

DFRDB

We receive more correspondence on this topic than on any other – and it's not surprising as a vast number of blokes and blokettes rely on the DFRDB to keep the wolf from the door.

Here's a sample

.....

Air Marshal John Newham letter.

The following letter was sent by Air Marshall John Newham (retired), former Chief of the Air Staff (May 1985 - July 1987), to Mike Kelly, MP (Labor) who should hang his head in shame.....



Air Marshal JW Newham AC RAAF (Retd)
Church Point NSW 2105
14th July 2011

Hon Dr M Kelly AM MP
PO Box 214
Queanbeyan NSW 2620

I have read Peter Criss's letter to you regarding the unconscionable attitude of you and your colleagues on DFRDB indexation and would like you to know I share his view. Speaking for many friends and erstwhile colleagues, we are astonished at your deception and gall. Frequently we see the ultimate hypocrisy when the Prime Minister assures families when there is a casualty, 'we will look after you'. We note the hollow words attached to sentiments of praise and cringe when senior military figures are misused as backdrop for unpalatable announcements.



We are expected to swallow patent falsehoods in your peddling 'reasons' for preserving defence members' retired pay status quo, while you, through suggestion, convey to the public the notion that pensions are straight drain from Consolidated Revenue without mentioning the fact that we contribute, and that the arrangement was changed from a superannuation fund overseen by a board until 1972 when the Jess Committee Recommendations were accepted by the Whitlam Government.

For a time the provisions seemed OK until under government direction the CPI was fiddled to our disadvantage. You would have known this when you were serving, but now have switched to a scheme that contains the elements of fair, even generous, retirement benefits – a dirty dig I acknowledge, but we have been fended off for too long.

I do not apologise for the tone of this letter because we are being short changed and treated as gullible fools; the government has reduced retired servicemen and women to the lowest stratum of society.

And

This letter was sent by

Neil Weekes, AM, MC
Brigadier, Retired.

Patron of:

- *The Townsville Sub-Branch of the RSL.*
- *The Townsville Branch of Vietnam Veterans Association of Australia.*
- *The Townsville Branch of the National Servicemen's Association of Australia.*



to:

Senator Nick Xenophon
Senator Penny Wong
Senator Bob Brown
Senator Kate Lundy
Prime Minister Julia Gillard MP
Tony Abbott MP

Following the Senate's rejection of the Fair Indexation Bill on 16th June, 2011, I forwarded a number of emails to your office to express my bitter disappointment on the Senate's decision as, in my view, it was a shameful betrayal of the men and women who have served our Nation in the Australian Defence Force for 20 years or more.

I was appalled that this decision was primarily based on financial restraints and yet our Politicians, including you, never hesitate to approve an increase to your own salaries, despite the financial state of the Nation!!

It is a complete mockery for members of our Parliament to attend the funerals of our young warriors who have been killed in action and to observe a minute's silence in the House of Representatives and in the Senate and yet you reject a Bill which would have aligned the increases to DFRB and DFRDB superannuants' pensions with our old age pensioners. This disgraceful decision, obviously based on Party lines, has alienated the Veteran Community and it has ensured that DFRB and DFRDB superannuants will see their measly pension (average annual pension is approximately \$23,600) continue to lose its purchasing power. This will be exacerbated by increases to the cost of electricity, increased vehicle registration, increased cost of food, increased cost of petrol, increased insurance cost, increased medical costs and the list goes on and undoubtedly will include new taxes!!

