

**Submission by**  
**Commander Michael S WELFORD RAN (Rtd)**  
**To the**  
**Senate Standing Committee on Finance and Public Administration**  
**Legislation Committee**  
**In regard to the**  
**Governance of Australian Government Superannuation Schemes Bill 2010, the ComSuper**  
**Bill 2010 and the Superannuation Legislation (Consequential Amendments and**  
**Transitional Provisions) Bill 2010.**

Governments of either persuasion seem equally driven to take advantage of the ADF when it is suitable for them; e.g. photo opportunities with our sailors, soldiers, airmen and women in Timor, Iraq or Afghanistan; when the ADF members aid disaster victims; at Parades and anniversaries such as ANZAC Day yet when do we ever see them coming to our aid when Superannuation, Pension Indexation or TP&I rates affect the livelihood of these same special and **unique** members who, at the whim of a Government will and do give up their lives for God , Queen and Country?

It cannot be denied that The War Memorial, ANZAC Parade with its magnificent structures recalling the gallant deeds of the ADF and the annual parades at Dawn Services are ever more celebrated by this young but mighty Nation. Yet where are those Representatives and Senators thoughts when they sit in their Houses of Legislation? Do they think back over the magnificent heritage of this Country and the ultimate sacrifice made by so many when these selfless ADF **members** return home, many wounded (NOT injured) in mind and body (or indeed killed in action), to live on less than a just pension, do they heed their cries for, at the least parity with the Service Pension Indexation or better yet that of a Parliamentarian? Do they consider the **uniqueness** of the service given by that member? No they look for 'cost efficiencies' by denying ADF **members** of that very **uniqueness** that allows a Government to send them to any War where they maybe physically or mentally wounded or make the ultimate sacrifice and then on return amalgamate them with Commonwealth employees pension! Even then they deny them a 'fair go' by placing a new Board to manage it with one possibly two (the tenure on this Board is three years and due to constant posting not all ADF members are able to stay in one location for this length of time and hence a Defence Commonwealth 'employees' might be one of those nominated?) out of ten, indeed 11 if the CEO is included, who have little if any knowledge of the **uniqueness** of ADF service. To add insult to injury the proposal identifies three Trade Unionists (well of course a CFMEU employee knows all about fighting does he not!) and a further five will be nominated by Government. Talk about 'branch staking'...!

There are a number of very special circumstances surrounding our ADF **members** that seems to have either been forgotten or misunderstood. These are a **uniqueness** of service, **membership** of a band of brothers and sisters where discipline is paramount and loss of what everyone else feels is their personal right of **freedom** for the duration of their engagement. This is not a job but a vocation. As a reasonably long term member of my local brigade of the NSW Rural Fire Service I am well aware that 'Firies', Police and Paramedics (amongst others) from time to time place themselves at risk, but the backdrop is in our own Country not in the lethal areas of war torn Iraq or Afghanistan. Where in fact the numbers of ADF **members** killed in action has been minimal

(thank God) but can the same be said of their mental state and an understanding by this new Board whose nine possibly 10 members may have no understanding whatsoever? If the Government so misunderstand the situation by this proposal, what hope has the ADF member of getting Superannuation justice from those nominated by this Legislation? I personally have not been greatly involved in military action during my 39 years in the RN and RAN, but am aware of its effects and would be better placed to make judgments than most of these 'potential' board **members**.

I see no benefit in this proposal, indeed I see considerable disadvantage to ADF **members**. The Government may believe in 'big is beautiful' but at the end of the day it is always the person with the least voice (surely a Labour Government would understand the parlous state of a group of people without a Union to represent them? Yet in this submission, this is exactly what is being proposed) who suffers and that will be the ADF **members**. The ADF do not have a Trade Union (nor should they ever need one if the Government of the day shows any loyalty or gratitude to these men and women who carry out their missives in far distant lands). There is a hint here of cost efficiencies (but for whom?) but it is sadly often seen that with reorganisations come more staff with higher rank and of course remuneration such that the overall management bill expands leaving less funds for those being managed! This appears to be the continued sacrifice that our ADF **members** are expected to pay for volunteering to give up their **freedom** and in the ultimate situation to give their life for their Country. Is this what a Labour Government, who promised to address our inequitable Indexation before the last election, is offering by way of thanks for our service, it beggars belief.

**Freedom** is often a misunderstood condition, but in Australia I believe it is epitomised by the fact that Australians can come and go as they please, have a job of their choice or be unemployed. Within the terms of their remuneration they can live where they like, have whatever sort of house they like, education for children, religion etc. The ADF **members** forgoes this total **freedom** in that they will live where they are required, will move when directed, work nights or weekends, travel to areas of conflict or disaster and work 24 hours a day as required and ultimately give their life for a cause that their Parliamentarians have deemed fit. Is this not a **unique** situation that no other Australian experiences nor would voluntarily seek without some **unique** benefit through life? A reasonable salary when employed should not be seen as a reason to deny an ADF member a reasonable pension on retirement. At least there is the DVA to assist in those areas of most pain, but can we anticipate that this too will be amalgamated with Commonwealth employees?

One could be forgiven for wondering why the plan does not include Politicians Remuneration Tribunal or those for Judges, could it be that the Government believe that they are **unique** and should therefore be allowed to be separate. It is interesting that Parliamentarians are **Members** for their constituencies and not employees, if this distinction can be seen, why not for the ADF? If this Bill is allowed to proceed the enduring distinctions between military and civilian service will become further blurred with a consequent detriment to ADF **members**. Sailors, soldiers, airmen and women's minds are far from being preoccupied by their Superannuation as at the extreme in Afghanistan they are looking to achieve the Government set aim and to survive. They leave representation to those with an understanding of their situation in Canberra and not to a new Board dominated by well meaning civilians.

Finally, this 'appears' inconsistent with extant Legislation. This topic is far better argued by the more knowledgeable RSL and DFWA, but to a simple sailor this arbitrary change seems somewhat undemocratic (dare I use that cliché Un Australian that Politicians like to use so regularly). Where is the benefit, what consultation has been/is proposed and with whom, noting there is no Union only such Groups as the RSL and DFWA and when were/will they engaged, if at all?

It is my **Conclusion** that this merger of Military and Civilian Superannuation Boards is inappropriate as Military service is as **unique** (if not more than) that of a Parliamentarian or Judge. ADF members give up their **freedom** to serve their Country and deserve a **unique** solution that covers whole-of-life benefits and this change offers none that are obvious to me. Indeed I see further diminution of 'after service' benefits for ADF **members**. I do not see any consistency with prior Legislation nor benefit to the taxpayer. There maybe some benefit in the amalgamation of existing and future military superannuation schemes under one Board with appropriate ADF representation in rank, numbers and consultation.

I would **Recommend** that the Government abandons this poorly thought strategy to amalgamate military and civilian Boards whilst consideration and consultation be given to a possible merging of the management of the existing and future military superannuation schemes.

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