

ISSUES PAPER
Relative to Amendments to the
Veterans Entitlement Act

BACKGROUND

Since the first Australian Police Contingent departed for Cyprus in 1964, successive Australian Governments have endorsed ongoing commitments to United Nations/Multi National Peace Keeping Forces throughout the World, being:-

- Cyprus
- Somalia
- Cambodia
- Thai Border
- Mozambique
- Namibia
- Yugoslavia
- Haiti
- Bougainville
- East Timor

representing over 1000 years of actual overseas service in only 38 years.

In approximately 1970 in a review of the then Repatriation Act, Major General Cullen gave evidence on behalf of the "peacekeeping" role and the Government of the day included only benefits under the "Disability" section to be applicable to Peacekeepers, including Police.

Our Organisation has actively been seeking full coverage under the now Veterans Entitlements Act since 1996, due to the expanded and complex role of Australian Police in these Missions and in spite of numerous meetings with the Ministers of Veterans Affairs and of Justice, Executive of the Australian Federal Police and also Veterans Affairs we have achieved no material results in our endeavours. Equally formal contact with high level Defence officials have shown us no support from this area.

In short we have been met with negativity and indifference in spite of our policy of attempted cooperation and consultation.

In hard terms we sit uneasily within the Act, and one, with good reason, gains the impression that we are not welcome within that specific culture as we are not seen as "Military" by any of the other major players.

To obtain for all Uncivpol Members/holders of the Police Overseas Service Medal full benefits under the Veterans' Entitlement Act or a specific new Act oriented to Police as distinct from Military values.

For this Objective to be achieved either of two options can be employed:-

- A separate Act dealing specifically with Australian Police serving overseas as part of a Peacekeeping UN Mission or Multi National Peacekeeping Force.
- A specific Part within the Veterans Entitlements Act dealing with Police Service.

After all major issues will always distinguish Military from Police units within a UN Force. The roles, responsibilities and training are quite different and specific dangers met, be they real or potential must be different as well, although the overall danger factor is common to all Mission Members.

To assess the Mission as 'Warlike' to one part and 'Peacekeeping' to the other part is rationally unbalanced and those making that decisions can only be describe at best as 'operational naive' and at worst 'operationally malicious'. Bluntly. for an operationally active party, subject of a faction under the Peacekeeping agreement, to distinguish a Mission Operative as either Police/Military is ridiculous when endeavouring to disrupt such Mission by way of inflicting casualties.

Accordingly there should be a definition of 'Civil Disturbance' covering situations outside the normal role of a Police Officer serving with a Mission with a similar results of compensation as granted to the Military for 'warlike' missions.

This of course would require National Policing Guidelines to be adopted regarding overseas Service with a comparison to the standards set 'at home'

The latest example is the Australian Military/Police presence as part of a 'Peacekeeping/Assistance' Mission on East Timor with literally identical duties and dangers (UNAMET). The then Minister for Veterans Affairs on the 25 February, 2000 nominated the Mission as 'Peacekeeping' for the Australian Police with partial benefits only yet much later he classi~es the Military to receive full V.E. benefits from the 16 September, 1999 for the Military Members of UNAMET.

Further the Department of Veterans' Affairs shows on its current website at www.dva.gov.au relative to East Timor information regarding entitlements to Defence Force personnel only and in spite of numerous assurances from the Department since 1996 regarding services of this nature to our Members who have served with overseas Missions, we have been totally ignored once again. All the more reason once again for our own Act.

As stated above, the definition "Warlike" under the VE Act cannot be related to Police issues and this special category needs to be established regarding UN Policing. It is considered that in many major areas Police and Military thinking can be 'poles apart' in operations and outcomes.

When one looks at the actions involving CIVPOL in East Timor at Atsabe, Gleno and the CIVPOL Dili Compound, including our wounded and injured, to have the unmitigated gall to blithely insist these are 'Peacekeeping' issues when related to unarmed Australian Police flies in the face of ordinary commonsense and reason and therefore cannot go unchallenged.

These issues were even evident from the first time that Australian Police served on a Mission. Attached is an excerpt from 'The Aphrodite Circus' regarding an incident at the village of AYIA VAVARA involving then Superintendent A.L. Carmichael, 2/IC of the 2nd Australian Police Element on Cyprus. This again emphasises the different mindsets between Police and the Military.

This issue also spills over into the issue of allowances/pay rates/taxation benefits payable to Police. Whilst one recognises the AFP Commissioner's powers to grant certain pay and allowances, from the Government's reluctance to advance equal status to Police as Military in this area was unbalanced and later had to be rectified in a Federal budget.

It is indeed well past time and keeping in mind the length of time Police have now been involved in overseas Missions, the numbers involved, and not necessarily tied to a national military involvement, that the Minister for Justice, acting on the advice of the Australian Federal Police Commissioner, take control of the above issues to within the confines of his Portfolio responsibility.

Finally, specific comment is made to the position held by the Office of the previous Minister for Justice where the ludicrous policy was held - that Police Officers as 'volunteers' when serving overseas were not entitled to the same benefits as the Military as the Military were 'ordered overseas' If this false trail is followed then the surviving 1st and 2nd AIF members, volunteers all, would be deprived of their benefits. Indeed any form of 'volunteering' in the wider community would be seen along this trail as a Government intent on penalising such good actions and rewarding those who are 'required' to do such actions as part of their paid duties.

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