

VIETNAM VETERANS ASSOCIATION of AUSTRALIA

NATIONAL COUNCIL MEETING

held at

MELBOURNE on 29/30 October 1994

PRESENT:

NATIONAL PRESIDENT: John Printz
NATIONAL VICE PRESIDENT: Rob Cox
NATIONAL SECRETARY: Geoff Trevor-Hunt

SECRETARY - NEW SOUTH WALES: Ray Fulton
PRESIDENT - VICTORIA: John Methven
PRESIDENT - A.C.T.: Clive Mitchell-Taylor
PRESIDENT - SOUTH AUSTRALIA: Graham Nybo
PRESIDENT - WEST AUSTRALIA: Rob Cox
PRESIDENT - TASMANIA: Doug Richardson
VICE PRESIDENT - NORTHERN TERRITORY: John Sheppard
PRESIDENT - QUEENSLAND: Paddy Boxall

APOLOGIES:

National Vice President (Jim Talbert), National Treasurer (Nev Varley)

The President, John Printz, declared the meeting open at 9-15 A.M. and welcomed all present.

1.0 MINUTES:

Proposed: WA
Seconded: TAS

That the minutes of the previous National Council meeting as distributed be accepted.

CARRIED

2.0 BUSINESS ARISING:

2.1 LONG TAN RESTAURANT:

The Council were advised that the name had now been changed to Long Tan.

3.0 CORRESPONDENCE:

It was resolved that correspondence as read and tabled be received.

4.0 BUSINESS ARISING FROM CORRESPONDENCE:

4.1 REQUEST FROM NEWCASTLE/HUNTER REGION SUB BRANCH:

This request for funding and waiving of fees was referred to the NSW State Branch as it was considered a State matter.

4.2 LETTER FROM JIM TALBERT Re NATIONAL CONGRESS:

A letter, in reply to the NSW State Branch's written comments on the National Congress Venue was read and distributed to all members..

4.3 NOTICE OF MOTION RE TRAVEL COSTS SUBMITTED BY NSW:

This had been received or distributed to all members.

QLD stated that they were not attending the Entombment of the Unknown Soldier.

Clive Mitchell-Taylor stated that the ACT had attempted to get best value for money for the Congress Venue and had obtained a four star hotel for the cost of a one and a half star (\$55 per night, per person with full breakfast). It was considered that the ACT had done the best they could with limited membership.

Victoria pointed out that the majority of delegates to the Congress worked and time was important to them. John Methven had travelled by car to the Congress. The National Secretary had done the same.

NSW stated that they had been directed by Congress to present a motion at the National Council Meeting in regard to their refusal to participate in cost sharing for travel and expenses to the National Congress and National Council.

The National President stated that the November 1993 National Council meeting was called by the National Executive as the National Executive had spent a lot of time examining the NSW issues and had decided that no response was required, as it was distracting the Executive from doing their job in respect of Vietnam Veterans.

NOTICE of MOTION

Proposed: NSW

Seconded: TAS (to allow debate)

That all States pay their own costs associated with their attending National Congress and National Council meetings.

QLD stated that they were prepared to pay their own costs. ACT said they could only afford to travel on the Eastern Seaboard and that travel to any other destination would be out of the question.

TAS stated that they could not afford full travel payments.

NT concurred with both ACT and TAS.

SA had always been aware of costs but felt it vital that they attend meetings. Their membership supported flying for the purposes of time saving and supported cost sharing.

NSW stated that it was appreciated that they were central and understood the distances travelled by WA and NT. It was also stated by NSW that delegates at the November 1993 Council meeting were the

for the entombment and NSW were not prepared to contribute to fares for that purpose.

VIC stated that their delegate was not going to the Entombment. John Methven stated, that to his recollection, he had paid his own way.

QLD and WA also advised that they were not going to the Entombment. NSW questioned as to why, up until this Council meeting, that TAS were the only State who had advised that they were not attending the Entombment.

The motion was then voted upon.

The motion was LOST with 1 for (NSW), 6 Against, TAS abstained.

4.4 REVOCATION OF LIFE MEMBERSHIP:

Victoria requested that the withdrawal of the State Life Membership of John Osborne be ratified by Council, as per the Policy Handbook. An explanation of the facts behind the request was given by the Victorian President.