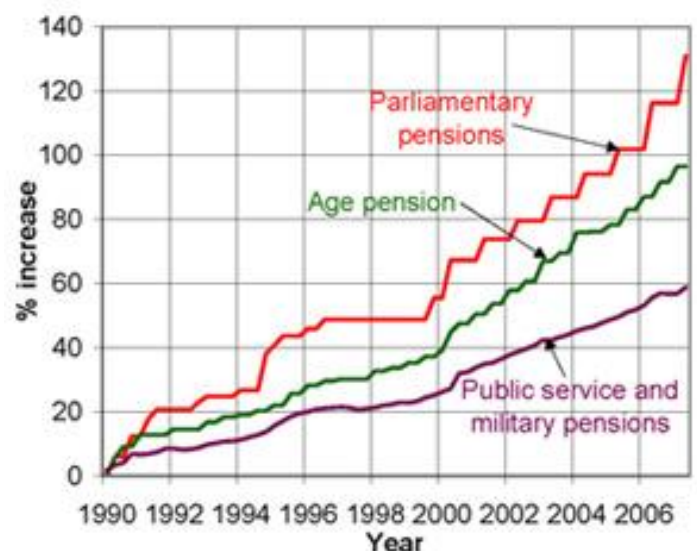
This is compounded for those surviving spouses who only receive $\frac{5}{8}$ th of the DFRB/DFRDB superannuants' pension which continues to be indexed against the CPI. It seems inequitable and immoral to me that the surviving spouse of a political pensioner has his/her pension indexed against the increases to the salary of a back bencher. Does this mean that a politician's spouse makes such a huge contribution to the defence and well-being of our Nation when compared to the spouse of a lowly soldier, airman or navy personnel? Where is the justice in this?

Could you please explain to me why the Government has accepted the recommendation by the Matthews Review that the CPI remains the most appropriate method of indexation for military superannuants? If this is a legitimate argument, then please explain to the Veteran Community why **your** pensions are not indexed against the CPI when you retire?

The Matthews Review does suggest the use of an Analytical Living Cost Index and the Government introduced the Pensioners and Beneficiaries Cost of Living Index (PBCLI) the day after the Matthews Review was released. Why was the PBCLI not accepted as a fair indexation for military superannuants?

Apparently, my emails, to which I referred in my opening paragraph did not reach your office. Consequently, I am enclosing copies of both emails for your attention. Please note that they have been distributed to a very wide distribution list and most recipients have in turn redistributed them to their own mailing lists.

You should be aware that this decision has angered the Veteran Community and we will continue to fight for a "fair go", especially as the Labor Party has abandoned the spirit of its election commitment to conduct a review that would address the inadequacy and inequity of the Indexation method (CPI) which has not kept up with the cost of living.



This is immoral, it lacks the principle of "a fair go" espoused by all politicians and especially by the Labor Party. How do you explain this to a Veteran who has fought for his country, who has been sent into action by his Government, who has seen his mates fall in action, who has readily surrendered his own freedoms so that our nation can meet its International commitments and to ensure our Nation remains free?

I formerly request that you acknowledge receipt of my letter and that you provide me with your answers, not your Party line answers, to the questions I have posed in this missive.

Yours sincerely,

Click [HERE](#) to read Neil's Letter to all who participated in Operation Letter Raid.
Click [HERE](#) to see a video of Neil Weeks

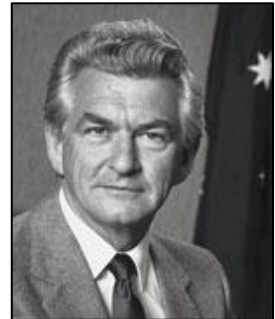
And

This one from Phil Clark, a retired Solicitor.

"The Federal Court of Australia interpreted the Veterans' Entitlement Act 1986 (VEA) as one which excluded the principles of equity (fairness and natural justice) from the administration of all veterans' entitlements, pensions and otherwise.

This is a point at law which is very relevant to all veterans.

The Veterans' Entitlement Act 1986 (VEA) is an Act passed by the Hawke Labor Government. All entitlements for veterans of the Vietnam conflict (and others) are administered by the VEA. Some years ago, a veteran had cause to challenge a decision made by the Department of Veterans' Affairs in relation to his entitlements. The matter ended up before the Federal Court of Australia. The Court interpreted the VEA as one which excluded the principles of equity (fairness and natural justice) from the administration of all veterans' entitlements, pensions and otherwise.



Successive Ministers for Veterans' Affairs have consistently, to date, failed to address this issue. A former Minister, Alan Griffin, gave me a written assurance that "equity" did apply in the administration of veterans' entitlements but when written proof was produced to him stating otherwise, Mr. Griffin was forced to admit that equity had no application in the administration of veterans' entitlements as the VEA was a "beneficial" (whatever that means) Act of parliament.

