COMMONWEALTH OF AUSTRALIA

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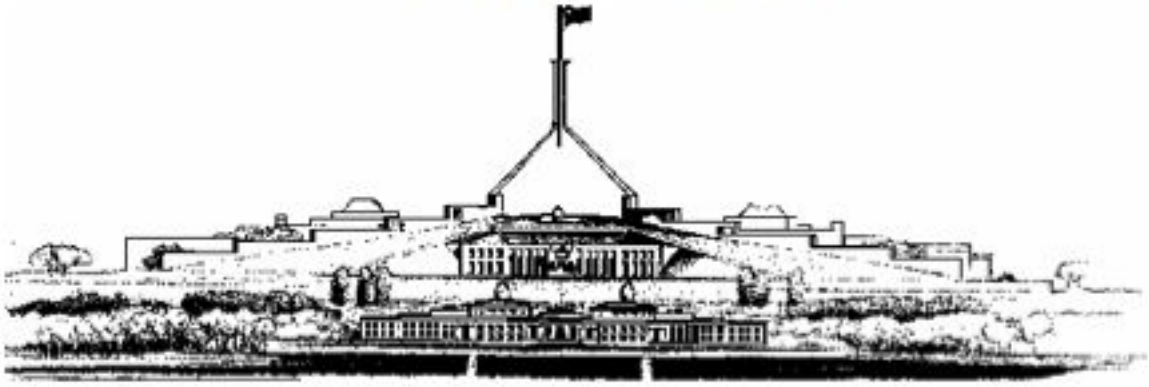

HOUSE OF REPRESENTATIVES

BILLS

Veterans' Affairs Legislation Amendment (Miscellaneous Measures) Bill 2013

Second Reading

SPEECH

Tuesday, 11 February 2014

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

SPEECH

Date	Tuesday, 11 February 2014	**Source**	House
Page	117	**Proof**	No
Questioner		**Responder**	
Speaker	Leigh, Andrew, MP	**Question No.**	

Dr LEIGH (Fraser) (20:27): The legislation before us today includes a range of measures to improve the provision of assistance to veterans receiving rehabilitation or compensation under the Veterans' Entitlements Act 1986 and under the Australian Participants in British Nuclear Tests (Treatment) Act 2006. The result of these amendments will be a speedier and more efficient process for providing special assistance to veterans, members, former members and their dependants. By continuing to review and improve the mechanisms by which we compensate our veterans, we pay due deference to the ongoing debt that is owed to our service personnel. We owe it to them not only to recognise and remedy the damage they have suffered but to make sure the means by which we do this are efficient and easily navigated.

In particular the bill will clarify the arrangements that assist those affected by British nuclear tests to get the treatment they need. Those who need to travel for treatment face significant transport costs, they need to feed themselves away from home, they need somewhere to stay, and often they need somebody to travel with them. As we learned during discussions around the bill in 2012-13, the department processed over 165,000 claims for reimbursement for travel expenses for treatment purposes. The bill will enable Australian participants in the testing to better understand the support which they can draw on in dealing with the ongoing effects of exposure.

The history of British nuclear testing in Australia offers a case study in the ongoing evolution in the way we make reparations to Australians who have suffered through extreme circumstances in the name of their country. Both Australian and British governments have made mistakes and we aim here to learn from past wrongs. Naturally those mistakes do not undermine the current strong relationship that Australia shares with friends in the United Kingdom. In recounting the events of the British nuclear test, I acknowledge the help of Hariharan Thirunavukkarasu, who worked in my office and helped prepare these remarks.

The bombing of Hiroshima and Nagasaki ended the deadliest conflict in human history. But the arrival of the nuclear age changed the world for other reasons. The balance of power in the world was up-ended and the United States emerged as the undisputed global hegemon. Predictably, the other great powers scrambled to join the nuclear club and redress the new imbalance. Within two decades of *Enola Gay*'s fateful flight, the current permanent members of the UN Security Council had all successfully deployed nuclear weapons. For Britain, the motivation to acquire nuclear weapons was as much about prestige and clinging to the days of its imperial glory as it was about national security. As Foreign Secretary Ernest Bevin eloquently told Whitehall officials:

We have got to have this thing over here whatever it costs, and with a bloody Union Jack flying on top of it.

