



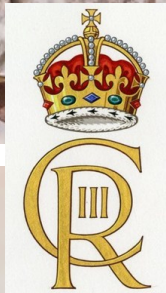
# *National Bosun's Call*



Vol 5 No 5

Once Navy, Always Navy

June 2023



National Newsletter of the  
**Naval Association of Australia**



## Operation Carnelian - Somalia

Operation Carnelian is a military assisted departure task undertaken by the Australian Defence Force (ADF) in support of the Department of Foreign Affairs and Trade-led whole-of-government response to the conflict in Sudan. The ADF deployed two RAAF C-130J Hercules from the RAAF Base Richmond with a small contingent of flight, security and maintenance personnel.

The aircraft staged from Cyprus to conduct operational planning tasks before deploying to Port Sudan in early May 2023 to assist with the evacuation of Australians and approved foreign nationals



*Above: Sudanese evacuees on board a Royal Australian Air Force C-130J Hercules aircraft from no. 37 Squadron during the military assisted departure from Port Sudan to Cyprus*



*Left: Evacuees from Port Sudan on board buses after departing the Royal Australian Air Force C-130J Hercules aircraft at Cyprus.*

*Photos: SGT Jarrod McAneney*

## HMAS Creswell unveils its replacement bell



On the 11th of March the ship's company of HMAS Creswell gathered for the unveiling of a new bell to replace the cracked original 1913 bell at the RAN College, Jervis Bay. The bell was unveiled by RADM William Anthony George Dovers CC, RAN (Rtd) and LCDR Dave Jones, RAN. RADM Dovers is the son of RADM Bill Dovers who became the first Commanding Officer of HMAS Creswell, when the RAN College became a commissioned establishment on 20 January 1958 on its return to Jervis Bay from FND. The rebuilt Geelong House is in the centre of the photograph.

*Left: Commanding Officer Royal Australian Navy Collage (RANC) Commander Kate Woodall, RAN addresses New Entry Officers and staff at the unveiling of the new RANC bell at HMAS Creswell*

*Photo LSIS Ryan Tascas*

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**National Patron** His Excellency General The Honourable David Hurley AC DSC Retd Governor General of Australia



## National President's Message

Shipmates,

The National Executive and Section Presidents met in Canberra for the NAA National Council General Meeting and Annual General Meeting (AGM) on Wednesday 17<sup>th</sup> and Thursday 18<sup>th</sup> May 2023. On the first day we received presentations on the ADF Transition (i.e., personnel making their way from Defence into the next phase of their life); Australian War Memorial Redevelopment – progress report; DVA matters – Secretary and Departmental representatives; and, the Navy Bereavement Liaison Officer. All were most informative and well received; the present intention is to invite these presenters to attend the 2024 AGM (scheduled to be held in Canberra, in the May-June period). Much progress was made at the AGM with all motions being carried. The extent to which these matters were supported and, differing views deliberated upon, is indicative of the collaborative ethos within the entire National Council.

I am most appreciative of the opportunity to serve another term as the National President and I thank all who continue to afford me their support and 'wise counsel'. It is a privilege and the duties and responsibilities are not to be taken lightly. I extend my congratulations to all who were nominated and duly elected to positions within the National Executive. We welcome a new member to the team, Wendy Lissing (ACT Section), to the position of Assistant National Secretary and we extend our deepest appreciation to Pat McKay for her exemplary service in this role over many years. We wish her all the very best for the future and hope that she will take with her many happy recollections and, the sure knowledge that she made a very positive and highly valued contribution to the workings of the National Executive and the Association. Thank you Pat.

While Wendy will be so ably assisted by our outgoing National Secretary, Russell Pettis, in an Administrator and Secretary Mentoring role over the forthcoming months, the search will continue for a National Secretary with the prerequisite NAA experience and proficiencies. Please be assured, it is not anticipated there will be any tangible interruption to administrative matters within the NAA. Details as to interim measures will be advised at the earliest opportunity. Be assured, Russell's knowledge and experience will not be lost to the Association and advice will be provided in due course as to the timing of his relinquishing the du-



ties as Administrator and Assistant National Secretary's Mentor.

Any opportunity to be in the company of such dedicated and congenial NAA National Council and National Executive members is to be embraced fully for there is so much to learn and to share in our respective and collective endeavours in support of all who choose to be in our Association. This was a most important and meaningful gathering wherein: the integral and long-standing ethos of egalitarianism within the NAA was affirmed 'in the written word'; our role and broader aspirations articulated; Association capabilities acknowledged and declared accordingly; measures put in place to meet the needs and processes confronting an Ex-service Organisation such as ours in today's world; and, measures necessary for our ongoing and future activities set in place. The process to have the AGM Minutes promulgated in a timely manner is in-hand.

Overall, a most decisive AGM. Well done to all who contributed and thank you, most sincerely.

*David Manolas*

David Manolas





## Naval Association of Australia National Conference 17 May 2023

Extracts from the Secretary, Department of Veterans' Affairs. Alison Frame's presentation

### Priorities

- Eliminating the claims backlog
- Reforming veteran legislation
- Modernising information technology
- Planning for the future

### Royal Commission into Defence and Veteran Suicide

- DVA welcomes the Royal Commission as an opportunity to learn and strengthen its approach to support the mental health and welfare of our veterans and families
- \$354.8 million over four years was invested to address recommendations 1-4 in the October

### 2022-23 Budget

#### Eliminating claims backlog

- \$233 million already invested by the Australian Government
- 500 additional frontline staff
- 2023-24 Federal Budget investment of \$64.1 million to maintain skilled workforce

#### Modernisation and Sustainment of ICT systems

\$254.1 million over four years to replace DVA's financial management system and sustain DVA's existing ICT systems

- A modern and reliable payments system is required to ensure delivery of services and support across the broader veteran support system
- Modernisation will help to improve the experience for veterans and families by reducing the complexity of the claims system

#### Supporting Veterans – Volunteer Training in Suicide Recognition and Intervention

\$2 million over two years to support the continued delivery of mental health literacy and suicide intervention training

- A national series of workshops and training sessions for the ex-service community
- This training provides the veteran community with the skills and knowledge needed to: recognise those at risk of suicide
- provide support and intervention
- enable the connection to mental health support

#### Supporting Veteran Families at Risk

\$0.5 million over four years to expand eligibility for the Acute Support Package

- The eligibility for the Acute Support Package will be expanded to include grandpar-

ents who are full-time carers for children of veterans

- The Acute Support Package is designed to support families who are experiencing new and challenging life circumstances to get back on track

### Cross-portfolio measures – Department of Health and Aged Care

#### Supporting Bulk Billing in General Practice (Veterans' Access Payment)

- \$33.3 million for DVA over four years
- This measure triples the current bulk billing incentive – and the corresponding Veterans' Access Payment - for certain GP attendances, from 1 November 2023
- The increased VAP payment will also apply to some telehealth services, for veterans registered with MyMedicare
- For Veteran Card holders, this means the amount paid to their GP for some of the most common attendances will increase

#### MyMedicare (voluntary patient registration)

- Patients will be able to get continuity of care from a team of health care providers through a new voluntary patient registration payment model –MyMedicare
- MyMedicare will build a stronger relationship between patients and their primary care teams. It is voluntary and open to anyone, including veterans, with patients able to register with their preferred practice, GP and care team. It will support access to longer GP telehealth consultations

#### Urgent Care Clinics

- Urgent Care Clinics will take pressure off hospital emergency departments by making it easier for Australians to see a doctor or nurse when they have an urgent, but not life threatening need for care, at no cost to individuals
- This measure provides additional funding of \$2 million for DVA to support the full rollout of an expanded national network of Urgent Care Clinics
- Veterans and eligible dependents will be able to access urgent care at these clinics using their Veteran Card

### Ex-Service Organisations Round Table (ESORT)

- No changes at the present time
- A National Consultation Framework Review will be undertaken later in the year
- We are currently preparing a DVA Veteran and Stakeholder Engagement Strategy

## New directions in Personnel Management

Alison Frame commenced as Secretary of the Department of Veteran's Affairs in January 2023.

