



DEFENCE FORCE WELFARE ASSOCIATION

NATIONAL OFFICE

PO Box 4166, KINGSTON ACT 2604

Telephone: 02 6265 9530

Facsimile: 02 6265 9776

national@dfwa.org.au

www.dfwa.org.au

Patron-in-Chief: His Excellency Mr Michael Bryce AM AE

File: 57.06.02

28 November 2008

Review Secretariat
PO Box 895
WODEN ACT 2606

DFWA Submission to the Reconsideration of the Recommendations of the Clarke Review that have not been Acted Upon

In conducting the 2003 review, the well-qualified review committee - The Hon John Clarke QC, AVM Doug Riding AO DFC and Dr David Rosalky - examined mountains of evidence and listened to the testimony of many witnesses. DFWA therefore believes that, except where

- a. the committee's recommendations have been overtaken by events, such as the passage of legislation like the *Military Rehabilitation and Compensation Act 2004*; or
- b. where the Committee has made recommendations, as noted below, where adoption would open a Pandora's box by depriving some veterans of benefits that are currently recognised;

the Clarke Committee's recommendations should now be accepted.

We do, however, wish to emphasise the following recommendations which DFWA strongly supports:

- a. **Recommendations 1, 31 – Incurred Danger**
The Government's response to the report did not recognize the

REGULAR DEFENCE FORCE WELFARE ASSOCIATION INC

Incorporated in the ACT: Reg No: 1496

ABN 49 929 713 439

reality of special operations. (See para 11 of RDFWA's 14 October 2003 response to the Clarke report (copy enclosed).)

- b. **Recommendation 43 and 65 – BCOF Japan Service**
Given the intensity of animosity by the end of World War II, the initial occupation of Japan was warlike service.
- c. **Recommendation 45 – British Nuclear Tests**
The previous Government's response has been inadequate and illogical.
- d. **Recommendation 60 – Domicile of Choice**
The Government's response did not recognize the situation facing young Australians, many of them away from their families and studying or working in the UK on the Outbreak of World War II, who joined the UK Armed Forces as their contribution to the defence of the British Empire and, through that, Australia.

DFWA also supports the recommendations of the Legacy Coordinating Council dated 24 November 2008, particularly those affecting widows and dependants of veterans.

As indicated above, there are a number of Clarke recommendations which DFWA does *not* support:

- a. **Recommendation 70 – No Further Grants of Gold Cards**
The Committee recommended, and the then Government rejected, imposition of a means test for any disability benefit for veterans under the *Veteran's Entitlements Act*, which is contrary to the basic intent of the Act. (Note that the means-tested Service pension is not a disability pension but an income support measure.);
- b. **Recommendations 72, 76-79 and 93-107**
These recommendations have been overtaken by events.
- c. **Recommendation 92 – Dual Entitlements**
The Committee's recommendations are contingent upon the veteran receiving (and being able to absorb at the time) detailed financial advice. (See para 27 of RDFWA's 14 October 2003 response.) The current arrangements prevent "double dipping" and appear adequate.

Yours sincerely



Colonel David Jamison AM (Retd)
National President

Enclosure: Copy of RDFWA's response of 14 October 2003