

procedures – the lower the effective postponement rate, the higher the finalisation rate and, obviously, the shorter the waiting time for other applications in the system. In particular, advocacy organisations should realise that, where they have signed a Certificate of Readiness for Hearing, or have certified that a case is ready for hearing as a result of letters sent pursuant to the dismissal legislation, a subsequent request for a postponement would, apart from exceptional circumstances, be unlikely to be granted.

Dismissals

During 2008-09 the VRB sent a total of 252 letters asking for a written statement from applicants as to why they were not ready to proceed to a hearing. This was a decrease of 119 over the previous year. These letters resulted in a total of 78 applications being dismissed (2 under the MRCA), 27 being withdrawn and 50 requests for a hearing. These compare with 97 dismissals, 57 withdrawals and 81 requests for hearing in the previous year. The remainder of responses from applicants or their representatives provided reasonable explanations or were still being followed up in accordance with the legislation. There were seven appeals concerning dismissals lodged with the AAT. For more information concerning AAT appeals see Appendix 2.

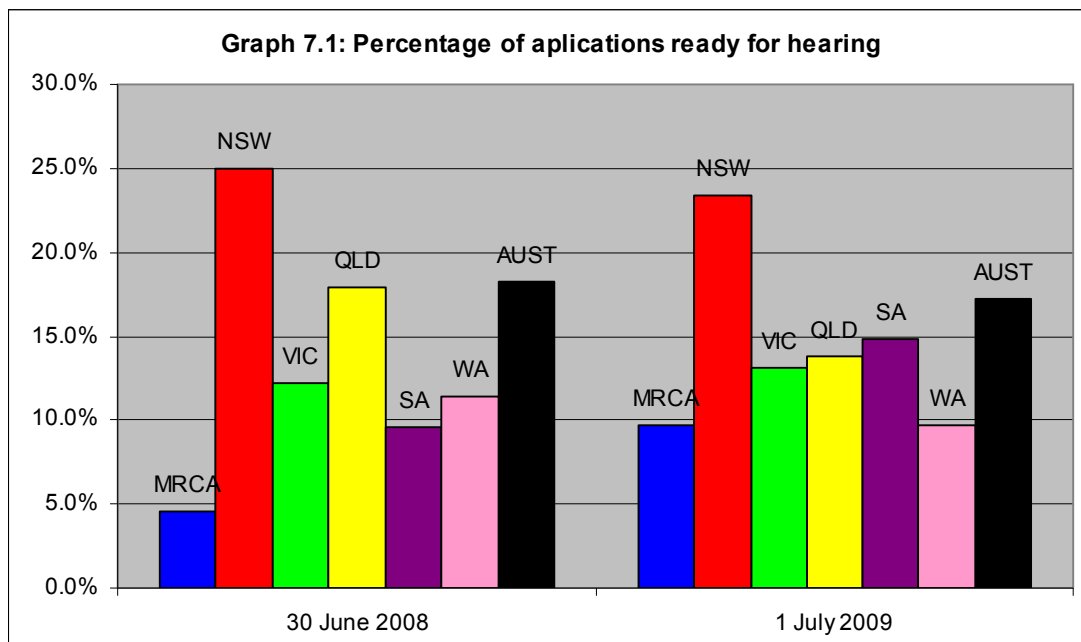
Withdrawals

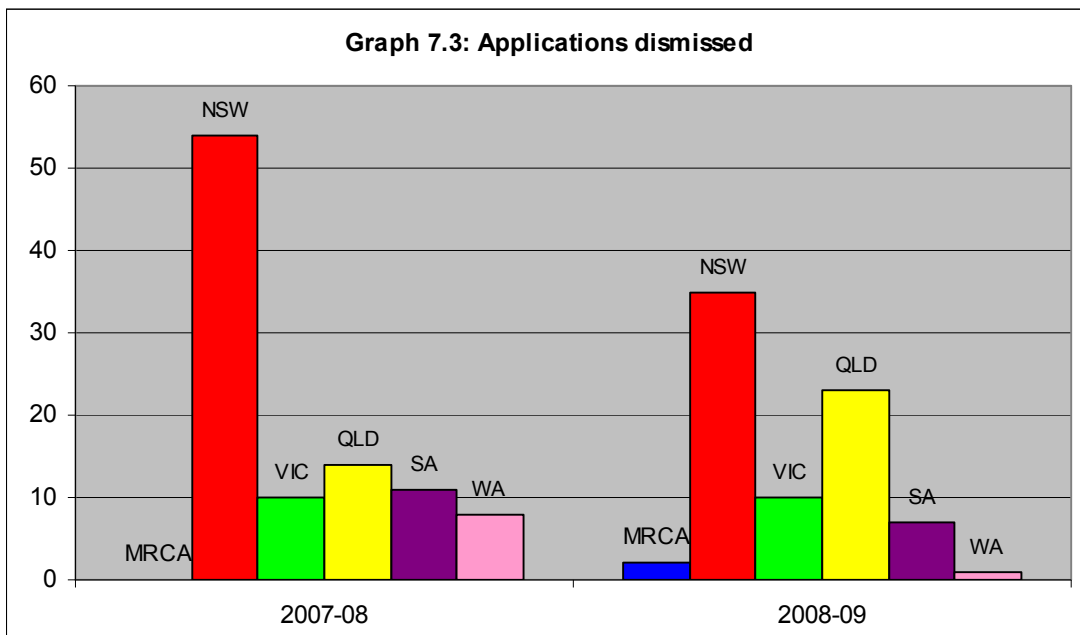
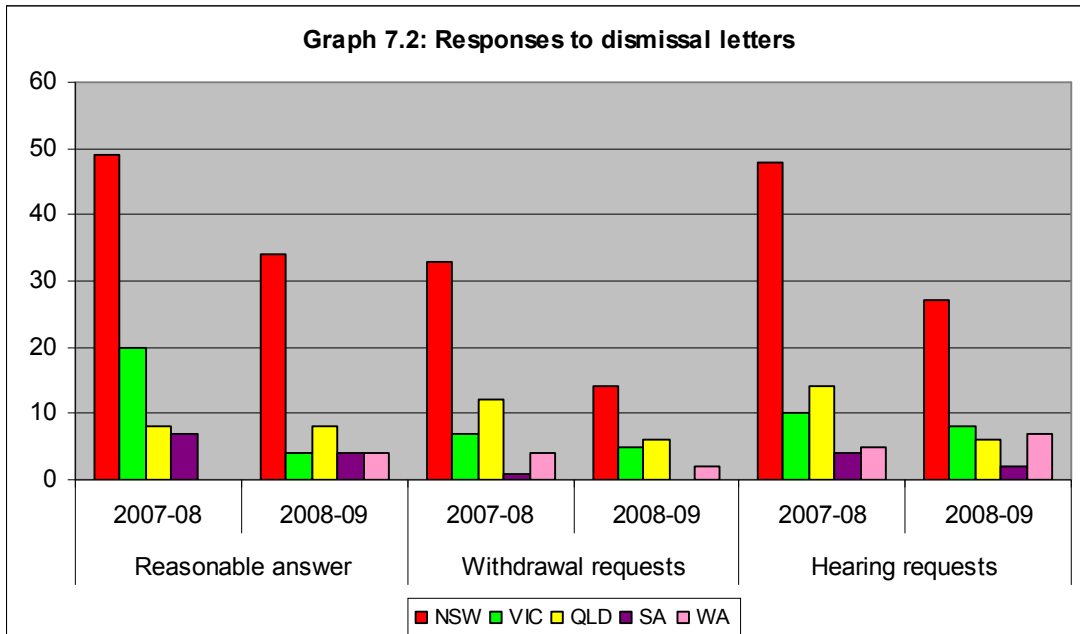
During 2008-09 1,466 applications were withdrawn by applicants; this represents 36.8% of applications finalised during the year. This compares with 1,444 withdrawals (33.6% of those finalised) in 2007-08. The VRB is usually not advised of the reasons for withdrawal, but it appears likely that a substantial proportion of withdrawals are the consequence of intervention by the Repatriation Commission under s 31 of the VEA, or the applicant gaining a desired benefit as a result of a new successful primary claim lodged with the Department.

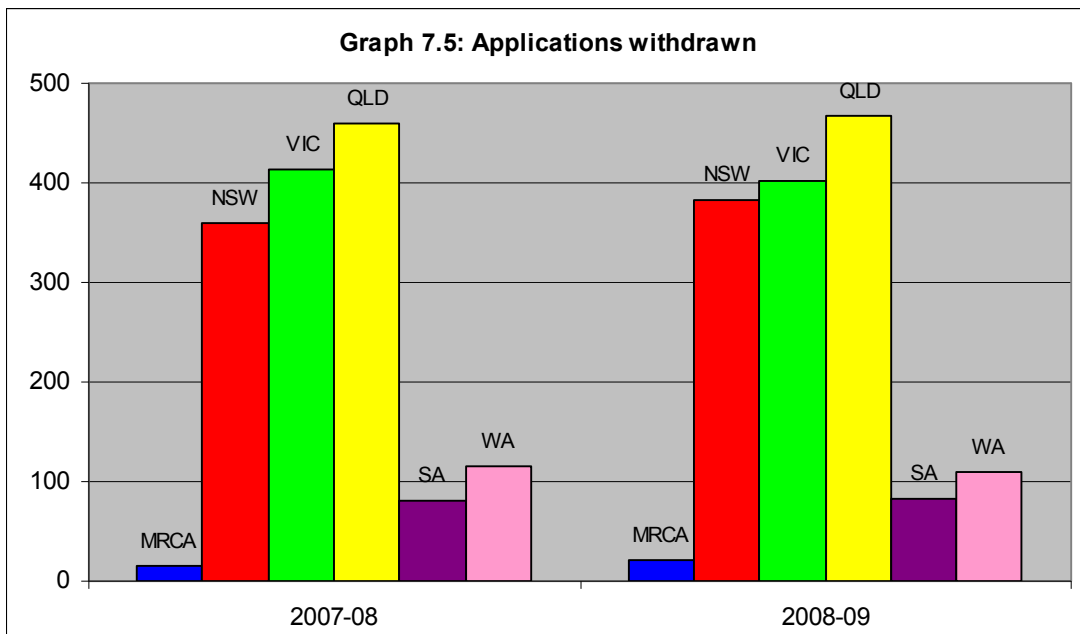
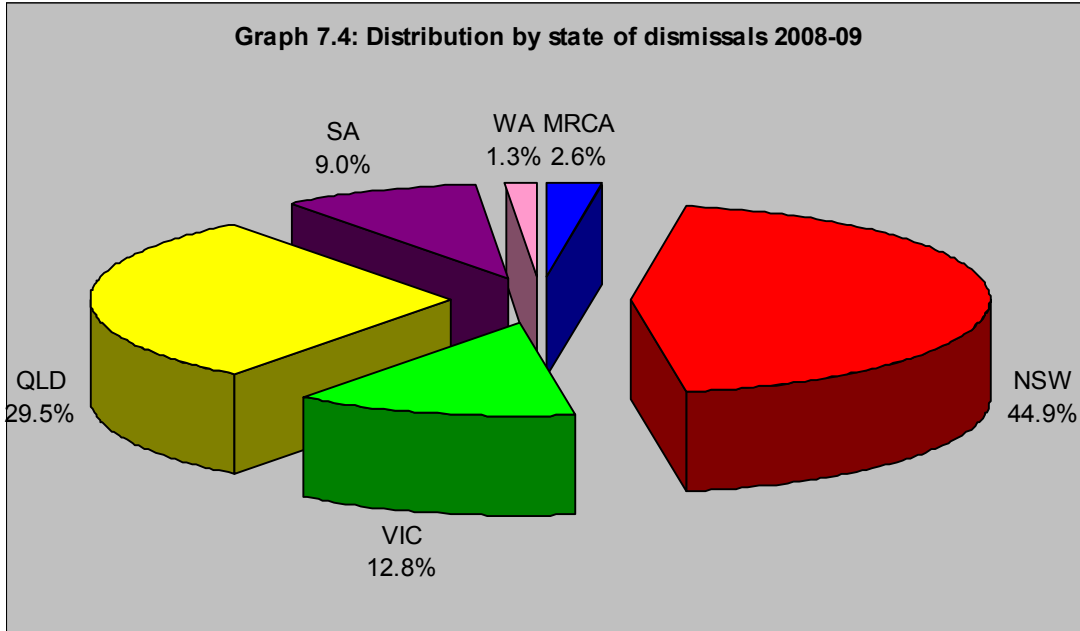
Table 7 and Graphs 7.1 to 7.7 show the applications ready for hearing as the percentage of those outstanding, postponements and substitutions, dismissal actions and their results, and total withdrawals. The withdrawal percentage is the percentage of applications finalised through withdrawal.

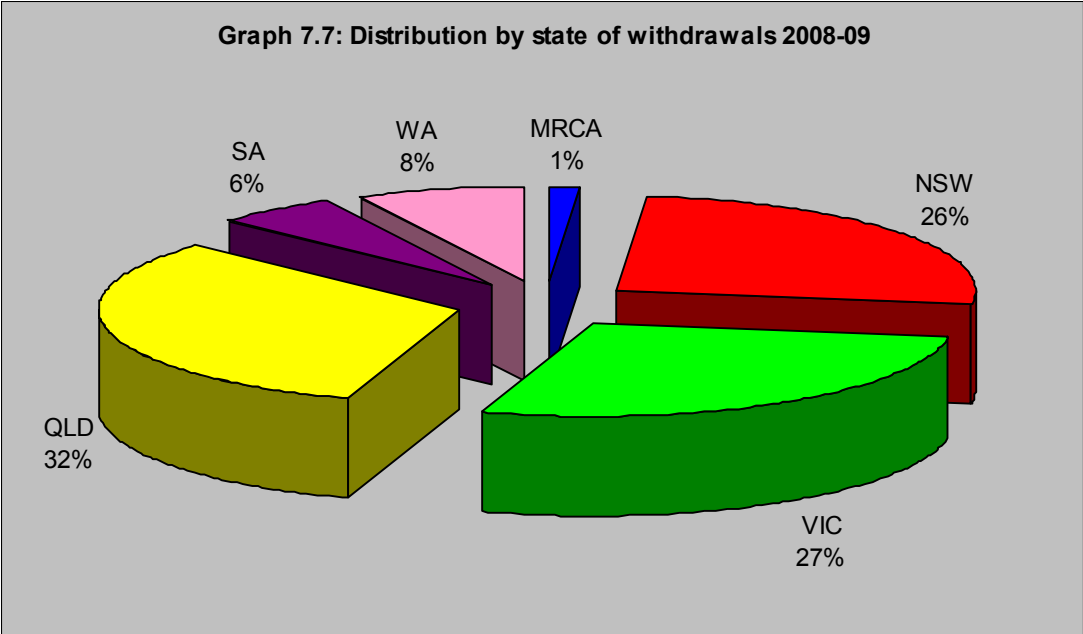
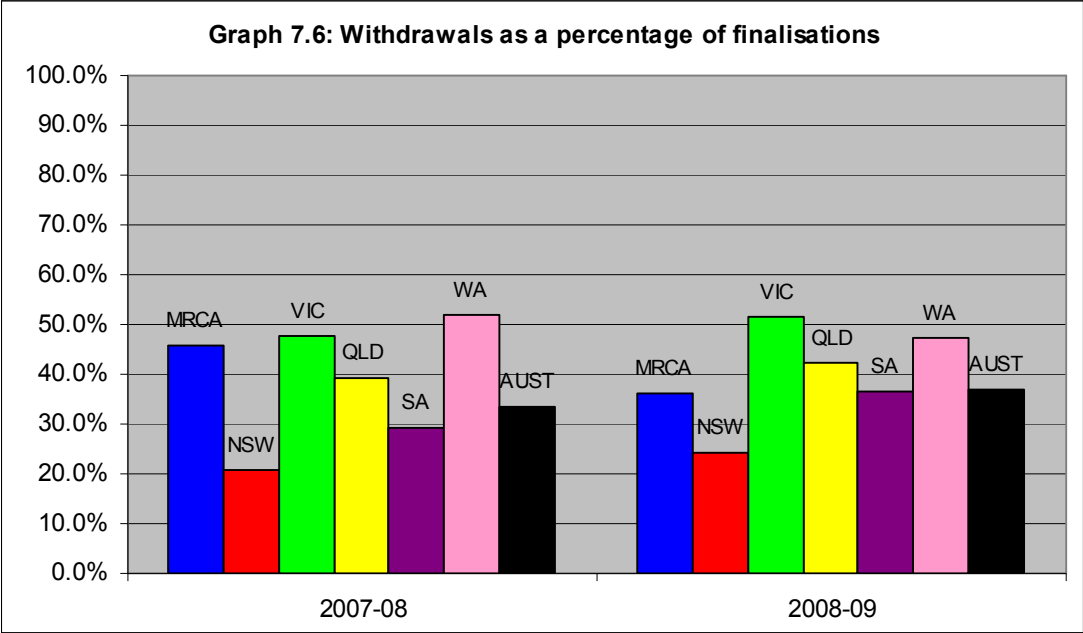
Table 7 – Listings, postponements, dismissals and withdrawals

