



RSL AUSTRALIA
ROYAL COMMISSION INTO
DEFENCE AND VETERAN
SUICIDE

FOREWORD

The release of the Interim Report of the Royal Commission into Defence and Veteran Suicide is an important milestone in the Royal Commission process, one that reinforces the important and insightful work of the Royal Commissioners to date.

The urgent and immediate recommendations contained within it are sensible, significant, and vital. RSL Australia fully supports the Commissioners' calls for legislative reform, to improve claims processing at the Department of Veterans' Affairs, and to increase protections for those engaging with the Royal Commission. The RSL has been calling for many of these reforms for several years, and we note that several other inquiries have recommended similar actions.

It is now inherent upon the Federal Government, the Department of Veterans' Affairs, the Australian Defence Force, and all those in the Defence community to push for the implementation of these recommendations. The RSL has a role to play in holding accountable those responsible for their implementation, ensuring urgent and immediate action is taken by all involved.

It is also incumbent upon the RSL to proactively address issues that have been examined by the Royal Commission but were not included in the Interim Report. This includes identifying ways for ex-service organisations to work together in a structure and manner that better fulfils the purpose of serving the needs of veterans and their families and helping to reduce the complexity for these same veterans in navigating the services available to them. The RSL and other ESOs have begun this work, but there is much more to do.

Finally, and most important, I note the sobering, serious and distressing nature of the report. It should not be forgotten that at its core, this Royal Commission is about addressing the heart-wrenching phenomenon of suicide and suicidality among serving and ex-serving members of the ADF. The RSL is committed to working together with the Royal Commission and the entire Defence and veteran community to understand, reduce, and eventually eliminate, Defence and veteran suicide.

Greg Melick

National President

Returned and Services League Australia

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Response to Recommendations

Recommendation 1 – Simplify and harmonise veteran compensation and rehabilitation legislation

1. The RSL strongly **ENDORSES** this recommendation.
2. The RSL's experience in providing claims advocacy services for veterans means we are very aware of the unintended consequences of the existing complex array of legislation which is administered by the Department of Veterans Affairs (DVA).
3. The RSL **ENDORSES** the timelines for implementation of this recommendation as set out by the Royal Commissioners, while noting the passage of the legislation could be interrupted by the next Federal election cycle. However, reform cannot be delayed any further.
4. The RSL notes that previous Government's response was insufficient following the findings of the *Productivity Commission* report. Although several reforms were instigated, Veterans needed more action.
5. The RSL encourages the Royal Commissioners to pressure the Federal Government to adhere to the recommended timeline. The RSL will collaborate with other ESOs to ensure the Defence community speaks loudly and in one voice on this point. The RSL notes that meeting timelines should not come at the expense of achieving the best possible outcome.
6. The RSL has been calling for action on this point for many years. Recent examples of this advocacy include submissions made to DVA to seek an extension of Non-Liability Health Care to all Reservists, and several suggestions for immediate reform contained within a 'Quick Fixes' paper, which was sent several times to DVA in the first nine months of this year. There has been no action taken on either of these submissions to date.
7. The RSL supports the Royal Commission's call for the five recommendations made by the Productivity Commission to be given urgent attention. We believe that some of these recommendations require such complex legal consideration that we cannot immediately provide responses. However, where possible and appropriate, the RSL has drafted several suggestions for harmonising veteran legislation in response to this recommendation. These suggestions are available at **Annexure 1**.
8. The RSL supports Recommendation 19.1 of the Productivity Commission's *A Better Way to Support Veterans* (2019) report regarding the amalgamation/ harmonisation of the *Safety, Rehabilitation and Compensation (Defence-related Claims) Act 1988* (DRCA) and MRCA, while grandfathering the provisions of the VEA.
9. The RSL acknowledges the difficulty of pursuing this set of reforms, given it will be next to impossible for not a single veteran to be worse off under any harmonisation. However, this should not be used as an excuse for delaying reform. There is now overwhelming evidence that we must all work pragmatically together to achieve an outcome which preserves overall benefits, but also achieves the goal of developing a simplified, 'user-friendly' system which will provide timely assistance.
10. The RSL acknowledges the role Ex-Service Organisations (ESOs) must play in ensuring this recommendation is implemented. The RSL will work as the leading voice with

other ESOs to reach consensus on what these reforms should look like. We are committed to being a facilitator of, not barrier to, legislative change.