Prior to this Alison was Deputy Secretary, Social Policy in the Department of the Prime Minister and Cabinet from August 2020. This work included leading the partnerships between the Commonwealth and state and territory jurisdictions on delivering social policy and services outcomes for all Australians. A key priority was providing sustained leadership and coordination across government to manage Australia's response to the COVID-19 pandemic.

Alison has led social policy initiatives and reform across both the Commonwealth and the NSW governments as a senior executive for over 16 years. Most recently in the NSW Government as Group Deputy Secretary, Property and Housing, Alison was responsible for nine housing and property agencies, including Crown Lands, Property NSW and Land and Housing Corporation.

During her time in other NSW Government senior leadership roles Alison led reforms on child protection, domestic violence, Indigenous policy, disability policy, housing and planning and Governance.

Prior to this, in the APS, Alison worked in a number of social policy roles, including First Assistant Sec-

### Ms Alison Frame



retary, Policy and Strategy, Department of Human Services.

Alison holds a Bachelor of Speech-language Pathology and a Bachelor of Political Science from the University of Queensland and a Master of Public Administration from the London School of Economics and Political Science.

### Major General Natasha Fox AM CSC



The Defence Strategic Review, released last month, recommended ADF personnel management be centralised into a single integrated system incorporating the five domains, headed by a Chief of Personnel reporting directly to the Chief of the Defence Force. Deputy Chief of Army Major General Natasha Fox has been appointed the inaugural Chief of Personnel in the Australian Defence Force.

Major General Natasha Fox entered the Australian Defence Force Academy in 1988 and graduated

from the Royal Military College in 1991. Her early foundation appointments were in logistics specialising in combat supplies and logistics planning, and in training positions culminating with her being the Commanding Officer/Chief Instructor at the Australian Defence Force Academy for which she received a Conspicuous Service Cross.

Major General Fox has been employed across the Australian Defence Force in Forces Command, Joint Logistics Command, Special Operations Command, Training Command - Army, and Defence People Group. She has deployed to Lebanon, Syria, and Israel and was the Chief of Staff for Joint Task Force 633 in the Middle East where she was appointed a member of the Order of Australia (AM) for her service.

Major General Fox is a graduate of the Australian Command and Staff College, and the Defence and Strategic Studies Course. She has completed numerous degrees including Masters of Business Administration, Master of Politics and Policy, and Masters of Management in Defence Studies. She is a graduate of the Australian Institute of Company Directors, the Lee Kwan Yew School of Public Policy (Singapore), The Wharton School (University of Pennsylvania), and The Said Business School (Oxford University).

Major General Fox was appointed Deputy Chief of Army on 2nd February 2022.

Major General Fox is married to Commodore Andrew Willis, MVO, RAN and has two teenage boys that keep her busy

# ADSO



## ALLIANCE OF DEFENCE SERVICE ORGANISATIONS

The Alliance (ADSO) is the Defence Family's advocate to governments, parliaments and the Australian people. It's role is to care for the well-being of the Defence Family and protect their service entitlements.

The Alliance was formed in 2010 because many of the major ex-service organisations realised the need for the Defence Family to have a one united national voice and representative body to Government. At that time the RSL National declined to participate believing it was the sole veterans' representative to the Government. ADSO disagreed and established itself as that united voice.

### The Alliance today comprises

- The Defence Force Welfare Association (DFWA),
- Naval Association of Australia (NAA),
- RAAF Association (RAAFA),
- Royal Australian Regiment Corporation (RARC),
- Australian Special Air Service Association (ASASA),
- The Australian Federation of Totally and Permanently Incapacitated Ex-Service Men and Women,
- The Fleet Air Arm Association of Australia,
- Partners of Veterans Association of Australia,
- Royal Australian Armoured Corps Corporation (RAAC),
- The National Malaya & Borneo Veterans Association Australia (NMBVAA),
- The Defence Reserves Association (DRA),
- The Australian Gulf War Veterans Association,
- Military Police Association Australia (MPAA),
- Australian Army Apprentices Association,
- The Australian Commando Association and,
- The War Widows Guild.

In considering the wider defence family's community of interest network, the issues ADSO advocate can impact on the lives of about 4,000,000 Australians.

The Defence Family relies on the Government for fair and equitable treatment of their service conditions in a way that is unique within the Australian community. They expect a Fair Go in that their conditions of service under which they served will be honoured.

The Alliance has developed considerable credibility and respect from the authorities, the media, the community and professional groups. This has helped to influence governments' decisions impacting our Defence Family, to legislate the Veterans' Covenant and also to gain support and understanding from parliamentarians from all political persuasions.

## ADSO's Fair Go Campaign

**The Fair Go Campaign is ADSO's advocacy voice to all Australians to achieve its role objectives.**

The Alliance is non-partisan. It does not support or oppose any political party. It does, however, support or oppose policies that may help or hinder respectively our Defence Family. Its representations and submissions are based on facts. It is honest and respectful in its public statements and criticisms of opposing commentaries.

ADSO engages directly with the Government and political parties to achieve its objectives. By necessity it operates within the political arena to lobby on an issues basis that involves direct and indirect representations top down to relevant Government Ministers and Shadow Ministers and other relevant political Party Leaders and bottom up to all Federal MPs in their electorates.

## Budget 2023-24 investments to support veterans and families

9 May 2023

The Australian Government is investing an additional \$328.1 million over four years to support the more than 340,000 veterans and dependants accessing services through DVA. This builds on the \$537.5 million invested in the October 2022 Budget as part of the Government's commitment to ensuring a better future for veterans and families.

The 2023-24 Federal Budget makes significant investments that will further reduce the veteran compensation claims backlog.

An investment of \$64.1 million in 2023-24 will retain over 480 DVA staff who are working to deliver frontline services to veterans and families and \$254.1 million over four years has been provided to modernise and sustain ageing IT systems to ensure more timely payments and access to services for veterans and families through DVA.

These investments support the Government's response to the interim recommendations of the Royal Commission into Defence and Veteran Suicide.

Funding has been invested for technology upgrades at the Sir John Monash Centre, with \$7.4 million over four years (\$8.3 million over six years) to maintain cutting edge multi-media technology that gives visitors to the Centre an interactive and immersive experience of what our diggers went through during the First World War.

Other measures in the Budget 2023-24 package supporting health and wellbeing include:

- \$500,000 over four years to expand eligibility for the Acute Support Package introduced in the October 2022 Budget to include grandcarers – grandparents who are also full-time carers of children of veterans,
- \$2 million over two years to allow DVA to continue important mental health awareness and suicide intervention training for volunteers supporting veterans.

Additionally, there are a range of measures managed by other Australian Government departments that benefit veterans and families, from the [Department of Health and Aged Care](#) and from the [Department of Social Services](#).

For more information, visit the [www.dva.gov.au/budget2023-24](http://www.dva.gov.au/budget2023-24) on the DVA website.

### Cheaper medicines and boosting Medicare

Announced prior to the budget, Australians will have the ability to purchase two months' worth of medicine for the price of a single prescription. Effective 1 September 2023 this will save general patients up to \$180 a year if their medicine is able to be prescribed for 60 days, with concession card holders saving up to \$43.80 a year per individual medicine.

The government will also invest \$3.5 billion to triple the bulk billing incentive for pensioners and other Commonwealth concession card holders, to provide access to a greater number of bulk-billing GPs.

### Jobs and Skills Summit – encourage pensioners into workforce

This measure enables eligible pensioners above Age Pension age to earn more income before their pension reduces, by extending the temporary increase to the Work Bonus balance to 31 December 2023.

