

# HOTLINE

Fostering the interests and wellbeing of ADF members and their families during and after their service.

Due to illness and rehabilitation of key volunteers, it has become necessary to defer the 2022 DFWA Raffle draw from **Thursday 14 July 2022 to Tuesday 02 August 2022.**

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### Is DFWA Political or Non- Political?

(by John Lewis Qld President)

This is a question we are often asked.



I appeared in an ALP poster alongside then Shadow Minister Shayne Neumann regarding the Labor policy announcement for Veteran Hub in the Moreton Bay region. Was this indicating a political bias to Labor?

DFWA Election Scorecard (elsewhere in HOTLINE) indicated that the Greens ticked all DFWA objectives but indicated that Labor and the Coalition hardly rated.

Did this indicate we supported the Greens?

I have also been caught on camera with ScoMo, Turnbull and Abbott. Meetings with politicians are part and parcel of what DFWA does in lobbying to promote the interests of current and former ADF members and their families.

**We are decidedly political in that respect.** We would be failing in our main role if we did not lobby political parties.

However, as shown by the same scorecard, **we are non-partisan.** We do not support any particular party, but we do support our policies and rate the political parties' support or otherwise regarding our policies. We also support policies put up by political parties if they benefit veterans and families.

It was interesting, after DFWA put up the initial scorecard, we were contacted by some. This resulted in change to the

scorecard objective ratings after the parties concerned indicated support for specific DFWA objectives.

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DFWAQ will be inviting MPs from the main political parties and the crossbench to briefing sessions on veteran issues over the next few months.

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## Future of DFWA in Qld

### Background

DFWAQ is an incorporated association and is a deductible gift recipient (DGR), i.e. we are an organisation that can receive donations that are tax deductible. If a donation is tax deductible, donors can deduct the amount of their donation from their taxable income when they lodge their tax return.

As a registered charity we are required to conform to requirements of the Australian Charities and Not-for-Profits Commission (ACNC) including annual updating of details (see <https://www.acnc.gov.au/charity/charities>)

DFWAQ has not been able to fill some essential committee positions needed to address the legally required administrative aspects of DFWA without an adverse impact on operations. Other office holders share those duties.

In essence, completion of administrative stuff has been at expense of doing the things to benefit the veteran family.

We examined “unincorporating” which would result in transferring the bulk of Qld administration to DFWA (Inc) National, which is a currently registered charity, and allow formation of a Qld

Chapter, with the Qld committee free to focus on operations.

In September 2019, the DFWAQ AGM passed the following motions:

### Resolution 1

The AGM endorses the plan for DFWAQ to be wound up with the surplus assets from DFWA (Qld Incorporated) to be transferred to DFWA (Incorporated) in accordance with DFWAQ Constitution Clause 31, when the DFWAQ Management Committee decides that:

1. The new governance arrangements for management of existing Queensland DFWA members and continuing support and Queensland operations are satisfactory; and
2. That arrangements for the management of DFWA (Qld Incorporated) surplus assets to support Queensland operations, in accordance with either a Memorandum of Understanding with the National Executive of DFWA (Incorporated), a Trust or other mechanism as decided by DFWAQ Management Committee, are satisfactory.

### Resolution 2

That DFWAQ be wound up when the conditions of RESOLUTION 1 are met and at a date and time to be decided by the DFWAQ Committee at a formal meeting of the Committee.

### Current situation

The planned unincorporating of Qld has been held in abeyance because the governance structure of DFWA National was not capable of the Chapter administrative support under the existing DFWA National constitution. Also, the future sustainability of National

was in doubt due to successive losses for several years.

The ACT Branch was in similar situation and did unincorporate, with members becoming the ACT Chapter of the NSW Branch. This involved transfer of assets to NSW Branch and to National. The ACT Chapter President is now on the NSW Committee. Our committee decided not to follow the ACT route and to await the planned restructure of DFWA National.

Since then, there has been action to change the National Constitution to address the changes necessary to take DFWA into the future, addressing the needs of contemporary ADF veterans and families and the member administrative support to Branches and Chapters.

Separately, there is still doubt concerning the future financial viability of DFWA National under current practices and this needs to be addressed. An increase of capitation (payment of part of Branch membership fees to National) is insufficient to cover current expenditure.

It has been proposed by National Office that the DFWA Relief Fund be closed, and assets transferred to DFWA National to give "breathing space" for National to reorganise and institute a sustainable funding plan for the future.

The DFWA Relief Fund was set up to provide financial assistance to those "in urgent and necessitous circumstances involving real hardship". Such transfer requires agreement by the Trustees and the National Executive (NATEX). There have not been any formal motions to this effect to date. At this stage DFWAQ has recorded its opposition to the proposal to NATEX and has proposed other means for reducing National Office expenditure.