11. The RSL notes the difficulties in compensating based on *different types of service*. The RSL believes that in the interests of simplicity and consistency, there should be no differentiation in compensation between peacetime injuries and war-like/non-warlike service - provided the legislated outcome is not to the overall detriment of veterans.
12. The RSL urges the Federal Government to involve ESOs in the consultation process and the organisation is keen to play a leading role in this. We are committed to simplifying the current, complex process, while continuing to deliver a world leading, generous scheme for supporting those Defence members who support our nation.

Recommendation 2 - Eliminate the Claims Backlog

13. The RSL strongly **ENDORSES** this recommendation. The organisation has been bringing attention to this issue for many years.
14. The RSL **ENDORSES** public and frequent reporting on DVA's progress in reducing the backlog of claims.
15. The RSL suggests that DVA could implement the use of 'Tiger Teams' to reduce the backlog more quickly. DVA already has a screening process in place that identifies at-risk claimants. This Screening Team could also look for 'decision ready' claims, such as 'straight through processing claims' and those supported by evidence. The Tiger Teams could promptly process these claims - reducing the number in the 'backlog'. This prompt processing would quickly become common knowledge within the ex-service community, encouraging early quality presentation of claims.
16. The RSL is preparing a proposal to improve how veterans' advocacy is delivered, including training for veterans' advocates. This will help to reduce the backlog through improving the quality and completeness of claims.
17. As part of this proposal, the RSL will explore the feasibility of creating an ADF Reserve specialisation in advocacy, to assist those in transition to submit their claims, or better navigate the MyService portal as their initial claim is submitted.

Recommendation 3 - Improve the administration of the claims system

18. The RSL strongly **ENDORSES** this recommendation. Once again, the organisation has been bringing attention to this issue for many years.
19. The RSL **ENDORSES** the timelines recommended by the Royal Commission, while noting the work to improve the claims processing system can, and should, begin immediately.
20. The RSL notes the Federal Government's commitment to increase DVA staffing and encourages consultation with ESOs to achieve the best results from these staffing changes.

21. The RSL **ENDORSES** public and frequent reporting on the progress of the implementation of this recommendation. The RSL also calls for improved information sharing between DVA with veterans and their advocates during the process of making claims, on the status of claims and timelines for resolution.
22. The RSL urges the Federal Government and DVA to ensure that ESO advocates have an important consultative role in potential measures to implement this recommendation. Advocates hold a wealth of knowledge of these processes and should be consulted widely and consistently.

Recommendation 4 - The Department of Veterans' Affairs to provide advice on its funding needs

23. The RSL strongly **ENDORSES** this recommendation. The RSL has publicly called for this type of funding arrangement for many years, as recently as May 2022.
24. The RSL notes that demand-driven, sustainable, and long-term funding needs to be assured for DVA, without which it is clear the Department will not be able to do its job properly.
25. The RSL notes the importance of ensuring that DVA be properly staffed and funded in advance of the Federal Government's proposed expansion of the permanent ADF to 80,000 personnel. If these structures are not put in place, DVA will simply not be able to handle the volume of claims and inquiries that will be forthcoming following this increase.

Recommendation 5 - Remove the Department of Veterans' Affairs average staffing level cap

26. The RSL strongly **ENDORSES** this recommendation. The RSL has called for this consistently for many years.
27. The RSL notes the previously announced increase of 500 staff by the Federal Government. The RSL argues that this additional 500 staff should not be considered a cap, and if reducing the backlog of claims requires more staff in addition to these announced 500, then that is what should be delivered.
28. The RSL notes the importance placed on having and retaining permanent staff in DVA by veterans' advocates, who develop relationships with delegates. Building these relationships improves the experience of the claims process for veterans, as covered by Recommendation 3.
29. The RSL suggests that to help meet staffing requirements, and as part of lifting the ASL Staffing Level Cap, the Federal Government should further target those with a Defence background. This could include DVA working with the Joint Transition Authority (JTA) to embrace potential still-serving candidates to be DVA delegates during transition out of the ADF. This could be transformative for the functioning and culture of DVA.

Recommendation 6 - Increase protections for persons engaging with this Royal Commission

30. The RSL **ENDORSES** this recommendation.

Recommendation 7 – Provide exemption from Parliamentary privilege

31. The RSL **ENDORSES** this recommendation.

32. The RSL notes the importance of these measures in gaining the trust of those looking to engage with the Royal Commission. The increase in transparency should increase the trust of those looking to engage.

33. The RSL also notes the importance of Parliamentary privilege for the proper operation of Australia’s parliamentary democracy and hopes that a reasonable solution can be reached.