Eligible pensioners have had \$4,000 credited to their Work Bonus balance since 1 December 2022, increasing the maximum Work Bonus balance from \$7,800 to \$11,800. This measure extends the increase to 31 December 2023. The Work Bonus concession of \$300 per fortnight will stay the same.

Eligible pensioners now have until 31 December 2023 to use their bigger Work Bonus balance. Any Work Bonus balance above \$7,800 after 31 December 2023 will reset to \$7,800.

The Work Bonus reduces the amount of employment income that Services Australia applies to a pensioner's rate of entitlement under the income test. This includes eligible self-employment income. Read more about the [Work Bonus](#).

This measure is led by the Department of Social Services. Services Australia has been allocated \$681,000 in the 2023-24 financial year to support the extension of this measure.

Enabling legislation was passed in November 2022.

This measure is not subject to legislation passing.

### Who this measure affects

This affects people getting Age Pension, Disability Support Pension, or Carer Payment who are over Age Pension age. It also affects those on equivalent Veterans Entitlement Act Pensions.

### When this starts and finishes

This measure extends the measure that started on 1 December 2022. It will end on 31 December 2023.

### \$50,000 bonus if ADF personnel re-enlist for three years

In an effort to address a recruitment and retention crisis within the ADF, the government will offer approximately 3400 personnel a [\\$50,000 bonus](#) to re-enlist for an additional three years after their initial service period. The plan will cost \$400 million over the forward estimates. It comes after resignation rates hit a decade-high last year.

### EV chargers to tackle 'range anxiety'

The federal government's Driving the Nation Fund will provide \$39.3 million to [the NRMA](#), which will match the funds to build 117 fast electric vehicle chargers across Australia's national highways. The infrastructure will "make it possible to drive from Darwin to Perth, Broken Hill to Adelaide, and Brisbane to Tennant Creek" and help address "range anxiety" — a commonly cited barrier to purchasing electric vehicles.





## Royal Commission into Defence and Veteran Suicide

**Leadership and accountability among senior Defence personnel was examined at a public hearing of the Royal Commission into Defence and Veteran Suicide, which began on Tuesday 16 May in Perth.**

The inquiry's ninth public hearing will hear evidence from senior Australian Defence Force witnesses, as well as experts in health and workplace behaviour.

Commission Chair Nick Kaldas said the Perth hearing comes at a critical juncture in Australia's defence policy, with the recent release of the government's response to the Defence Strategic Review.

"It's absolutely vital that as Australia builds its defence capability to effectively respond to the changing regional and global strategic environment that Defence prioritises the mental health and wellbeing of its people," Commissioner Kaldas said.

"As pressure ramps up to recruit and retain thousands more uniformed personnel over the decades ahead, we as a nation need to do much more to protect those who protect us."

He said recent visits by the Commission to Perth bases, including Campbell Barracks in Swanbourne – home of the Army's Special Air Service Regiment (SASR) – and HMAS *Stirling* at Rockingham, had shed light on key issues of importance to the inquiry.

"It's incredibly powerful to meet with serving Defence personnel in their working environment, to gain a real understanding of the challenges and pressures of their roles and hear about their day-to-day life in the military. It will help a great deal in forming our final recommendations," Commissioner Kaldas said.

Since their arrival in Perth last week, Commissioners have held 33 private sessions with people with lived experience of suicide and suicidality. It follows 30 private sessions held in Perth in February.

They've also attended a Western Australia Government roundtable for ex-service organisations and met with other health and service providers to learn about programs that are helping to improve the lives and livelihoods of serving and ex-serving personnel.

Local submissions have revealed concerns by some that HMAS *Stirling* – home to 2,000 personnel, including Australia's Submarine Force – is experiencing staff shortages and a recurring cycle of burnout, placing further strain on mental health.

The Royal Commission has also heard of an increase in Special Air Service Regiment (SASR) troops seeking mental health support, and even leaving the military, due to Post Traumatic Stress

Disorder (PTSD) or moral injury.

**The Royal Commission has uncovered evidence that a culture of abuse, bullying, administrative and sexual violence** continues to exist with the ADF when it addressed entrenched issues impacting the mental health and wellbeing of ADF members is fundamental to Australia's future defence capability.

It's also cast doubt on Defence's capacity to protect the mental health, wellbeing and safety of its people.

In his opening address, Commissioner Nick Kaldas said the Royal Commission would contribute directly to improving the welfare of serving and ex-serving members and, in turn, the strength and sustainability of the ADF.

"Australia's defence capability, first and foremost, comes from the brave men and women who pull on the uniform of our navy, army or air force and go to work each day," Commissioner Kaldas said.

"It's not hard to see that fixing the entrenched cultural and systemic issues that are impacting the mental health and wellbeing of members would also go a long way to solving the ADF's recruitment and retention crisis at a time Australia is trying to significantly bolster its uniformed stocks."

Counsel Assisting the inquiry, Kevin Connor SC, said it was crucial for Defence to identify "hidden" cultural issues that may be contributing to suicide or suicidality within the military.

"It is important that light is shone on any places in the Australian Defence Force where problematic cultures exist and that every effort is made to address the factors that are leading to the problem," he said.

The Royal Commission was established in July 2021 amid concerns at the alarming rate of suicide and suicidality among Australia's military community.

Australian Institute of Health and Welfare data reveals at least 1,600 serving and ex-serving members took their own lives between 1997 and 2020 – more than 20 times the number killed in active duty over roughly the same period.

The Royal Commission continues to encourage serving and ex-serving ADF members, their families and friends, and other interested individuals and groups to make a submission prior to the 13 October closing date. It's received close to 3,500 submissions so far – about 10 per cent of those from Western Australia.

**The period to request a private session has now closed. The Commission received a total of 1,141 requests for a private session of which 987 were eligible. The Commission has conducted 439 private sessions so far.**



## Royal Commission into Defence and Veteran Suicide

### Therapy animals give paws for thought

The Commission was recently visited by volunteer Therapy Dog Teams from Delta Therapy Dogs through the Paws the Pressure Program. The Commission has heard a lot during its inquiries about how therapy dogs provide affection, comfort and support to people with poor mental health. As one of several programs within Delta Therapy Dogs, Paws the Pressure is a unique wellbeing initiative designed to reduce stress and boost morale with sessions tailored to diverse groups, including students, corporate teams, front line service providers, and not-for-profit workers. Proceeds from the Paws the Pressure help support program delivery to vulnerable persons in hospitals, aged care facilities, mental health facilities, palliative care settings, disability services, and schools.

The Commission has also met with other animal therapy organisations and support services that offer animal therapy, and we have heard from many veterans how important their support animals have been to them. **If you have a support animal, are an organisation offering animal therapy, or have benefited from an animal therapy program, we are keen to hear from you. Share your story by making a submission anytime until 13 October 2023 – every submission is valuable and helps inform our inquiries.**

### Census data

As you might be aware, the 2021 Census was the first to ask Australians whether they had ever served in the Australian Defence Force. This data improves our understanding of the Defence and veteran population.

The Royal Commission has now made a submission to the Australian Bureau of Statistics (ABS) calling for this question about service history to remain in the 2026 Census and into the future. Keeping the question will enable a comparison over time, eventually allowing a longitudinal view of how Australia's Defence and veteran personnel are faring and the changes to their circumstances.

The Royal Commission has also proposed an additional sub-question for those who previously served in the ADF that asks for the person's year of discharge. This would provide more detailed information about veterans, particularly those who served prior to 1985, which is a key gap in the understanding of veteran suicide.

**Census data on those who have previously served in the ADF will hopefully support better policy development, including planning and delivery of targeted and appropriate support programs and services for our veterans and their families.**

Commissioner Peggy Brown

### New laws boost protection for people to engage with the Royal Commission

12 April 2023

New laws further strengthen protections for serving and ex-serving Australian Defence Force (ADF) members who wish to safely share their stories with the Royal Commission into Defence and Veteran Suicide.