	Date / Year	MRCA	NSW	VIC	QLD	SA	WA	AUST
Ready for hearing	1/07/2008	4.6%	24.9%	12.2%	17.9%	9.6%	11.4%	18.3%
	30/06/2009	9.7%	23.4%	13.2%	13.8%	14.8%	9.7%	17.3%
Postponements	2007-08	2	122	56	57	12	12	261
	2008-09	5	117	25	39	13	8	207
Percentage substitutions	2007-08	0.0%	86.9%	60.7%	82.5%	50.0%	50.0%	76.2%
	2008-09	0.0%	54.7%	84.0%	56.4%	92.3%	25.0%	58.5%
Dismissal letters sent	2007-08	0	202	58	67	26	18	371
	2008-09	1	127	29	51	28	16	252
Reasonable answer	2007-08	N/A	49	20	8	7	0	84
	2008-09	N/A	34	4	8	4	4	54
Withdrawal requests	2007-08	N/A	33	7	12	1	4	57
	2008-09	N/A	14	5	6	0	2	27
Hearing requests	2007-08	N/A	48	10	14	4	5	81
	2008-09	N/A	27	8	6	2	7	50
Dismissed	2007-08	0	54	10	14	11	8	97
	2008-09	2	35	10	23	7	1	78
Total withdrawals	2007-08	16	360	413	459	80	116	1,444
		45.7%	20.8%	47.7%	39.1%	29.3%	51.8%	33.6%
	2008-09	21	382	402	468	83	110	1,466
		36.2%	24.1%	51.7%	42.3%	36.7%	47.2%	36.8%









Members

As at 1 July 2009, there were 44 members of the VRB. From 1 July 2008 to 30 June 2009 the following changes in membership occurred:

- The Principal Member, Mr Michael Griffin, resigned from 19 June 2009.
- One full-time member was appointed from 1 October 2007 to 31 December 2009:
 - Mr Ivan Cahill, Senior Member, Canberra
- 42 part-time members were appointed from 30 September 2009 to 31 December 2009:
 - Mr John Charles Cooke, Senior Member, Sydney
 - Ms Julie Cowdroy, Senior Member, Sydney
 - Ms Jennifer D'Arcy, Senior Member, Sydney
 - Ms Ann Francis Graham, Senior Member, Melbourne
 - Ms Andrea Marilyn Hall-Brown, Senior Member, Brisbane
 - Mr Robert Walter George Hume, Senior Member, Brisbane
 - Mr Edward Bertram Mark Jolly, Senior Member, Adelaide
 - Mr Christopher Anthony Vincent Keher, Senior Member, Sydney
 - Ms Hilary Lorraine Kramer, Senior Member, Sydney
 - Ms Andrea Michelle Treble, Senior Member, Melbourne
 - Ms Sylvia Winters, Senior Member, Brisbane
 - Mr Christopher Charles Hamilton Wray, Senior Member, Melbourne
 - Colonel Leslie James Young (Retd), Senior Member, Sydney
 - Mr Francis Harding Benfield, Services Member, Brisbane
 - Dr Robert Barham Black AM RFD, Services Member, Adelaide
 - Major General Murray Phillip Blake AO MC (Retd), Services Member, Brisbane
 - Lieutenant Colonel Francis Brown (Retd), Services Member, Sydney
 - Wing Commander Stuart Alexander Bryce (Retd), Services Member, Hobart
 - Air Commodore Frank Edward Burt OBE (Retd), Services Member, Sydney
 - Rear Admiral Anthony Michael Carwardine AO (Retd), Services Member, Canberra
 - Group Captain Collins Joseph Fagan (Retd), Services Member, Melbourne
 - Captain Allan John Farquhar RAN (Retd), Services Member, Brisbane
 - Lieutenant Colonel Alexander Richard Main (Retd), Services Member, Brisbane
 - Major Gregory Mawkes (Retd), Services Member, Perth
 - Brigadier Terrence John Nolan AM (Retd), Services Member, Melbourne
 - Colonel Robin Terence Regan CSC (Retd), Services Member, Melbourne
 - Colonel Roger Alfred Tiller AM CSC (Retd), Services Member, Sydney
 - Air Commodore Bruce Robert Wood (Retd), Services Member, Sydney
 - Major Warwick Anthony Young, Services Member, Sydney

- Ms Zita Rose Antonios, Member, Sydney
 - Mr Gary Charles Barrow, Member, Perth
 - Mr Graham Michael Barter, Member, Sydney
 - Mr Andrew Harding Braban, Member, Brisbane
 - Ms Sharon Elizabeth Brennan, Member, Melbourne
 - Mr Robert Anthony Brumm PSM, Member, Brisbane
 - Ms Jackie Miriana Fristacky, Member, Melbourne
 - Major Janet Ann Hartmann (Retd), Member, Sydney
 - Ms Elayne Joyce Hayes, Member, Sydney
 - Ms Kerrie Ellen Laurence, Member, Sydney
 - Ms Morag Angus McColm, Member, Brisbane
 - Colonel Anthony James Wales (Retd), Member, Adelaide
 - Colonel David Symon Wilkins (Retd), Member, Sydney
- Four part-time members resigned:
 - Amanda MacDonald, Senior Member, Sydney, from 2 February 2009
 - Victor Kent Patrick, Member, Adelaide, from 19 November 2008
 - Christopher George Appleton, Services Member, Canberra, from 8 July 2008
 - Brigadier Laurence John Lewis, Services Member, Adelaide, from 1 November 2008

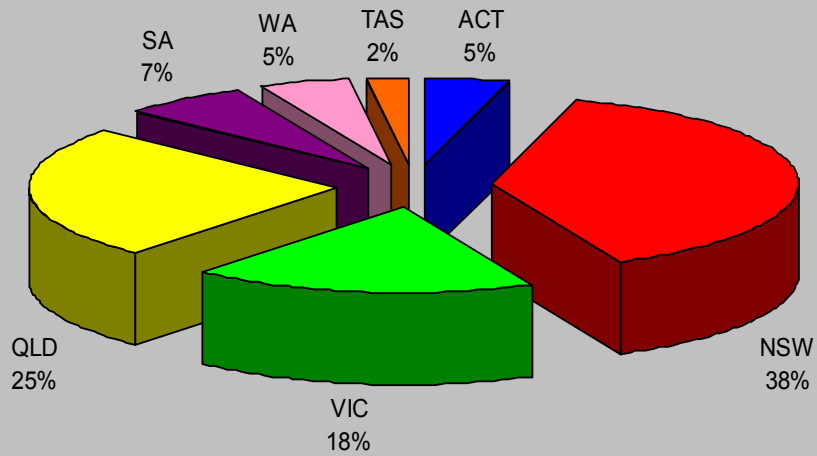
At 30 June 2009, there were 44 members of the VRB: the Principal Member, 14 Senior Members, 16 Services Members and 13 Members. Of these, the Principal Member and one Senior Member were full-time appointees, all others were part-time. The number of women holding appointments was 14.

The break-up of membership as at 30 June 2009 is set out in Table 8 and Charts 8.1 and 8.2. Full details of the VRB membership are provided out in Appendices 4, 5 and 6.

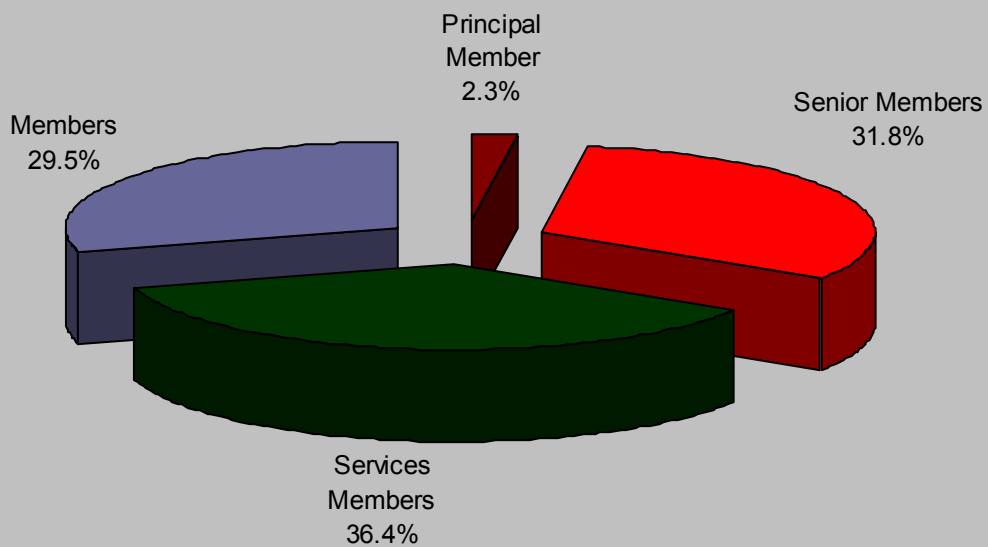
Table 8 – Members

		Gender	ACT	NSW	VIC	QLD	SA	WA	TAS	AUST
Principal member	Male		1							1
Senior members	Male		1	3	1	1	1			7
	Female			2	2	3				7
	Total		1	5	3	4	1			14
Services members	Male		1	5	3	4	1	1	1	16
	Female									0
	Total		1	5	3	4	1	1	1	16
Members	Male			2		2	1	1		6
	Female			4	2	1				7
	Total		0	6	2	3	1	1	0	13
All members	Male		2	11	4	7	3	2	1	30
	Female		0	6	4	4	0	0	0	14
	Total		2	17	8	11	3	2	1	44

Graph 8.1: Distribution of members by state, 30 June 2009



Graph 8.2: Distribution of members by type, 30 June 2009



Staff

Under section 172 of the VEA, the Secretary of the Department is required to make available any staff required to assist the VRB in the performance of its statutory functions. Nine VRB staff were on AWAs and were entitled to performance pay. Information regarding certified agreements, AWAs, and performance pay for VRB staff is contained in the Annual Report of the Department of Veterans' Affairs.

At 1 July 2008, there were 37 staff employed by the VRB. That figure was 33 at the end of the 2008-09 financial year (31 ongoing and 2 non-ongoing staff). There is one Senior Executive Service staff position at the VRB – that of the Principal Registrar.

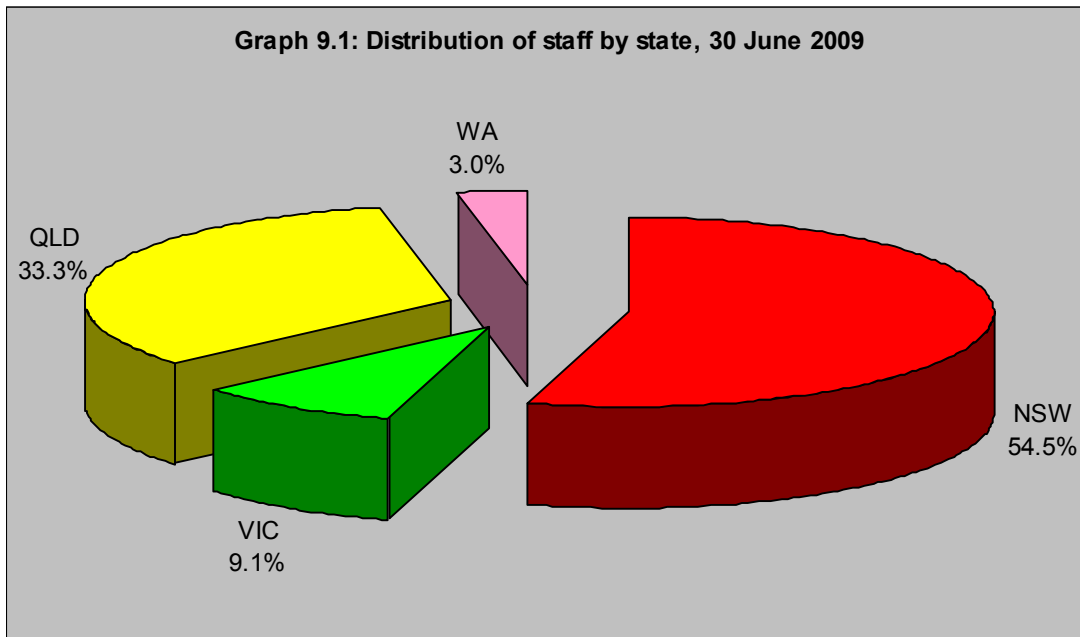
The break-up of staff as at 30 June 2009 is set out in Tables 9 and 10 (figures in brackets indicate the numbers of part-time staff), and in Graphs 9.1 and 9.2.

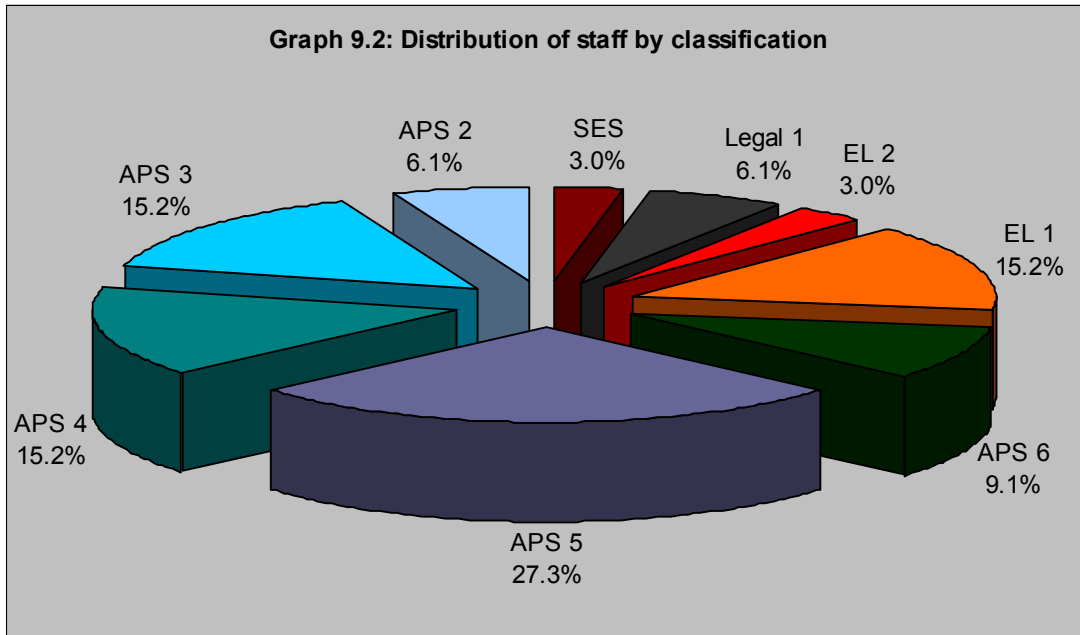
Table 9 – Staff

	Gender	NSW	VIC	QLD	WA	AUST
SES	Female	1				1
Legal 1	Female	2				2
EL 2	Male	1				1
EL 1	Male	1	1	1		3
	Female			2		2
	Total	1	1	3		5
APS 6	Male	2				2
	Female				1	1
	Total	2			1	3
APS 5	Male	4				4
	Female	3		2		5
	Total	7		2		9
APS 4	Male					0
	Female			5(4)		5(4)
	Total			5(4)		5(4)
APS 3	Male		1			1
	Female	3	1			4
	Total	3	2			5
APS 2	Female	1		(1)		2(1)
All levels	Male	8	2	1		11
	Female	10	1	10(5)	1	22(5)
	Total	18	3	11(5)	1	33(5)

Table 10 – Staff – full-time and part-time

	Gender	NSW	VIC	QLD	WA	AUST
Full-time	Male	8	2	1		11
	Female	10	1	5	1	17
	Total	18	3	6	1	28
Part-time	Male					
	Female			5		5
	Total			5		5
All staff	Male	8	2	1		11
	Female	10	1	10	1	22
	Total	18	3	11	1	33





Resources

In the Department of Veterans' Affairs Portfolio Budget Statement (PBS) and the Portfolio Additional Estimates Statement (PAES) the VRB comes under Outcome 1 and Output 1.3. Detailed financial statements including those relating to the VRB are contained in the Annual Report of the Department of Veterans' Affairs.

Table 11 outlines actual expenditure for the VRB for the 2007-08 and 2008-09 financial years. Total expenditure for the VRB in the financial year 2008-09 was \$6,775,000 compared to \$7,944,000 in 2007-08. Average expenditure on each application finalised by the VRB during the year was \$1,700. In 2007-08 the figure was \$1,846.

