

**Mr. John Hunt**

## **Committee Secretariat**

Foreign Affairs, Defence and Trade Committee Department of the Senate  
PO Box 6100  
Parliament House  
Canberra ACT 2600

### **Re :- Australian Veterans' Recognition (Putting Veterans and their Families First) Bill 2019 [Provisions]**

Dear Sir,

Further to my letter dated 20<sup>th</sup> Feb 19 , I would like to add an addendum to make my thoughts clearer in relation to section 7 wording.

Currently the DVA and DOD use guidelines, acts, warrants and legislation to determine a veterans type of service. It does not consider or care about whether the veteran incurred dangers that had the potential for his life to be endangered due to the proximity of the enemy, only whether the service fits into the pre-determined guidelines.

For the new legislation to really help veterans as per sect 7 (2) a & c, a process needs to be added as sect 7 (2) e which reads :-

(e) To promote consistency, fairness and trust in the process of evaluating a Veterans service, it must be determined if the veteran has incurred "Objective Danger" and if so then amendments to guidelines, warrants, acts and legislation must be undertaken.

In 2000 Maj Gen Mohr, a 16 year Supreme Court Judge and Judge advocate General of the Defence force wrote in his review into Veterans service Anomalies in South East Asia between 1945 and 1975 the parameters that must be satisfied first when considering a veterans service and that of "Perceived Danger, Incurred Danger and Objective Danger".

He determined that if :-

- i. An enemy was present.
- ii. And the soldier was warned that he was going to be in the same area as the enemy.

Then that Soldier has been exposed to "Objective Danger" and therefore qualifies for War Service.

In my case :-

1. My AB83 states that I was warned for "Active Service" and completed my last will and testament just four weeks prior to landing in peninsular Malaysia.
2. I was charged for an offence as "Whilst on War Service "
3. I was granted a "Special Area" tax exemption by the ATO.
4. It is well documented that a large force of Communist Terrorists were present.

5. Malaysia was in a Declared Emergency and in a State of War for 21 months and my service falls within this period, 1970. There was no parliament.
6. Malaysia requested Military Assistance from Australia and England.
7. I was warned that we were going into the same region that had recently had Communist Terrorist activities.
8. It is well documented that during 1970 that there were contacts with the Communist Terrorists twice weekly and that there was a combined total of 51 wounded and or killed soldiers between the Malaysian Security Forces and the Communist Terrorists.
9. I served under the Far East Strategic Reserve (FESR) who's only operational role was to protect Malaysia against Communist Terrorists, the wording of the FESR agreement signed by PM Menzies does not mention training.

Regardless of the above facts, my service is only recognised as "Normal Peacetime Service", as currently the DVA and DOD do not recognise "objective Danger".

My service is an Anomaly which currently cannot be addressed.

Yours

Ex National Serviceman  
Ex Army Officer  
Fellow of the Institute of Engineers Australia

25<sup>th</sup> Feb 2019