The *Royal Commissions Amendment (Enhancing Engagement) Bill 2023*, which passed Federal Parliament late last month and was enacted today, ensures any sensitive, personal or confidential information disclosed to the Commission, can be protected during and after the life of the inquiry.

The legislative changes were made in response to a key recommendation of the Royal Commission's interim report released last August. The improved protections will also apply to information already shared with the Royal Commission.

Commission Chair Nick Kaldas said he hoped the stronger protections would empower people to more confidently share their stories relating to Defence and veteran-related suicide.

"The more information people are able to share, the better informed we are to make recommendations that will improve the lives and wellbeing of our current and former ADF personnel and their families," Commissioner Kaldas said.

The new confidentiality protections ensure sensitive information provided to the Royal Commission – such as confidential written statements, verbal accounts or information shared with a Royal Commission staff member – is treated in the same way as information disclosed during private sessions.

For example, information covered by these protections: won't be admissible in civil or criminal proceedings against a person; the unauthorised disclosure of sensitive information will be a criminal offence; and all information will be kept confidential for 99 years after it is provided; and prohibitions extend to Freedom of Information requests and subpoenas for information.

Website:

[https://](https://defenceveteransuicide.royalcommission.gov.au)

[defenceveteransuicide.royalcommission.gov.au](https://defenceveteransuicide.royalcommission.gov.au) |  
Email: [DVSRC.enquiries@royalcommission.gov.au](mailto:DVSRC.enquiries@royalcommission.gov.au)

1800 329 095 or +61 2 5122 3105

## DVA - Claims processing times

The average time taken to process is in calendar days. Claims will take a variety of times to complete based on whether or not the claim is prioritised for allocation to a decision maker and the complexity of the claim itself. For example, if the service of the individual crosses two or more Acts or contains a lot of health conditions and injuries or both. This results in some claims being decided faster than the average in the table below, while some claims take longer.

Type of claim	Average number of days from lodgement to allocate to a decision maker	Average number of days between allocation to a decision maker and the decision being made	Average number of days between lodgement and the claim being decided
MRCA Initial Liability	319	112	435
DRCA Initial Liability	243	190	449
VEA Disability Compensation Payment	236	211	468
MRCA Permanent Impairment	114	133	259
DRCA Permanent Impairment	92	146	251
MRCA and DRCA Incapacity Payments	27	66	98
War widow(er)'s pension	Not available	Not available	84

*Source: Department of Veterans' Affairs, Veteran and Family Services Group*

### What you can do

For any condition, to make the claiming process smoother, follow these 3 steps:

Step 1: Get your medical practitioner to confirm your diagnosis.

Step 2: Supply the documents you need to.

Step 3: Check if you are already eligible for free health care and treatment



## Coronation Album



*Above: Petty Officer William Garlick from Australia's Federation Guard prior to a rehearsal for the Coronation.*

*Right: Lieutenant Daniel Cochrane on exchange to the RN was aircrew on one of the Merlin HM2 of 820 Squadron in the Coronation fly past*

*Below: Australia's Federation Guard members at Wellington Barracks prior to marching in the Coronation Procession of His Majesty The King on 06 May 2023*

*Photos Defence*





## Coronation Album



*Above: RAAF Cpl Tegan Ross from Australia's Federation Guard with representatives from Commonwealth countries escorting the Gold State Coach*

*Left: Able Seaman Ben Goodwin (left) from Australia's Federation Guard and Master Sailor Lee from the Royal Canadian Navy; both submariners, prepare to march during the Coronation*

*Below: Australia's Federation Guard members march past Buckingham Palace, into position for His Majesty The King's Coronation Procession*

*Front page: . The presence of the Australia Defence Force at the Coronation continues a tradition that began in 1911 with the coronation of His Majesty King George V. In Australia, Defence elements supported events marking the occasion including, on Sunday 7 May, a National 21 Gun Salute on the forecourt of Parliament House.*

*Photos: Defence*







**RSL**  
Australia



## Media Release

### Veterans Condemn CDF Proposal to Strip Soldiers of Distinguished Service Medals awarded in the Afghanistan War

**(Embargoed until Wednesday 24 May 2023)**

Senior Veteran leaders are calling on the federal government to reject outright the Chief of the Defence Force (CDF) General Angus Campbell's second attempt to strip awards for distinguished and conspicuous service on warlike operations from soldiers who served the nation with honour and resolve in the Afghanistan war. We are advised that General Campbell wrote to at least seven officers in recent days telling them he has decided to go ahead with his effort to remove the awards, stating that.

*".... I am.... referring the matter to the Minister for Defence (the Minister) for consideration. It is then for the Minister to independently determine whether he accepts the assessment in my letter after considering the relevant information including your response. If he is of the view that your award should be cancelled, the Minister will make a recommendation to the Governor General. The Governor-General will then make a decision. This is in accordance with the Letters Patent. My consideration of your command accountability is now closed."*

In a joint statement in November 2022, the Australian Special Air Services Association (ASASA) and the Commando (CDO), with the support of the Returned and Services League (RSL) expressed the clear view that any administrative action against soldiers should cease until criminal charges were dealt with and the facts established, in accordance with due process. The SAS Association wrote to the CDF on 8 February 2023 repeating the request. General Campbell has ignored our advice. Mr HamiltonSmith said.

*"Whilst we respect the institution of the ADF and the appointment of CDF as part of that institution, we now recognise that General Campbell's actions necessitate a more prescient response. In our opinion this CDF has mishandled the yet to be proven war crime allegations from the outset and has in the view of many veterans, created an inference of guilt against those involved before the defendants account of events had been heard, in accordance with due process."*

*"The removal of awards for distinguished and conspicuous service from soldiers after a war in this way appears unprecedented in the history of ANZAC. This second attempt by CDF in effect impugns and humiliates dedicated young commanders who led brave soldiers in the fight against terror in Afghanistan with great distinction. It is in the opinion of veterans both unjustified and a stunning demonstration of poor leadership from our top-ranking military officer."*

*"SAS soldiers volunteered to get the job done but they were worn down and overused by their government in a lethal and under resourced workplace to minimize the government's political risks and to fight the war on the cheap by avoiding the need to deploy and put at risk, larger conventional combat forces. Because they were so few, some soldiers were required to deploy on 9 to 10 rotations and spent up to three and a half years in combat. Our soldiers and their families paid physical, psychological, and moral price for their service. Each of them continues to carry a burden."*

*"General Campbell was commander of these soldiers as Commander Task Force 663 in 2011- 12. He had oversight of all operations and reviewed after action reports. On the back of the efforts of Special Forces facing the enemy in the Afghan desert, General Campbell was awarded a Distinguished Service Cross (DSC), the same award he wants to take away from the soldiers. As the senior Australian commander, General Campbell had a moral and command responsibility for Australian operations. He excludes himself from the standard he requires of others. The General should hand in his own medal, or he has no credibility. This is not the leadership example of Sir John Monash or Weary Dunlop." Mr Hamilton-Smith said,*

We are concerned first and foremost for each of the individual veterans who were ordered to fight the Afghanistan war, particularly former troopers, commandos and non commissioned officers, officers, and their families. We are sensitive to the work of the Royal Commission into Veterans Suicide currently undertaking

*(Continued on page 14)*

*(Continued from page 13)*

hearings in Perth. General Campbell's actions this week follow the constructed dismissal of soldiers from their employment, a high rate of medical discharges and will further impact veterans' mental health and that of their spouses and children. On behalf of the Commando Association Steve Pilmore said.

