

[REDACTED]

Submission to Proposed changes to Veterans Compensation and Rehabilitation Legislation

The main issue that needs to change is the fact that when a Veteran seeks compensation and rehabilitation they find that they are up against lawyers who have a win at all costs mentality. The veteran generally does not have the paper work needed to support a claim, and relies on the defense services to provide the documentation. The legislation demands discovery of all documents, not just the documents that the lawyers consider will not assist the veterans claim.

There is a general contempt by the claims officers that the veterans do not deserve compensation or rehabilitation, the legislation should change to a claim is accepted and it is up to the claims officers to prove it is not to be accepted. But most importantly that full discovery of document is provided.

It is generally accepted that post traumatic stress in civilian work is covered by awards, and health and safety legislation. Examples include, Police officers, paramedics, healthcare workers in emergency wards, prison staff and social workers, and many more workers. Why do governments think the same rules that apply to civilian workers should not apply to military and defense employees?

A civilian worker who has a posttraumatic stress event gets time off from work, and rehabilitation before they return to work, but a soldier who may suffer a same event is told to get on with the job and suffer the same event day after day. Soldiers are not robots, they are not super human, although some elite soldiers may think they are.

An example is [REDACTED], a solicitor, worked in Victoria's Office of Public Prosecutions (OPP) prosecuting serious sex offenders. Her role involved viewing graphic images as evidence and meeting with complainants, including children and adults. After about two years, she became mentally unwell and could no longer work. She argued that her workplace had caused her illness, but her employer denied it. After a years-long legal battle, the High Court unanimously restored a \$435,000 damages payout to [REDACTED] for PTSD she suffered due to her work in the sex crimes unit. This decision has shifted the responsibility back to employers to provide a safe work environment and take measures to care for their staff, especially regarding psychiatric injuries like PTSD.

When was the last time you heard of a frontline soldier getting a payout for PTSD suffered in the line of duty? Or even time off for rehabilitation, but to find out that their biggest battle was yet to come, when they returned home and expected to be looked after and compensated for their injuries, both physical and mental, by the Department of Veterans Affairs.

Filed by: John [REDACTED]

1. An example of what I am giving of my own dealings with the Military Rehabilitation and Compensation Commission is Administrative Appeals Tribunal of Australia in Ettridge and Military rehabilitation and compensation Commission [REDACTED]. The accepted facts of the case Mr John [REDACTED] (the applicant) served as a national

