

National President's Newsletter No 1 of 2013

1. Responses to RSL Budget Submission. The following have been received as a consequence of the RSL submission to government for the Veteran's Affairs portfolio for the budget year 2013-2014.

The Minister for Veterans' Affairs the Hon Warren Snowden wrote in his letter of 20 November 2012:

Thank you for your letter of 4 October 2012 concerning the RSL's submission to Government for the 2013-14 Budget.

I can assure you that the matters raised in your submission will be given full consideration in the context of the upcoming Budget.

The Leader of the Opposition the Hon Tony Abbott wrote in his letter of 18 December 2012:

Thank you for your letter dated 4 October 2012 providing me with a copy of the RSL's submission to the government in relation to the Veterans' Affairs budget for 2013-2014.

The RSL's comprehensive submission again highlights your continued advocacy for the veteran and ex-service community.

You will note that the RSL's number one priority remains the Coalition's top priority for the veteran and ex-service community. A Coalition government will introduce fair indexation for 57,000 DFRDB and DFRB superannuants and their families. You will not that I reiterated the Coalition's commitment in this regard in my remarks at the RSL's National Conference on 25 September this year. We will deliver this commitment in our first Budget.

I look forward to the League's continued advocacy for veterans and ex-service people. I very much value your regular contact with the Coalition especially with Senator the Hon Michael Ronaldson and myself.

2. **RSL stance re Important Test Case**. Members will recall that in my **Newsletter No 6 of 2012 I advised that** at a specially convened meeting held after the 2012 National Congress in Sydney, the RSL National Executive agreed to support the defence of the appeal in Repatriation Commission -v- Bawden to the amount of \$50,000.

The National Executive was of the opinion that this was an important test case in the interpretation of the law in the Veterans' Entitlement Act, that could impact on Veteran's entitlements and felt that it was significant for the League, its membership and the wider ex-service community to try to protect veteran's hard won entitlements.

This matter concerns the granting of a TPI Pension. The issue is whether the occurrence of the stressor that the Veteran relied on is to be established on the Balance of Probabilities Standard of Proof (the Repatriation Commission's argument) or whether the Veteran would succeed on the issue unless the decision maker is satisfied beyond reasonable doubt to the contrary.

It is unfortunate that the outcome of this case was not as we would have wished. When this decision was made known the National Executive sought independent legal advice as to whether it was worthwhile financially supporting any appeal should this be the decision taken by the Veteran. Our independent legal advice was that there was little prospect the High Court would grant special leave to appeal the finding. Because of this advice, in an out of session meeting the National Executive decided not to contribute to the costs of any application seeking special leave to appeal to the High Court; but to revisit the issue of contributing funds should the High Court grant special leave to appeal.

We understand the Veteran has elected to seek special leave to appeal to the High Court. The National Executive will continue to monitor developments in this case.

3. Planning for the Future. Those present at the 2012 RSL National Conference at Sydney will recall that I gave an undertaking to produce a very broad ranging framework paper about the Future of the League for consideration by the National Executive during the first half of 2013. It was my stated intention that this document should be a first step in a

deliberative/consultative process aimed at best positioning the RSL for the future.

To give effect to this undertaking I met with Deputy National President Don Rowe in Sydney in December 2012 to decide how to tackle this project. I also attended a most enlightening presentation to the NSW Branch State Executive by a firm of consultants about this topic.

To help guide the production of the framework paper and assist in our comprehension of all relevant issues and particularly those which may vary from State to State, the Deputy National President and I have arranged to meet individually with Branch Presidents during the last week of January 2013.

The plan thereafter is to compile the first draft of the framework paper for consideration by State Executives. An iterative process of consultation will follow allowing Sub Branches and Districts to provide input and comment.

No time frame has been set for finalising the framework paper or any subsequent policy paper. All members of the League are encouraged to provide input to this vital initiative.