Recommendation 8 – Limit public interest immunity claims

34. The RSL **ENDORSES** this recommendation.

35. The RSL notes the importance of these measures in gaining the trust of those looking to engage with the Royal Commission. The increase in transparency should increase the trust of those looking to engage.

36. The RSL also notes the importance of public interest immunity claims for the proper operation of Australia’s parliamentary democracy and hopes that a reasonable solution can be reached.

Recommendation 9 – Improve administrative release of information

37. The RSL **ENDORSES** this recommendation.

38. The RSL notes the importance of this for all those affected by circumstances of suicide in the Defence community.

39. The RSL notes the importance of timely and accurate information for ESOs in developing policy responses and services for veterans and their families.

Recommendation 10 – Co-design information to increase awareness of redactions for access requests

40. The RSL **ENDORSES** this recommendation.

Recommendation 11 – Embed trauma-informed practices for information access

41. The RSL **ENDORSES** this recommendation.

42. The RSL notes that RSL advocates have been critical about the retraumatizing effects of clients securing information from DVA and having to retell their stories when dealing with different delegates and DVA staff members. This can often occur when changing

delegates or changing advocates and has been exacerbated by the temporary nature of the workforce in DVA.

43. The RSL suggests that ESO advocates should be consulted during the codesign process to address this recommendation.

Recommendation 12 - Encourage up-to-date consent for information access

44. The RSL **ENDORSES** this recommendation.

Recommendation 13 - Co-design education on information access mechanisms

45. The RSL **ENDORSES** this recommendation.
46. The RSL suggests that ESO advocates should be consulted during the codesign process to address this recommendation and notes the RSL's willingness to participate in this codesign.

Other Issues Considered

Transition

47. The recent AIHW report, *Understanding the wellbeing characteristics of ex-serving ADF members*, shows the majority of those in transition are not at-risk of suicide, but there is a significant need to take care of those who are. The RSL believes there are success stories in the transitioning and transitioned veterans' community that could be used to glean significant lessons for this Royal Commission.
48. Moreover, as the ADF is to strategically to grow, the RSL is eager to support retention initiatives for current-serving personnel too.
49. The RSL acknowledges that transition can be a difficult process for many veterans and their families. Member-based ESOs, like the RSL, can provide the camaraderie, culture and community aspects discussed in the Royal Commission's Interim Report as being lost by Defence members during transition.
50. ESOs should be engaged early and often with transitioning members to aid in the process of reintegration into the community, to provide a source of mateship and peer support.
51. DVA and Defence appear to struggle to identify a best practice approach to rehabilitation during medical transition. The RSL urges both DVA and Defence to agree on a rehabilitation process during medical transition. This should identify medically discharging members at an early stage and refer them to DVA rehabilitation providers in a seamless rehabilitation transition while the member is still securely in service.
52. ESOs, such as the RSL, especially when working in collaboration, can assist with the practical challenges outlined at Pages 135-137 of the Interim Report:
 - The RSL and other ESOs run employment programs - if JTA and Defence made it easier to engage with members during transition, we could get this process underway sooner and provide certainty/stability for the transitioning member and their family
 - ESOs also have links to their local community. This is particularly true of the RSL, with its extensive nationwide network to assist transitioning members find new housing, community networks, health care providers and potentially also schools or early education providers - either through a sub-Branch, veteran and family hub, or through referrals and collaboration with other ESOs and service providers
53. The RSL notes that the offerings during Transition Seminars are improving. However, anecdotal evidence suggests these days can be overwhelming for transitioning members, with a lot of information provided in a short space of time. Multiple contact points with the transitioning member would be useful during this time, to avoid this overwhelming effect.

54. The RSL notes that the Joint Transition Authority (JTA) continues to mature. However:

- The JTA needs the necessary authority to join the dots across the three services, DVA and Commonwealth Superannuation Corporation (CSC) to ensure people don't fall through the cracks
- The JTA has still not engaged in the broader work of integrating the transition ecosystem, such as State and Territory Governments and ESOs, with the focus being on Federal Departments thus far
- The RSL is very willing to engage with, and empower, the JTA where possible

55. The RSL calls for more consultation with JTA on how the RSL and other ESOs can provide wraparound support from Defence members, from their first day of entry into the ADF, through to stepping up these efforts as the veteran moves close to separation.