*"Soldiers and veterans feel the system which sent them to war has turned its back on them. It feels to them like organisational betrayal."*

*The suggestion that any soldier or officer not subject to any allegation within the Brereton Report is guilty by association of wrongdoing warranting punishment, is a very dangerous precedent with potential ramifications to the very top of the chain of command.*

*"Any punitive administrative action taken to remove awards or sanction veterans must be supported by evidence, it must be fair and considered, and individuals must be afforded due process. General Campbell has not made the case that awards should be removed from soldiers, and he has not held himself accountable as an SAS officer and as Commander of the Australians in Afghanistan in 2011-12." Mr Pilmore said.*

Ministers Dutton and Hastie in the former government dealt with general Campbell's first attempt at this folly decisively. How Defence Ministers Marles, Conroy, Keogh, and Thistlethwaite deal with it and with the Governor General, will demonstrate to Australians whether they have a government which stands with veterans and their families, or with a General who is manifestly out of touch with Australian community sentiment.

*"This action by CDF disparages our ANZAC legacy and the foundations of military leadership, it is putting at further risk soldiers' mental health, it is delivering adverse publicity to Defence, a drop in recruiting and an alarming separation rate. General Campbell should be focussed upon the future, upon lifting recruiting and retention, implementation of the Defence Strategic Review and unblocking defence procurement and capability. The General's preoccupation with events 10 years ago during the last war in Afghanistan, is a distraction" Mr Hamilton-Smith said.*

*Supporting the SAS and Commando veterans' Associations, RSL national president Greg Melick said,*

*The RSL is concerned about this recent development from Defence to remove awards from commanders. Whilst the RSL believes that there must be command accountability for any wrongdoings on their watch the facts of allegations of wrongdoing in Afghanistan are untested and the truth not yet established by a court. It is expected that the legal processes underway at the moment may do that.*

*The RSL believes that until those processes are complete no further action against commanders, or anyone else, should be taken. In the meantime, all involved have a right to a presumption of innocence.*

*We remain very concerned about the breadth and depth of the impact that this is having on the mental health of our veterans. We call for the legal processes to be worked through fairly but also as quickly as possible. In the meantime, the RSL offers its support and services for the wellbeing of any veterans affected". Greg Melick said.*

The ASASA and CDO Associations and the RSL will discuss these issues widely with Ex-Service Organisations and the Australian community to determine next steps. We ask no more than that expected of any capable Australian leader; we expect judgement guided by compassion, a deep respect for democratic and legal due process and the moral courage to support and respect the service of those placed in harm's way by Australian government and senior ADF commanders' decisions.

We look to the government to stand beside veterans and their families by rejecting General Campbell's recommendation and his advice on these matters.

*Martin Hamilton-Smith*

24 May 2023

Hon Martin Hamilton-Smith  
National Chairman,  
Australian SAS Association

*Steve Pilmore*

Steve Pilmore  
Vice President  
Australian Commando Association

*Greg Melick*

Greg Melick  
National President  
RSL

#### **Further Comment**

Hon Martin Hamilton-Smith 0408854707 [chairman.asasa@gmail.com](mailto:chairman.asasa@gmail.com)

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## Veterans' Legislation Reform Consultation Pathway ACT Section Submission extracts

### Covering Statement

**In response to the Department of Veterans' Affairs (DVA) engaging with the ex-service community through the Ex-Service Organisation Round Table and other national and state and territory ex-service organisation forums, the ACT Section of the Naval Association forwards the attached paper in response to the Department's engagement with Ex-Service Organisations. The shortness of the time allowed for consultation with other Sections and Sub-sections of the NAA has precluded a fuller response.**

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As the Naval Association of Australia (NAA) highlighted in its submission to the Royal Commission into Defence and Veteran Suicide (RCDVS),

*"...the [current] legislation is confusing even to those who deal with it regularly let alone sailors who are unfamiliar with the concepts and operations of the various legislation. A veteran may have a condition that is accepted as being service related by one Act but rejected by another. The confusion caused by this often results in increased stress to veterans with many veterans not receiving the benefits to which they are entitled because the confusion causes stress with many veterans declaring 'It's not worth the hassle.' Where the veteran becomes emotionally beaten by DVA It is often left to the volunteer advocate to convince the veteran that in the long term he or she should persevere with the claim."*

The NAA submission went on to give examples of the disparities between various pieces of veteran's legislation. The problems illustrated are a part of the problem associated with the legislation and in part a problem with the Rules of Evidence associated with operational and non-operational service.

The NAA believes the time is well overdue for Veterans' legislative reform and welcomes the government initiative. As can be appreciated with any form of reform the announcement that the legislation is to be modified with the aim of producing one piece of legislation has been met with a mixture of relief, suspicion and distrust. Nevertheless, the NAA supports the spirit of legislative reform provided that past, current and future members of the Australian Defence Force (ADF) are not disadvantaged in any way. The proposed legislative reform of veterans' legislation is of vital importance not only to past and current serving members of the ADF but will also affect future defence personnel and their families.

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The NAA believes the focus of legislative reform should be on reducing the complexity of legislation

governing veterans' entitlements. These sentiments are in accord with the views expressed in the Productivity Report 'A Better Way to Support Veterans' (Volume 1, pages 2 and 3) and the RCDVS Interim Report ((Recommendation 1).

In addition, the NAA considers the veteran should always be afforded the benefit of the doubt in the claims process. This will reduce the stress and inequality in the system to the benefit of veterans and cost saving to the public.

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The NAA continues to advocate for beneficial legislation when dealing with claims from veterans and their families. We believe the double standards under which veterans are adjudged depending of their operational or non-operational service to be discriminatory and advocate that all veterans should be treated equal and the double standard be abolished.

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Currently the Veterans Review Board (VRB) forbids the representation of veterans by legal practitioners. A legal practitioner is defined under s 147 of the VEA as being a person who has a law degree, a legal studies degree or anyone who is licenced to practice as a solicitor or barrister in a State or Territory of Australia. A veteran can also have a lawyer assist in the drafting of the claim and a lawyer can be present at a VRB hearing but not as a veteran's representative.

Some argue the VRB is a tribunal without the formality of other legal proceedings and this is the justification for excluding lawyers from the VRB hearings. However, many of the members of the VRB are practicing lawyers or have some form of legal background. Therefore, the veteran is at a disadvantage even if appearing with an advocate. The ATDP system was designed in part to address this imbalance but it has not. Even senior advocates complain that they are at disadvantage.

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### **Deliberately withholding medical advice from veterans or their advocates – denial of Natural Justice**

A failure by Delegates as the Primary Decision-makers, to have regard to the beneficial applicants of all three Acts and considerable persuasive authority, indicates unprofessional decision making leading to an abuse of process and a denial of natural justice to the veteran.

The increasing practice by DVA to issue s.137 Reports (T-Documents) with no medical evidence included that is from a Departmental Medical Adviser (DMA), validating a Delegate's decision to refuse a

*(Continued on page 16)*

## Veterans' Legislation Reform Consultation Pathway ACT Section Submission extracts

(Continued from page 15)

claim is increasingly frustrating on veterans, their families and advocates. DVA delegates in reasons for rejection will state 'based on medical advice' but refuse to elaborate on that advice.

In a recent claim involving an ex-RAN officer, DVA rejected a claim citing a medical report and when asked by the advocate to provide a copy of the report, DVA said it had been lost. Following three further requests, the advocate had to lodge a formal complaint with the Regional Director NSW/ACT and suggest both a ministerial and a letter to the Australian Information Commissioner citing inadequate security of personal information may assist in a search for the delinquent report. The report was 'found' by DVA and a heavily redacted copy was provided.

It is arguable the Delegate's deliberate exclusion of a DMA's report is a tactic designed to disadvantage a veteran and cause him or her significant detriment. Furthermore, as this is not isolated it can only be described as a systemic trend supported by DVA hierarchy to disadvantage veterans and their families.