Table 11 – Veterans’ Review Board – Expenditure (\$000s)

	2007-08	2008-09
Salaries (includes superannuation)		
Members	3,440	2,639
Staff (includes o/time & temps)	2,694	2,470
TOTAL	6,134	5,109
Rental of Premises (includes outgoings)*	929	1,025
Fares		
Members	166	106
Staff	81	44
Cars (includes parking)	58	58
TOTAL	305	208
Travelling Allowance		
Members	228	127
Staff	73	43
TOTAL	301	170
Office Requisites		
Stationery and office requisites	37	40
Library	4	4
Printing	15	18
TOTAL	56	62
Postage and Telephones		
Postage	34	32
Telephones/fax	2	5
TOTAL	36	37
Office Services	6	5
Computer Equipment (includes services)	3	6
Incidental Expenditure		
Freight & cartage	46	42
Advertising	6	2
Training	15	51
Miscellaneous	31	12
TOTAL	97	107
Comcare Premium*	51	27
Archiving	10	11
Legal	16	8
GRAND TOTAL	7,944	6,775

* As a consequence of oneDVA, these costs were met by the Department of Veterans’ Affairs.

Fraud control

The VRB remains committed to developing and maintaining best practice strategies for the prevention and detection of fraud. The Finance Officer bears responsibility for fraud control and prevention and detection activities within the VRB.

There were no incidents of fraud detected or reported for the VRB during the financial year.

Certification of VRB Fraud Control Arrangements

I, David Mackrell, certify that I am satisfied that for the financial year 2008-09 the VRB:

- Has had appropriate fraud risk assessments and fraud control plans in place that comply with the Commonwealth Fraud Control Guidelines;
- Has had appropriate fraud prevention, detection, investigation and reporting procedures and processes in place; and
- Has collected and reported on annual fraud data in a manner that complies with the Commonwealth Fraud Control Guidelines.



David Mackrell
A/g Principal Member
15 September 2009

Risk Management

The Risk Management Framework ensures that all identified risks relevant to the VRB are considered and that a systematic approach to risk mitigation is followed. The approach adopted by the VRB is consistent with the Australian Risk Management Standard (AS/NZS 4360) and considers the following risk areas:

- maintaining a safe work environment for staff, members, clients and visitors;
- safeguarding and maintaining assets;
- managing human resources;
- managing technology and information resources;
- ensuring compliance with environmental obligations;
- achieving established objectives and goals;
- ensuring the reliability and integrity of financial and operational information;
- complying with internal policies and procedures;
- complying with laws and regulations;
- managing change in the VRB's internal and external environments; and
- managing 'significant interruption' to critical business processes.

For each of these areas, the likelihood and consequences of identified risks have been determined and inform the VRB's approach to risk mitigation.

Asset management

All the VRB's assets are provided to it by the Department. As such, the Department manages, conducts regular stock-takes, and accounts for those assets.

Outcome 5: Accessible and responsive to veteran community stakeholders

Representation for Applicants

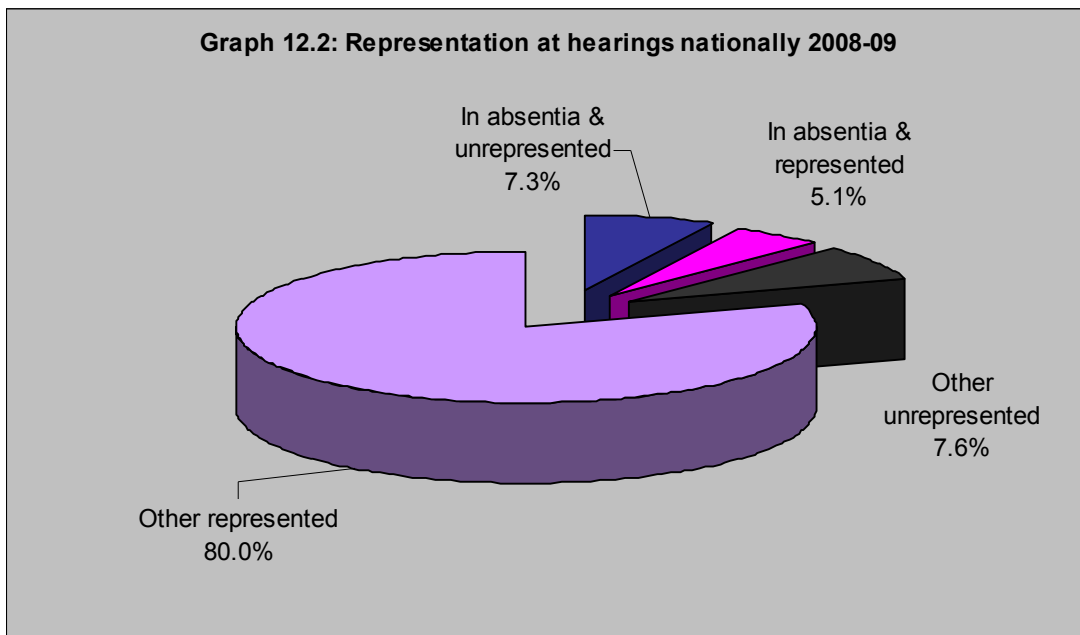
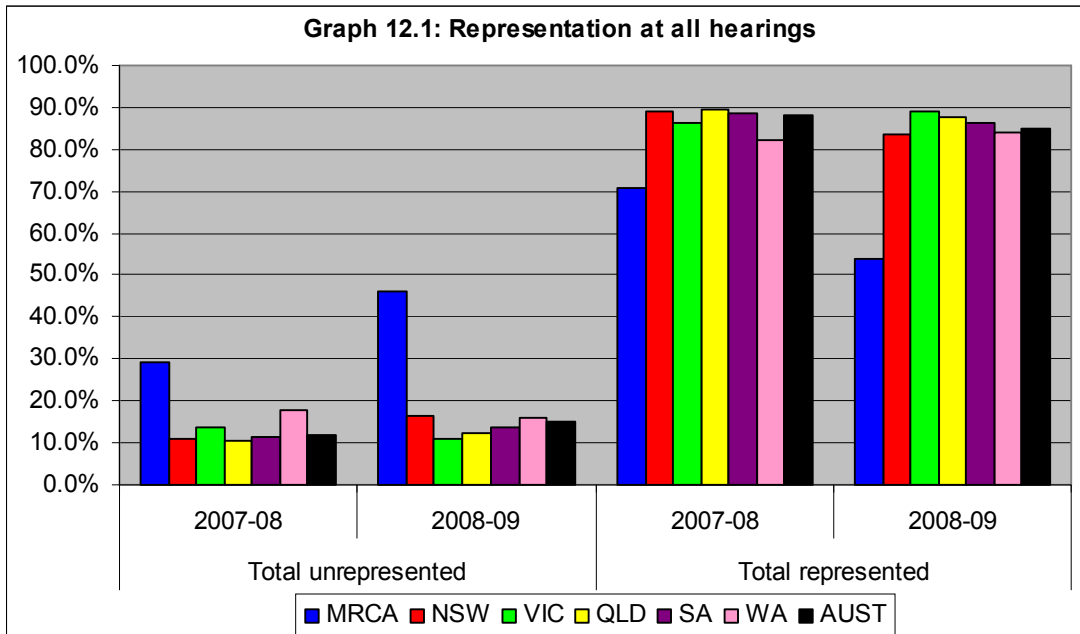
Representation for applicants at VRB hearings is provided by a number of ex-service and related organisations and by some private individuals.

Table 12 and Graphs 12.1 and 12.2 show the applications heard according to whether the applicants were represented and whether the hearings took place in absentia.

Table 12 – Representation at hearings

	Year	MRCA	NSW	VIC	QLD	SA	WA	AUST
In absentia and unrepresented	2007-08	2	90	38	38	14	13	195
	2008-09	6	111	19	49	11	16	212
In absentia and represented	2007-08	0	102	19	29	10	5	165
	2008-09	1	104	22	19	0	3	149
Other	2007-08	8	83	39	54	15	15	214
	2008-09	17	114	29	42	13	7	222
Other represented	2007-08	24	1 309	468	738	213	126	2,878
	2008-09	26	1,053	375	617	149	116	2,336
Total unrepresented	2007-08	10	173	77	92	29	28	409
		29.4%	10.9%	13.7%	10.7%	11.5%	17.6%	11.8%
	2008-09	23	225	48	91	24	23	434
Total represented		46.0%	16.3%	10.8%	12.5%	13.9%	16.2%	14.9%
	2007-08	24	1,411	487	767	223	131	3,043
		70.6%	89.1%	86.3%	89.3%	88.5%	82.4%	88.2%
	2008-09	27	1,157	397	636	149	119	2,485
		54.0%	83.7%	89.2%	87.5%	86.1%	83.8%	85.1%
Total heard	2007-08	34	1,584	564	859	252	159	3,452
	2008-09	50	1,382	445	727	173	142	2,919

A substantial proportion (41.3%) of applicants who have 'in absentia' hearings are represented, but both the applicant and the representative have chosen not to participate at the hearing. The representatives in those cases sometimes provide written submissions to the VRB.

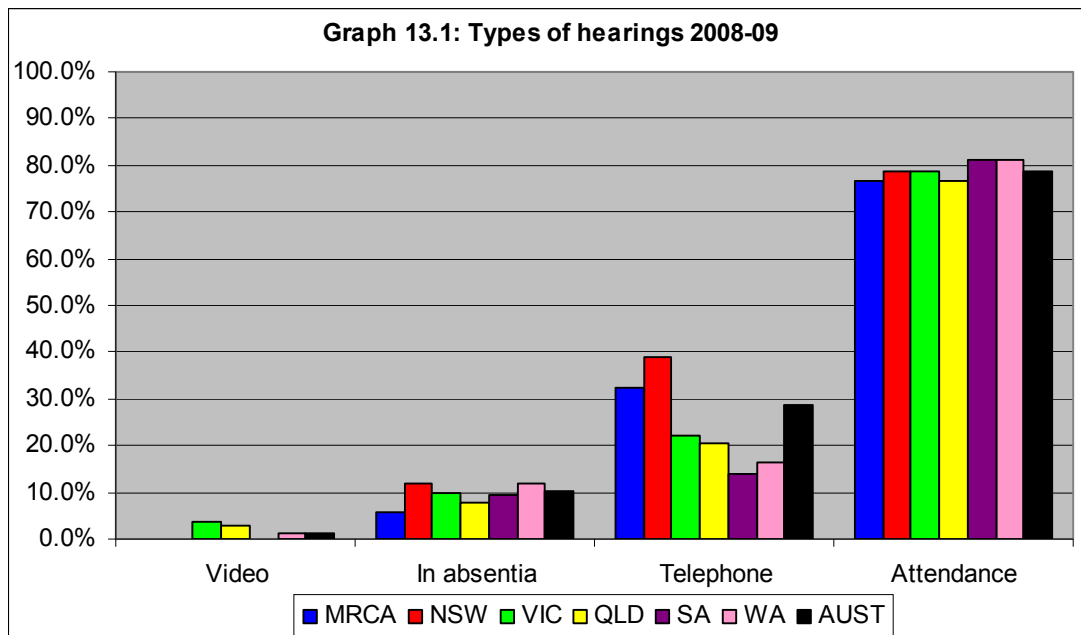


There are several ways that applicants and their representatives can participate at hearings: one or both can have a telephone hearing, or one or both can appear in person. Combinations of applicant and representative participation are also possible. In addition, in 2000-01, the VRB undertook a trial of video hearings to enhance its service to applicants in regional areas. The number of video hearings has varied but has become a popular method of hearing cases with some representatives. The provision of video hearings is a useful additional means of providing hearings on a timely basis for applicants in regional areas. The VRB remains committed to conducting regional hearings while there are sufficient cases available in those areas. However, video conferencing enables some applications to be heard sooner as the VRB does not have to wait for other applications in that region to be ready for hearing.

Table 13 and Graph 13.1 show the applications heard according to whether the hearings took place in absentia or whether the applicants and or representatives participated by telephone, video, or in person. Because applicants and representatives can have different methods of participation during the same hearing – for example, the applicant may be available by telephone and the representative may attend – hearings can fall into more than one category. Therefore the sum of the applications in the various categories may be greater than the total number of applications heard in a state or nationally; the sum of the percentages of hearings in the various categories may likewise be more than 100%.

Table 13 – Types of hearings

	Year	MRCA	NSW	VIC	QLD	SA	WA	AUST
Video	2007-08	0	0	20	26	0	2	48
	2008-09	0	0	14	35	0	0	49
In absentia	2007-08	2	191	56	68	24	19	360
	2008-09	7	215	41	68	11	19	361
Telephone	2007-08	11	619	124	177	35	26	992
	2008-09	14	565	68	142	22	31	842
Personal attendance	2007-08	26	1,248	444	660	205	129	2,712
	2008-09	34	1,003	333	530	154	106	2,160

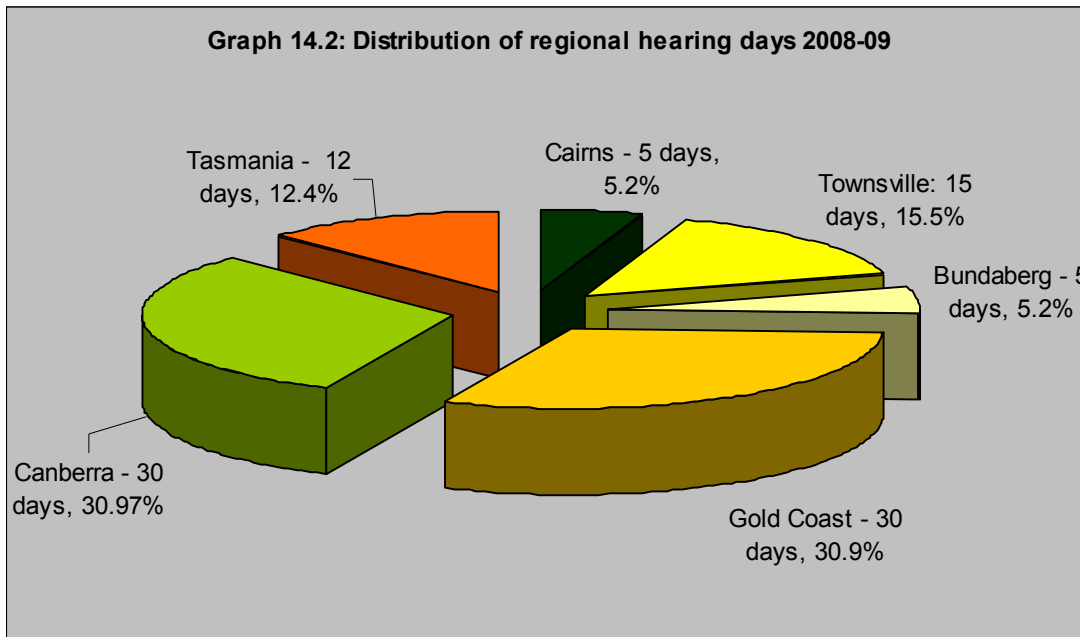
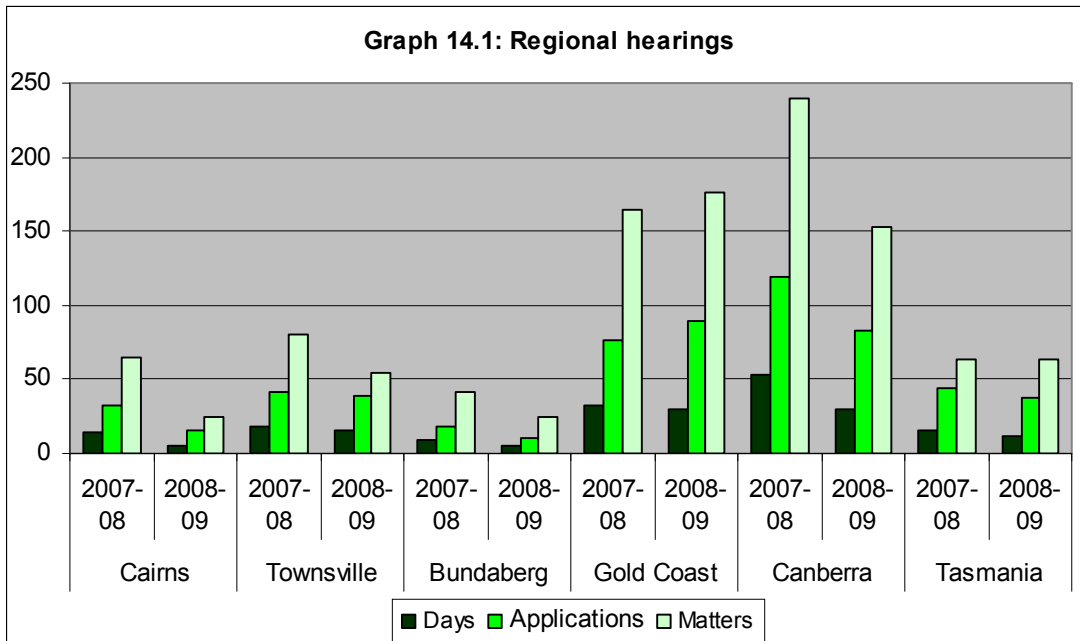


Regional Hearings

During 2008-09 regional hearings were arranged in Cairns, Townsville, Bundaberg, Gold Coast, Canberra, Hobart and Launceston. Table 14 and Graphs 14.1 and 14.2 show the number of days of hearings, and applications and matters heard in the above locations.