Hopefully, these issues will be sorted out in time for the DFWAQ AGM in September. There is a Special General Meeting of DFWA National on 4 August.

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**ANNUAL GENERAL MEETING  
Friday 30 September 1000 hrs**

Notice is accompanying this HOTLINE mail-out. If you cannot attend, please send your proxy.

### **Qld Veteran Hubs – Update**

In November 2021 Issue of HOTLINE, our concerns about the management of Expressions of Interest (EOI) for establishing the DVA funded SEQ Veterans Wellbeing Centre were discussed.

Our main concern was that the EOI conditions were so demanding that it virtually excluded smaller ESO organising a consortium to respond to the EOI in the time involved.

In the end, we indicated we supported a proposal by the RSLQ led consortium with Mates for Mates (M4M) and Legacy which made use of work already started by RSLQ in a veteran's centre at Stafford, the M4M venture in Ipswich and the Legacy facility to be built opposite Greenslopes hospital.

In any event, the DVA announced that the preferred bidder was "Lives Lived Well" (LLW) a Qld/NSW organisation formed in 2012. LLW partnered with the Vietnam Veterans Association of Australia. LLW purpose is to provide support for people affected by:

- alcohol and other drugs
- mental health
- gambling
- community re-entry

LLW has an established network of centres throughout Qld and NSW including about 15 in SE Qld. There are about 3 residential facilities as well. The intention is to extend the use of these facilities to cater for the unique needs of veterans and families. DVA already use LLW facilities in rehabilitation programmes.

This concept is totally different to other Hub provisions which seem to have concentrated on a facility established in a single location convenient for veterans, quite a challenge for the large SEQ area.

As the new Labor government has already stated it will provide a Veteran Hub in Ipswich and in the Moreton Bay region. It will be interesting to see how they will integrate with this other service provider.

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## Anzac Square Memorial Galleries

Did you know that underneath Brisbane's ANZAC Square shrine there are memorial galleries? These were refurbished for the centenary of WW1.



The refreshed Anzac Square Memorial Galleries curated by State Library of Queensland allow you to delve deeper into Queensland's war history than

ever before - embarking on an interactive journey from World War One to today. They are really worth a visit. There are interactive exhibits and staff to assist.

All interactive screens in the galleries are wheelchair accessible. Ambulant toilets are also available in the Post World War II Memorial Gallery.

While there are tours available for community and school groups, lasting 30-45 minutes, members of the public can wander through at your own pace and time. Admission is free.

Follow this link for information: [www.anzacsquare.qld.gov.au](http://www.anzacsquare.qld.gov.au) or

**Contact:**

P: 0466 922 259

E: anzacsquare@slq.qld.gov.au

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## Qld Government ANZAC Day Trust

DFWAQ nominee, Kate Bowden, was appointed by the Premier as a Trustee of the ANZAC Day Trust which administers the ANZAC Day Trust Fund. The Fund provides grants to ex-service and community organisations assisting the veteran community and for maintenance of community memorials. Other Trustees are nominated by Legacy and RSL Qld.

Kate is a mother of 2 young children and is married to an Afghanistan Veteran and is a Veteran herself, having served 8 years. Kate has an Honours degree in engineering, a master's degree in management and another in Professional Accounting. The management of the ANZAC Day Trust Fund is to be taken over by the QLD Veterans Council when it is established, probably in late 2022.

## QLD Veterans Council

The QVC is a new body created with the passing of the QVC Bill in late 2021.

Nominations for councillor positions on the QLD Veterans Council and the Qld Veterans Reference Group were called for in May. Unfortunately, notice of this was not widely published and the time for nominations was nearly past when DFWA became aware of this. We managed to arrange nominations to both bodies.

The **Queensland Veterans' Council** is a statutory body responsible for:

- managing Anzac Square, the State's war memorial;
- managing the Anzac Day Trust Fund; and
- providing advice to the Queensland Government on veterans' matters.

The **Veterans' Reference Group** is an advisory body that assists the Queensland Veterans' Council in:

- consulting with the veterans' community; and
- providing advice to the Queensland Government on veterans' matters.

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## Royal Commission

During June, President John Lewis attended a Roundtable convened by the Royal Commission into Defence and Veteran Suicide. The main theme was to identify and discuss systemic issues which adversely affect delivery of services and general welfare of veterans and families.

DFWAQ had identified several systemic issues and raised these at the meeting. Some had not been raised before. For example, where a Veteran, due to

mental injury, may be made a guardian of a state or territory Public Trustee, when DVA cannot find family to NOK.