This practice as outlined above, is contrary to the principles of open/transparent government and is arguably in contravention of the Commonwealth's 'model litigant policy'. The concept of the Commonwealth as a 'model litigant' is not new, it was raised by Griffiths CJ in *Melbourne Steamship Co Ltd v Moorehead* [1912] HCA 69 where his Honour spoke about the Crown observing the principles of fair play when dealing with its subjects.

In the case of *Kelly v New Zealand Insurance Co* (1996) 130 FLR 97. Kirby J stated that the common law duty of "good faith" encompassed notions of:

fairness,  
reasonableness,  
standards of decency; and  
fair dealing.

The 'model litigant' policy is set out at Appendix B to the *Legal Services Directions* 2005 made under s 55ZF of the *Judiciary Act* 1903 (Cth) and promulgated by the Attorney-General's Department. The model litigant obligations are binding on all government agencies. One of the principles of the Model Litigant Policy is that the Commonwealth will not take advantage of a claimant who lacks the resources to litigate a legitimate claim.

The bad faith provision is also contained in the AD (JR) Act 1977 at s.6(2)(d) which furthermore, provides that any evidence of bad faith may be a breach of section 6(1) and 6(2) of the Administrative Decisions (Judicial Review) Act 1977.

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The NAA believes the withholding of information

upon which a decision involving a veteran is based to be spiteful, unconscionable and is a denial of natural justice. It has caused and continues to cause additional stress on the veteran already experiencing mental trauma resulting from service and significant extra work on the part of the volunteer advocate.

In order to prevent the continuation of this practice, the NAA believes that within the new legislation provisions similar to 'discovery' in civil and family law should be introduced.

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### Statements of Principles (SOPs)

SOPs are determined by the Repatriation Medical Authority (RMA) and are legislative instruments. They have the same legal standing as any legislation passed by the Commonwealth Parliament. SOPs state what factors must exist to establish a causal connection between a particular disease, injury or death (termed a 'condition' or 'conditions') and the veterans' service.

SOPs are divided into those dealing with a condition sustained that can be linked to operational service and those that are linked to non-operational service. For example, a veteran with operational service will have his or her claimed condition determined under the Reasonable Hypothesis standard of proof whilst a veteran whose injury, illness or death was sustained whilst not on operational service will have his or her claim assessed under the more rigorous Balance of Probabilities standard of proof.

Whilst the SOPs provide a level of certainty in the submission and assessing of claims, there is increasing criticism that the use of Reasonable Hypothesis for operational conditions and Balance of Probabilities for non-operational conditions is discriminatory.

The NAA agrees with the evidence reportedly given by General Campbell to the RCDVS that there is no institutional, operational or military need for operational versus non-operational differential.

As argued earlier in this submission the NAA does not believe the service differential should continue with any new legislation but that the standard of proof should be the Reasonable Hypothesis standard. This we believe is in keeping with the recognised nature of service that veterans give to their country and the fact that defence service is often more hazardous to that in other professions.

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### Remunerative work hours

The current status of veterans who have been awarded a Special Rate (also known as a TPI)

(Continued on page 17)

## Veterans' Legislation Reform Consultation Pathway ACT Section Submission extracts

*(Continued from page 16)*

pension as outlined in section 24 of the VEA or a Special Rate Disability Pension (SRDP) under section 198 of the MRCA, is based in part on the capacity of veterans to undertake remunerative work for more than 8 hours per week (VEA) and 10 hrs remunerative work per week (MRCA). This discrimination is illogical.

The 10-hour rule imposed on MRCA veterans is clearly more generous than that currently in force for VEA TPI veterans. As such, it is considered that an inconsistency exists to the extent an unequal application of a policy for TPI/SRDP veterans, exists.

Both categories of veterans are entitled to equal benefits and rates of pension payment. It follows that, this should also apply to equality of the capacity to undertake remunerative work. It is considered to be cost-neutral to the Government. The NAA supports a ten hour per week remuneration for Special Rate and Special Rate Disability Pension recipients.

### Henry VIII Clause

The NAA considers the ADF-specific compensation legislation contained in section 121B of the DRCA, commonly known as the Henry VIII clause (see note), to be a welcome and significant inclusion in the legislation and should be included in the proposed MRCA. The clause states:

#### **121B Regulations modifying the operation of this Act**

- (1) *The regulations may modify the operation of this Act.*
- (2) *Before the Governor-General makes regulations under subsection (1), the Minister must be satisfied that it is necessary or desirable to make the regulations to ensure that no person (except the Commonwealth) is disadvantaged by the enactment of this Act.*

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### Conclusion

As expressed earlier the NAA welcomes the initiative to bring veterans' legislation under one consolidated Act. However, the NAA cautions against the parsimony of government in using this as an exercise to save money at veterans' expense or the detriment of their families.

There are many more issues that will need to be clarified before a final document is placed before the parliament and because of this the NAA sees a lot of work to be done beforehand.

The NAA is willing to assist in any way it can to improve the current system that will benefit both the government and the veteran community.

### Recommendations

The NAA recommends the following:

- The concept that an injury is an injury regardless of whether it occurred on operational or non-operational service. To treat them differently for repatriation or compensation purposes is discriminatory.
- The grandfathering of current into future legislation to ensure that no one is disadvantaged by the harmonisation.
- Offsetting arrangements be simplified. With one piece of legislation the NAA believes this sore point will be eliminated.
- Veterans wishing to have legal representation at VRBs should be allowed to do so.
- Withholding of information by DVA from veterans be addressed as a matter of urgency and stopped. Any withholding in the future to be considered as a contempt of the process.
- Remunerative work hours for those on the special rate (VEA) or the SRDP (MRCA) be standardized to at least 10 hours paid work per week.
- The Henry VIII clause to remain in the new legislation.
- Veterans and their families should not be disadvantaged with any Legislation Reform.
- SOPs should be amended to reflect there is no service differential and that all claims are to be assessed by DVA according to the Reasonable Hypothesis circumstances.

NAVAL ASSOCIATION OF AUSTRALIA

ACT SECTION

8 May 2023

#### *Note*

*Henry VIII clause is the term given to a provision in a primary Act which gives the power for secondary legislation (regulations) to include provisions which amend, repeal or are inconsistent with the primary legislation. The effect of a Henry VIII clause is that whoever makes the regulations has been delegated legislative power by the Parliament. In other words, the executive arm of government would have the power to make regulations which can modify the application of the primary statute. The original Henry VIII clause was contained in the Statute of Sewers in 1531, which gave the Commissioner of Sewers powers to make rules which had the force of legislation (legislative power), powers to impose taxation rates and powers to impose penalties for non-compliance. A later Statute of Proclamations (1539) allowed the King to issue proclamations which had the force of an Act of Parliament. Both these were passed during the time of Henry VIII.*



## Vale

**At 1045 pm, Wednesday 24 May 2023, Frank McGovern, the sole living survivor of HMAS PERTH 1, crossed the bar peacefully, aged 103. His family were present**

Not only has the HMAS PERTH National Association lost a founding father, Australia has also lost a giant of a man.

Frank McGovern, at 19 years of age joined the Royal Australian Navy on the 30<sup>th</sup> August 1939. After initial training he was posted to HMAS WESTRALIA until November 1941 when he was posted to HMAS PERTH.

HMAS PERTH and USS HOUSTON, having survived that battle, were ordered south. Sailing in company, PERTH and HOUSTON encountered a large Japanese invasion fleet in the Sunda Strait on the night of 28<sup>th</sup> February. Despite gallant efforts both PERTH and HOUSTON succumbed to superior forces and were sunk shortly after midnight on the 1<sup>st</sup> March.

Frank survived the sinking and after many hours in the water finally made it ashore where he was captured by the Japanese and made a Prisoner of War (POW). He was then sent to Singapore and interned in Changi Prison Camp. Shortly thereafter he was selected to work on the infamous Thai-Burma railway, where he endured horrific conditions.