Table 14 – Regional hearings

	Year	Days	Applications	Matters
Cairns	2007-08	14	32	65
	2008-09	5	16	25
Townsville	2007-08	18	41	80
	2008-09	15	39	54
Bundaberg	2007-08	9	18	42
	2008-09	5	10	24
Gold Coast	2007-08	33	77	165
	2008-09	30	89	176
Canberra	2007-08	53	119	240
	2008-09	30	83	153
Tasmania (Hobart/Launceston)	2007-08	16	44	64
	2008-09	12	37	64
Total	2007-08	143	331	656
	2008-09	97	274	496



Representation at VRB Hearings by the Repatriation Commission, MRCC, and Service Chiefs

The Repatriation Commission and the MRCC are formally parties to all proceedings before the VRB for matters arising under the VEA and MRCA respectively. Additionally, the service chiefs may choose to be a party in applications concerning the MRCA. As a matter of practice, however, they have seldom been represented at VRB hearings. During 2008-09 neither of the Commissions nor a service chief was represented in any VRB hearings.

Other Activities

The VRB worked closely during the year with ex-service and related organisations and the parties to its hearings with a view to ensuring that its procedures worked effectively. Senior VRB staff participated in various workshops and seminars conducted by ex-service organisations and the Department.

The Principal Member, certain other members and senior staff attended a number of administrative law conferences and contributed to the Training and Information Program (TIP) managed by the Department and ex-service organisations for the training of pension and welfare officers and representatives. The Principal Member, Principal Registrar, National Registrar and Director (Legal Services) attended and addressed a number of State and national ex-service organisation meetings and maintained close contact with the larger advocacy organisations within the veteran community.

During the year the VRB:

- improved the standardised training package developed in 2007-08 to assist representatives in the preparation and presentation of applications for review before the VRB; and
- continued to streamline the VRB's Internet site.

Research and information services

The VRB's intermediate role and high-volume jurisdiction mean that members have to deal with their caseload as expeditiously as possible. At the same time, both parties expect the VRB to consistently reach the correct or preferable decision in accordance with the facts and relevant law. In order to accommodate these competing requirements, the VRB has developed research and information services to provide members with a research service on particular problems that arise from time to time, and to speedily provide them with:

- the relevant law as interpreted by the courts and the Administrative Appeals Tribunal;
- legislative amendments;
- relevant research papers; and
- details of significant or interesting VRB decisions.

An internal legal and information bulletin and a comprehensive Intranet assists in providing members with this material.

The VRB publishes a biannual journal called *Verbosity*. This journal includes information about Statements of Principles, legislative amendments, and decisions by the Administrative Appeals Tribunal and courts in the veterans' and military compensation field together with other items of interest. It is distributed on request to people involved in the jurisdiction.

The VRB also publishes:

- Practice Notes for members, staff and ESO representatives, which is published on the Internet site;
- an information brochure, which is sent to all applicants prior to their hearing; and
- an Operations Manual, which sets out details of the administrative processing of applications to the VRB.

In order to optimise the quality of VRB decisions, it is important that members, applicants and advocates have access to appropriate library resources to enable research on material not contained in sources such as *Verbosity*. Some library and source material is maintained in each Registry with the larger concentrations in Sydney, Melbourne and Brisbane. These materials can be provided overnight between Registries.

Internet site

The VRB also maintains a comprehensive Internet site (www.vrb.gov.au) with detailed information and publications for applicants and their representatives, including Practice Notes, material and links concerning jurisdiction and procedures, relevant legislation, case law, and guidance for practitioners.

An important addition to the website in 2007-08 was the publication of a suite of submission templates for a variety of case types, designed to assist veterans and their representatives in preparing applications for review by the VRB. These were enhanced in 2008-09.

Access and equity

In conjunction with the Department of Veterans' Affairs strategy to comply with the Government's social justice policy, the VRB observes the requirements of access, equity, equality and participation.

The VRB serves an identifiable segment of the community. The VRB is aware of its obligations in dealing with elderly persons, people with non-English speaking backgrounds and persons with disabilities. The VRB holds hearings and video hearings in some regional areas to ensure easier access for applicants. All applicants are advised of their right of appeal to the AAT on receiving advice of a VRB decision. Senior VRB staff speak on a regular basis at pensions seminars run by ex-service organisations and the Department of Veterans' Affairs, and visit regional areas to discuss the VRB's operations with ex-service organisation representatives.

In recognition of the fact that its staff are made available by the Department of Veterans' Affairs and operate in a comparable environment, the VRB acts consistently with Departmental policies and initiatives in such matters as occupational health and safety, enterprise bargaining, industrial democracy and equal employment opportunity.

Other Tribunals

The VRB maintains relationships with other tribunals through the following forums:

- Council of Australasian Tribunals (COAT);
- Commonwealth Heads of Tribunals (CHOTS), involving the Administrative Appeals Tribunal, the Social Security Appeals Tribunal, the Migration Review Tribunal, the Refugee Review Tribunal and the National Native Title Tribunal;
- Meetings involving the senior managers/registrars from the above federal review tribunals; and
- General liaison between staff of specific corporate functions (including human resources, finance, training and information technology).

Quality assurance

In order to gauge applicant satisfaction and further develop members, in 2008-09, the VRB:

- continued the use of a quarterly customer satisfaction survey, developed in 2007-08;
- carried out formal appraisal and the development of members; and
- conducted seminars for staff and members concerning recent developments in relevant areas of administrative law and military activities.

Ethical standards

The VRB is committed to maintaining the highest ethical standards. Its core values are embedded in its Service Charter and underpin its operations.

Australian Public Service Values and Code of Conduct

All VRB staff are bound by the Australian Public Service Values and Code of Conduct. All staff are encouraged to incorporate these values into their own workplace ethic. References to the Australian Public Service Values and Code of Conduct are also incorporated into core staff training.

Professional Standards for Tribunal Members

In addition to comprehensive guidance given to members in the VRB's Members Handbook, members are guided by the Administrative Review Council's publication, *A Guide to Standards of Conduct for Tribunal Members*. This document establishes principles of conduct relating to fairness, integrity, accountability and transparency, among others. The Guide is brought to the attention of all VRB members during induction activities and the principles referred to in ongoing member training.

To ensure that ethical standards are upheld, members, as statutory office holders, are required to complete a private interests declaration form and are subject to police and bankruptcy checks prior to commencing their VRB duties.

Complaints

In the course of the year the VRB received 21 appreciation letters and 37 complaint letters.

Nine of the 37 complaints were referred for comment from the Minister's office and involved the following issues: concern over the conduct of a hearing, the decision or aspects of the decision (four); concern over length of appeal processes (four); concern over VRB procedures (one). The Principal Member investigated each of these matters and responses were provided.

Other complaints sent to the VRB were: concern over the conduct of a hearing, concern at the decision or aspects of the decision (18); concern over length of appeal processes (one); concern over VRB procedures (four); concern about departmental decisions and seeking VRB intervention (four).

Each of these concerns was examined in detail and responses were provided in a timely manner. The VRB is pleased that the complaints are few relative to the total of matters dealt with. However, the issues raised were significant to the individuals concerned. The VRB continues to aim at improving its client service to reduce the possibility of future complaint.

Appendix 1

Court Decisions

Under the VEA, the MRCA and the *Administrative Appeals Tribunal Act 1975*, decisions of the VRB are subject to review on the merits by the Administrative Appeals Tribunal (AAT). Parties may appeal to the Federal Court on questions of law from decisions of the AAT.

While there is no direct right of appeal to the Federal Court from a decision of the VRB, decisions are subject to review by the Federal Court under the *Administrative Decisions (Judicial Review) Act 1977* (AD(JR) Act), on the grounds set out in that Act or alternatively the *Judiciary Act 1903*.

Certain matters may be heard in the Federal Magistrates Court, either in its original jurisdiction under the AD(JR) Act or upon transfer from the Federal Court.

High Court

The High Court did not hand down any judgments directly concerning the VEA or MRCA.

Federal Court of Australia

Administrative Appeals Tribunal Act 1975

The 15 Federal Court judgments, where VRB had been a part of the appeal path, for this year were:

- *Repatriation Commission v Hill* [2009] FCA 270 (30 March 2009)
- *Renton v Repatriation Commission* [2009] FCA 268 (27 March 2009)
- *Milbourn v Repatriation Commission* [2009] FCA 176 (3 March 2009)
- *Baljas v Repatriation Commission* [2009] FCA 171 (2 March 2009)
- *Repatriation Commission v Money* [2009] FCAFC 11 (13 February 2009)
- *Collins v Repatriation Commission* [2008] FCA 1982 (9 December 2008)
- *Repatriation Commission v Goulding* [2008] FCA 1858 (9 December 2008)
- *Repatriation Commission v Green* [2008] FCA 1614 (30 October 2008)
- *Roper v Repatriation Commission* [2008] FCA 1610 (30 October 2008)
- *Masliczek v Repatriation Commission* [2008] FCA 1535 (22 October 2008)
- *Gilkinson v Repatriation Commission* [2008] FCA 1441 (22 September 2008)
- *Kaluza v Repatriation Commission* [2008] FCA 1365 (9 September 2008)
- *Repatriation Commission v Norton* [2008] FCA 1132 (5 August 2008)
- *Todd v Repatriation Commission* [2008] FCA 1276 (21 July 2008)
- *Cadd v Repatriation Commission* [2008] FCA 1024 (8 July 2008)

Two judgments were handed down by the Federal Magistrates Court:

- *Cunningham v Repatriation Commission* [2008] FMCA 1251 (19 September 2008)
- *Repatriation Commission v Mayfield* [2008] FMCA 1103 (11 August 2008)

Issues dealt with by Court Decisions

Identification of the ‘kind of death’

In *Collins v Repatriation Commission* [2008] FCA 1982, the Federal Court followed the reasoning of the Court in *Repatriation Commission v Codd* (2007) 95 ALD 619 that “kind of death” is concerned with causation, it is not concerned with how slow, fast or otherwise the death occurred. In *Collins*, the Court distinguished *Doolette* and *Langley* by explaining that the issue of whether a disease “hastened” a person’s death will only be a relevant consideration where there is evidence that particular disease is a cause that contributes to the ultimate cause of death.

Standard of proof for existence of disease in sub-hypothesis

In *Repatriation Commission v Green* [2008] FCA 1132, the Federal Court held that that the existence of an injury or disease that is part of the hypothesised chain of causation between service and the veteran’s death (or presumably another claimed injury or disease) is to be determined on the balance of probabilities rather than merely pointed to by the material before the decision-maker. This is required whether or not there is a SoP for the particular injury or disease.

Meaning of “appropriate clinical management”

In *Repatriation Commission v Money* [2009] FCAFC 11, both the joint judgment of Justice Finn and Justice Edmonds, and the separate judgment of Justice Dowsett make clear that in respect of an “inability to obtain appropriate clinical management” the inability must occasion a material contribution to, or aggravation of the claimed condition. In addition, both judgments emphasise that it is necessary for a decision maker (in this case the Tribunal) to identify any contribution to a material degree, or aggravation of the claimed condition, or in other words, how the inability affected the disease itself. While Justice Finn and Justice Edmonds agreed with the primary judge that “appropriate clinical management” is not limited to the provision of beneficial treatment, it is important to note that an inability to obtain such has to be shown to have contributed in a material degree to, or aggravated, the claimed condition.

Assessing a contention of connection with service

Justice Dowsett’s decision in *Money*, also provided clear guidance on how a decision maker should assess a contention of connection between a person’s claimed condition and their service.

Step 1 – identifying a connection with service

Firstly, the decision maker must, on the material before it, identify any connection between the disease and a veteran’s service. The decision maker must consider all the material, but not the statement of principles. However, in a practical sense these may help the decision maker to identify relevant aspects of the material he or she must consider.

Step 2 – deciding whether the claimed condition is connected with service

Secondly, the decision maker must consider whether the relevant statement of principles “upholds the contention” that the disease is, on the balance of probabilities, connected with such service.

Step 3 – deciding whether there is a casual link

Thirdly, the decision maker must proceed to consider whether it is reasonably satisfied as to the relevant causal link set out in section 70 of the VEA and that the exclusion provisions in that section does not prevent acceptance of the claim.

Application of the *Deledio* steps

In *Repatriation Commission v Norton* [2008] FCA 1132, the court considered the application of the *Deledio* steps and meaning of a “experiencing a severe stressor”. The Federal Court held that the Tribunal had erred at stage 3 of *Deledio* by failing to form an opinion whether the alcohol hypothesis fitted or was consistent with the relevant SoP. Justice Heerey noted that the diagnostic criteria for alcohol abuse, set out in clause 2(b) of the SoP required very specific manifestations. His Honour found that the Tribunal did not attempt to identify such manifestations in the material before it, nor did the Tribunal attempt to identify the date of clinical onset or clinical worsening of the alcohol abuse. As such, the Tribunal did not identify the necessary elements which the SoP required.

In respect of the definition of “experiencing a severe stressor” the Court’s decision in *Norton* recognises that the subjective element of the definition incorporates the wide variety of human experience ie. a person of particular fortitude might be confronted with an event involving, for example, threat of death, but does not react with “intense (or any) fear, helplessness or horror”. However, the court’s decision emphasises that the objective element of the definition must also be met. As Justice Heerey stated, “the definition excludes an event which (objectively) does not have the possibility of evoking the reaction of intense fear etc”.

In *Repatriation Commission v Mayfield* [2008] FMCA 1103, the court also considered the application of the *Deledio* steps. In this case the Court agreed with the Commission’s submission regarding “clinical worsening” that, at stage 3 of *Deledio*, there must be material pointing to the worsening of specific elements in the diagnostic standards in the SoP (ie. the features or symptoms of alcohol dependence). While the Court refers to the “diagnostic” standards in the SoP, it is important to remember that this should not be confused with questions of diagnosis of the claimed condition, which must be determined on the balance of probabilities before step 1 of *Deledio*. The Court’s reasoning in this case follows the Federal Court decision in *Repatriation Commission v Milenz* [2006] FCA 1436.

Special Rate

In *Cadd v Repatriation Commission*, the Court considered the meaning of “ceasing to engage in remunerative work” in section 24(2)(a)(i) of the VEA. Section 24(2)(a) provides that a person will not be able to satisfy the “loss of earnings” test if there are other reasons that are also causally related to his or her having ceased to engage in work or related to the person’s being prevented from engaging in work. In Mr Cadd’s case the Tribunal considered whether, in his particular circumstances, it could properly be said that he was no longer engaged in remunerative work. The Tribunal took the view that Mr Cadd had ceased in his normal line of work as a club manager for some other reason which was not war caused and that he had not worked since. The Tribunal considered the evidence that Mr Cadd had attempted to find employment after his resignation but also considered his oral evidence at hearing that he considered himself unfit for any employment since his resignation from the Club. This latter evidence would seem to indicate that Mr Cadd had no definite plans to go to another job, or that his war caused PTSD had intervened to prevent that happening. As such, it was open to the Tribunal to find that the other reasons which were not war caused were the reasons why Mr Cadd had ceased to engage in remunerative work, and therefore the reason why he was not entitled to pension at the Special Rate. The Federal Court agreed that this finding was open to the Tribunal.

Verbosity

All Court decisions concerning veterans’ entitlements and relevant military rehabilitation and compensation matters are noted and summarised in the VRB’s publication, *Verbosity*, which is usually published biannually.

Appendix 2

Administrative Appeals Tribunal

Review of VRB Decisions

VRB decisions are subject to merit review by the Administrative Appeals Tribunal (AAT). The applicant, the Repatriation Commission, the Military Rehabilitation and Compensation Commission, or a service chief may seek review of a VRB decision. However, the VRB is not a party to the proceedings before the AAT.

Following notification of the lodgement of an application for review by the AAT, the decision-maker must lodge with the AAT, within 28 days, a statement and associated documentation pursuant to s 37 of the *Administrative Appeals Tribunal Act 1975*. Where the decision of the VRB relating to a matter under the VEA was to set aside the decision reviewed by it, the s 37 statement is prepared by the VRB. Where the VRB has reviewed and affirmed or varied a decision or it is a matter under the MRCA, the s 37 statement is prepared by the Department of Veterans' Affairs on behalf of the Repatriation Commission or the Military Rehabilitation and Compensation Commission. During 2008-09, the VRB was notified of the lodgement of 506 applications for review by the AAT of matters involving VRB decisions. During the same period, the VRB lodged 41 s 37 statements with the AAT. The average time taken for preparation and lodgement of those statements was 13.7 days.

