

September 2011

Down but definitely not out

It's been a long time since the last update to Seato nurses which, (to our disappointment), is a reflection of the lack of progress in the long campaign for access to entitlements under the Veterans Entitlements Act.

The previous Minister for Veterans Affairs Alan Griffin, failed to deliver on commitments made in opposition to redress this injustice. Further, on becoming Minister he clearly led ANF to believe he supported Seato nurses and intended to resolve the issue but needed time to obtain further information and review the options available.

It is unclear at what point Minister Griffin changed his position in relation to this matter. We were not provided with the courtesy of a response. Several calls to various advisors led us to believe the matter was still under consideration although by this stage we were not holding our collective breath!

We understand that last year a submission went before the Prime Ministerial Advisory Council (PMAC) on Ex-Service Matters for its consideration. The committee was established by the Rudd Government to give the ex-service community a greater voice and advise the Prime Minister and Government on strategic and complex matters impacting on the ex-service and defence communities. While the submission was apparently well received, we can only speculate as to why the matter went no further.

In response to an article by Lee Thomas ANF Federal Secretary appearing in a recent issue of the *Hospital & Aged Care Magazine* (attached), the current Minister for Veterans Affairs, Warren Snowden made the following comment (full version also attached):

"We appreciate that members of the surgical and medical teams in Vietnam worked selflessly under difficult conditions. However, the primary purpose of the Australian Repatriation system is to provide compensation, income support and health care for veterans of the Australia's defence forces and their families for the effects of service. Successive Government policy on repatriation benefits for civilians has consistently required that they be attached to the defence forces and be subject to its command and control. (Our underlining)

The members of the civilian surgical and medical teams who worked in Vietnam were not integrated with the defence forces, nor were they subject to military control and command. These individuals were employed under contract by the Department of Foreign Affairs and Trade under a SEATO aid program. They were in fact working on short-term engagements with the Department of External Affairs in Vietnam, in a civilian rather than a military capacity."

Authorised by: Lee Thomas, Federal Secretary

Where do we start! A few points to note:

- In relation to WWI and WWII the VEA does apply to civilians ie a person employed by the Commonwealth on a special mission outside Australia. The Act makes no requirement that they were under military command.
- Previous correspondence from various sources including an earlier Minister for Veterans' Affairs, Bruce Scott; comments in a report from the Senate Foreign Affairs, Defence and Trade Legislation Committee and the Clarke review advised that nurses may be eligible if they can provide evidence that they served under military command (ie, worked in an Australian field hospital as some of the nurses did).
- They did not have to be attached to the defence force as well (as stated in Minister Snowden's response above).
- Justice Mohr, in his review in 2000 concluded that the teams were "integrated with the ADF and performed like functions". The Clarke review in 2003 basically ignored the evidence that lead to this finding simply adopting the position that the teams "... were not integrated into the Australian armed services in the sense of being attached to it and under its command..." (para 20.50). (Just a restatement of Government policy).

As I stated in the article attached, we will not let the Government forget their obligation to Seato nurses. It's time to remind Minister Snowden that this issue cannot be dismissed by relying on shameful bureaucratic excuses.

Write or email: Minister Snowden (details below), contact your local member and encourage others to do the same.

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Seato mailing list:

We would like to replace our current mailing list with an email list if possible. If you would like to change to email contact could you please email to debbie@anf.org.au Could you also please indicate whether you are happy for your email address to appear in the "To" list or you would prefer to be included in the "Bbc" list.

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