Being a retired lawyer, I appreciate that all Acts of parliament are "beneficial" to someone or something. But veterans are, obviously, not entitled to any "beneficial" interpretation of that particular Act. We are denied equity. Either clearly the Hawke government drafted the VEA with the intention that it be interpreted by the Courts in the way it has been or, alternatively, the interpretation of that Act came as a welcomed surprise.

The government was then more than happy to go along with the court's decision without introducing amending legislation to correct the inequity created. Either way, a gross miscarriage of justice has been inflicted on the veteran community generally.

The current refusal by the Senate to deny proper indexation of veterans' superannuation and pension benefits is yet another example of equity being denied to the veteran community. Now I ask: "Why do criminals have the principles of equity enshrined in statute law (fair investigation and collation of evidence, etc), illegal immigrants have the right to invoke equity in the administration of their entitlements to be, or stay here, and those seeking permanent residency status have not only the right to invoke equity regarding their claims but also have a power of

Ministerial intervention when "wrongs" are done to them by the Department of Immigration and Citizenship.

Veterans do not have similar rights!!

Veterans are the only section in our community I am aware of that are denied the right to be treated fairly and with natural justice in the conduct of their affairs. Regrettably, the Department of Veterans' Affairs receives, and will continue to receive, the blame for many matters it has decided and veterans have to appreciate that the Department is bound to follow both the government policy and the interpretation of the VEA by the courts in relation to administration of veterans' entitlements.

But, in reality, the majority of the angst against the Department by the Veteran community would be alleviated if only the politicians would introduce legislation to the VEA to restore equitable rights to veterans. The Department would then, presumably, have discretion to correct inadvertent or negligent errors internally without the veteran having to go back through the whole system again to have the wrong redressed; as is the present requirement. Administrative costs to the taxpayer and the social effects for the veteran would also be substantially reduced if Tribunals and Courts were able to invoke equity to resolve inadvertent or negligent decisions made within the system. At the present time, lower courts and tribunals are bound by the Federal Court precedent denying equity to veterans.



The Gillard Government now has a moral and social obligation to restore equity to veterans and allow for proper indexation of veterans' pensions in line with the indexation given to the rest of society. If the Gillard Government believes that it cannot afford to do so then it should look at the profligate waste of public moneys supporting failed schemes nationally and unnecessary foreign investments in priority to internal interests and determine where the government's priorities really lie. The general media should be onto this like a shot as it has been going on for far too long.

Why are veterans denied equity?"

And there's [THIS](#) and [THIS](#)

(It seems to us that at long last the tide could be turning – let's hope so. TB)

The average person thinks he isn't

A fair go!

Ted Chitham, MC, OAM, Lieutenant Colonel (Retired) (*That's a Wing Commander in real money - tb*) who is President RAR QLD and National Secretariat RAR Association, Australia, also heads up the Queensland division of the Fair Go Campaign, an organization that is determined to obtain fairness and equity for the thousands of blokes and blokettes who rely on their DFRB/DFRDB on which to live.



If you are affected by and have had enough of the Government's unwillingness to give ex-servicemen and women a fair go, subscribe to the Fair Go organisation so that:

- (1) you will be kept informed of the current situation and any planned action, and
- (2) perhaps you can help.

You can join the Alliance of Defence Service Organisations (ADSO) [HERE](#) and if you would like to read their latest update, you can do that [HERE](#).

ABC

Back in July, the ABC's 7.30 report in Victoria ran an article on the appalling problems with DFRDB. Many were surprised that the ABC would dare to criticise the Government – but they did. You can see it [HERE](#)

Peter Cameron.

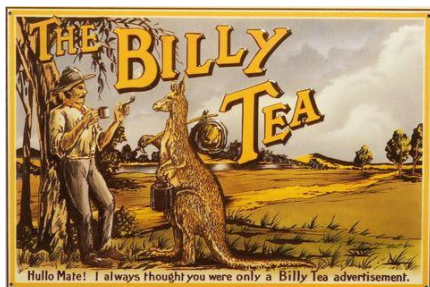
Peter Cameron wrote in the Gold Coast Bulletin recently that Prime Minister Gillard has and is treating Serving and Ex-Service men and women with 'contempt' and should be ashamed. You can read his article [HERE](#).

