

Submission No:.....	120
Date Received:.....	15/9/08
Secretary:.....	

Mr Peter Bouchier
On behalf of
Mr Christopher Lanser

11 September 2008

Committee Secretary
Joint Standing Committee on Foreign Affairs,
Defence and Trade
Department of the House of Representatives
PO Box 6021
Parliament House
Canberra ACT 2600
Australia

Dear Sir/Madam

**Re: F111. Deseal/Reseal Programme –
Application for Compensation
Mr Christopher Lanser**

I thank you for the time you took to discuss with me, a late submission to the above enquiry on behalf of Mr Christopher Lanser.

Unfortunately, Christopher did not hear of the enquiry until he read a report in the Queensland Press, whilst he was convalescing from a recent operation.

We would be grateful if this submission could be included with others, as detailed on the Website.

Christopher Lanser submitted a claim to Dept. of Veterans' Affairs – F111 /Deseal Reseal (DSRS) Ex-Gratia Payment Scheme.

However, his claim for an ex-gratia payment was rejected based on the criteria in place to determine eligibility under the scheme.

Following the rejection of his claim, Christopher Lanser and I prepared submissions for the Commonwealth Ombudsman, detailing Christopher's service, injuries, sicknesses, state of mind, family outcomes etc. etc.

The Ombudsman responded by letters dated 3 February 2006 and 13 March 2006. In effect the Ombudsman stated that no further investigations would be carried out by that office, and detailed the reasons that led to that decision.

It appeared that the criteria that was laid out for the Ex-Gratia Payment Scheme did not allow the Ombudsman to investigate it because of the constraints imposed by the Dept. of Veterans' Affairs.

In conclusion, the Ombudsman's investigating officer stated in part "I also ask you to remember that as the definitions used in assessing DSRS claims for an ex-gratia payment have resulted from a ministerial level decision, our office is unable to investigate that decision".

Attached to the Ombudsman's letter were further documents regarding definitions of the tiers and proposed amounts of payment and detailed descriptions of exposure.

In this instance, and obviously in regard to other claimants, lies a deep seated problem. We have persons who have been exposed to the chemical SR-51, in association to the F111 Deseal-Reseal Programme who have very serious medical, physical and emotional problems. Yet, these same persons who have been medically examined over and over, and have been accepted as having conditions due to contact with SR-51, being denied once again.

They are being denied because of a scheme which has been structured, and does not accept their current medical status.

The submission from Department of Veteran Affairs, and the statistics provided for accepted/non-accepted claims, basically states, that those rejected from the Ex-Gratia Scheme did not qualify for either Tier 1 or Tier 2 of the Ex-Gratia Lump Sum Payment Scheme, even though they may have medical conditions that support their claim.

In Christopher Lanser's case we have a situation where he was conscripted into the Army for National Service. In that time Chris served his country in Vietnam.

Following discharge Chris worked in civilian employment for a number of years before re-joining the Services, this time the Air Force.

During his service in the Air Force Chris became ill on many occasions. Following discharge and to this current day Chris suffers many illnesses which are detailed in this submission.

He is currently classified Totally and Permanently Incapacitated, enjoys a poor quality of life and is looking forward to his fourth (4th) hip replacement on 18 September 2008.

He went into the Army, worked in civilian life, rejoined the Air Force and was subjected to the rigors of all types of medical tests for enlistment, re-enlistment etc. etc. and was found to be healthy.

Now he cannot enjoy the quality of life that he should expect.

He is very bitter towards the way he and others are being treated and asks the enquiry to look intensely at this situation and once and for all, get it right this time.


In support of Christopher Lanser's submission the following documents are enclosed.

- A. Statutory Declaration completed by Christopher Lanser which was submitted to the Ombudsman.
- B. Letter dated 7 February 2006 completed by Christopher Lanser sent to the Ombudsman.
- C. ~~Letter dated 8 February 2006 completed by Christopher Lanser sent to the Ombudsman.~~ Deleted. Not part of submission.
- D. Letter dated 7 February 2006 completed by Peter Bouchier sent to the Ombudsman.
- E. Copies of letters marked Document AO, Document AP and Document AQ. Dated 8th February, 2006.


Please note that other Documents marked AA, AB, AC, AD, AE, AF, AG, AH, AI, AJ, AK, AL, AM and AN cannot be located – they were forwarded to the Ombudsman on 8 February 2006.

- F. LETTER FROM OMBUDSMAN DATED 3RD FEBRUARY, 2006.
- G. LETTER FROM OMBUDSMAN DATED 13 MARCH, 2006.

Yours faithfully



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Peter Bouchier – on behalf of



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Christopher Lanser