



AUSTRALIAN DEFENCE FORCE RETIREES ASSOCIATION

We act on behalf of Defence Force Retirees and their Military Superannuation grievances

Register on: <https://www.adfra.org/>

Contact us on: admin@adfra.org

DFRDB UPDATE - SEPTEMBER 2019

Hi All,

Our apologies for not issuing an Update last month. We were waiting for an Update from the Commonwealth Ombudsman which did not emerge. However, as some of you may already be aware, the Ombudsman has now posted an Update on his web site;

<http://www.ombudsman.gov.au/How-we-can-help/australian-defence-force/dfldb>

Click on the link to view the contents.

On 25 July 2019, the President of the Defence Force Welfare Association issued a [Report of Meeting with Minister for Veterans Affairs and Ombudsman](#), click the link to open. In his report, Kel Ryan intimates that an incorporated ADSO should be the single point of contact between ex-service organizations and the Minister on all ex-service concerns.

This is our [Reply to Kel Ryan's Report](#), click the link to open.

As is apparent from our reply, we are not happy with the position we have been placed in by ADSO's collaboration on DFRDB with the Minister at ESORT and we will make those views known to our representatives in the Parliament. The charter for ESORT does not include Military Superannuation and, in fact, it is more akin to workers compensation and war graves, both being very worthy objectives. We believe there must be a dedicated representative group to take Military Superannuation issues to the Minister.

Last Friday, Herb and I attended Christian Bennett's funeral in Canberra. Christian, who became involved with our cause only within the past year, was a champion of the underdog. His insight into both DFRDB and DVA concerns, his passion and sheer effort on behalf of his fellow ex-service men and women should not be underestimated or forgotten.

Throughout Chris's life he lived by two guiding principles;

- "Maintain the Passion" and
- "When you're right you've got to fight".

We will keep these principles firmly in our minds.

At the funeral, we were fortunate to meet Christian's legal mentor, Alan Anforth, a leading Barrister who has already advocated on behalf of a number of ex-service members. Alan expressed a willingness to help us with our cause.

Alan warned us to not expect too much from the Ombudsman's 'own motion' inquiry. His advice is that we should mount a test case through the Administrative Appeals Tribunal. However, the grounds for a challenge must be clearly thought through and we must avoid the grounds on which past challenges have failed.

While we could initiate an action on relatively short notice, we are obliged to await the outcome of the Ombudsman's investigation.

So, at this point it is 'hurry up and wait'.

Finally, we are considering incorporating the ADFRA to ensure our personal assets are not exposed as a result of any legal action.

With the exception of web site development, Herb and I have so far met all costs associated with the conduct of this campaign. We are not seeking any reimbursement, however, if we find the need to incorporate we may have to seek a small donation of say \$2 from each registered member to cover the cost of incorporation and the photocopying, travel etc. that will be required to mount an AAT case.

Please continue to distribute our Updates as far and wide as possible because we are still only reaching a relatively small proportion of all DFRDB members.

Remember Chris Bennett's motto.

Regards,

Jim and Herb