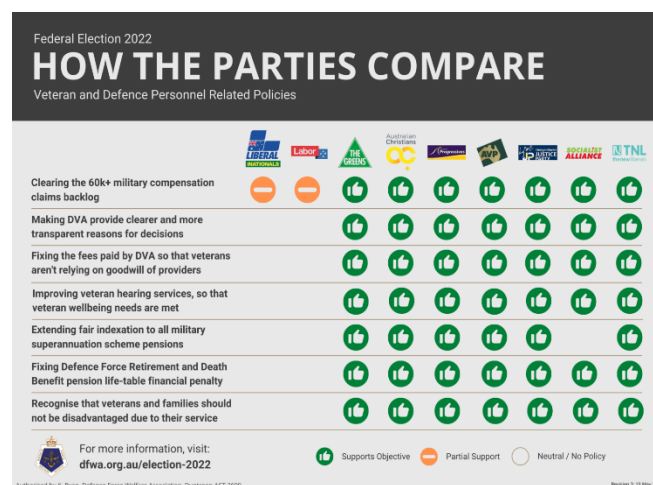
This is usually instituted by DVA where significant incapacity payments are involved.

There had been an ABC programme concerning instances where people (non-veterans) in this situation were poorly treated and had no voice or standing to get out of such an arrangement. The Royal Commission indicated that they would seek information on the numbers of veterans in this situation and their status.

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## Post-Election

Many may be familiar with the Election Scorecard that DFWA put together for our website and Facebook page.



DFWA whittled down a list of about 20 policy objectives to about 6. This whittling down was after seeking views on-line and in meetings. We sought the political parties' views on each. All were approached with information about each objective and asked where they stood.

Neither Labor nor the Coalition bothered to respond. They had already decided what they were going to do. From their published policies, they both indicated

extra public servants to reduce claims processing time, one with more public servants than the other. Most of the other parties indicated support of DFWA objectives. While you can be cynical about this, the public support of our objectives by other parties is welcome, particularly with their balance of power in the Senate.

## **Labor Election Promises**

DFWA will continue to pursue our current objectives and monitor closely the delivery on Labor election promises. These are summarised below.

### **Cutting Waiting Times by Boosting Department of Veterans' Affairs Staffing**

The Labor Government will cut waiting times and the backlog of compensation claims by rebuilding DVA, investing in 500 staff to speed up claims processing times in the department. Labor will also abolish the arbitrary public service staffing cap, which will allow DVA to hire more well-trained permanent workers to process claims faster.

*This is consistent with DFWA first objective. There is no indication of when the claim waiting times (currently over 2 years for thousands) will be reduced to the target time of 3 months.*

### **Veteran Hubs**

Labor will invest \$42.9 million to develop 10 veteran hubs across Australia including the North Brisbane-Moreton Bay region and Ipswich. Delivery of these hubs would commence as soon as possible after the election for completion by 2024-25.

### **Boosting Defence Home Ownership**

The Defence Home Ownership Assistance Scheme (DHOAS) provides eligible defence personnel and veterans with a monthly subsidy on mortgage interest payments. Labor will relax the

eligibility criteria for DHOAS from 1 January 2023.

### **Increasing the TPI Pension**

The Labor Government will introduce a \$38.46 per fortnight permanent increase of the TPI Payment for Australia's 27,000 TPI veterans from 1 January 2023

### **Veteran Employment Program**

The Labor Government will commit \$24 million over four years to ensure veterans' skills and experience are valued and appreciated by the wider community.

### **Defence and Veteran Family Engagement and Support Strategy**

The Labor Government will develop a national family engagement and support strategy, which will provide a blueprint for engagement by Defence and the Department of Veterans' Affairs (DVA) with military families and identify improvements to family support. The cost of this policy would be absorbed by Defence and DVA.

### **Veteran Homelessness Plan**

As part of a \$10 billion off-budget Housing Australia Future Fund, Labor will invest \$30 million over five years to build housing and fund specialist services for veterans who at-risk of homelessness or are experiencing homelessness.

### **Disaster Relief Australia**

Disaster Relief Australia (DRA) runs the National Veteran Volunteer Service – a veteran-led and delivered service responding to natural disasters in affected communities, easing pressure on deployments of the ADF, and providing a continuum of service, fellowship, and support for veterans. Labor will provide DRA with \$38.1 million over three years to allow DRA to add another 5,200 volunteer veterans to its ranks.

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### **Law of Mechanical Repair -**

After your hands become coated with grease, your nose will begin to itch, and you'll have to pee.

### **DVA Processing Times**

A key DFWA objective was to reduce current basic DVA claims processing times from over 2 years to the target of 3 months. A large backlog has developed and tackling it is the fact that it takes time to develop the experience necessary in the DVA legislation to process the claims. The situation should never have been allowed to develop.