As at 30 June 2009, applications for review by the AAT had been filed in respect of 506 VRB decisions made during 2008-09. The table below sets out the number and the percentage of decisions which have been the subject of applications for review by the AAT.

Table 15 – Applications for review by the AAT

	2008-09	2007-08
Applications for review from VRB decisions	506	570
Application rate*	21%	26%

* The application rate is estimated by comparing the number of applications lodged with the AAT with the number of applications finalised by VRB decisions made at hearings.

In the course of 2008-09 the AAT finalised 616 applications for review of decisions of the VRB. 612 of these had been made under the VEA and 4 under the MRCA. The tables below set out the outcomes of review by the AAT over the last three years.

Table 16 – AAT review outcomes

	2008-09	2007-08
Withdrawn or dismissed	37%	31%
Conceded (varied or set aside)	37%	42%
Finalised by hearing	26%	27%

Table 17 – Decisions published upon review by the AAT

	2008-09	2007-08
Affirmed	100 (63%)	98 (56%)
Varied or set aside	58 (37%)	76 (44%)

In respect of the VRB decisions that were set aside by the AAT during 2008-09, in the majority of these cases there appears to have been evidence before the AAT that was not before the VRB.

Review of MRCA Decisions

During 2008-09, there were four matters finalised in the AAT concerning appeals from the VRB under the MRCA. Two were withdrawn, one was set aside and one was affirmed following a hearing.

Review of Dismissals

Applications can also be made to the AAT for review of decisions taken under the dismissal provisions of the VEA. Unlike the position with other appeals, the Principal Member of the VRB is a party to those proceedings.

Table 18 – AAT review of dismissals

	2008-09	2007-08
Withdrawn or dismissed	-	-
Conceded (varied or set aside)	3	-
Finalised by hearing	1	1

Appendix 3

Other Forms of External Scrutiny

Decisions and actions of the VRB may be the subject of complaints to the Ombudsman. In addition, access to documents held by the VRB may be sought under the *Freedom of Information Act 1982*.

Ombudsman

During 2008-09, the Ombudsman notified the VRB of one complaint.

Freedom of Information Act 1982

There were three requests to the VRB for access to documents under the *Freedom of Information Act 1982* during 2008-09.

Privacy Commissioner

The VRB is subject to the *Privacy Act 1988*. The VRB continually assesses its compliance with the Information Privacy Principles, which determine the way the VRB deals with personal information.

Human Rights and Equal Opportunity Commission

The VRB is subject to the jurisdiction of the Human Rights and Equal Opportunity Commission. The Commission did not notify the VRB of any complaints during 2008-09. (The Human Rights and Equal Opportunity Commission became the Australian Human Rights Commission on 4 September 2008.)

Auditor-General

The Auditor-General did not conduct any inquiries or make any reports in relation to the VRB during 2008-09.

Reports by Parliamentary Committees

There were no reports by a parliamentary committee relating to the VRB during 2008-09.

Appendix 4

Membership of the Veterans' Review Board – By Category

	Commencement of Appointment	Expiry of Appointment
A/G PRINCIPAL MEMBER		
Mr David Mackrell	20 June 2009	19 March 2010
FULL-TIME SENIOR MEMBER		
Mr Ivan Cahill	1 October 2007	30 September 2010
PART-TIME SENIOR MEMBERS		
Mr John Charles Cooke	1 January 1990	30 September 2010
Ms Julie Cowdroy	1 January 1993*	30 September 2010
Ms Jennifer D'Arcy	1 June 2001	30 September 2010
Ms Ann Frances Graham	31 March 2008	30 September 2010
Ms Andrea Marilyn Hall-Brown	30 July 1998*	30 September 2010
Mr Robert Walter George Hume	1 October 2006	30 September 2010
Mr Edward Bertram Mark Jolly	1 October 2007	30 September 2010
Mr Christopher Anthony Vincent Keher	31 March 2008	30 September 2010
Ms Hilary Lorraine Kramer	30 July 1998*	30 September 2010
Ms Andrea Michelle Treble	1 June 2001	30 September 2010
Ms Sylvia Winters	1 October 2006*	30 September 2010
Mr Christopher Charles Hamilton Wray	1 October 2006	30 September 2010
Colonel Leslie James Young (Retd)	1 October 1997	30 September 2010

- * Ms Cowdroy – Resigned 12 July 1996, reappointed 30 July 1998
Ms Hall-Brown – Appointment expired 30 September 2006, reappointed 1 October 2007
Ms Kramer – Changed category: Member to Senior Member from 1 October 2006
Ms Winters – Changed category: Member to Senior Member from 31 March 2008

PART-TIME SERVICES MEMBERS

Mr Francis Harding Benfield	28 May 1999	30 September 2010
Dr Robert Barham Black AM RFD	1 October 2006	30 September 2010
Major General		
Murray Phillip Blake AO MC (Retd)	28 May 1999	30 September 2010
Lieutenant Colonel Francis Brown (Retd)	1 June 2001	30 September 2010
Wing Commander		
Stuart Alexander Bryce (Retd)	25 November 1991	30 September 2010
Air Commodore		
Frank Edward Burt OBE (Retd)	1 January 1998	30 September 2010
Rear Admiral		
Anthony Michael Carwardine AO (Retd)	1 January 1998	30 September 2010
Group Captain Collins Joseph Fagan (Retd)	1 January 1985	30 September 2010
Captain Allan John Farquhar RAN (Retd)	1 June 2001	30 September 2010
Lieutenant Colonel		
Alexander Richard Main (Retd)	1 October 2006	30 September 2010
Major Gregory Mawkes (Retd)	1 January 1993	30 September 2010
Brigadier Terrence John Nolan AM (Retd)	31 March 2008	30 September 2010
Colonel Robin Terence Regan CSC (Retd)	28 May 1999	30 September 2010
Colonel Roger Alfred Tiller AM CSC (Retd)	1 October 2006	30 September 2010
Air Commodore		
Bruce Robert Wood (Retd)	1 October 2006	30 September 2010
Major Warwick Anthony Young	31 March 2008	30 September 2010

PART-TIME MEMBERS

Ms Zita Rose Antonios	1 June 2001	30 September 2010
Mr Gary Charles Barrow	1 October 2007	30 September 2010
Mr Graham Michael Barter	1 October 2007	30 September 2010
Mr Andrew Harding Braban	1 October 2007	30 September 2010
Ms Sharon Elizabeth Brennan	1 October 2006	30 September 2010
Mr Robert Anthony Brumm PSM	1 October 2006	30 September 2010
Ms Jackie Miriana Fristacky	1 October 1997	30 September 2010
Major Janet Ann Hartmann (Retd)	1 June 2001	30 September 2010
Ms Elayne Joyce Hayes	1 October 2006	30 September 2010
Ms Kerrie Ellen Laurence	1 June 2001	30 September 2010
Ms Morag Angus McColm	1 January 1998	30 September 2010
Colonel Anthony James Wales (Retd)	1 October 1997	30 September 2010
Colonel David Symon Wilkins (Retd)	1 October 2006	30 September 2010

Appendix 5

Membership of the Veterans' Review Board – By State

NEW SOUTH WALES

A/g Principal Member

Mr David Mackrell

Part-Time Senior Members

Mr John Charles Cooke
Ms Jennifer D'Arcy
Mr Christopher Anthony Vincent Keher
Ms Hilary Lorraine Kramer
Colonel Leslie James Young (Retd)

Part-Time Services Members

Lieutenant Colonel Francis Brown (Retd)
Air Commodore Frank Edward Burtt OBE (Retd)
Colonel Roger Alfred Tiller AM CSC (Retd)
Air Commodore Bruce Robert Wood (Retd)
Major Warwick Anthony Young

Part-Time Members

Ms Zita Rose Antonios
Graham Michael Barter
Major Janet Ann Hartmann (Retd)
Ms Elayne Joyce Hayes
Ms Kerrie Ellen Laurence
Colonel David Symon Wilkins (Retd)

AUSTRALIAN CAPITAL TERRITORY

Full-Time Senior Member

Mr Ivan Cahill

Part-Time Services Member

Rear Admiral Anthony Michael Carwardine AO (Retd)

VICTORIA

Part-Time Senior Members

Ms Ann Frances Graham
Ms Andrea Michelle Treble
Mr Christopher Charles Hamilton Wray

Part-Time Services Members

Group Captain Collins Joseph Fagan (Retd)
Brigadier Terrence John Nolan AM (Retd)
Colonel Robin Terence Regan CSC (Retd)

Part-Time Members

Ms Sharon Elizabeth Brennan
Ms Jackie Miriana Fristacky

QUEENSLAND

Part-Time Senior Members

Ms Julie Cowdroy
Ms Andrea Marilyn Hall-Brown
Mr Robert Walter George Hume
Ms Sylvia Winters

Part-Time Services Members

Mr Francis Harding Benfield
Major General Murray Phillip Blake AO MC (Retd)
Captain Allan John Farquhar RAN (Retd)
Lieutenant Colonel Alexander Richard Main (Retd)

Part-Time Members

Mr Andrew Harding Braban
Mr Robert Anthony Brumm PSM
Ms Morag Angus McColm

SOUTH AUSTRALIA

Part-Time Senior Member

Mr Edward Bertram Mark Jolly

Part-Time Services Member

Dr Robert Barham Black AM RFD

Part-Time Members

Colonel Anthony James Wales (Retd)

WESTERN AUSTRALIA

Part-Time Services Members

Major Gregory Mawkes MBE (Retd)

Part-Time Member

Mr Gary Charles Barrow

TASMANIA

Part-Time Services Member

Wing Commander Stuart Alexander Bryce (Retd)

Appendix 6

Membership of the Veterans' Review Board – Biographical Details

Michael Griffin, LLB, LLM
Principal Member, NSW

Michael Griffin was the Principal Member of the Veterans' Review Board until 19 June 2009.

Mr Griffin was appointed on 26 June 2007. Previously he was in private practice as a solicitor, specialising in the areas of federal administrative law and criminal law. Mr Griffin was also a part time Member of the Administrative Appeals Tribunal from 2001 until his appointment to the Board. He has been a Senior Member of the Migration Review Tribunal and a Member of the Refugee Review Tribunal. He has been a Judge Advocate/Defence Force Magistrate and a Member of the International Association of Refugee Law Judges. Mr Griffin served in the Australian Regular Army for 22 years until his transfer to the Army Reserve in 1997. He was a Section Commander in 3RAR, a recruiting Sergeant and a legal officer and saw active service in Somalia and Iraq. He currently holds the rank of Colonel on the Active List of the Army Reserve.

In 2004 Mr Griffin was appointed as the Subject Matter Expert in Administrative Law for the Australian Defence Force and in 2005 was engaged by the President of the Senate as legal adviser to the Senate Inquiry into the Military Justice System. In 2005 Mr Griffin was appointed as Foreign Attorney Consultant to Mr David Hicks, at Mr Hicks's request, before the United States Military Commission in Guantanamo Bay, Cuba. Mr Griffin has appeared as counsel assisting or counsel representing in numerous commissions of inquiry and boards of inquiry in Australia and overseas.

Ms Zita Antonios
Member, NSW

Ms Antonios is a graduate in Social Studies. She is a current part time Member of the Administrative Decisions Tribunal and a former full time Member of Immigration Review Tribunal. Prior to that she was the Federal Race Discrimination Commissioner and Social Justice Commissioner at the Human Rights and Equal Opportunity Commission. Ms Antonios has an extensive employment history as a mediator and advisor in grievance management and conflict resolution. She was appointed a Member of the VRB in 2001.

Commander Gary Barrow
Member, NSW

Commander Barrow served as a permanent officer in the Royal Australian Navy for 26 years. In 1983 he graduated from the University of Sydney Law School, and also qualified as a Legal Officer in the Royal Australian Navy. He has been in private practice as a solicitor since 1986 and has continued to serve as a Naval Reserve officer. He was appointed a Member of the VRB in 2007.

Mr Graham Barter
Member, NSW

Mr Barter is a Barrister in private practice and a member of the NSW Bar Association Alternative Dispute Resolution Committee. He is a Reserve Legal Officer with the Command

Legal Office, Land Headquarters, Paddington and is studying for a Master of Military Law degree at ANU. He is a graduate of the University of New South Wales, and served in the Australian Army Legal Corps from 1981-1989, and again from 1999. He was appointed as a Member of the VRB in 2007.

Mr Frank Benfield
Services Member, Qld

Mr Benfield is a graduate of the Army Apprentices School and the University of Southern Queensland. He was appointed to the VRB in May 1999 from Queensland University of Technology where he was working as an academic. He served in the ADF for 20 years including one tour of duty in Vietnam, one in Papua New Guinea and several tours of duty in Indonesia. As a civilian advisor he was attached to the Royal Thai Navy Air Wing for three years on a Defence Co-Operation Project with the United Nations High Commissioner for Refugees. Mr Benfield is a Services Member based in Brisbane.

Group Captain Dr Robert Black AM RFD
Services Member, SA

Group Captain Black is a Doctor of Medicine and has a Master of Surgery. He is a fellow of the Royal Australian College of Surgeons. He served in the Royal Australian Air Force Reserve for 46 years including duty in Butterworth, Rwanda, Bougainville and East Timor. He was the Senior Visiting Specialist of the Daw Park Repatriation General Hospital for 23 years and has conducted a self employed private surgical practice. He was appointed a Services Member of the VRB in 2006.

Major General Murray Blake AO MC (Retd)
Services Member, Qld

Major General Blake (Retd) has been a Services Member of the Board since 1999. He has seen active service in Vietnam, Malaya and Borneo and has held positions including Commander of Land Command Australia, Commandant of the Royal Military College and Commander of the 3rd Brigade.

Mr Andrew Braban
Member, Qld

Mr Braban has a Masters in Law from the United States Army Judge Advocate Generals School. He served in the Australian Regular Army from 1980 to 2002 in a number of legal officer positions including Senior Legal Officer to the Commander of the International Forces East Timor. He continues to work for Defence Legal Services and is the Executive Legal Officer for the Queensland College of Teachers. He was appointed a Member of the VRB in 2007.

Ms Sharon Brennan
Member, Vic

Ms Brennan was appointed as a Member of the VRB in 2006. She has a Masters in Business and is a graduate in Arts and Education and works as a Conciliation Officer at the Accident Compensation Conciliation Service. She has an extensive employment history in Human Resources in both the private and public sectors.

Frank Brown, LLB
Services Member, NSW

A former national serviceman, later promoted sergeant and then commissioned from OCS Portsea in 1971. Army service included Vietnam in 1968/69 and an exchange posting with the British Army in Germany 1976-1978. He left the Army in 1993 as a lieutenant colonel, following which he worked for the NSW Independent Commission Against Corruption. After

graduating in law from the University of New South Wales in 1997, worked as a solicitor in private practice. Appointed to the Board in 2001, he also continues to practice law as a sole practitioner.

Mr Robert Brumm
Member, Qld

Mr Brumm has qualifications in Farm Management and Public Sector Management. He had operational service in Vietnam with the Australian Army. Post-service he worked for the Queensland Department of Primary Industries and Fisheries for 29 years in regulatory, technical and legislative support management. In 1998 he was awarded the Public Service Medal. He was appointed a Member of the VRB in 2006.

Wing Commander Stuart Bryce (Retd)
Services Member, Tas

Wing Commander Bryce (Retd) has been a Services Member of the Board since 1991. He served in the Royal Australian Air Force for 23 years initially as an aircraft instrument fitter and later as a pilot completing several tours with No 37 Squadron and over four years as a VIP captain with No 34 Squadron. He saw active service in Vietnam as an air support officer with the 1st Australian Task Force at Nui Dat. He retired from the RAAF in 1986 when he was serving in Hobart as the Senior Air Force Officer, Tasmania.

Air Commodore Frank Burt OBE (Retd)
Services Member, NSW

Air Commodore Burt (Retd) served in the Royal Australian Air Force for 33 years including operational service in Malaya and Vietnam. He is a graduate of both the Canadian Forces Command and Staff College and the Joint Services Staff College. He retired in the rank of Air Commodore and was appointed as an Officer of the Most Excellent Order of the British Empire in 1983. He was appointed a Services Member of the VRB in 1998.

Mr Ivan Cahill
Senior Member, ACT

Mr Cahill is a graduate of the University of Queensland, Macquarie University, the Royal Military College, Duntroon, the Joint Services Staff College and the Army's Command and Staff College. He served in the ADF for 27 years, including one year in the Army Reserve. He had operational service in South Vietnam (two tours) and in the Middle East, where he was Chief United Nations Military Observer in Southern Lebanon. He has also served in Papua New Guinea and Japan (Okinawa). He was previously employed as Director Litigation with the Department of Veterans' Affairs. He was appointed as a Senior Member of the VRB in 2007.