Proposed: WA

Seconded: QLD

That the State Life Membership of John Osborne be revoked.

CARRIED

4.5 AMENDMENT TO FLAG ACT

Victoria requested that the National Executive approach the Government to have Vietnam Veterans Day included in the Flag Book as a day when flags be lowered to half mast.

Proposed: VIC

Seconded: QLD

That the Government be approached to amend the Flag Book.

CARRIED.

4.6 LIFE MEMBERSHIP of FRANK ALCORTA

This was proposed in writing by NT and after deliberation the National Council referred this back to NT as it appeared to be a request for State Life Membership.

4.7 NSW MATTERS FOR DISCUSSION

This letter stated that John Printz had a vested interest in that he worked for the RSL and, as the RSL is against many matters considered, that there is a vested interest.

The fact that John Printz was on the Victorian Treatment Monitoring Committee as an RSL representative was not acceptable to NSW.

John Printz stated that the RSL Advocates Office in Victoria was a combined office of RSL, VVAA, Legacy and Korean Advocates and that there was no interference from the RSL in the Advocates office. The advocates were paid from the Victorian Patriotic Trust Fund.

NSW stated that the RSL had vigorously opposed the Evatt Royal

Commission.

John Printz stated that the Victorian RSL worked with the VVAA. QLD stated that there was no conflict of interest as Vietnam Veterans were in high positions on many RSL Committees.

TAS had no problems with John Printz being with the RSL.

It was explained that the Victorian DVA had requested two RSL members on their monitoring committee (1 city and 1 country).

TAS queried the comment by NSW that there was no appeal to the RMA as it was understood that there was an appeal system, in fact there are two.

The letter by Murray Harrison (DVA) was an item that NSW considered should not have been published in Debrief. This was not the opinion of the majority of the Editors (the National Executive)

NSW considered the RMA was the worst thing to happen to Ex Service Organisations and considered that the RSL (Digger James) had, once again sold Veterans out.

Ray Fulton stated that, if he was on the Ministers Advisory Council and sworn to secrecy, he would ignore the secrecy.

John Methven asked if NSW would print a retraction if documentary evidence of John Methven being against many of the items discussed at the Advisory Council was produced.

Ray Fulton stated that he would be happy to table documents at a NSW meeting. It is to be arranged that copies be sent to all State Branches.

5.0 NATIONAL DIRECTOR OF VVCS

Wes Kilham, the National Director of the VVCS addressed the meeting in regards to the VVCS Portfolio review. Publication of the review is expected in about four weeks.

Adjourned for Lunch 1-20 P.M.

Resumed after Lunch 2-45 P.M.

6.0 TREASURERS REPORT

No report had been received from the National Treasurer.

It was resolved that accounts for this National Council meeting be sent out as soon as possible and not be delayed as were the accounts for Congress. It was further resolved that all Accounts Payable by National be paid as soon as practicable.

7.0 GENERAL BUSINESS

7.1 RIGHTS OF APPEAL

Proposed: NSW

Seconded: VIC (for discussion)

That the National Council of the VVAA launch a campaign to ensure that Veterans are reinstated with their rights of appeal on Entitlement matters to the Veterans Review Board, the Administrative

Appeals Tribunal and the Federal Court as outlined prior to the 1994 Federal Budget or the 1st June 1994.

After a lengthy discussion this motion was CARRIED with Victoria abstaining as it was considered too short a notice.

Ray Fulton is to present the criteria for the above motion to the Council at the Sunday session.

7.2 INTERPRETATION OF VEA

John Methven expressed concern at the RMA's interpretation of the Veterans Entitlement Act and he also believes that the RMA is not following the Act in regards to Medical evidence.

Proposed: VIC

Seconded: QLD

That the National Executive contact the Minister and advise him that it is our belief that the RMA is not following correct procedure and it appears that the standard of proof they are using is not the balance of probabilities.

CARRIED Unanimously

7.3 MATTERS DISCUSSED WITH NATIONAL PRESIDENT

NSW requested that the differences discussed with the National President be answered.

John Printz explained that the National Executive had decided not to respond to the paper. He stated that as from his first Debrief report as National President, a campaign against him began. There had been a constant effort at taking things out of context. He also stated that there were abusive phone calls to his family and that most callers claimed to come from NSW.