56. The RSL is willing to work with veterans, transitioning and serving Defence members, their families, JTA and Defence, and other ESOs to codesign how best to manage transition and how best the RSL can support transitioning Defence members and their families in this process.

Lifetime Wellbeing

57. The RSL strongly **ENDORSES** this approach.

58. The RSL notes the willingness of the organisation and other ESOs to engage with Defence members from their day of entry into the ADF.

59. The RSL also notes its willingness to take a more active role in transition, including from the very beginning of the process, to suit the needs of the member and their family. The RSL is willing to help to facilitate support, social connection, and reintegration into the community through RSL services and camaraderie.

Defence and Suicide Data

60. The RSL acknowledges that the gathering and provision of Defence and suicide data is clearly an issue, and one that needs to be addressed. The RSL notes that data in large organisations is often difficult to gather, and it faces challenges itself with this issue.

61. There is a need for a better understanding of Defence and veterans' locations, demographics, and needs that will make targeted services easier to facilitate. The RSL notes that the data contained within the Census has been a start on partially addressing this issue.

Families

62. The RSL acknowledges the importance of family to veteran wellbeing and the impact service life may have on family members of Defence personnel.

63. The RSL is committed to supporting families across all its work and engage them at every available opportunity. The RSL is doing this directly through its Employment Program and its Mental Health Initiative.

ADF Culture

64. The RSL acknowledges the sincere efforts of Defence to improve ADF culture through the Pathways to Change program. The RSL would like to acknowledge that there are many positive cultural traits of the military and those who serve.

65. This was reinforced in the recent AIHW report, *Understanding the wellbeing characteristics of ex-serving ADF members*, which found the majority of ex-serving Australian Defence Force (ADF) members had attained higher education qualifications, were employed, earned higher incomes than the Australian population, owned their own homes (including those paying mortgages), and were socially connected by living in a family type household

66. The RSL also notes that occasionally individuals will act in a fashion not in line with ADF values. This is not acceptable.

67. The continued development of a positive culture will be an ongoing area requiring leadership commitment.

Oversight/Implementation Body

68. The RSL **ENDORSES** the Royal Commissioners' initial thoughts on what this body will look, including:

- Permanent Body with comprehensive oversight, responsibilities and powers
- Need for accountability in implementation of recommendations
- Public reporting

69. The RSL **ENDORSES** the Commissioners' process for developing this body, including the consultation process and the timeline for having the body in place.

Issues Outside the Scope of the Report

The Role of ESOs and the ESO System

70. The RSL was surprised to see that, for the most part, ESOs and the ESO system was not addressed in the Interim Report. The RSL understands this will be addressed in detail in future reports from the Commission.
71. While this is the case, there is a need for a proactive response from the ESO community to the evidence presented so far.
72. The RSL is establishing a National ESO Forum to bring together ESOs to:
- Discuss and determine collective ESO responses to the Interim Report of the Royal Commission
 - Discuss and determine options for ESO partnership and collaboration, to avoid replication and duplication of services
 - Discuss how to assist veterans and their families access services, navigate the service landscape, meet their service needs
 - Discuss and determine options to provide a unified veteran voice to Government
73. Additionally, as long as the complexity in legislation and claims processing remains, the importance of advocates cannot be overestimated. The RSL is working on proposals to improve the system for providing veteran advocacy and is committed to working with other ESOs to achieve this reform.

Service Navigation and Support

74. Evidence at the Royal Commission has demonstrated the difficulty Defence members, veterans and their families face in navigating the service landscape. The RSL believes there are a plethora of services available, but that navigation and referral remain barriers to access
75. The RSL will be leading other ESOs to provide case navigation at the app level through its Catalogue of Services, a national Digital Services Catalogue, providing veterans and their families with easily accessible information.
76. Veteran Wellbeing Hubs will also be an important element in addressing this issue:
- The RSL and other Veterans' Wellbeing Hubs across Australia act as a 'one-stop-shop' to address the needs of veterans and their families now, alleviating complex government processes and providing immediate access to the wellbeing and financial services required by this community
 - The more locations that these Hubs are available, the better access veterans and their families will have to services, support, referrals, and information
 - By establishing a network of centres/hubs throughout Australia with seed funding for capital from the Government, the RSL has the means to sustain operations at the centres indefinitely.

- The RSL can effectively deploy systems, such as Customer Relationship Management systems, to ensure all the centres are inter-connected, with a common 'back of house' and low marginal costs due to scale.
- The hubs also have the means to ensure other ESOs and service providers are supported at or through the Centres.