Rear Admiral A.M. Carwardine AO RAN (Retd)
Services Member, ACT

Gerry Carwardine has been a part time service member of the VRB since January 1998. He served in the RAN for over 41 years as a seaman warfare officer. He had four sea commands and a squadron command. He had active service in Malaya and Malaysia. Professional training and education has included gunnery and missile courses in the UK and the USA and management at the USN Post Graduate School, Monterey, California. He is a graduate of the Joint Services Staff College, Canberra and the USN War College, Newport, Rhode Island. His last three service postings, prior to retiring in 1995, were Chief of Naval Personnel, Head of the Australian Defence Staff in North America, including Defence Attache to the USA, Canada and the United Nations, and Commandant of the Australian Defence Force Academy. He bred Murray Greys on a small holding at Bungendore from 1995 to 2002 and was a journalist for the Queanbeyan Age in the late 1990s. He has been involved in a number of professional, charitable and voluntary organisations, including Chairman of the Defence Attaches Association in Washington, DC, Chairman of the ACT

Support Group to the Australian War Memorial and the lay member of the Human Ethics Committee of the University of Canberra.

Mr John Cooke
Senior Member, NSW

Mr Cooke qualified in Law in 1968 through the Barristers' Admission Board, NSW. Prior to his appointment as Senior Member of the VRB in 1990 he was Director of the Legal Aid Commission in NSW and, before that, Chairman of the Corporate Affairs Commission NSW. He has acted as Principal Member of the Board on several occasions. He served in the Army as a National Serviceman (12 NS Trg Bn and HQ I Armd Bde) 1953-55.

Ms Julie Cowdroy
Senior Member, Qld

Ms Cowdroy is a graduate in Law. She is a former part time Legal Member of the Social Security Appeals Tribunal; a part time Deputy Chair Person of the Drug Aid Assessment Panel Adelaide; Deputy President of Guardianship Board Adelaide; a member of the Residential Tenancy Tribunal; a part time Member of the Police Disciplinary Tribunal QLD; a part time Member of the Administrative Appeals Tribunal and is currently a part time Member of the Guardianship and Administration Tribunal and the Children's Services Tribunal. She was an Assistant Crown Prosecutor Officer of the Director of Prosecutions South Australia and Senior Solicitor Commercial Division in the Crown Solicitor Office Adelaide. She is a Senior Member of the VRB, having held the position from 1993-1996 and again from 1998.

Ms Jennifer D'Arcy
Senior Member, NSW

Ms D'Arcy has been a part-time Senior Member of the board since 2001 and also is a part-time legal member of the Mental Health Review Tribunal and the Social Security Appeals Tribunal, as well as being a part-time presiding member of the Guardianship Tribunal.

Captain Allan Farquhar RAN (Retd)
Services Member, Qld

Captain Farquhar (Retd) served in the Royal Australian Navy for 28 years, including operational service in the Far East Strategic Reserve during 1962. He is a graduate of the Royal Australian Naval College and the Australian Joint Services Staff College. He is qualified in Accountancy and Business Management and has worked as a Senior Consultant and Human Resources Manager in the private sector. He was appointed Services Member of the VRB in 2001.

Group Captain Collins Fagan (Retd)
Services Member, Vic

Group Captain Fagan (Retd) served briefly in the CMF before joining the Royal Australian Air Force for 30 years after the outbreak of the Korean War. He resigned from the RAAF and while awaiting discharge he was appointed a part-time Services Member of the Repatriation Review Tribunal (RRT) in 1980 just after that body was formed but was employed full time. He then was appointed as a full time member on the Veterans' Review Board in 1985. He is the only member in the jurisdiction to have served on the RRT and the only original member of the Board from when it was formed.

Ms Jackie Fristacky
Member, Vic

Ms Fristacky has Master of Public Policy, Master of Public Policy and Management and Master of Laws degrees. She has been a senior member of the WorkCare Appeals Board, an

industrial advocate for the Australian Public Service Board and held senior roles in the Victorian Public Service and in industrial relations and management consulting. She was appointed as a Member of the VRB in 1997. Since 2002, she has held this role concurrently with her role as a municipal councillor of the City of Yarra where she was Mayor in 2006.

Ms Ann Graham
Senior Member, NSW

Ms Graham holds Bachelor degrees in Arts and Laws as well as a Master of Laws from Monash University. Between 2001 and 2007 she held an appointment as a Member of the Migration Review Tribunal and the Refugee Review Tribunal. Ms Graham also served for four years as an Australian Federal Police Officer. Ms Graham was appointed as a Senior Member of the VRB in 2008.

Ms Andrea Marilyn Hall-Brown
Senior Member, Qld

Ms Hall-Brown is a graduate in Laws and Science, and is currently a Barrister. She is senior member of the VRB, having held the position from 1998-2006 and presently from 2007.

Mrs Jan Hartmann
Member, NSW

Jan Hartmann served in the Australian Army for 22 years, retiring with the rank of Major. She is a former Veterans' Advocate for the Returned and Services League (NSW Branch) and assessor for Veterans' Home Care program. She was appointed a Member of the VRB in 2001.

Mrs Elayne Hayes
Member, NSW

Ms Hayes is a graduate in Arts and Social Work. She is a former Member and Executive Member of the Social Security Appeals Tribunal (1983-1989, 1999) and a part time Member of the NSW Administrative Decisions Tribunal (1997 – present). She has worked as a Human Resources and Communications Manager at the Department of Health and Aged Care; a Consultant to Federal Health Insurance Commission Sofia, Bulgaria; Consultant at the Australia Japan Foundation; Manager at Centrelink and Department of Social Security. Ms Hayes has also undertaken HR consultancy work in South Africa and Switzerland. She was appointed a Member of the VRB in 2006.

Major Edward Bertram Mark Jolly
Senior Member, SA

Major Jolly has a Masters in Law from Melbourne University, and is currently a Barrister in private practice. He served as a Legal Officer in the Australian Regular Army from 1993-1998 and continues to serve in the Army Reserve. He was appointed a Senior Member of the VRB in 2007.

Mr Christopher Keher
Senior Member, NSW

Mr Keher is a solicitor in private practice and is a part-time Member of the Consumer Trader and Tenancy Tribunal. He has previously been a part-time advocate for the Department of Veterans' Affairs and was a member of the Refugee Review Tribunal from 1997 to 2004. He was appointed a Senior Member of the VRB in 2008.

Ms Hilary Kramer
Senior Member, NSW

Ms Kramer is a graduate in Arts and Law. She is a part time member of the NSW Mental Health Review Tribunal and a former part time Legal Member of the Social Security Appeals Tribunal and the Guardianship Tribunal of NSW. She has practised as a Solicitor in private practice and for the Legal Aid Commission representing clients in criminal, prison and mental health law. She has conducted research with the New South Wales Bureau of Crime Statistics and Research and compiled the final report of the 26-member Women in Prison Task Force to the Minister for Corrective Services. She was appointed Member of the VRB in 1998 and Senior Member in 2006.

Kerrie Laurence
Member, NSW

Ms Laurence is a graduate in Arts and Disability Education. She is a member of the Guardianship Tribunal and a former part time Member of the Social Security Appeals Tribunal. She has previously worked as an aged care quality assessor for the Aged Care Standards and Accreditation Agency, NSW TAFE Commission, and the NSW Department of Community Services. She was appointed a Member of the VRB in 2001.

Lieutenant Colonel Rick Main (Retd)
Services Member, Qld

Lieutenant Colonel Main (Retd) served for 23 years in the Australian Army including operational service in Vietnam. He graduated from the Army Staff College Queenscliff and the Officer Training Unit Scheyville. His service also included instructional postings at the Royal Military College Duntroon and as an exchange officer at the British Royal Military Academy Sandhurst. Following eight years as an advocate with the RSL Queensland State Branch he was appointed as a Services Member of the VRB in 2006.

Major Gregory Mawkes MBE
Services Member, WA

Major Mawkes served in the Regular Army for 22½ years including two tours of Vietnam with 1 SAS Squadron. He was appointed as a Member of the Order of the British Empire for services to SAS in the 1982 New Years Honours list, specifically for establishing Australia's military counter-terrorist capability. He was appointed Services Member of the VRB in 1993.

Ms Morag McColm
Member, Qld

Ms McColm is a graduate in Social Studies and Adult Education. She is a former Member of the Social Security Appeals Tribunal and was a member of the Legal Aid panel of chair people, Brisbane. She has an extensive history of employment in a wide range of medical, mental health and family work areas. She was appointed Member of the VRB in 1997.

Brigadier Terrence Nolan AM (Retd)
Services Member, Vic

Brigadier Terry Nolan retired from the Australian Army in 1996 after a career spanning 34 years. His Army service commenced in 1962 when he enlisted as a soldier in the CMF, but in 1965 he transferred to the Regular Army where he served for the remainder of his career. He saw active service in South Vietnam as a junior officer. He left the Army in 1996 to join Royal Dutch Shell as the Regional Security Manager for South-East Asia /Pacific. He retired from that position in March 2008 to take up the appointment as a Services Member of the VRB.

Colonel Robin Regan CSC (Retd)
Services Member, Vic

Colonel Regan (Retd) served in the Australian Army for 34 years including active service in South Vietnam. He was awarded the Conspicuous Service Cross and Deputy Chief of Army Commendation. He has previously been an advocate for the Returned and Services League of Victoria. Colonel Regan (Rtd) was appointed a Services Member of the VRB in 1999.

Colonel Roger Tiller AM CSC (Retd)
Services Member, NSW

Roger Tiller was appointed to the VRB as a part-time services member in 2006. Conscripted in 1972 he was commissioned into the Royal Australian Infantry Corps and served in the Australian Regular Army for 33 years. He commanded ADF's Parachute Battalion Group as the Commanding Officer of 3 RAR and was the Commander of the Liverpool Military Area during the period coinciding with the initial deployments into East Timor, the operation in support of Kosovo refugees and the Sydney Olympics. Colonel Tiller has served as a military observer with the United Nations Truce Supervision Organisation (UNTSO) in the Middle East. His last appointment from 2002 to 2005 was as the first Australian Defence Attaché in the Gulf - based in Riyadh, Saudi Arabia. He was cross accredited to Kuwait, Jordan, Bahrain, Oman (and initially Qatar and the UAE) and spent time with ADF elements in Afghanistan, Kyrgyzstan and Iraq. Colonel Tiller was appointed a Member of Order of Australia (AM) in 1999 and awarded the Conspicuous Service Cross (CSC) in 2005. He now has a one-man consulting company facilitating opportunities between Australian industry and business entities including governments of the Gulf region.

Dr Andrea Treble
Senior Member, Vic

Dr Treble has been a part time Senior Member of the Board since 2001. She has recently completed doctoral studies in social policy and administrative law. She has past experience as a solicitor in private practice, as well as in the government and community sector, and formerly taught administrative and community law in the tertiary sector. She is a member of the Teachers' Disciplinary Proceedings Committee and the Accreditation Decisions Review Committee, a legal member of the Mental Health Review Board and the Social Security Appeals Tribunal along with being an independent reviewer for Victoria Legal Aid.

Colonel Anthony Wales (Retd)
Member, SA

Colonel Wales (Retd) is a graduate in Law. During his 27 year military career he had operational service in Borneo and Vietnam and attained the rank of colonel in the position of Deputy Director Army Legal Services. After retiring from the Army he entered private legal practice. Colonel Wales was elected Mayor of Mt Barker Council in 2003. He was appointed a Member of the VRB in 1997 and has acted as a Senior Member on a number of occasions.

Colonel David Wilkins (Retd)
Member, NSW

Colonel Wilkins (Retd) is an honours graduate in Law and Arts. He served for 26 years in the Australian Army which included infantry operational service in South Vietnam. Since then he has worked as a Barrister, Defence Force Magistrate and Judge Advocate, Army Reserve. He was appointed a Member of the VRB in 2006.

Ms Sylvia Winters
Senior Member, Qld

Ms Winters has been a Member of the Board since 2006, and was appointed a Senior Member in 2008. She previously served as an officer in the Australian Army and was a barrister at the New South Wales Bar.

Air Commodore Bruce Wood (Retd)
Services Member, NSW

Air Commodore Wood (Retd) served in the Royal Australian Air Force for 35 years which included a posting in Ubon, Thailand during the Vietnam War flying Sabre aircraft, and later a tour in South Vietnam as a Forward Air Controller working with the US Army 25th Infantry Division. Towards the latter part of his Air Force career he was the Air Attaché in Washington DC and his last posting before retirement was as Combined Air Component Commander INTERFET and Commander of the Australian Contingent, in East Timor. He is still a member of the RAAF Reserve Staff Group and was appointed a Services Member of the VRB in 2006.

Mr Christopher Wray
Senior Member, Vic

Mr Wray is a graduate in Law with a post graduate diploma in Art History. He is a self-employed solicitor and has an extensive history of employment as a senior associate, partner and sole principle in law firms in Melbourne and Perth. He has lectured in legal studies and has authored publications relating to Australian Military History.

Colonel Leslie Young (Retd)
Senior Member, NSW

Colonel Young (Retd) has a Diploma in Law and a Diploma in Criminology. He served in the Australian Army for 22 years holding appointments as Judge Advocate Administrator, Judge Advocate, Defence Force Magistrate and Chief Legal Officer. In his capacity as a Judge Advocate he sat on military trials in Somalia and Cambodia. Prior to his appointment as a Senior Member of the VRB in 1997 he worked as a solicitor advocate which he continues to do on a part time basis as a sole practitioner.

Major Warwick Young
Services Member, NSW

Major Young is an Army Officer in the Australian Defence Force and has been since 1992. Major Young saw active service in Iraq in 2006. He was appointed Services Member of the VRB in 2008.

Appendix 7

FOI Statement

Section 8 of the *Freedom of Information Act 1982* requires the VRB to include within its Annual Report certain information relating to its organisation and function, powers, document holdings and procedures for access thereto, and any arrangements that may exist for persons outside the Commonwealth to participate in policy making or administration of the VRB.

Details of the organisation of the VRB are set out in the body of this Report – see under Outcome 4, Appendix 4 and Appendix 5. Details of the function of the VRB are set out under Objectives, Function, Powers and Jurisdiction at p 3.

The following provides the additional details required by section 8 of the *Freedom of Information Act 1982*.

Powers of the VRB

The powers of the VRB are set out in the VEA, and are modified by s353 of the MRCA when the VRB conducts reviews under that Act or the *Military Rehabilitation and Compensation (Consequential and Transitional Provisions) Act 2004*. In conducting a review of a decision, the VRB may, by s139(3) of the VEA, exercise all the powers and discretions of the primary decision-maker. For the purpose of the conduct of a review, the VRB also has the following specific powers conferred on it by the VEA:

- subsection 139(3) – the VRB may affirm, vary or set aside a decision or determination and, if it sets aside the decision or determination under review, it may substitute its own decision or determination;
- subsection 139(4) – if the VRB sets aside a decision and substitutes its own decision to grant a pension, it can assess the rate at which pension is to be paid or remit the matter to the Repatriation Commission
- subsection 139(4) – if the VRB sets aside a determination and substitutes its own determination to grant compensation, it can assess an amount of compensation to be paid or remit the matter to the Military Rehabilitation and Compensation Commission;
- subsection 140A(1) – the VRB may give directions to a Registrar or Deputy Registrar to alter the text of a decision or determination or statement of reasons if it is satisfied that there has been an obvious error in the text;
- subsection 140A(4) – the Principal Member or a presiding member may exercise the powers of the VRB in subsection 140A(1);
- subsection 142(2) – the Principal Member may give directions for the purpose of increasing the efficiency of the operations of the VRB and as to the arrangement of its business;
- sections 143 and 144 – the Principal Member may give directions in writing as to the members who are to constitute the VRB for the purposes of reviews to be conducted by it;
- subsection 148(3) – the Principal Member may defer the hearing of a review until the parties advise that they are ready to proceed;

- subsection 148(4) – where a party fails to advise, within the time specified in the notice served on the party, whether they wish to appear at the hearing of a review, the VRB may determine the application in the absence of that party;
- subsection 148(5) – the Principal Member may give general directions as to the procedure of the VRB with respect to reviews, including reviews the hearings of which have not been commenced;
- subsection 148(6) – the presiding member may give directions as to the procedure of the VRB with respect to a particular review, whether or not the hearing of that review has commenced;
- subsection 148(6A) – the Principal Member may request the Secretary of the Department of Veterans' Affairs or the Military Rehabilitation and Compensation Commission to conduct an investigation, arrange a medical examination, or provide additional documents in relation to a review;
- subsection 150(2) – the presiding member may give directions as to the persons who may be present at any hearing of a review;
- subsection 150(3) – the presiding member may permit a hearing, or part of a hearing, of a review to take place in public;
- subsection 151(1) – the VRB may take evidence on oath or affirmation and may adjourn the hearing of a review from time to time;
- subsection 151(2) – the presiding member may summon a person to appear at the hearing of a review, to give evidence or produce documents, and to take an oath or make an affirmation;
- subsection 151(5) – the VRB may take evidence by a person authorised by the presiding member, and may do so within or outside Australia;
- section 152 – the VRB may request the Secretary of the Department of Veterans' Affairs or the Military Rehabilitation and Compensation Commission to conduct an investigation, arrange a medical examination, or provide additional documents that the VRB thinks necessary for the conduct of a review;
- section 153 – the VRB may make additional evidence in its possession available to the parties to the hearing of a review;
- subsection 155(1) – the VRB may consent to the withdrawal of an application the hearing of which has commenced but has not been completed;
- subsection 155AA(5) – the Principal Member must dismiss an application if a written statement has not been provided within 28 days;
- subsection 155AA(7) – the Principal Member must dismiss an application if he considers that no reasonable explanation has been provided;
- subsection 155AB(5) – the Principal Member must dismiss an application if a written statement has not been provided within 28 days;
- subsection 155AB(7) – the Principal Member must dismiss an application if he considers that no reasonable explanation has been provided;
- section 157 – the VRB may set the date from which its decision is to operate;
- subsection 165(2) – if the Principal Member becomes aware that a member has a pecuniary or other interest in relation to a particular review, the Principal Member can direct that the member not take part in the review or disclose the interest of the member to both parties;
- subsection 166(1) – the Principal Member may delegate his powers under Part IX to a Senior Member or acting Senior Member;
- subsection 166(2) – the Principal Member may delegate his powers under subsection 148(6A) or section 155AA or 155AB to a Registrar or Deputy Registrar; and

- subsection 171(3) – the VRB may order that the Commonwealth shall pay the fees and allowances of a witness summoned to appear at a hearing before the VRB.

