



THE VIETNAM VETERANS FEDERATION OF AUSTRALIA Inc.

SUPPORTING ALL WHO SERVE AND HAVE SERVED

Achievements of the Vietnam Veterans Movement in Australia

THE VIETNAM VETERANS MOVEMENT

The Vietnam veterans movement became a national organisation in 1980 with a National Office and State and Territory branches and sub-branches forming the Vietnam Veterans Association. In 1981 the National Office and NSW Branch headquarters were established in makeshift premises in Granville, Sydney when the justly renowned Phil Thompson was elected both National President and President of the NSW Branch.

It was from this Granville makeshift office that the successful campaigns were conducted for a counselling service and a Royal Commission into exposure to herbicides and insecticides. In 1986 Phil Thompson died.

After a short interregnum Tim McCombe was elected to follow Phil Thompson in both jobs. Tim McCombe stayed as National President till 1991 when he was deposed with the National Office moving to Melbourne. Discontent with the Melbourne based National leadership grew in the NSW Branch. The NSW Granville office, continued to produce all the important submissions and reports for the majority of campaigns, while Melbourne was contributing very little.

The NSW Branch pointed out that it had half the Association's membership so its payments to the National Office were carrying it financially with little benefit to veterans. There was no point, the NSW Branch argued, in continuing to belong to the VVAA.

In 1996, the NSW Branch withdrew from the Association and formed the Vietnam Veteran Federation. Equally disillusioned groups in the States and Territories joined the NSW withdrawal and became State Branches and sub-branches of the new Federation. The Granville office became the VVFA National headquarters joining the NSW Branch headquarters. Tim McCombe was elected as President of both, and moved into better premises it still occupies today.

ACHIEVEMENTS

When asked what achievements have most contributed to their welfare, many current VVFA members nominate gaining fair indexation for the TPI and other veterans' disability pensions. This was a result of a ten year, VVFA, campaign (from 1997 to 2007) in partnership with Blue Ryan, the then National President, TPI Federation. Because of that successful campaign, TPI pensioners are now some \$6,000 a year better off. That is a lot of money for a TPI pensioner.

And what of earlier times? We asked members who were around when the NSW Branch withdrew and formed the VVFA. They remembered the start of our campaign against veterans having to financially contribute to the treatment of their war wounds. It took some years of campaigning but now the cost of pharmaceuticals that exceeds the pharmaceutical allowance is refunded.

Back then too the VVFA began a campaign to have the wives of TPIs granted the Gold Card. We've not won that one yet, but our campaign shone a light on the plight of veterans' families so that they are now given much more recognition. It was from the Granville office back then that the campaign for live-in PTSD courses resulted in the St John of God PTSD courses that have become standard treatment.

Meanwhile, VVFA Granville office was developing Advocate Training Courses of its own delivered Australia wide by the unforgettable Ray Fulton. It was back then too that the VVFA took on the Repatriation system over its rejection of the link between prostate cancer and smoking including a Federal Court hearing.

Central to the faults in the system was the Repatriation Medical Authority and the Specialist Medical Review Council employing too high a standard of proof in deciding whether a condition was linked with war service. This was an ongoing battle.

In 1997, the VVFA was involved in the Vietnam Voices exhibition at the Casula Powerhouse Arts Centre, Sydney. At the accompanying Seminar, the VVFA rep presented a paper on the continuing Agent Orange saga. The VVFA campaign on the chemical issue and on how it was reported in the official history continued till 2015 when, because of the VVFA's campaign, a new official history was commissioned.

It was this year too that we began an important campaign against a proposed change to the Repatriation appeals system that would have seriously disadvantaged veterans wanting to appeal against their compensation claims being rejected by DVA. Our campaign was partly responsible for the proposals being scrapped the following year.

1997 brought one of the most serious threats to fairness in the Repatriation claims system. Good old DVA decided that too many veterans were being granted pensions for PTSD and other psychiatric illnesses. DVA assumed there must be some rorting of the system. Obviously, they thought, the treating psychiatrists were writing false reports or were, through incompetence, misdiagnosing. DVAs proposed remedy was to establish diagnostic panels of psychiatrists selected by them to judge all PTSD and other psychological illnesses, from which there would be no appeal.

What DVA should have realised was that Vietnam veterans were reaching an age when their youthful energy was running out. They could no longer suppress the psychological damage that the trauma of war had inflicted regardless of how hard they tried. Initially other ex-service organisations including the RSL fell into line with DVA, but the VVFA's advocacy eventually won out. At a meeting of ex-service organisations with the DVA Secretary, unanimous opposition killed-off the misconceived scheme.

On another front the VVFA was fighting against cuts to Legal Aid for veterans. This plagued the fairness of the appeals system off and on for years. It was 1997, too that the US recognised the link between exposure to Agent Orange and spina bifida in veterans' children. The VVFA began a campaign to have the link recognised in Australia. Whilst the link has never been acknowledged here, a study showing a higher rate of spina bifida in Australian children of Vietnam veterans resulted in some compensation.

Also, the VVCS was refusing counselling to the children of Vietnam veterans without an accepted disability. The VVFA objected with eventual success. The VVFA took exception to the excluding of Vietnam veterans in the initial granting of the Gold Card to the over-70. The exclusion was eventually removed.