Following completion of the railway, Frank was taken to Saigon to await transportation to Japan. The US Navy had blockaded the Mekong Delta, so Frank was taken back to Changi from where he boarded the Japanese freighter, *Rakuyo Maru*, in September 1944, one of two ships carrying about 2,200 British and Australian POW's destined for Japan.

On the night of 12<sup>th</sup> September both ships were attacked and sunk by US submarines. Some 1,700 POW's lost their lives, either killed or drowned as a result. Some were fortunate to be rescued by US submarines. Frank was not among them, being one of about 300 picked up by a Japanese destroyer and transported to Japan as forced labour. Frank's internment camp was destroyed in the firebombing of Tokyo March 1945. Frank was then sent to work in a steel mill, however the steel mill was bombed on the night of 13<sup>th</sup> July. Three of Frank's mates were killed during the air raid, in which Frank also suffered a fractured spine.

While in the internment camp Frank and his fellow POW's saw a bright flash in the skies from the direction of Hiroshima which turned out to be one of the two atomic bombs dropped by the Americans that

resulted in the unconditional surrender of Japan.

Upon hearing of the Japanese surrender and the disappearance of the guards, the POW's painted PW on the roof of their building. The Americans dropped food and leaflets advising the prisoners to remain where they were until rescued.

After spending some time recuperating in hospital Frank returned home on 17<sup>th</sup> September, 1945. It was a bittersweet moment when he learned that his brother, Vincent, had been killed in action during the Sunda Strait action.

In three and half years, from February 1942 to September 1945, Frank endured two horrendous naval battles, the sinking of two ships, the horrors of being a prisoner of war on the Thai-Burma railway, and forced labour in Japan. His experiences and fortitude were unique.

However, his lasting legacy is the support that he gave to his fellow former prisoners of war in an era when there was little support for veterans, let alone former prisoners of war. Prisoners of war in the community was a new phenomenon in Australia in the aftermath of World War II. In the aftermath of his war and POW experiences Frank found it difficult to assimilate with people who had not shared his experiences, so he formed the HMAS PERTH and Naval POW's Association.

Many of their experiences were not understood by the public and government. Their repatriation was not properly informed or resourced either by previous experience or detailed analysis. There was also at the time, a reluctance by many POWs to discuss their ordeals, residual effects and potential needs with those that hadn't had a similar experience.

It was left to men, like Frank, who although only in his late 20s, perceived the need for companionship and support among his fellow POW's.

It is testament to Frank's foresight, compassion and endeavour that his HMAS PERTH and Naval POW's Association continued to provide a unique support network to former POWs, that had not been available elsewhere, for more than 50 years.

*Courtesy of the HMAS Perth National Association*



*Top: Frank in WWII*

*Below: Frank receiving the Order of Australia in 2019; pictured with Her Excellency the Honourable Margaret Beazley AC QC, Governor of New South Wales*

## How Centrelink assesses your relationship status

4 May 2023

If you wish to give advice to somebody who needs to know the current rules on the Centrelink pension system the following article will be of use.

If you want to receive a pension, the government has a right to know if you are single or one of a couple.

The status of one's relationship is usually regarded as private and no one else's business. However, that's not so when it comes to the government, which reserves the right to stick its nose into other people's business when it comes to distributing taxpayer funded payments such as the Age Pension.

Whether you are a single or a couple can affect every aspect of your entitlements, including:

- If you get a payment.
- Which type of payment that might be.
- How much you will receive.

Centrelink's view of your relationship will determine whether you are paid a single or couples rate of pension (if you're eligible). It will also determine which income and asset thresholds you are tested against and therefore the rate you will be paid.

Being a couple is defined as: being married, in a registered relationship, or in a de facto relationship.

Centrelink does not stipulate how long a relationship should be to be classified de facto. However, it does say that a de facto relationship is where you and your partner meet all of these conditions:

- You're in a relationship similar to a married couple.
- You're not married or in a registered relationship.
- You're over the age of consent in the state or territory where you live.
- You're not in a prohibited relationship under section 4(12) and section 4(13) of the Social Security Act 1991 (which specify a limited number of special circumstances).

Being in a de facto relationship can influence what payments you can get and your payment rate.

If you have a boyfriend or girlfriend or are in a non-binary relationship, you may be considered as being in a de facto relationship.

If your relationship is classed as de facto, it means you're a member of a couple, and you need to tell Centrelink about the other person.

Centrelink says it may need to [assess your relationship](#) to decide if you're a member of a couple and ensure the correct payments are made.

### Are you a couple?

To determine this, Centrelink considers the following:

- Financial aspects of the relationship. If there is one person providing financial support for the other. This also covers things such as joint accounts, debts or assets.
- The nature of your household. The physical set-up of the household such as shared quarters, arrangements for domestic tasks, and joint care of children.
- Social aspects of the relationship. How you present yourselves to society and how others in society view your relationship.
- If you have a sexual relationship. However, the presence or absence of a sexual relationship does not by itself determine whether you're a member of a couple.
- The nature of your commitment to each other. This relates to companionship, emotional support, and length of the relationship.

Centrelink says you can be a member of a couple even if none of the above apply.

Bear in mind that if you tell Centrelink you are a member of a couple, they don't usually assess your relationship against these things. But they may look at them if your circumstances change

### Separation

Those in a relationship who then separate are considered to have become singles if there has been a physical and emotional separation.

Separation includes partners who separate but continue to live in the same house, in which case a "separated under one roof" declaration is required from each person.

Former couples will need to have their situation regularly reviewed by Centrelink to ensure the correct amount is being paid.

Singles who share housing may also need to submit a "relationship details form".

## Services Australia

We deliver government payments and services

### Making it official

Your relationship can be official in a few ways. Your relationship may be de facto, registered or married. You may need to confirm your relationship status with us.

If you have a partner we consider you a member of a couple.

You'll need to let us know if you become partnered. This is so we can pay you the right amount.

If you or your partner are making a claim for a pay-

## How Centrelink assesses your relationship status

ment, you'll need to [confirm your relationship status](#) with us.

We assess relationship types as married, registered or de facto.

### **De facto relationship**

A de facto relationship is where you and your partner meet all of these conditions:

- you're in a relationship similar to a married couple
- you're not married or in a registered relationship
- you're over the age of consent in the state or territory you live in
- you're not in a prohibited relationship under [section 4\(12\) and section 4\(13\) of the Social Security Act 1991](#).

Being in a de facto relationship can have an effect on what payments you can get and your payment rate.

There's no minimum time period for a relationship to be de facto.

There are different relationship rules for ABSTUDY Living Allowance, Youth Allowance and Disability Support Pension.

When you tell us about your relationship change, it can help us determine if you're independent for these payments. This may affect your rate of payment.

If you get one of these payments and you're dependent, we don't consider you as a member of a couple.

Read more about the independent and dependent rules for:

### **Boyfriends, girlfriends and non-binary relationships**

If you have a boyfriend, girlfriend or are in a non-binary relationship, we may consider you as being in a de facto relationship.

If we assess your relationship type as de facto, it means you're a member of a couple.

You need to tell us about your boyfriend, girlfriend or non-binary relationship. We may need to [assess your relationship](#) to decide if you're a member of a couple. This is so we pay you the right amount.

### **Registered relationship**

One way to make your relationship official is to register it in your state or territory.

Read about how to register your relationship in your state or territory. You can't do this in the Northern Territory or Western Australia.

