

Additional comments by Labor Senators

1.1 Labor Senators agree with the Committee's assessment of the concerns about schedule one and schedule five, noting the work the Department and the Principle Member of the Veterans Review Board (VRB) has undertaken to address these concerns.

1.2 The majority of concerns in relation to this Bill have been resolved; however, Labor Senators still hold some reservations about the use of the 'no reasonable prospect of success' as a basis on which to dismiss an application for review at the VRB stage. While we understand this is to align the general principles of the VRB with the Administrative Appeals Tribunal (AAT), we would note that the VRB has always sought to be a conciliatory review process as opposed to the more formal processes within the AAT. That being said, Labor Senators are reassured by the opportunity for the applicant to present at a preliminary hearing prior to a case being dismissed under any of the conditions listed in subsection 155(8) (8A).

1.3 In addition, Labor Senators note that the Principle Member of the Veterans' Review Board has assured the Committee that the power to dismiss claims under this provision will not be delegated to any other member of the board, however note this has not been included in the proposed legislation.

1.4 In relation to schedule five, given the concerns of the veteran and ex-service community, Labor Senators are pleased to see the Department have commissioned an Independent Privacy Assessment to review this impact of these changes. Labor Senators call on the Department to release the outcomes of this assessment as soon as practical.

1.5 Labor Senators also agree with the Committee's assessment of the broader concerns in the veterans' community in relation to the Department and the Government's handling of personal data. This has been a reoccurring theme in recent Senate Inquiries with regards to the Department of Veterans' Affairs.

1.6 Noting that concerns about inadequate consultation has been an ongoing issue for the Department, with many in the veterans community stating they do not believe they have been properly consulted on a range of issues, Labor Senators are pleased that the Department will be reviewing its consultation processes.

1.7 Labor Senators encourage the Department to conduct this review promptly and consider all avenues of communication to ensure that those who may be impacted by future changes to legislation or administration are afforded the opportunity to meaningfully engage in the process and provide essential input.

Senator Alex Gallacher
Deputy Chair

Senator Claire Moore