Perhaps one of the VVFA's most important fights was against DVA's application of the 'alone test' when judging TPI pension claims. The 'alone test' stipulated that the claimant must be unemployable because of his accepted disability alone. If an unaccepted disability was contributing to that unemployment, no matter how serious the accepted disability, the TPI pension would be refused. But good old DVA went for the jugular. Even unaccepted such as medically controlled diabetes with which the veteran had been working for years, would disqualify him. It was just ridiculous. This battle was hard fought including many raised voices. But it was a battle the VVFA eventually won.

It was 1999 that the VVFA took the Specialist Medical Review Council through court hearings in the Supreme Court of NSW, the NSW Court of Appeal and Federal Court. DVA behavior during this process was deplorable. Eventually the courts found that the SMRC was not employing the correct standard of proof and sent back the decision in question for reassessment. This was a vital win for veterans in the compensation claims process.

There were other dodgy goings on round this time. Unqualified DVA officers were changing the degree of disability judged by the treating psychiatrist. This was unconscionable conduct. We objected, successfully. However we noted that they were at it again during 2019.

1999 saw an unprecedented packed meeting at the Sydney Town Hall of disgruntled veterans unhappy with the erosion of repatriation benefits.. Tim McCombe was on the organizing committee.

In the year 2000 we saw a widow turning up at the Federal Court in Brisbane with her legal aid lawyers, only to be met by the Department's two barristers and four solicitors, some flown in from Canberra and Melbourne. Then in Sydney, at the Administrative Appeals Tribunal, a veteran and his solicitor found themselves opposed by a barrister and three other lawyers, two flown in from Canberra. This began a long and frustrating campaign to have DVA abide by the Model Litigant rule which requires Commonwealth departments not to use their superior legal resources to take unfair advantage in judicial hearings. We continue to fight this one with some very limited success.

The VVFA continued to fund or administer a number of education scholarships for the children of war effected Vietnam veterans. A most worthwhile and rewarding enterprise.

It was hard yakka in 2002 arguing against the Department of Finance's submission to an enquiry claiming that disabled war veterans should not be treated any differently from firemen and police. War veterans, the department argued, should come under civilian compensation schemes. We eventually won that one but were dismayed that such a suggestion should be made. In recent times we have had to argue that one again with a report from the Productivity Commission making similar repugnant suggestions.

It was in this year that the Minefield project really got underway. Initially, collecting information on the Minefield was to inform us in helping veterans with compensation claims. The information that came in, however, motivated our Vietnam veteran honorary historian Greg Lockhart to write a much-praised book on the subject.

Then there was the ASIST project. We financed one of our members, Bob Tyrrell, who toured around organizing the suicide prevention seminars known as ASIST. VVFA then lobbied with others successfully DVA.

In 2003, DVA was looking for savings. It called a conference of stakeholders to announce that amputees were to get only one prosthetic. The second prosthetic presently provided as a spare for use during the maintenance of the first, would not be provided. Tim McCombe heard about the meeting and requested he attend. Next day a newspaper broke the story. The Minister responded that two prosthetics would continue to be issued.

In 2006, the VVFA helped a rap band called *The Herd* make a music video of a rap version of *I Was Only 19*. It became a 'hit' staying at Number 1 for a long time. It was played at the Melbourne Shrine of Remembrance to visiting school groups as an introduction to their tour. In the same year we began a campaign for fair indexation for military superannuation pensions. With ADSO taking up the fight, we eventually won.

Meanwhile, the VVFA offices round Australia were helping an unprecedented number of veterans (of all wars) with their compensation claims. Something like 2,000 claims and hundreds of appeals were being compiled and submitted each year.

The VVFA identified the suicide of Afghanistan veteran, Geoffrey Grey as being contributed to by Repatriation system dysfunction. Geoffrey's suicide was, sadly, not to be the last.

Leading up to the 2007 Federal Election, the VVFA lobbied all political parties. The Shadow Minister for Veterans Affairs, Alan Griffin, was particularly receptive to our briefings and promised, along with a long list of benefits, the fair indexation of all veterans' disability pensions including the TPI. On winning the election, his party implemented all of his promises. Alan Griffin acknowledged the VVFA's role.

2008 saw the start of VVFA's involvement in the RAAF 'deseal-reseal' scandal. Airmen had, over some years, been fixing leaking F111 fuel tanks from the inside causing them to inhale poisonous fumes. Now the chickens had come home to roost but government had been niggardly in its response. The VVFA's Malcolm Wheat became closely involved in the campaign for adequate compensation and medical help which was eventually successful.

Meanwhile the VVFA was at war with the War Memorial over the misleading wording of the Text Panel in the Vietnam War section about Agent Orange. After negotiations, the Text Panel wording was improved but remains less than satisfactory.

Round this time, DVA senior bureaucrats were pushing the line that 'compensation causes illness'. The idea was that veterans would feign or remain sick so as to get a pension. Our experience was, on the other hand, that veterans coming to us for help should have come years before, but resisted because they wanted to keep working and because they felt uncomfortable seeking help. The VVFA's arguments won the day and the DVA bureaucrats were silenced.

Privacy of veterans visiting Counselling Centres became an issue with DVA developing common entrances to DVA offices and the Centres. The VVFA, after a protracted and sometimes bitter battle won the day and separate entrances were established.

So, this is what we had achieved by 2012, with more of the story to come in a few months.

Keep watching this space.