

13th January 2019

Response to the Draft Productivity Commission Report into the Department of Veterans Affairs

To whom it may concern,

This brief retort is to the main recommendations of the Productivity Commission into the Department of Veterans Affairs.

Firstly, I wish to condemn the Productivity Commission's findings. They are completely at odds with the principles of the special debt owed by the nation to its veterans. A principle granted by the legislature and endorsed by the Highest Court in the land. The notion of the veterans system being more reflective of a civilian workers compensation scheme is absurd and is a slight on the special service our military and veterans give the nation. No other employee in general remunerative faces the same degree of deadly risk that our veterans on active service face and the burdens that haunt them for the rest of their lives following that service.

Furthermore there seems to be no consideration given by the Productivity Commission as to the uncertainty these talking points have placed on many of the nations most disabled veterans suffering from mental health issues who will only hear words to fear, words that suggest that they may now have an uncertain future. To make these announcements shows the lack of understanding the Productivity Commission has in the workings of the Veterans Affairs portfolio and a disrespect for the special service our nations veterans have given our country.

To suggest that the Department of Veterans Affairs be abolished and that the Veterans portfolio be transferred to Defence also displays a lack of understanding of the needs of the broad spectrum of the clients of the department. I would hazard to guess that by far and large the overwhelming number of our nations Veterans requiring the services of the Department of Veterans Affairs, are former members of the defence force, many separated for years if not decades prior to seeking help from DVA.

Defence holds a biased and vested interest in the outcome of Military Compensation cases. This would be magnified under the suggestion that Defence pay a levy toward looking after veterans. It could be fairly argued that in some instances Departmental negligence has led to the ill health and deaths of many former servicemen and women. We need only look to the survivors of the nuclear tests, our Vietnam and Gulf War veterans and those exposed to other experimental medical procedures like we have seen with the anti-malarial drug trial. We have seen former Defence

medical officers working for DVA actively try to denigrate veterans' claims to deflect responsibility away from Defence for these matters.

No part of the Department of Defence should be involved in Veteran compensation, nor should the Department be levied a fee for such a thing for is it not the failure of Foreign policy that we commit our forces. Is it not our politicians that send our men and women to war, why levy Defence when they are merely carrying out the duties required of them because both Foreign Affairs and our politicians have failed to prevent the use of military force, thus exposing the men and women in uniform to the increased risks of death and injury. Should any levy then it should be levied upon the Foreign Affairs budget and that of Politicians salaries and pensions fund too.

These notions advanced by the Productivity Commission are both foolish and short sighted, Defence of the nation is a Commonwealth responsibility and the cost and consequences should be borne by the Commonwealth as a singular entity.

The Productivity Commission was correct in stating that DVA has failed our veterans but I challenge it to show any consensus from the wider Ex-Service Community that supports the notion that DVA be abolished. I have been an advocate for the better part of twenty years and I've not heard one Ex- Service Organisation seek such an absurd and undesirable outcome for the veteran community.

The Department of Veterans Affairs has strayed from its legislated path when it comes to administration of the portfolio. It has consistently failed to implement the Veterans Entitlements Act in the manner by which its standing was endorsed by the High Court.

The Department sought to circumvent the "reasonable hypothesis" principle enshrined in law by creating the Military Compensation and Rehabilitation Act and coupled with an adversarial approach to veterans disability claims, the mismanagement led to or played a significant roll in the suicides of many of the veterans whom have taken their lives in the past two decades.

The fundamental legal and legislated principle of "reasonable hypothesis" is the building block of the government and peoples commitment to looking after our veterans returning from conflict in our name. If DVA were to honour this principle in its dealings with veterans we would go a long way toward reducing the terrible impact veteran suicide has on the already marginalized section of the community.

DVA needs a cultural makeover, not boards on the windows and an out of business sign over the door, it needs simplification of legislation and this process needs to be mindful of the fact that many who serve in battlefields far from our shores have returned psychologically and emotionally damaged.

The Productivity Commission also made the absurd recommendation that the Repatriation Medical Authority conduct medical research. This proposal is completely absurd and devoid of any reasoned logic. The RMA could never be

funded to the level that the international scientific community is. Researchers across the world are far better placed in terms of resources, veteran cohort sizes and a host of other pressing scientific advantages that make any potential contribution by the RMA to be of little to no benefit.

The recommendation by the Productivity Commission that the RMA conduct medical scientific research shows a fundamental lack in due scientific processes. Science as a discipline requires that a hypothesis and the methodology established by the scientists conducting the research can be replicated by other researchers and the results confirm each other. A small government agency that already gets this wrong on so many levels, that is understaffed and staffed by controlled vested interests is not the mechanism to deliver the functions sought by the legislature when the Act was created to establish the RMA.

The international medical scientific research community is the best vehicle to advance scientific knowledge. Where the RMA fails the veteran community is that it is selective in what research it reviews, it cherry picks and twists the research it does review to suit agendas put forward by DVA and it does much of this behind closed doors. Behind the façade of an independent agency, behind obstructive behaviour toward Freedom of Information requests and through secretive collaboration with the Australian Government Solicitor's office to deny the very principles of the beneficial legislation that enabled their creation.

The Productivity Commission has this wrong on so many levels that the draft report is in more need of an overhaul than the Department of Veterans Affairs.

It is my position that should the Productivity Commission's draft findings stand, that I wish to formally withdraw my comments from the review process and request that any such reference to them be removed from the final report. The draft findings were and are an absolute disgrace and I'd be more inclined to see the next review being focused on the need for a Commission so devoid of insight into the areas in which it is tasked to examine.

Yours faithfully,

David Watts BMedRadSc