Australia's role in the rush to nuclear came through Britain's race to acquire the bomb. Initially, the British government sought to obtain a transfer of nuclear technology from the United States. After all, the British assumed their collaboration with the Americans and the Canadians on the Manhattan Project entitled them to the technology. But in 1946 congress passed the McMahon act, which prohibited the transfer of nuclear technology to foreign governments. This was at least partially driven by a mistrust of the nuclear security of their allies. Presaging the plethora of British defectors that would emerge during the Cold War, the British physicist Alan Nunn May was caught in 1945 passing nuclear secrets to the Soviet Union. Spurned by their great wartime allies, the British tried to obtain permission to conduct nuclear testing in the Nevada desert but were again refused. So they turned to Australia.

When the then British Prime Minister, Clement Attlee, proposed conducting nuclear tests on Australian territory, Prime Minister Menzies agreed immediately, without consulting his cabinet colleagues. This was not an anomalous event. It reflected the tenor of the time. British interests were seen as synonymous with Australian interests, and Australian sovereignty was subordinate to Britain. Indeed, the British government told Menzies which Australian ministers could be informed of the operation, and, as the Royal Commission into British Nuclear Tests in Australia found, 'the Australian news media reported only what the UK government wished'. The extraordinary secrecy was a legacy of the war. As Margaret Gowing has noted:

Wartime secrecy produced a distortion of constitutional government in countries such as Britain where atomic matters were never discussed within the small War Cabinet, and Mr Attlee, as Deputy Prime Minister, the Service Ministers and the Chiefs of Staff knew almost nothing about it.

The culture of secrecy was so ingrained that Menzies even misled the public, in a newspaper interview, about the possibility of nuclear testing in Australia. It is a lesson for the current generation about the risks of excessive secrecy. With the benefit of hindsight, it may be a mistake to keep secret even those things that seem worth keeping secret at the time.

After the tests were made public in the early fifties, there was minimal public dissent. When opposition was voiced, critics were denigrated as:

… Communists and … fellow travellers who wanted our tests to stop while Russia continued with hers.

A Gallup poll in 1954 found that Australians were among the most enthusiastic—even compared with Americans—towards their allies' development of nuclear weapons as a deterrent against communist aggression. An equally sanguine perspective was apparent in the media, with atomic bombs expected to, as *The Sun - Herald* put it, 'eventually become the Australian Army's hardest hitting weapon'.

Beginning in the 1950s, the British, with Australian assistance, started testing nuclear weapons in Australia. Between 1952 and 1957, 12 major nuclear tests were conducted. The majority took place at Maralinga and Emu Field in the South Australian desert, while some also occurred at Montebello Islands, off the north-west coast of Western Australia. The Maralinga tests continued up to 1963 and included hundreds of so-called 'minor trials', which were anything but. The minor trials seemed to have been drawn from Hollywood scripts. They included experiments such as crashing planes with nuclear weapons on board, setting fire to atom bombs and placing them in conventional explosions. Ironically, it was the radioactive materials dispersed from the minor trials, not the atomic bombs, which have left the legacy of plutonium contamination at Maralinga today.

In the vernacular of the Pitjantjatjara people, Maralinga translates as 'field of thunder'. This originally referred to the dry lightning strikes that occur in the climate of the Central Australian desert, but 'field of thunder' came to take on a new, more insidious meaning. Don Martin, an Aboriginal man, was in the area for one of the tests. He said:

When the bomb was fired, you [would] get the sight of every shadow in front of you from the flash, and you [would] turn around and [you'd be] watching the mushroom cloud forming, just like a big, boiling oil-fire …

It's that technicolour effect inside the bomb that makes it so magnificent.

But you're not thinking, because it's so far away …

And there's no noise.

And then suddenly you can see this wall coming towards you.

