HOUSE OF REPRESENTATIVES

BILLS

Veterans' Affairs Legislation Amendment (Partner Service Pension and Other Measures) Bill 2019

Second Reading

SPEECH

Thursday, 12 September 2019

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES
Mr BRIAN MITCHELL (Lyons) (12:13): Before I start, I'd like to thank the member for Mackellar for the courtesy of allowing me to take his place in the queue; I have to be in the Federation Chamber soon. Unfortunately, Member for Mackellar, I still can't vouch you for my brother, who lives in your electorate, but I will pass on my good regards!

Labor is proud to support this. I think veterans' affairs is one of those areas where there is always great bipartisan support for the contribution that men and women of the armed services have made to our country. I note that there are at least two in this chamber today; there is the member for Solomon and the member for Herbert, both former serving members of the armed forces. We thank them for their service.

I rise today to speak on the Veterans' Affairs Legislation Amendment (Partner Service Pension and Other Measures) Bill 2019. This bill is designed to improve outcomes for former partners of veterans and, separately, extend benefits available to Australian Defence Force members who served on submarine special operations. I am very pleased to be able to support this bill. Unfortunately, our veterans have not always seen the support they deserve, and I welcome the bill for prioritising the care and wellbeing of our veterans and their families.

Schedule 1 of this bill will improve financial outcomes for the former partners of veterans. As we know, the partners and former partners of veterans often shoulder a great burden. The amendments to the Veterans' Entitlements Act 1986 under schedule 1 align all of the partner service pension provisions for former married and non-married partners to ensure equity in treatment. This will ensure a modern legislative provision that recognises the differences in relationship types and removes any discrimination. Once this bill is passed, all eligible former partners of veterans will remain on a partner service pension after separation from their veteran partner for a period of up to 12 months. Additionally, where special domestic circumstances apply, including domestic abuse, amendments by legislative instrument will allow all former partners to remain eligible to receive a partner service pension until they enter into a new relationship. This preventive measure, part of the Fourth Action Plan of the National Plan to Reduce Violence against Women and their Children, will assist partners to leave a violent relationship by providing them with financial support. These amendments streamline eligibility for PSP by removing the inequities which currently exist between married and non-married former partners and will ensure all separated or surviving partners are treated equally. The amendments will create a modern legislative provision which recognises different types of relationships and removes any associated discrimination.

Schedule 2 of this bill extends benefits available to ADF members who served on submarine special operations. Once this bill is passed, the service of veterans involved in submarine special operations between 31 December 1992 and 12 May 1997 will be recognised as operational and qualifying service under the VEA. Further, the period between 13 May 1997 and 30 June 2006 will not require legislative change. It will be subject to future determinations of non-warlike service, providing further support to eligible ADF members involved in submarine special operations. This cohort will benefit from being eligible for additional benefits, including treatment for conditions accepted as being due to their service and will be issued with a DVA health card - specific conditions, the white card, which will provide them with more streamlined access to treatment. They will be eligible for a service pension at age 60 and for gold-card benefits at age 70. Operational service also allows for the assessment of claims under the more-beneficial reasonable hypothesis standard of proof and allows eligibility for compensation for injuries and disease that can be attributed to their service.

Schedule 3 of this bill is a technical amendment to align marriage related definitions in veterans' legislation with the definition of marriage made by the marriage amendment act. The marriage amendment act amended the Marriage Act 1961 to remove the restrictions that limit marriage in Australia to the union of a man and a woman and allowed two people the freedom to marry in Australia, regardless of their sex or gender. The amendment also expands eligibility for subsidised housing loans and subsidies under the Defence Service Homes Act and for pensions under the VEA. These amendments will mean better outcomes for veterans and their families, and Labor is happy to support them.
It is fitting that we consider this legislation at this time, having last week marked Legacy Week, the annual national appeal to support the families of veterans who have lost their lives or their health as a result of their military service. Legacy is an outstanding community organisation. Members may have been—accosted is the wrong word—politely approached, perhaps, by the Legacy volunteers selling badges at the doors, I think yesterday. Legacy is an outstanding community organisation that provides invaluable services to some of the most vulnerable members of our community, including elderly widows, and children and dependants with a disability.

The health and wellbeing of our veterans should be one of this nation's highest priorities. Recently, my office has been working with a veteran, Brett—I'm using his name with his permission—with his application for invalidity benefits owing to a diagnosis of post-traumatic stress disorder. Brett did tours. He parachuted out of planes as a highly qualified soldier. His last jump caused an injury which left him unable continue his operational duties. He received high commendations and was very proud of his service, but the injury put all that to an end.

