

Mr F J O'Neill
Disabled Veterans of Australia Network

Dear Senators

Responding to the TPI Federations discussion of the 'Networks' submission

We understand our obligation as a submitter of a submission to be prepared to be questioned and if called upon to give a witness statement to the Senators of the Inquiry. However, we did not understand we would need to defend our submission against a Senate published submission from third party the intent of which is allegedly to discredit the Networks proposals and requests. This considering the third party wrote their observations pertaining to the 'Network' prior to our submission being printed.

I have consulted with other TPI Veterans in the network and the consensus is that the TPI Federations assertions must be challenged as to do otherwise will leave misinformation and inaccuracies to be understood as relevant by the reviewing Senators.

Responding to some of the TPI Federation misrepresentation.

TPI Fed. Page 9. *The Disabled Veterans of Australia Network (DVAN) Contention that has been proposed, holds the belief that the three TPI Compensation Reviews have endorsed the concept that the Service Pension should be available to all TPI/SRs with Operational Service. This contention has asked that there be no income and assets test applied to the Service Pension.*

- The 'Network' has made no such assertion. The 'Network' relies on the findings within the KPMG study that the Invalidity Service Pension (ISP) is a Compensation payment and not Welfare.

TPI Fed Page 9

As displayed in Figure 7 the main advantage of this contention is for the third of TPI/SRs who currently receive no Service Pension due to the income and assets test being applied in accordance with the Social Services Act (1991) and is a result of third-party income from superannuation/investments etc (including a few millionaires), who would then receive a full 100% of the Service Pension. Then, another one third of TPI/SRs would receive some increase as they currently receive a part Service Pension due to the receipt of a smaller amount of third-party income.

- The 'Network' relies upon the practices within the nations Loss Insured industry highlighted in the KPMG study that compensation payment for loss be unhindered by any finances the insured person or their family member may have whether that insured person is a 'millionaire' or a pauper. The **'Invalidity Service**

Pension' is paid dependent on the payment of the TPI rate. It is the same dollar value however it is not a Service Pension.

The Invalidity Service Pension comes under the VEA 1986 not the Social Services Act.

- “Service pensions are payable under the [VEA](#) to eligible veterans, their partners, and widows and widowers. For service pension purposes, a veteran is a person who has qualifying service (generally, service in which danger is incurred from hostile forces of the enemy, or warlike service as determined by the Minister for Defence). There are 3 categories of service pension which are the: age service pension, **invalidity service pension**, and partner service pension”.

[4.3.5.20 About DVA service pensions | Social Security Guide \(dss.gov.au\)](#)

FPI Fed. Page 11

*The TPI Federation finds it difficult to reconcile the concept of income support payments being compensation. Income support is means tested, taxable and **only received by a portion of Veterans**.*

- The ‘Network’ understands that our TPI Veterans consider themselves Compensated for loss of earnings because of disability sustained in Service to the Nation during wars and conflicts and not Welfare recipients.
- The portion of 27,500 TPI Veterans receiving the ISP in full or part is approximately 16,500 or 60%.

TPI Fed. Page 11

Why has the Government not rectified this known supposed aspect as not all TPI/SRs currently receive the full-Service Pension.

- The International Accountancy firm KPMG study was only published in November 2019. The study conclusively exposed the underpayment of TPI Veterans compensation when the Commonwealth were told of DVAs practice of ascribing Welfare means testing to the ISP part of Compensation for loss of earnings.

TPI Fed. Page 11

Does this thought process also include the non-Operational TPI/SRs.

- The ‘Network’ makes no distinction between the 22,500 Returned from Active Service TPI Veterans and the 4,000 Non-Operational Service TPI Veterans receiving Equal Compensation.

TPI Fed. Page 14

That the Senate investigate only the TPI Compensation payment and not ancillary welfare benefits in ascertaining the veracity and validity of the TPI Federation contention

- The 'Network' has confidence in the nations Senators that they will Inquire into and give equal understanding to all submissions.

TPI Fed. Page 12

*The addition of welfare type benefits and allowances into consideration of this Inquiry would be **detrimental and contrary to the Parliamentary intent** of the original authors of the War Act 1920, the Veterans' Entitlement Act 1986 (VEA) and the recent 'Australian Veterans' Recognition (Putting Veterans and their Families First) Bill 2019' – Figure 12 – on the full responsibility of the Government and how it should care for their Veterans.*

- The 'Network' believes it is for the Senators to determine what is 'detrimental and contrary to Parliament intent' when judging what they will hear or silence in submissions from the Veteran community.
- Senators are asked to consider the whole Compensation package for TPI Veterans including 'Invalidity Service Pension' and why it is paid at different amounts or not paid at all for the same loss of earnings across the TPI Veteran cohort. The Senators particularly attention is drawn to the consequences of means testing part of the Compensation that allows the Commonwealth to avoid their responsibility to fully recompense our TPI Veterans while penalising families for endeavouring to improving their position in society by imposing a tribute on the wives' earnings while in the workplace and superannuation in retirement. For Senators on the say-so of a third party, to refuse to read or hear, the central tenant of the 'Networks' submission advocating equal compensation would be unjust to the Veterans families who are left to carry the can for the Commonwealth.

TPI Fed. Page 10. *In brief, and for your consideration, a quick synopsis of both the TPI Federation contention and the DVAN contention is –*

- A TPI Veterans financial need to sustain life must be met. Just because the Commonwealth reneges on the nations promise to pay the full costs of wars and conflicts, does not mean these costs disappear. In the absence of Commonwealth reimbursement for 'loss of earnings' it is the individual Veterans savings and the individual family who have to pay for these needs. It is not a matter of the amount of the bill it is a matter of who pays the bill.

TPI Fed Page 10. *What of the non-Operational TPI/SRs in this contention? Does their welfare income support also need to be adjusted? Can it be adjusted as it is classified as a welfare payment too? They do not seem to be considered in this alternate contention.*

- The 'Network' believes that the nations Repatriation System is primarily established to care for the needs of in this case the 24,500 TPI Veteran Active Service men and women Returning from Australia's wars and conflicts.

TPI Fed. Page 10. "... veterans are a special group of people. They are people who made a unique and extraordinary contribution to this nation, its people, security, and values. **They should not be treated as welfare recipients** but rather as the special group of Australians that they are." Dr Brendan Nelson – Hansard – 24 June 1998

- Dr Nelson was ahead of his time in acknowledging that TPI Veterans should not be treated as welfare recipients.

The 'Network' stands by its submission dated 25.04.2021 and asks that the Senators take the proposals and requests therein at face value.

We are open to being questioned by and giving evidence to the Senators where required.

Yours Sincerely

F J O'Neill

05.05.2021