And as it comes towards you … it picks up more and more dust.

And then … the shock hits you.

Karina Lester's father was there, too. She says:

He describes it like a black mist that rolled through, along the ground, through the tops of the trees, and … silently it moved.

It totally confused the animals.

Animals were so used to dust storms, and the noise that [a] dust storm brings … but this was a black mist that came silently across the land.

Karina's father was Yami Lester, of whom Paul Kelly sings:

My name is Yami Lester / I hear I talk I touch but I am blind / my story comes from darkness / listen to my story now unwind.

Following the findings of the McClelland royal commission in 1985, the Keating government paid $13.5 million in compensation to the local Maralinga Tjarutja people.

Currently, the number of Australian participants in the British nuclear test program, according to information obtained from the Parliamentary Library, is a bit under 17,000, almost evenly split between military personnel and civilians. In addition, thousands of British soldiers, mostly men completing their compulsory national service, were involved. Lance-Corporal Johnny Hutton was one of these men. Hours after an atomic bomb was detonated, the 19-year-old would drive out to near ground zero and unearth instruments that were buried to monitor the blasts. For their job, the Army gave them shovels—and steaks for a good meal afterwards. But the Army did not provide anything to cook the steaks with. So, Corporal Hutton says, he and his squad just washed the dirt off the shovels and cooked their steak and eggs on them, over a fire.

Most of the time the men wore shorts and boots, but they were given protective gear to wear when they drove out to the crater to collect the instruments. After doing strenuous work, the heat built up inside the suits and the masks fogged up so that they could not see what they were doing. So, Corporal Hutton says, they took them off for some relief, breathing in the dust and radiation.

A more malevolent plan, codenamed Operation Lighthouse, was scheduled for 1959 but thankfully was never implemented. This was because Britain had gained access to testing facilities in the Nevada desert and because of a temporary international moratorium on nuclear testing. But the intent was chilling: the plan for the experiment, so secret that the Americans were not permitted to see it, was to expose nearly 2,000 soldiers, including 560 Australian troops, to a series of atomic explosions. While those tests did not proceed, other deliberate testing did.

In May 2001 the British government admitted that Australian troops had been ordered to run, walk and crawl across contaminated nuclear test sites. However, it denied negligence, insisting that the troops were only exposed to low levels of radiation and were not at risk. The British Ministry of Defence claimed that the testing was to gauge the effects of radiation fallout on clothing, not on personnel.

History is essentially a process of revision and revisiting. We revisit the past and assign meaning to it from our perspective here in the present. It gives us an opportunity to take pride in elements of the past which once shamed us, like our convict history. But it also allows us to recognise our past mistakes, like our treatment of Indigenous Australians. This ability, nurtured in Australia over our century as a nation, reflects our maturity as a society and our coming of age as a nation.

In the case of British nuclear testing in Australia, we can acknowledge the inadequate role of both governments' handling of the tests and their aftermath. We can make amends by supporting those individuals who were wronged, as this bill helps to do. A local man, Canberran Alan Batchelor, spent six months at the Maralinga site. He was a lieutenant in charge of an engineer group. Most of his comrades from that group are dead now. The tests have had long-term effects on Mr Batchelor and his children. After he returned from Maralinga, his wife fell pregnant then miscarried a badly deformed foetus. He was then sterile for nine years. He was later able to have two more children, one is healthy but the other suffers from intestinal difficulties and deformed teeth.

Recognising the kind of debt we owe to men like Alan Batchelor involves recognising an obligation that is ongoing. It encompasses the damage done to Mr Batchelor's life and the damage done to his family. Service, as other speakers in this debate have noted, can extract severe costs from veterans and their families. The story of Maralinga touches on a broad range of those costs.

The spirit of the amendments recognises that our commitment to compensate our veterans and service personnel includes an obligation to shape protocols and procedures that place as light a burden as possible on recipients. By compressing and streamlining the mechanisms through which we administer compensation to veterans, we will be better placed to meet the pressing needs of those who have been damaged by their service. This bill is a step in that direction and I commend it to the House.