After many months of trying to deal with his movement within the Defence Force, Brett had no choice but to request discharge. Like many soldiers, he did not at the time mention what was going on in his mind to the people who were asked to counsel him. After several attempts at taking his own life, Brett and his partner are now trying to struggle through it, but they’re fighting the bureaucracy every step of the way to prove that he had PTSD at the time of discharge. I don't pretend the Department of Veterans' Affairs has an easy job managing many thousands of veterans but, I've got to say, I wish they did a better job. It just seems so inhumane the way some of these guys are treated. The bureaucracy has a duty of care to people like Brett that I don't think is being fulfilled. I note today that many members are wearing R U OK badges. We ask people: 'Are you okay?' And this week is World Suicide Prevention Week. Too many veterans are taking their own lives unnecessarily.

I come to these statistics: between 2001 and 2016, 373 serving and ex-service personnel took their own lives in this country. For service personnel and reservists, a smaller portion of those than in the entire population take their lives. But when it comes to ex-service personnel, it's 18 per cent higher. You've got an 18 per cent higher chance of taking your own life if you used to serve in the defence forces than if you had any other job in this country. That's just unacceptable. I know the member for Herbert is doing great work in this field and I commend him for that. We need to do a lot better. I know the minister is very committed to this and I commend him for that, but we just need to keep doing better. Brett and his partner are continuing the fight. They tell me it's a nightmare they can't wake from.

I have also previously mentioned Eric in this place. He's a Vietnam veteran who served in the Navy. He lives in Bridgewater in my electorate, and my office has assisted him with accessing dental care through his DVA gold card entitlement. Again, it's not easy to do. You have to drag it through the department. Eric has expressed to me his frustrations at the way politicians often celebrate the service of military personnel. We're out there every Anzac Day, as we should be, and we're out there at the War Memorial, as we should be, but it's not enough to wrap ourselves in the trappings of this nation's military history and military service. We need to do better with the people who come home. We shake their hands. We hug them on their return. But I think we all too soon forget about them, about their service and about the struggles they go through with their mental health. Eric only asks that he and other veterans are looked after by their government and by their nation, that their contribution to defending their country is not forgotten, that their communities do not neglect them and that they can access the medical care, services and benefits they are so deserving of.

We, Labor, value our veterans and their families and we understand the unique nature of military family life. Those families are also deeply affected by military service. That's why prior to the last election, Labor did commit to support Legacy's family assist program. We developed a national family engagement and support strategy to identify improvements to family support. Unfortunately, many in our veteran community face ongoing difficulties upon their return to civilian life, often facing overwhelming bureaucracy and struggling with that transition.

A recent report from the Australian Institute of Health and Welfare provided the alarming insight into the plight of veterans who are struggling to put a roof over their heads. That report, *Use of homelessness services by contemporary ex-serving ADF members: 2011–17*, found more than 1,200 Army, Air Force and Navy veterans are either homeless or facing homelessness after being discharged between 2011 and 2017. There are 1,200 veterans facing life on the streets because our nation, collectively, does not do enough to make sure that when they come home, they have a home to go to. When veterans start using services nearly half are homeless, while
more than half are at risk of not having a place to live—that's of the veterans who use this service. It found that veterans were twice as likely to describe themselves as rough sleepers and as having no shelter before using the services compared to non-veterans. It's the nature of these people; they're go-getters. They try to do things themselves and they seek assistance as a last resort. Of particular concern was the high proportion of younger and female veterans who are forced to access services, including 46 per cent of women who are single parents.

This report highlights the impact of factors such as mental health, unemployment, housing, financial stress, and domestic and family violence on homelessness among veterans. It's a worrying picture of ex-serving Australian Defence Force members and veterans. And, of course, their mental health continues to be an issue of significant concern. Veterans remain—too sadly, as I said—overrepresented in suicide rates.

I welcome the changes that the amendments in this bill provide—they improve support for veterans and their families—particularly the effort to support women, to reduce discrimination and to address domestic and family violence. These are modern legislative provisions that recognise the differences in relationship types and remove discrimination. But it's clear that we need to do better as a nation. Our veterans need the ongoing support of government and their community. I recognise the minister in the House today: I know he is personally committed to this. I can say to the minister that he will have this side's support in all his endeavours to do better by the veterans of this nation. It is incumbent on all of us to let veterans know, whenever we encounter them, that they have permanently earned the respect and the thanks of a grateful nation.