### **Definition.**

*Nonbinary is a term that describes someone who does not identify exclusively as a man or a woman. Instead, a nonbinary person may define their gender identity and experience outside of these binary terms.*

*The term nonbinary can describe several different concepts, and people often use it interchangeably with terms such as agender, androgynous, and genderqueer. This can create confusion over what these terms mean and how a person can use them.*

## Defence Force Retirement and Death Benefits Act 1973 No. 81 of 1973 - Sect 125

### **Part VI-Benefits of Death of Member of Scheme Division 1-Widows' Pensions**

38. Where a member of the scheme who is a contributing member dies before retirement and is survived by a widow, the widow is entitled to a pension at a rate equal to five-eighths of the rate at which invalidity pay would have been payable to the deceased member if, on the date of his death, he had become entitled to invalidity benefit and had been classified as Class A under section 30.

#### **Widow's pension on death of recipient member.**

39. Where a member of the scheme who is a recipient member dies and is survived by a widow, then, subject to sections 47 and 75, the widow is entitled to a pension at a rate equal to five-eighths of the rate at which retirement pay or invalidity pay was payable to the deceased member immediately before his death or, if the member had commuted a portion of his retirement pay under section 24, at a

rate equal to five-eighths of the rate at which retirement pay would have been payable to the member immediately before his death if he had not so commuted a portion of his [retirement pay](#).

#### **Death after retirement**

If you die after retirement, your spouse's benefit will be paid at the rate of 62.5% (five-eighths) of the benefit you were receiving at the time of your death, disregarding any previous commutation reduction. However, for the first seven paydays following your death, your spouse will be paid at the same rate you were receiving at the time of your death, before changing to the spouse's rate. It is the age of your eligible spouse on or after 1 July 2014, not the age you would have been, that dictates which method of indexation is to be applied to the notional rate of retirement pay for eligible spouse's pensions from your date of death or 1 July 2014, whichever is later. Advising your depend



## DFRDB Act 1973—Death Benefits

General Your DFRDB membership not only provides you with a superannuation benefit for your retirement, but it also guarantees a benefit for your eligible dependants or your estate in the event of your death. The eligibility criteria is set out in the DFRDB Act. We will decide whether or not your dependants satisfy the conditions in the Act and qualify for the payment of a benefit.

Your dependants may also be entitled to claim benefits from DVA or under the Social Security Act in addition to those from DFRDB.

Who is eligible? In the event of your death, benefits are payable to the spouse and child/ren (including orphans) of deceased members of DFRDB, and differ according to whether you die in service or after you retire.

Examples of how these benefits are calculated and the eligibility requirements that need to be satisfied are explained on the next page

### Death after retirement

If you die after retirement, your spouse's benefit will be paid at the rate of 62.5% (five-eighths) of the benefit you were receiving at the time of your death, disregarding any previous commutation reduction. However, for the first seven paydays following your death, your spouse will be paid at the same rate you were receiving at the time of your death, before changing to the spouse's rate.

It is the age of your eligible spouse on or after 1 July 2014, not the age you would have been, that dictates which method of indexation is to be applied to the notional rate of retirement pay for eligible spouse's pensions from your date of death or 1 July 2014, whichever is later. Advising your dependants It is important that your dependants are aware that a benefit may be payable from DFRDB in the event of your death.

### Spouse benefits

Generally, DFRDB pays benefits to an eligible spouse upon the death of a DFRDB member or pensioner. The eligibility requirements are as follows:

- you must be a DFRDB member or pensioner
- your spouse must be in a marital or couple relationship with you at the time of your death
- the marital or couple relationship must have existed for a continuous period of at least three years immediately before your death.

For the purposes of DFRDB, a marital or couple relationship will exist if another person has been living with you as your husband, wife or partner (including a same sex partner) in a permanent and bona fide domestic basis at the time of your death.

If the marital or couple relationship existed for a continuous period of less than three years at the time of your death, your spouse may still be eligible for a spouse's benefit, at our discretion.

From 1 January 2008, if after becoming a pensioner you commence a marital or couple relationship after your sixtieth birthday, that relationship must exist for

at least three years for your spouse to be eligible for a full spouse's benefit. Relationships of less than three years will result in a pro-rata reduction in the pension payable.

The final category of eligibility for spouses concerns a situation where you are legally married or in a registered relationship, but you are not living in a marital or couple relationship at the time of your death. To receive a spouse's benefit in these circumstances, your husband, wife or partner will have to prove to us that they were wholly or substantially financially dependent on you at the time of your death.

Where two surviving spouses meet the criteria for eligibility for benefits—for example, a dependent legal spouse and a dependent de facto spouse—the benefit will be apportioned at the rate of a minimum of 37.5% of the total benefit to each spouse, with the remaining portion allocated at our discretion, which will have regard to the financial needs of each of the spouses. In these circumstances, the total of the two pensions cannot exceed the total of the pension that would have been payable if there had only been one eligible spouse.

#### Note:

*It is a common misconception that spouses lose their eligibility and have their benefits stopped if their circumstances change. However, you can be assured that once we decide that your spouse is eligible to receive a benefit, then they will get that benefit for life and it will not be stopped under any normal circumstances (for example, in the event your spouse commences a new relationship). Since 1 January 2008 widows whose pensions previously ceased upon remarriage may request that the pension be reinstated prospectively at the rate it would now be payable had it not ceased*

<https://csc.sitecorecontenthub.cloud/api/public/content>



## Changes to how you access MyService

1 May 2023

**Support for access to MyService via Internet Explorer will cease from 3 June 2023, impacting DVA clients. This change means MyService will no longer operate if clients attempt to access the platform using an Internet Explorer browser.**

Clients who currently use Internet Explorer will need to switch to an alternative browser. There are many available— some of the more common ones are Microsoft Edge, Google Chrome, Apple Safari, Firefox, Mozilla, and Opera.

Microsoft Edge is the official replacement for Internet Explorer.

You must switch to a different browser to continue to access MyService, but there is no obligation to use Edge. You can use an alternative browser if you prefer. All are free to download from the internet – just search for them and follow the instructions to download the most recent version.

It is important to keep up to date with upgrades and improvements to the software you use to maintain protection against security vulnerabilities.

MyService can also be accessed from your mobile device, and is now directly linked through the new myGov app.

If you continue to experience issues with accessing MyService once you have switched browsers, please try restarting your browser, and if the problem is not resolved you can contact 1800 VETERAN (1800 838 372) for guidance.

## DVA CONTACTS

Information on health services may be obtained from DVA. The contact numbers for health care providers requiring further information or prior financial authorisation for all States & Territories are listed below:

### PHONE NUMBER:

Telephone:  
1800 VETERAN (1800 838 372)

International callers:

+61 2 6289 1133

### POSTAL ADDRESS FOR ALL STATES AND TERRITORIES:

Health Approvals & Home Care Section department of Veterans' Affairs

GPO Box 9998

BRISBANE QLD 4001

### DVA WEBSITE:

<http://www.dva.gov.au/providers/allied-healthprofessionals>

DVA email for prior financial authorisation: [health.approval@dva.gov.au](mailto:health.approval@dva.gov.au)

The appropriate prior approval request form can be found at: <https://www.dva.gov.au/providers/servicesrequiring-prior-approval>

### CLAIMS FOR PAYMENT

For information about claims for payment visit: [www.dva.gov.au/providers/how-claim](http://www.dva.gov.au/providers/how-claim)



## MyService lets you access DVA services only online

### Claiming made simple

Apply for free mental health treatment  
Access support for a service-related condition or injury  
Upload supporting information with your claim quickly and easily.

### Easy access

Access your digital DVA Veteran Card  
View your accepted conditions  
Lodge and track the status of your claims.

**OPEN**  
Veterans & Families  
Counselling  
**ARMS**  
1800 011 046



**SAFE ZONE  
SUPPORT**

FREE ANONYMOUS  
COUNSELLING LINE  
CALL 1800 142 072

**Defence  
Family  
Helpline**



**1800 624 608**

**Defence  
All-hours  
Support Line**



**1800 628 036**