**Veterans’ Review Board**

**Annual Report 2015-16**

The Veterans’ Review Board has prepared this report on its operations for the year ending 30 June 2016 in accordance with subsection 215 (4) of the *Veterans’ Entitlements Act 1986*.

This report adheres to the Requirements for Departmental Annual Report issued by the Department of the Prime Minister and Cabinet, to the extent that they are relevant to the Board’s operations.

The Principal Member is responsible for the Veterans’ Review Board’s operations. The Principal Member’s report begins the Board’s Annual Report and summarises the key outcomes and developments for the Board in 2015-16:

**Principal Member’s Report**

***“This year has been one of change, innovation and achievement for the VRB as we continued to deliver high quality merits review in 2015-16.”***

Our core business at the VRB is deciding cases, within a time frame of 12 months. During 2015-16, the VRB finalised over 2900 cases in just under 12 months. While the VRB remains the busiest with VEA cases, MRCA cases continue to grow, comprising around 22.3% of new cases lodged at the VRB in 2015-16. Recognising that there are more than 50 types of decisions the VRB can review under MRCA, the VRB’s capacity to respond flexibly with alternatives to traditional VRB hearing has been paramount.

**Introduction of Alternative Dispute Resolution**

The task of achieving the Government’s recommendation to commence case conference as a part of wider ADR processes, which was announced in the “*Review of Military Compensation Arrangements Report*”, was a primary area of focus of the Board, it staff and members in 2015–16. Action was required across a broad range of areas, following the development and passage of the *Veterans’ Affairs Legislation Amendment (Mental Health and other Measures) Bill* 2014 culminating in the trial of Alternative Dispute Resolution (ADR) processes in the NSW and ACT Registry throughout 2015.

ADR describes a range of ways in which the VRB can help the parties to resolve their disputes without the need for a full hearing – for example, outreach sessions, conferences and on papers reviews including case appraisals and neutral evaluations. The program of ADR trialled by the VRB was designed specifically for this unique jurisdiction, where applicants are most commonly represented by lay, volunteer advocates. The program provides a very flexible alternative to traditional VRB hearings. It can be less stressful for the people involved, giving parties greater control over the outcome of their disputes. Even when ADR does not resolve a case, it can narrow the issues so that the full hearing takes less time.

The ADR trial concluded in December 2015 with outstanding results, more than 56.7% of cases referred to the trial were finalised without the need for a hearing, in under two months. In early 2016, a review of the VRB’s ADR trial was undertaken by Mr Stephen Skehill, former Secretary of the Attorney-General's Department and Principal Member of the VRB.

The review examined the past and present VRB processes, statistics and other data, practices in other Tribunals and the outcomes of stakeholder consultations. The review concluded that the VRB’s ADR program had been a ‘resounding success’ and that it should be rolled out nationally, beyond the trial location. Recommendations were made for improvements to the ADR process and these are currently being implemented.

The positive results of the ADR trial were reflected in 2015-16, with more than 69.5% of cases referred to an ADR event being finalised without the need for a hearing, in around three months. The results of the ADR program demonstrate that the VRB is well‑placed to meet the needs of the veteran community into the future. Veterans’, serving members and their families will be able to resolve their cases before the VRB without the need for a full hearing.

The successful trial of ADR at the VRB has only been possible because of the collaboration and cooperation of many people, particularly in the staff of the VRB, but also the Department of Veterans’ Affairs and the advocates from a wide representation of Ex Service Organisations, who appear regularly before the Board. The staff of the National Registry, in particular the ADR Registrar Jane Warmoll and Deputy Registrar Jeremiah Cudilla, made very significant contributions to the trial, as did the South Eastern Registrar, Aivars Vilcins and his team in the Sydney Registry. I would also like to acknowledge the work of the staff of the Department of Veterans’ Affairs, particularly Assistant Secretary Neil Bayles and his team.

More broadly, I would also like to thank the members and staff of the VRB as a whole for their efforts throughout 2015-16. They have continued to serve the Veteran community with dedication. I look forward to another productive and successful year in 2016-17, as the ADR program commences a progressive state by state rollout.

Doug Humphreys OAM

Principal Member

Veterans’ Review Board

**The VRB at a glance 2015-16**

|  |  |
| --- | --- |
|  |  |
| Applications lodged | 2804 |
| Applications decided | 2919 |
| Applications on hand | 2378 |
| % of matters set aside | 48.7% |
| % of matters affirmed | 51.3% |
| Average time taken to decide an application (weeks) | 51 |
| % of decided cases where applicant represented | 88.9% |
| Hearings arranged | 1706 |
| Directions hearings arranged | 253 |
| % of decided cases where hearing held | 47.1% |
| % of applications appealed to the AAT | 6.6% |
| Members | 43 |
| Staff | 25 |
| Cost | $5.64M |