



MINISTER FOR VETERANS' AFFAIRS
MINISTER ASSISTING THE MINISTER FOR DEFENCE

PARLIAMENT HOUSE
CANBERRA ACT 2600

05 OCT 1999

Major-General R F Mohr RFD ED (Rtd)
Rear Admiral P Kennedy AO RAN (Rtd)
C/- Secretariat, South East Asia Review
Department of Defence
Russell Offices
R1-1-D030
CANBERRA ACT 2600

Dear General Mohr and Admiral Kennedy

I recognise the important but different roles as independent inquirer and military adviser that you are each playing, which is why I am writing to you jointly.

I understand that you have completed the national public hearings phase of your review and that the open hearings have been well received by the veteran community at large. I am pleased with this outcome but appreciate that your review still has a way to go before its conclusion.

In particular I am advised that a substantial volume of material has been gathered from written and oral submissions and a number of additional areas of service have been presented as perceived anomalies.

The next phase of your review, the analysis of this information and its consideration in the context of the terms of reference, will necessarily be detailed and complex given the principles and policy issues involved. I thought it timely, therefore, to write to you both and provide some guidance about the Government's expectations on matters to be covered by the review, in the hope that this will facilitate the process.

The question as to what constitutes an anomaly seems to have been an issue in itself at the public hearings. Anomalies are, of course, more than simple differences in treatment. There are many examples of dissimilar entitlements due to different circumstances and service, and this is entirely appropriate. These can result from clearly stated decisions of Government and are intentional and proper. Anomalies for the purposes of the review are differences that are irregular, unreasonable, or without explanation, within the context of the long established principles that underpin eligibility for medals and repatriation benefits.

The differing treatment between and within some areas of past overseas ADF service has been at the heart of representations made to governments for almost 40 years. What is at issue for your review is whether or not the information now to hand indicates that past judgements made about the nature of the ADF service in question, within the context of these principles of eligibility, warrant revision.

Consequently, it would facilitate the Government's consideration of your report, and be of considerable benefit to the veteran community, if your recommendations could be placed in context by relating them to the principles governing eligibility for medals and repatriation benefits. Some consideration of possible implications of your recommendations for areas of service outside your terms of reference would also be useful.

With that in mind, and to clarify your concerns about this matter, I have asked the Departments of Defence and Veterans' Affairs to detail for you, the principles governing eligibility for medals and repatriation benefits. I expect that both Departments will provide you with written submissions within the next week. I hasten to add that the principles underpinning our medals and repatriation systems are not in question.

To ensure that the review process continues in the public and open way that it has been conducted to date, I would very much appreciate you making opportunities available to relevant Departmental officials to appear before further public hearings, preferably in Canberra, to discuss the substance of those submissions.

I realise that the rigorous approach needed to refine your recommendations in the context of the principles governing eligibility for medals and repatriation benefits may entail some delay in submitting the report of the review, especially given the volume of information at hand and the research required. As a result, I would like to advise you of my willingness to extend your reporting date by some two months if you do require further time.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bruce Scott', with a large, stylized flourish extending to the right.

BRUCE SCOTT MP