



Submission by the
Commonwealth Ombudsman

**INQUIRY INTO SUICIDE BY
VETERANS AND EX-SERVICE
PERSONNEL**

Submission by the Commonwealth Ombudsman, Colin Neave AM

October 2016

The Commonwealth Ombudsman welcomes the opportunity to respond to the Senate Standing Committee on Foreign Affairs, Defence and Trade Inquiry into Suicide by Veterans and Ex-Service Personnel.

BACKGROUND

The Commonwealth Ombudsman safeguards the community in its dealings with Australian Government agencies by:

- correcting administrative deficiencies through independent review of complaints about Australian Government administrative action
- fostering good public administration that is accountable, lawful, fair, transparent and responsive
- assisting people to resolve complaints about government administrative action
- developing policies and principles for accountability, and
- reviewing statutory compliance by law enforcement agencies with record keeping requirements applying to telephone interception, electronic surveillance and like powers.

The Commonwealth Ombudsman under the jurisdiction of the Defence Force Ombudsman (DFO) has the specific role of investigating complaints arising from the service of members of the Australian Defence Force (ADF). Complaints can be made by serving and ex-serving members of the ADF and their families.

Complaints made to the DFO specific to the ADF include decisions about postings, promotions, discharge, leave, and handling of Redress of Grievance processes. The DFO also may look into the handling of allegations of misconduct, harassment and abuse. However, the DFO may refer matters to the Inspector General, Australian Defence Force where it is found to be a more appropriate investigation avenue.

Complaints made to the DFO specific to the Department of Veterans' Affairs (DVA) include adverse decisions about payment entitlements, payment rates and calculations, offsetting of pensions, delays in the processing of claims, access to support and ancillary services and decisions relating to compensation and debt waiver.

Expansion of the DFO

The Australian Government has expanded the role of the DFO to provide an independent Defence abuse reporting function which will take effect from 1 December 2016. This follows the cessation of the Defence Abuse Response Taskforce (DART) on 31 August 2016.

The expanded role of the DFO includes support for people who report incidents of abuse, including referral to counselling and assessment for participation in a facilitated meeting between a complainant and Defence representative through the restorative engagement program. This is in addition to the existing investigative functions of the DFO.

The DFO will engage progressively with stakeholder groups in relation to the operation of the new abuse function and expanded oversight role.

RESPONSE TO TERMS OF REFERENCE

Data from the DFO on suicide by veterans and ex-service personnel

From 1 July 2005 to 14 September 2016, the DFO has received 18 complaints from former and serving ADF members or their family and representatives that identified suicide or attempted suicide as a primary reason for approaching our office. Of these:

- Seven complaints were received from family members or advocates identifying the suicide of a former or serving ADF member.
- Eleven complaints were received identifying attempted suicide by a former or serving ADF member.

Of these cases, 17 were linked to complaints about the ADF. Only one of the above cases was linked to a complaint about DVA. This was out of a total of 1750 complaints that our office received about DVA since 1 July 2005.

It should be noted that the DFO does not actively seek to obtain information about suicide or self-harm.

Data from the DART on suicide by veterans and ex-service personnel

During its operation from 26 November 2012 until 31 August 2016, the DART received information that five complainants had suicided. As with the DFO, the DART did not actively seek this information. However, the information was provided by family members or another party following the death of the complainant.

Veterans' access to health services

We are currently monitoring the issue of veterans' access to health services, following an increase in the number of complaints from veterans and concerns raised by ex-service organisations. Complaint issues include:

- Veterans experiencing difficulty locating medical service providers who accept the scheduled DVA fee despite the number of providers available. Our information indicates that the problem may be particularly notable for individuals seeking psychiatric, neurological and orthopaedic services throughout Australia, with particular difficulty for veterans based in South Australia and Queensland.
- When veterans do locate a medical service provider who accepts the scheduled DVA fee, there is often a significant waiting period given the high level of demand from other ex-service members.
- Veterans have also reported having to travel significant distances to have their medical needs met inside the fee schedule. This is of particular concern for those with mobility, mental health and support barriers.

Our office is aware that DVA is currently implementing a number of initiatives to reduce impediments to health care for veterans. These include the Veteran Mental Health Strategy, ICT system upgrades, the extension of non-liability mental health care for ex-serving members and other programs arising from the Senate Standing Committee on Foreign Affairs, Defence and Trade Inquiry into the Mental Health of ADF Members and Veterans. Our office will continue to monitor and liaise with DVA on this matter.