom and when, as to how the announcement was to be managed.
- (r) Which veterans' organisations were consulted on the timing and process of the announcement.
- (s) Is one of the purposes of this bursary scheme to assist veterans' children at risk, and if so why was the announcement delayed until well after the commencement of the academic year.
- (t) How many applicants withdrew their applications, and how many have not taken up their bursary.
- (u) Given that the grants have only just been announced, when will the funds be made available, and will they terminate at the end of the current academic year.

**Answer:**

- (a) The closing date for receipt of applications by the Trust was 31 October 2003.
- (b) The Trust has advised the Department of the following distribution: QLD – 31; NSW – 41; VIC – 16; SA – 6; WA – 13; TAS – 5; NT – 1.
- (c) The Trust advised the Department on 23 February 2004 that it had made its final selection of 30 applicants and three reserves for consideration by the Repatriation Commission. Commission endorsed the selected applicants on 26 February in decision CM5555.
- (d) The Trust advised unsuccessful applicants by letter on 16 February 2004, except for the three reserves.

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Long Tan reserves were advised that they were unsuccessful within three weeks of the announcement of the successful applicants.

(e) The letter of offer was sent on 6 April 2004 by the Department.

(f) The Trust advised it was incorporated in the ACT as a company limited by guarantee on 22 August 1985. The name was changed from the Australian Vietnam War Veterans Trust Limited to the Australian Veterans' Children Assistance Trust Limited, on 20 October 2003.

The Trust administers the Long Tan Bursary on behalf of the Repatriation Commission, under an Agreement executed by the two parties on 22 November 2000.

(g) The Trust has provided the following information:

\* its budget for 2003/2004 was \$440,244, of which \$274,000 is for payments to grant recipients and the remainder ( \$166,244) for operating costs; and

\* the sources of the funds are DVA, Brisbane Water Legacy, Tweed Heads Legacy, the National VVFA, the RDFWA (NSW), the VVAA (SA), the National RSL, the TPI Association (NSW) and some private donors.

(h) In addition to the administration fees paid to the Trust under the services agreement, DVA provides free accommodation in its NSW State Office building including electricity and cleaning costs.

(i) As advised by the Trust the members of the Trust under its Constitution are the Returned and Services League of Australia, the Legacy Coordinating Council, the Vietnam Veterans' Association of Australia, the Vietnam Veterans' Federation of Australia and the Australian Veterans' and Defence Services Council.

Each member organisation has the right to appoint a director of the Trust and each director appoints an alternate, with the agreement of his or her organisation. The Minister appoints the Chairman of the Trust. The current Chairman recommends a successor to the Minister.

The currently appointed directors, who all serve on an honorary basis and for two-year terms with the option of renewal, are as follows:

*Chairman*

Admiral M W Hudson, AC, RAN (Rtd)

*Directors*

Mr P J McCann, (also elected Deputy Chairman)—Appointed by the National President of the Vietnam Veterans' Association of Australia.

Mr F J Grady, appointed by the National President of the Vietnam Veterans' Federation of Australia.

Mr J D Button, OAM, appointed by the National President of the Returned and Services League of Australia

Rear Admiral I McL Crawford, AO, AM (Mil), RAN (Rtd), appointed by the National Australian Veterans' and Defence Services Council

Brigadier R W Morris, AO, Retd, appointed by the Chairman of Legacy Coordinating Council

(j) As advised by the Trust, the sources of the funds are DVA, Brisbane Water Legacy, Tweed Heads Legacy, the National VVFA, the RDFWA (NSW), the VVAA (SA), the National RSL, the TPI Association (NSW) and some private donors.

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(k) Yes. Three media releases were prepared for the Minister at the request of her office. One release announced the 30 bursaries Australia-wide, while the other two releases were specific to bursary presentations undertaken by the Minister in NSW and Queensland. In addition, shell media releases announcing the individual bursary recipients were prepared, also at the request of the Minister's office.

(l) No, but they were advised that media releases were being prepared. This was done by the coordinating officer through numerous phone conversations during March, April and May 2004.

(m) Shell letters were drafted for the Minister's signature providing details of each of the bursary recipients and inviting the local Member/Senator to contact the recipient to inform them that their bursary application had been successful. These materials were supplied at the request of the Minister's office. The MPs/Senators to whom the letters were addressed were determined by the Minister's office.

(n) The letters and media releases were prepared by DVA officers. No other expenses were incurred.

(o) As advised by the Trust the running costs for 2003-2004 were \$166,244. The total sum given to the Trust for 2003-2004 was \$440,244 (by all donors).

(p) The Bursary announcements were not delayed. It has been consistent practice as in previous years to hold the presentations in April and May so as to ensure students have commenced courses and to allow presentations to coincide with the VVAA Congress. As pointed out in (u) below, payments commenced on 23 April 2004. Although applications close on October 31 the Trust does not advise of its selections until February of the following year.

(q) The Department provided a brief to the Minister proposing possible arrangements for the announcement/presentation of the bursaries. The Minister's office provided the Department with advice on how it wished to proceed on 1 March 2004.

(r) The Trust has advised the Department that all major ESOs (RSL, VVAA, VVFA, Legacy, RDFWA, TPI Association) were notified of presentation arrangements by the Trust and invited to attend and where appropriate present the bursaries they funded.

(s) The initiative was created as a response to the finding that children of Vietnam veterans had a higher rate of suicide than the general population. Education is a recognised buffer to the risk of self-harm. As stated in (p) above the presentations have always been held in April and May and were not delayed.

(t) No applications were withdrawn. One student changed his career choice but could not confirm his enrolment details and consequently was ineligible for assistance.

(u) Payments commenced on 23 April 2004. Payments are made in 10 instalments each year. Four bursaries were taken over 12 months and will cease at the end of the academic year. The remaining 26 recipients have elected to take the bursary over two years.

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**Question 15**

Outcome 2 (Health)

Topic: RAP

**Senator Mark Bishop asked:**

When were tenders first called for new suppliers of aids and appliances, by state?

**Answer:**

DVA tendered the supply of RAP products and services under six separate product groups:

1. Continence;
2. Oxygen;
3. Continuous Positive Airways Pressure Systems (CPAPS);
4. Diabetes;
5. Personal Response Systems;
6. Mobility and Functional Support items (MFS).

The dates that the final Request for Tenders (RFT) were advertised nationally were as follows:

- |                     |                   |
|---------------------|-------------------|
| 1. Continence       | 4 August 2001     |
| 2. Oxygen           | 23 February 2002  |
| 3. CPAPS            | 23 February 2002  |
| 4. Diabetes         | 22 September 2001 |
| 5. PRS              | 18 August 2002    |
| 6. MFS (all states) | 8 September 2001  |

**Question 18**

Outcome 2 (Health)

Topic: company Walk on Wheels

**Senator Mark Bishop asked:**

Why was the company Walk on Wheels excluded?

**Answer:**

Walk on Wheels, a Newcastle based company specialising in the provision of scooters, wheelchairs and other mobility aids, did not submit a tender for the supply of RAP aids and appliances.