Legacy.

Legacy is a voluntary organisation supported by Veterans, Servicemen and women and volunteers drawn from all walks of life. It is dedicated to caring for the families of deceased veterans. Today legacy's caring and compassionate service assists over 100,000 widows and 1,900 children and dependants with a disability. This includes the dependants of members of today's Australian Defence Force who lose their lives as a result of their military service.



The Billy Tea company is proud to support Legacy Australian veterans. From 2011, the Famous Billy Tea will be donating funds to Legacy and its vast network of volunteers so they can continue caring for the more than 100,000 widows, and 1900 children, of deceased veterans.



It seems fitting for the Famous Billy Tea company, as it was originally created in 1888 to refresh hard-working Aussie diggers.

In fact, Banjo Patterson's original poem Waltzing Matilda was adapted and set to music in 1903 for a Billy Tea jingle. Since then, the catchy ditty has become a quintessential part of Australian culture, as is Legacy and its dedicated volunteers.

If you click on the link below and fill in the coupon the Billy Tea company will donate \$1 to Legacy. Click [HERE](#)

DFWA

The Defence Force Welfare Association (DFWA) as part of the Alliance of Defence Service Organisations (ADSO) is seeking information from ex-service people on the proposed Work Place Remuneration Agreement (WRA) and superannuation matters.

The aim is to seek direct advice from serving and recently retired members on these matters.

The [attached flyer](#) highlights these issues. The Workplace Pay Agreement will establish ADF salary arrangements for the next three years. The initial pay offer is 3% per annum for each of the three years 2012, 2013, 2014 with no trade-offs in Conditions of Service. This 3% is less than the projected CPI for the same period, which means the purchasing power of ADF wages will go backwards as CPI is a measure of inflation, NOT cost of living.

The ADF's [web site](#) shows a Cpl "Aircraft Technician" is now on \$65,515 per year.

For many years, the DFWA has been an Intervener on the Defence Force Remuneration Tribunal, appearing before it on many occasions and we intend to again front the Tribunal and seek its permission to intervene in this WRA Case, which in the past has been given routinely.



Airmen & Airwomen
On completion of employment training, you could expect to earn between \$54,328 and \$60,168 per year plus applicable allowances.

EXAMPLE - Kyle (age 24) is a newly promoted Corporal Aircraft Technician.

\$53,434	+	\$11,662	+	\$419	=	\$65,515
BASE SALARY		SERVICE ALLOWANCE		UNIFORM MAINTENANCE ALLOWANCE		TOTAL ANNUAL SALARY

In addition to passing individual views through your chain of command, the DFWA invites members of the RAAF to provide feedback to the Association. You can do that [HERE](#).

Patton staggered home very late after another evening with his drinking buddy, Paddy. He took off his shoes to avoid waking his wife, Kathleen. He tiptoed as quietly as he could toward the stairs leading to their upstairs bedroom, but misjudged the bottom step. As he caught himself by grabbing the banister, his body swung around and he landed heavily on his rump. A whiskey bottle in each back pocket broke and made the landing especially painful. Managing not to yell, Patton sprung up, pulled down his pants, and looked in the hall mirror to see that his butt cheeks were cut and bleeding. He managed to quietly find a full box of Band-Aids and began putting a Band-Aid as best he could on each place he saw blood. He then hid the now almost empty Band-Aid box and shuffled and stumbled his way to bed. In the morning, Patton woke up with searing pain in both his head and butt and Kathleen staring at him from across the room. She said, 'You were drunk again last night weren't you?' Patton said, 'Why you say such a mean thing?' Well,' Kathleen said, 'it could be the open front door, it could be the broken glass at the bottom of the stairs, it could be the drops of blood trailing through the house, it could be your bloodshot eyes, but mostly it's all those Band-Aids stuck on the hall mirror.