Arrangements for Outside Participation

The only statutory arrangement for external participation exists in the right of organisations representing ex-servicemen and women throughout Australia to submit, when requested to do so by the Minister, lists of names of candidates they recommend be considered for appointment as Services Members. Once appointed, members so selected have the same obligations and take the same oath or affirmation of office as other members.

The Principal Member seeks, through meetings and correspondence, the views of the Department of Veterans' Affairs, the Repatriation Commission, the Military Rehabilitation and Compensation Commission, the service chiefs, and ex-service and related organisations on administrative matters of concern to the VRB.

Categories of Documents

The following provides the details required by section 9 of the *Freedom of Information Act 1982*.

The following are the categories of documents maintained by the VRB in its Principal Registry and in Registries in each State.

Operations Manual

This is issued by the Principal Member and includes directions and guidelines from the Principal Member for members and staff concerning the processing of applications to the VRB. The Manual is supplemented from time to time by memoranda issued by the Principal Member or senior staff of the VRB.

Members' Handbook

This is issued by the VRB's Director (Legal Services) and concerns technical and legal matters relating to the functions of VRB members.

vrbSAM User Manual

This concerns the procedures for the use and operation of vrbSAM, the computerised System for Application Management used by VRB staff to track and manage applications for review.

Files

Individual VRB files are held for each application for review by the VRB. Policy and operational files are held for various areas of the VRB's administration and include files on staffing, statistics, procedures, accommodation and furniture, stores, publications, meetings, etc.

Practice Notes

These are prepared by the Director (Legal Services) to inform and to promote discussion among members and staff concerning topical legal and operational issues.

Facilities for FOI Access and Initial Contact Points

Requests under the *Freedom of Information Act 1982* for access to or copies of documents held by the VRB may be made to the National Registrar or a Registrar of the VRB. General

information about freedom of information matters and facilities for physical access are available at any VRB Registry.

Registry addresses and the names of those who can assist with enquiries or requests for information, including the names of the information officers, are listed in Appendix 14.

Appendix 8

Occupational Health and Safety and Commonwealth Disability Strategy

The VRB is within the Veterans' Affairs portfolio and although it is an independent body from the Department of Veterans' Affairs, it generally follows Departmental guidelines concerning access and equity issues. The VRB is included within the Department's occupational health and safety strategy, which is outlined in the Department's Annual Report.

Of the 5 roles specified in the Commonwealth Disability Strategy's Performance Reporting Framework (Policy Adviser, Regulator, Purchaser, Provider and Employer), the VRB performs 2 – Provider and Employer. Accessibility to VRB hearings by applicants and representatives with disabilities is covered by the Provider role. Accessibility issues for VRB employees and job applicants with disabilities are covered by the Employer role.

Our commitment to people with a disability

- The VRB's Service Charter states the VRB's commitment to ensuring access to services for people in the veteran community with a disability. The VRB's policies and practices take into account the physical, mental and social well-being of applicants and representatives; and
- VRB staff are provided by the Department of Veterans' Affairs and are covered by the Department's employment policies, procedures and practices. The Department's Enterprise Agreements, Workplace Diversity Strategic Plan, Equal Employment Opportunity Plan, Disability Discrimination Action Plan, People Policies and Managers' Guide indicate the commitment to employees with disabilities and ensure employment practices that do not discriminate against people with disabilities. The same disability strategy policies apply to VRB members.

The following information covers the VRB's current level of performance against the Commonwealth Disability Strategy's Performance Reporting Framework for the Provider role. The VRB's Employer role is included within the Department's performance reporting in the Department's Annual Report.

Performance indicator 1 — Providers have established mechanisms for quality improvement and assurance

Performance measure

Evidence of quality improvement and assurance systems in operation

Current level of performance

The VRB liaises with veterans' representatives in relation to access issues. We are able to provide hearings for all applicants. The VRB endeavours to provide a better service by reviewing complaints as they arise to identify priority areas for improvement in meeting the needs of the veteran community. The VRB provides telephone and video hearings, which give easier access for disabled and/or remote locality veterans.

Performance indicator 2 — Providers have an established service charter that specifies the roles of the provider and consumer and service standards, which address accessibility for people with disabilities

Performance measure

Established service charter that adequately reflects the needs of people with disabilities in operation

Current level of performance

The VRB has a Service Charter, which specifies the provision of equitable access. The Charter also identifies an avenue for comments, suggestions or complaints.

Performance indicator 3 — Complaints/grievance mechanism, including access to external mechanisms, in place to address issues and concerns raised about performance

Performance measure

Established complaints/grievance mechanisms, including access to external mechanisms, in operation.

Current level of performance

The VRB has a Feedback Management System in which complaints and grievances are recorded. We use this mechanism to assist in assessing our performance. A customer satisfaction survey mail-out will be conducted quarterly.

Appendix 9

Ecologically Sustainable Development and Environmental Performance

The VRB remains committed to minimising the impact of its workplaces on the environment and promoting environmentally supportive work practices. The VRB continues to increase purchases of 'green' energy, recycle waste paper and materials and to implement measures to reduce the amount of energy and resources used. The VRB also ensures it is compliant with relevant environment regulations and that suppliers are aware of our environmental commitments and arrangements. The VRB will continue to improve its awareness of environmental issues and promote awareness in its business practices in all its Registries.

The Department of Veterans' Affairs monitors and reports on energy consumption in the buildings occupied by the VRB, and information regarding this is included in the Annual Report of the Department.

Appendix 10

Service Charter

This Charter sets out our commitment of service to you. It is a public statement regarding the type and quality of services that the veteran community can expect to receive from the VRB.

The VRB is committed to maintaining and improving the quality of its services. We monitor our performance in meeting the commitments set out in this Charter. Your suggestions for improvements are welcome.

The VRB's Annual Report details our performance against the standards we set in this Charter.

ABOUT THE VRB

The Veterans' Review Board (VRB) is part of the Repatriation determining system but is independent of the Repatriation Commission, the Military Rehabilitation and Compensation Commission and the Department of Veterans' Affairs.

The VRB is a tribunal created by Parliament to review:

- decisions about pensions (other than service pensions) and attendant allowance under the *Veterans' Entitlements Act 1986* (the VEA); and
- determinations about liability, compensation, rehabilitation and other benefits under the *Military Rehabilitation and Compensation Act 2004* (the MRCA). It aims to provide correct, high quality, impartial decisions in a timely and efficient manner.

The VRB is made up of staff who manage its affairs and assist members, and panels of members who hear and decide applications for review. A panel consists of up to three persons with a wide range of skills, including service experience and legal qualifications. All panel members are independent persons appointed by the Governor-General.

OUR COMMITMENTS

The VRB will:

1. Treat you with courtesy and respect

When you visit us, we will acknowledge your arrival and attend to you promptly. We will ensure our office is tidy and functional and that you are made to feel as comfortable as possible.

We will answer your telephone call promptly during normal office hours. We will identify ourselves to you and give you accurate and helpful information. We will return your call if a more detailed answer is necessary.

When you write to us, we will reply to your letter within 14 days. We will answer fully the questions or issues you raise. If a full reply is not possible within 14 days we will indicate when it will be available. We will use language that is clear and easy to understand. All letters will include the name and telephone number of the person who wrote to you.

We will listen to and carefully consider the matters you put to us.

2. Provide equitable access

We hold hearings in all capital cities and in some regional centres.

Wheelchair access is available to all our offices.

If you let us know your needs, we will assist you with special access or other requirements.

If you are telephoning from outside the metropolitan area, we can return your call to save you some of the cost of a STD call. We also have 1300 and 1800 phone numbers available for your convenience.

3. Provide appropriate explanatory material

We will send you pamphlets that will help you to prepare your case.

We will provide, on request, a *Handbook* designed to assist representatives appearing at the VRB.

We will tell you about organisations that may be able to assist you to prepare your case.

We have a VRB web site which provides details of our processes, contacts and general information to assist you. The address is www.vrb.gov.au. You can also email the VRB at contact@vrb.gov.au.

4. Give you an opportunity to be heard

You or your representative will have the opportunity to present your case to a VRB panel.

You may choose to appear in person and/or be represented at a hearing (refer to 6. Allow representation). Alternatively, you may choose to have a telephone hearing.

You may choose to have your case considered in your absence by reference to your application and all relevant files.

You or your representative may make written submissions to be considered in your absence.

We will arrange a hearing as soon as possible after you or your representative advise us that you are ready.

We will conduct hearings in an informal atmosphere but with due regard to the importance of the matter and your dignity.

Hearings with you and/or your representative present, or telephone hearings, are tape recorded and retained for two years. We will provide a copy of the tape on your request at any time up to two years after the hearing.

5. Provide confidentiality, where appropriate

VRB hearings are held in private.

Information about your case will not be given to other people unless authorised by law or with your consent.

6. Allow representation

You can conduct your own case at the VRB or you may choose to be represented by an advocate from one of a number of ex-service organisations which provide such a service free of charge.

You are entitled to seek any assistance you want in preparing your case but this will be at your own expense if you do not wish to use the free services available to you.

You may be represented by anyone, at your own expense, other than a legal practitioner (precluded under the *Veterans' Entitlements Act 1986*).

We will always allow you to bring a friend or relative to your VRB hearing, whether or not you are represented.

7. Provide reasons for our decision

We will give our decision and reasons in writing as soon as possible after the hearing and usually within 28 days.

We will let you know of your rights of appeal if you are dissatisfied with our decision.

8. Listen to any comments or complaints

We welcome your comments or suggestions about our operations.

We will respond quickly to complaints.

If you have a complaint, it is best first directed to the local Registrar. If the complaint cannot be resolved by the Registrar, we will let you know of further avenues available to you.

9. Cooperation and Independence

We will cooperate with all persons interested in assisting us in furthering our aims of providing correct, high quality, impartial decisions in a timely and efficient manner.

We will guard our independence in the interests of all parties.

YOUR RESPONSIBILITIES

To enable the VRB to meet its commitments you need to:

1. Respond to requests from VRB Registry staff in the way we ask you to.
2. Give us complete and accurate information within required time limits.
3. Treat VRB Registry staff and members in the way you would wish to be treated, that is with courtesy and respect.
4. Keep hearing or other appointments, or tell us beforehand if you cannot keep an appointment.
5. Let us know of any change of circumstances which might affect your VRB application for review, including any change of address.

Appendix 11

Business Plan

ROLE

The Veterans' Review Board (VRB) is an independent statutory tribunal established under the *Veterans' Entitlements Act 1986* to provide merits review of decisions or determinations of:

- the Repatriation Commission on such matters as:
 - claims for the acceptance of injury or disease as war/defence-caused;
 - claims for war widows'/widowers'/orphans' pensions;
 - assessment of the rate of pension paid for incapacity from war/defence-caused injury or disease;
 - claims for the grant or assessment of attendant allowance;
- the Military Rehabilitation and Compensation Commission on such matters as:
 - liability for compensation for injury, disease or death;
 - compensation for permanent impairment;
 - compensation for incapacity for work or incapacity for service;
 - rehabilitation programs;
 - treatment;
 - allowances and other benefits;
- the Service Chiefs of the Army, Navy, and Air Force in relation to rehabilitation programs for members of the Forces.

FUNCTION

On application for review the VRB is to:

- have regard to the evidence before the Repatriation Commission, the Military Rehabilitation and Compensation Commission or a service chief when the decision or determination was made and any further relevant evidence;
- satisfy itself with respect to or determine all matters relevant to the review in reaching the correct or preferable administrative decision; and
- record its decision and reasons for that decision in writing, indicating in its reasons its findings on any material questions of fact and referring to evidence on which the findings were based.

METHOD OF OPERATION

The VRB

- is headed by the Principal Member who is:

- appointed by the Governor-General (s 158 of the VEA);
- responsible for its efficient operation (s 142); and
- required to report annually to the Minister on operations (s 215).
- comprises staff provided by the Secretary of the Department of Veterans' Affairs (the Department) to the Principal Member to support the functions of the VRB and members appointed by the Governor-General to hear and determine applications for review;
- is funded as a sub-program in the Veterans' Affairs portfolio;
- is managed centrally from a Principal Registry in Sydney through state Registries in Melbourne, Sydney, Brisbane, Adelaide and Perth;
- conducts hearings before three member panels convened by the Principal Member in hearing rooms at Registries and in ad hoc hearing rooms in regional centres or by video or telephone as the occasion requires;
- promotes cooperation and liaison to the fullest extent possible in its relations with stakeholders in the review process.

AIM

The VRB aims to provide a means of review that is fair, just, economical, informal and quick in an environment, which ensures respect for the service of applicants and dignity in the conduct of proceedings.

VALUES

The VRB seeks to integrate administrative law values of lawfulness, fairness, openness, participation and rationality with high standards of personal conduct reflecting independent and impartial minds, respect for the dignity of others, personal integrity and diligence.

OUTCOMES SOUGHT

Outcome 1 – Finalise high numbers of applications for review

Achieved by:

- promoting accessibility;
- effective case management;
- flexibility in modes of hearing and locations.

Performance assessed by:

- measuring numbers finalised and hearing rate;
- user satisfaction with modes and location of hearings.

Outcome 2 – Complete reviews at a high level of assurance that review decisions are correct.

Achieved by:

- making appropriate and relevant findings of fact and correctly applying legal principle in concise well written reasons for decision;
- internal consideration of general issues, AAT and Federal and High Court decisions to promote accuracy and consistency in the application of principles.

Performance assessed by:

- internal review and discussion of issues and principles;
- general level of satisfaction in veteran community with decision and reasons;
- reference to cases reviewed in AAT and Federal and High Courts.

Outcome 3 – Complete all process stages subject to the VRB’s control on a timely basis.

Achieved by:

- identifying impact on stakeholders of timeliness issues;
- paying due regard to qualitative issues in setting timeliness objectives;
- establishing time based performance objectives for process stages.

Performance assessed by:

- measuring achievement in relation to timeliness objectives;
- general level of satisfaction among veteran community stakeholders with performance in relation to timeliness.

Outcome 4 – Use resources efficiently to undertake reviews.

Achieved by:

- effective management and regular review of utilisation of human and material resources;
- effective application of technology to support role and functions;
- promoting skills and development in available workforce.

Performance assessed by:

- cost effectiveness in human (morale and efficiency) and monetary terms.

Outcome 5 – Accessible and responsive to the veteran community stakeholders.

Achieved by:

- effective cooperation and liaison with stakeholders consistent with independent role and function;
- frank and forthright communication of aims and performance data to stakeholders.

Performance assessed by:

- general level of satisfaction among veteran community stakeholders.

STRATEGIES

Strategy 1 – Management

- Maintain a centralised management structure to promote a national approach, to allow Registries to focus on core functions, and to allow oversight of flexible management by Registries of devolved functional responsibilities.

Priorities 2009-10

- Continue to assess number and categories of members and staff in Registries in light of changing workloads.
- Continue with the Member Case Appraisal method in selected locations, and further evaluate it.

- Review Operations Manual.