An even more complex area for claim processing is where there is a Retrospective Medical Discharge with effects on DVA Incapacity Payments. This involves DVA and its legislation, and the Commonwealth Superannuation Corporation and the Australian Taxation Office and their associated legislation.

The following bit attempts to explain what is involved. Be prepared for your eyes to glaze over.

Sometimes a veteran who originally left the service at own request discovers that they should have been medically discharged rather than administratively discharged and been eligible for a Class A or B Invalidity Benefit pension under DRFDB, MSBS or ADF Cover. Some veterans in this situation subsequently have applied for and been granted a retrospective medical discharge resulting in back-payment lump sum of the Invalidity Benefit dating back many years. The longest DFWAQ has been involved in dated back over 40 years.

If, after discharge, the veteran had been receiving Incapacity Payments under the Military Rehabilitation and Compensation Act (MRCA) from DVA for the same medical condition that they could have been discharged for,

complications arise. As MRCA Incapacity Payments and CSC Invalidity Benefit payments are regarded as compensation, the rule that a veteran cannot receive two payments of compensation for the same condition, applies (double dipping). The MRCA payments received by the veteran have to be reduced by the amount the veteran receives from CSC.

With a retrospective medical discharge, the CSC Invalidity Benefit payments the veteran should have received over the years have to be calculated. This amount must be subtracted from the total of DVA MRCA Incapacity Payments paid to the veteran over the same period.

Over a period, those payments have changes due to reviews and indexation. The calculations are lengthy.

Further complications arise because the veteran must pay back the total amount that should have been subtracted from the total Incapacity Payments paid by DVA in that period.

However, the veteran has paid tax on the DVA Incapacity Payments.

Once the veteran has paid that debt to DVA, the veteran can seek an amendment to their tax over each of the years in question and receive a refund. These taxes can go back many years during which tax rates and law may have changed.

The veteran may have difficulty in paying the gross amount back to DVA before getting the refund of tax previously paid. The lump sum in arrears payment of the CSC Invalidity Benefit is also taxed.

Reader, if you are still reading, have your eyes glazed over at the complexity

of it all? Imagine what the veteran is going through.

To the veteran it can appear as if he/she is paying tax twice. This may be happening for a period, but it can be claimed back ---- eventually.

- Is there any wonder that this process takes ages?
- Is it any wonder that mistakes get made? Adding to further delay.
- Is it any wonder that veterans have difficulty in understanding what is going on?
- Is it any wonder that veterans totally stress out about the delay?
- Is it any that some veterans phone DVA and vent their stress?
- Is it any wonder, DVA delegates get stressed out about being blamed for something they would like to fix but cannot?
- Is it any wonder that after repeated abuse and frustration, some experienced delegates then want out? Losing more experience from that team and leading to even more delays.

## Meeting with DVA – Incapacity Payments Team

As result of a chance discussion between DVA Deputy Commissioner Qld, Tara Hatzismalis and DFVAQ President John Lewis, a meeting was arranged to determine if there were some ways of speeding things up, and reducing stress on veterans and the abuse and loss of DVA staff.

It was recognised that there were legislative impediments to a magic wand solution. Legislation involved DVA of course, but also taxation (Treasury) and superannuation (Commonwealth Superannuation Corporation), each with defined responsibilities and legislative constraints. There are many difficulties for DVA staff just dealing with the DVA multi-Act environment, this is worse.

To state the blindingly obvious – the matter is complex and very difficult to understand. Three lots of staff and the veteran are all involved on doing things in a process.

Veterans, who are used to going to an orderly Room, filling out a claim form and getting the money owed, this delay and complexity at having to deal with three different organisations, seems like unnecessary obstructionism. Most veterans would not be aware of the process, its complexity and slowness, it is likely that most advocates – with the advocate training focus on DVA legislation – are also unaware. The lack of understanding would not assist.

Discussion identified areas where some changes may improve matters. While nothing can be done at this stage to fix the legislation, more could be done to make the process more understandable (process flow-charts) to advocates and veterans – what veterans would be required to do in the process – and make for more transparency as the veterans' claims moved through the process.

This should reduce some stress to veterans and aid in retaining experienced delegates in the Team dealing with this and avoid further delays caused by losing experience and diversion of resources to train replacements.

There will be follow-up to this meeting.

### **We are seeking a Membership Registrar**

The work involves keeping members' details up to date and sending out a welcome pack to new members.

Most of the work (about an hour a week) can be done from home. Training (about half a day) and a computer will be provided.

Interested to find out more? Contact us at:

**Phone:** 07 2102 9879 and leave a message.

**Email:** [qldbranch@dfwa.org.au](mailto:qldbranch@dfwa.org.au)