Strategy 2 – Utilise Information Technology

- Employ effective IT based measurable systems to register, assess and list applications and to prepare, track, complete and publish written decisions and reasons.

Priorities 2009-10

- Continue enhancement of vrbSAM.
- Enhance vrbSAM capacity to process and monitor applications under the MRCA.

Strategy 3 – Continuous Training

- Promote continuous training and professional development focused on high quality processing, hearing and determination of applications.

Priorities 2009-10

- Maintain register of staff training and relate to performance assessments.
- Implement standard documentation for decision writing in relation to MRCA.
- Continue to deliver standardised training for ESO representatives.

Strategy 4 – Communication

- Employ effective communications at all levels of processing and determination to promote education in the role and functions of the VRB and transparent participation and cooperation.

Priorities 2009-10

- Strengthen effective VRB personal links in States and at national level with the Department and ex-service organisations.
- Review all published documents and materials and identify changes necessary to recognise jurisdiction under the MRCA.
- Implement a web-based Collaborative Tool on the VRB Intranet site, for the use of all staff and members.

Appendix 12

Compliance Index

This Annual Report has been prepared in accordance with the Requirements for Annual Reports approved by the Joint Committee of Public Accounts and Audit (updated 17 June 2009). The index below refers to mandatory and suggested reporting items.

Description	Page
Letter of transmittal	iii
Table of contents	v
Index	100
Glossary	95
Contact officers	98
Internet home page address and Internet address for report	98
Review by agency head	1
Summary of significant issues and developments	1
Overview of agency's performance and financial results	50
Outlook for following year	1
Significant issues and developments – portfolio	N/A
Overview description of agency	3
Role and functions	3
Organisational structure	10
Outcome and output structure	50
Where outcome and output structures differ from PBS format, details of variation and reasons for change	N/A
Portfolio structure	N/A
Actual performance in relation to performance targets set out in PBS/ PAES	50
Performance of purchaser / provider arrangements	N/A
Where performance targets differ from the PBS/ PAES, details of both former and new targets, and reasons for the change	N/A
Narrative discussion and analysis of performance	1, 17-60
Trend information	17-60
Factors, events or trends influencing agency performance	1
Significant changes in nature of principal functions or services	1
Performance against service charter customer service standards, complaints data, and the department's response to complaints	60
Social justice and equity impacts	59
Discussion and analysis of the agency's financial performance	50
Discussion of any significant changes from the prior year or from budget	50
Summary resource tables by outcomes	50
Developments since the end of the financial year that have affected or may significantly affect the agency's operations or financial results in future	N/A
Statement of the main corporate governance practices in place	10
Names of the senior executive and their responsibilities	98

Description	Page
Senior management committees and their roles	N/A
Corporate and operational planning and associated performance reporting and	89
Approach adopted to identifying areas of significant financial or operational risk and arrangements in place to manage risks	52
Agency heads are required to certify that their agency comply with the Commonwealth Fraud Control Guidelines	51
Policy and practices on the establishment and maintenance of appropriate ethical standards	60
How nature and amount of remuneration for SES officers is determined	48
Significant developments in external scrutiny	61, 64, 66
Judicial decisions and decisions of administrative tribunals	61, 64
Reports by the Auditor-General, a Parliamentary Committee or the Commonwealth Ombudsman	66
Workforce planning, staff turnover and retention	48
Impact and features of certified agreements and AWAs	48
Training and development undertaken and its impact	23, 92
Occupational health and safety performance	83
Productivity gains	N/A
Statistics on staffing	48
Certified agreements and AWAs	48
Performance pay	48
Assessment of effectiveness of assets management	52
Assessment of purchasing against core policies and principles	N/A
Absence of provisions in contracts allowing access by the Auditor-General	N/A
Contracts exempt from the AusTender	N/A
Report on performance in implementing the Commonwealth Disability Strategy	83
Financial Statements	50
Occupational health and safety (section 74 of the <i>Occupational Health and Safety Act 1991</i>)	83
Freedom of Information (subsection 8(1) of the <i>Freedom of Information Act 1982</i>)	79
Ecologically sustainable development and environmental performance (section 516A of the <i>Environment Protection and Biodiversity Conservation Act 1999</i>)	85
Discretionary grants	N/A
Correction of material errors in previous annual report	N/A

Appendix 13

Glossary

AAT	Administrative Appeals Tribunal.
ADF	Australian Defence Force.
AD(JR) Act	<i>Administrative Decisions (Judicial Review) Act 1977</i>
Adjournment	Suspension of a hearing.
Applicant	A person or body that has applied for a review (to the VRB or AAT), or applied for an allowance or increase in pension (to DVA).
Applied provisions	Provisions of the VEA that set out the VRB's powers and functions, which are applied by s 353 of the MRCA for the purpose of the VRB's review of an original determination under Part 4 of Chapter 8 of the MRCA.
Assessment matter	A case under the VEA concerning the assessment of the rate of disability pension.
Assessment period	Period over which the decision-maker must assess the rate or rates of pension that were payable. It begins on the day the claim or AFI was lodged (the 'application day') and ends on the day the decision-maker determines the claim or AFI, or determines the review.
Attendant allowance	A fortnightly allowance paid towards the cost of an attendant for a person needing such assistance and who has accepted disabilities involving one of a number of types of amputations or severe types of disability, or an injury or disease similar in effect or severity to a disease of the cerebro-spinal system.
Case Manager	VRB staff member who looks after the administrative matters concerning an application for review.
Case appraisal	Examination of applications with a view to clarifying the issues, checking that the VRB has jurisdiction and that the applicant has standing, checking sufficiency of information, and readiness for hearing.
Certificate of readiness for hearing	A notice to the VRB that all the material on which the applicant wishes to rely has been lodged and the applicant is ready to proceed to a hearing.
Claimant	A person who has made a claim for a pension (to DVA) or claim for acceptance of liability and/or compensation (to the MRCC).
CLIK	Consolidated Library of Information & Knowledge: a computer research tool for decision-makers and pension officers and representatives produced by DVA.
<i>Deledio</i>	<i>Repatriation Commission v Deledio</i> (1998) 83 FCR 82. A Federal Court case that established a four step process by which the beyond reasonable doubt and reasonable hypothesis standard of satisfaction is to be applied in the context of cases to which the Statements of Principles regime applies.
DVA	Department of Veterans' Affairs.
Entitlement matter	A case under the VEA concerning whether an injury, disease, or death is war- or defence-caused.
ESO	Ex-service organisation.
FOI	Freedom of Information: the right to obtain documents from a Commonwealth Department or agency under the <i>Freedom of Information Act 1982</i> .

Liability matter.....	A case under the MRCA concerning whether an injury, disease, or death is service-related.
Member.....	A member of the VRB appointed by the Governor-General.
MRCA.....	<i>Military Rehabilitation and Compensation Act 2004.</i>
MRCC.....	Military Rehabilitation and Compensation Commission.
Original determination.....	A determination of the MRCC or a service chief under the MRCA that is capable of being reviewed by the VRB or being reconsidered by another delegate of the MRCC or a service chief.
Principal Member.....	The member of the VRB appointed by the Governor-General who is responsible for the national management of the VRB, and who must have legal qualifications.
Reconsideration.....	A new consideration or review of an original determination under s 347 or s 349 of the MRCA.
Registrar.....	VRB staff member who manages a State Registry of the VRB.
Registry.....	An office of a court, tribunal, or the VRB.
Respondent.....	A person or body against whom a claim, application, or appeal is brought; the party that responds to an application brought by an applicant.
s 31 review.....	Review by a delegate of the Repatriation Commission.
s 37 documents.....	Documents prepared by the decision-maker for the purpose of an AAT review (also called 'T-documents').
s 137 report.....	Documents prepared by DVA for the purpose of a VRB review.
s 148(1) letter.....	Letter sent to an applicant by the VRB seeking advice concerning how or if the applicant will appear or be represented at the VRB hearing.
s 148(6A) request.....	Request sent by VRB Registrar as delegate of Principal Member to the Secretary of DVA or MRCC seeking further investigation or documents.
s 151 adjournment.....	Adjournment of a hearing by VRB usually at the applicant's request, but can be for any reason.
s 152 adjournment.....	Adjournment of a VRB hearing in order that the presiding member can ask the Secretary of DVA or the MRCC for further investigation or further documents.
s 152 request.....	The request made to the Secretary of DVA or the MRCC by the presiding member of the VRB panel for further investigation or documents.
s 155AA notice.....	Notice sent to an applicant asking whether the case is ready for a hearing, and if not, why not. Failure to respond or failure to provide adequate reasons will result in dismissal of the VRB application.
s 155AB notice.....	Notice sent to an applicant following on from a 'reasonable explanation' response to an earlier s 155AA notice or a previous s 155AB notice asking whether the case is yet ready for a hearing, and if not, why not. Failure to respond or failure to provide adequate reasons will result in dismissal of the VRB application.
s 155AC authorisation.....	Authority to allow someone to represent an applicant for the purpose of responding to a particular s 155AA or s 155AB notice. A fresh authorisation to represent must be given after each such notice.
s 347 reconsideration.....	Reconsideration of an original determination by a delegate of the MRCC or a service chief at their own discretion.
s 349 reconsideration.....	Reconsideration of an original determination by a delegate of the MRCC or a service chief at the request of a claimant. If such a request is made, the person cannot also seek review of the same determination by the VRB.
Senior Member.....	A member of the VRB appointed by the Governor-General who usually presides at VRB hearings, and who usually has legal qualifications.
Service chief.....	The Chief of the Army, the Chief of the Air Force, or the Chief of the Navy.

Services Member.....	A member of the VRB appointed by the Governor-General who was nominated by an organisation representing veterans throughout Australia, and who usually has broad and extensive military experience.
SoP.....	Statement of Principles determined by the Repatriation Medical Authority.
Special rate.....	The highest rate of disability pension (also called the 'TPI' rate). It is paid if the person is blind due to accepted disabilities, or if the person meets certain tests concerning incapacity for work. One of these tests involves being unable to do more than 8 hours remunerative work a week due to accepted disabilities.
SRCA.....	<i>Safety, Rehabilitation and Compensation Act 1988.</i>
Telephone hearing.....	A VRB hearing conducted by telephone between a VRB hearing room and another location.
TIP.....	Training and Information Program funded by DVA for training pension and welfare officers and representatives, conducted by ESO, DVA and VRB trainers.
VEA.....	<i>Veterans' Entitlements Act 1986.</i>
Veteran.....	A person who has rendered eligible war service under Part II of the VEA.
Video hearing.....	A VRB hearing conducted by video-link between a VRB hearing room and another location.
VRB.....	Veterans' Review Board.
War-caused death.....	A death for which liability has been accepted under Part II of the VEA as related to eligible war service.
War-caused disease.....	A disease for which liability has been accepted under Part II of the VEA as related to eligible war service.
War-caused injury.....	An injury for which liability has been accepted under Part II of the VEA as related to eligible war service.

Appendix 14

VRB Contact Information

The Principal Member is responsible for the VRB's operations. The Registrar in each State is responsible to the Principal Registrar for arranging the VRB's day to day business. Registry addresses and the names of those who can assist with enquiries or requests for information are:

Principal Registry

Level 3, Building B
Centennial Plaza
280 Elizabeth Street
Surry Hills NSW 2010

Principal Registrar
Trina McConnell

National Registrar
Michael Weiss

Acting Director (Legal Services)
Katrina Harry

Information Officers

Andrew Fekete
Mark Huthnance

Phone: (02) 9213 8633

Phone: (02) 9213 8637

Fax: (02) 9211 3074

Information about the VRB is available on the Internet. The VRB's Internet address is: www.vrb.gov.au.

This annual report can be found on-line at www.vrb.gov.au/publications.html#_annrep.

VRB email: contact@vrb.gov.au

New South Wales and Australian Capital Territory Registry

Level 2, Building B
Centennial Plaza
280 Elizabeth Street
Surry Hills NSW 2010

Registrar
Peter Godwin

Phone: Local: (02) 9211 3090

Phone: City: 1300 550 460

Phone: Country: 1800 550 460

Fax: (02) 9211 3074

Victorian & Tasmanian Registry

14th Floor
300 La Trobe Street
Melbourne VIC 3000

Registrar

Ian Hunt

Phone: Melbourne: (03) 9602 8000
Phone: Hobart: (03) 6221 6646
Phone: City: 1300 550 460
Phone: Country: 1800 550 460
Fax: (03) 9602 1496

Queensland, South Australian & Northern Territory Registry

Level 8, Bank of Queensland Building
259 Queen Street
Brisbane QLD 4000

Registrar

Bob Loftus

Phone: Local: (07) 3221 3772
Phone: City: 1300 550 460
Phone: Country: 1800 550 460
Fax: (07) 3220 0041

Western Australian Registry

5th Floor, AMP Building
140 St Georges Terrace
Perth WA 6000

Registrar

Robyn Follington

Phone: Local: (08) 9366 8580
Phone: City: 1300 550 460
Phone: Country: 1800 550 460
Fax: (08) 9366 8583

Index

- access and equity, 31, 59, 83, 91
- addresses, 97-98
- adjournments, 14, 23-25, 79, 81, 95
- Administrative Appeals Tribunal, 1-4, 8, 9, 16, 40, 59, 61-65
- Administrative Review Council, 3, 60
- allowance
 - attendant allowance, 5, 30
- applications
 - dismissed, 16, 17, 65
 - finalised, 17, 19-20, 35, 37-38
 - lodged, 17-18, 35, 38
 - outstanding, 17, 38
 - withdrawn, 17
- appropriate clinical management, 62
- Australian Public Service values, 60
- Business Plan, 88
- case appraisal, 1, 14-15
- case management, 1, 13, 79
- Certificate of Readiness, 13, 23, 33-36, 40
- complaints, 60, 83
- contention of connection with service, 62
- Customer Satisfaction Survey, 1
- decisions, 3-5, 16-17, 19-20, 23, 26-32, 34, 37-38, 40-43
- Deledio, 63
- Disability Strategy, 82
- dismissal, 40-43
- eligibility, 5-9
- expenditure, 50-51
- Federal Court, 1, 4-5, 16, 61-63, 90, 94
- Federal Magistrates Court, 16, 61
- fraud control arrangements, 52
- Freedom of Information Act, 66, 79, 81
- further evidence
 - section 148(6A) request, 13, 33, 95
- hearings, 14, 17, 34
- High Court, 16, 61
- in absentia hearings, 13-15, 53-54
- Information Officer, 10, 97
- internet, 15, 59, 86
- investigation requests, 13-14, 23-24
- jurisdiction, 3-8
- liability, 6-7
- matters decided, 17-22, 26-32
- membership, 10-11, 45-47, 67-78
- Minister for Veterans' Affairs, iii, 3, 10
- National Registrar, 10, 11, 58, 81, 97
- neutral evaluation, 1
- Occupational Health & Safety Strategy, 82-83
- Ombudsman, 66
- Operations Manual, 15, 59, 81, 90
- permanent impairment, 4-7
- Portfolio Additional Estimates Statement, 50
- Portfolio Budget Statement, 50
- postponements, 13, 39, 41
- powers, 4, 14, 23, 79
- Practice Notes, 59, 81
- Principal Member, 1, 4, 10, 11, 14, 16, 23, 45, 46, 52, 58, 67, 69, 71, 79, 80, 89, 97
- Principal Registrar, 10, 11, 58, 79, 97
- privacy, 66
- procedures, 10, 12, 13, 14, 15, 39, 79, 80, 81
- processing times, 33, 34, 35, 90
- publications, 59, 58, 81
- quality assurance, 60
- quorum, 10
- reasons, 87, 88, 95
- reconsideration by Military Rehabilitation and Compensation Commission, 9, 13, 32, 95
- regional hearings, 10, 55, 56
- Registrars, 10, 11, 23, 24, 33, 59, 85, 87, 97, 98
- rehabilitation, 5, 6, 11, 85
- Repatriation Medical Authority, 7, 96
- representatives, 2, 12, 13, 14, 15, 23, 34, 38, 39, 53, 55, 58, 59, 82, 86, 87, 91
- review by Repatriation Commission, 8, 13, 32, 40, 83
- Risk Management Framework, 52
- section 137 reports, 12, 13, 33, 34, 95
- section 155AA notice, 95
- section 155AB notice, 95
- section 31 review, 40, 95
- section 347 reconsideration, 95
- section 37 documents, 95
- Service Charter, 82, 83, 85
- Service Chief, 4, 9, 12, 16, 58, 83
- Special Rate, 63
- staff, 10, 48, 49, 51, 58, 59, 81, 82, 85, 87, 91
- staff development, 79, 91
- standby cases, 13, 39
- statements of principles, 59
- telephone hearings, 13, 15, 86
- time limits, 12
- Training and Information Program, 58
- treatment, 6, 7
- VerBosity, 59, 63
- video hearings, 15, 55, 84
- vrBSAM, 81, 91
- withdrawals, 40, 41