Ray Fulton assured the National President that any member who stated that they were going to phone the National President were advised not to.

Proposed: QLD

Seconded: WA

That the National Executive decision not to respond to NSW be ratified.

CARRIED 6 For
 NSW Against
 ACT Abstained

7.4 CRITICISM OF JOHN METHVEN

John Methven finds it difficult to accept criticism of his being on the Ministers Advisory Council and that Ray Fulton had no idea of John Methvens background and strongly objected to the items which had

been printed by NSW.

John Methven stated that he had prepared his first pension claim in 1985 and questioned Ray Fulton as to when he did his first. Ray Fulton replied about 1990.

8.0 REPORTS

8.1 MORTALITY STUDY

Discussions had been had with some of the DVA Central Office members involved and we are now waiting a reply from the Minister.

8.2 HEALTH STUDY

This has not yet got underway but it was resolved to have child abnormalities included in the study.

8.3 NATMOC

These meetings will now be held in different States so as to meet with State Committees and view facilities.

8.4 GRIEVANCE COMMITTEE

Rob Cox reported that one grievance had been received from the Gold Coast Sub Branch in regards to a dispute with the QLD State Branch. QLD, under their State Constitution had disbanded the Sub Branch. As the Gold Coast had not replied to the grievance committee with correct details, this had been passed back to the State.

8.5 REHABILITATION

There would be a letter sent to the VVAA shortly about Vocational Training.

8.6 JOB LINK

This is seen as an end result of rehabilitation for those who are still capable of working. Funding may be available in the next budget. The Minister has been advised that each State will be different. States are to make their own decisions. The Department of Employment and Education Training would be involved.

8.7 CANBERRA

The National President read from a brochure produced by the National Capital Planning Authority which stated that Anzac Avenue can be used for items other than War memorials. The Kindred Organisations Committee will be doing something about this.

Proposed: ACT

Seconded: TAS

That we notify the National Capital Planning Authority that Anzac Avenue by its name and nature is dedicated to the memories of those who served or associated with the armed forces and gave their lives in such service.

CARRIED NSW Abstained.

8.8 COMPUTER

John Methven had submitted a request that the computer at his home be sold to him for an amount not exceeding \$1500 or removed. If he retained the computer it would still be used for Debrief.

This subject was deferred until Sunday.

John Methven excused himself from the Sunday meeting and directed that his replacement be the National Secretary.

The meeting adjourned at 5 P.M.

The meeting resumed at 9-15 A.M. on Sunday 30th

9.0 STATE MATTERS

9.1 SOUTH AUSTRALIA

PROJECTS.

SA stated that their major fundraising idea was the sale of port crocks. A further fundraiser is for a 10 week draw for port crocks, details for this were handed to all members.

Veterans Cards - these are an information card with contact phone numbers etc. Copies were handed to members.

9.2 NORTHERN TERRITORY

Car badges are now available and are epoxy covered. Cost is \$20 including postage.

VETCOM. Vietnam Veterans Rural retreat is run by VETCOM and has no connection with the VVAA. Continual problems are occurring.

9.3 AUSTRALIAN CAPITAL TERRITORY

DEFAMATION. It was pointed out that disclaimers in newsletters meant very little. Legal action can still be forthcoming whether names are in the newsletter or not.

TPI PENSIONS. The TPI pension is linked to the CPI and it is felt that an erosion of the value has occurred. It was suggested that a watching brief be kept on the value of the pension or erosion of the

quality of life will occur. Such documents are to be sent to the National Secretary.

It was asked if the War Service Home Loan submission had been sent. This had been done.

9.4 QUEENSLAND

NEW ZEALAND VETERANS. A New Zealand memorial has a trail beside it named by the NZ Government as the "Ho Chi Minh Trail".

Proposed: QLD

Seconded: WA

That we support the VVAA(NZ) in letter form to the New Zealand government.

CARRIED

CLASS ACTION - AGENT ORANGE. Ads are appearing in papers from solicitors in regards to a class action.

Proposed: QLD

Seconded: ACT

That copies of any letters pertaining to the class action be sent to the National Secretary for distribution to State Branches.

WELFARE. The August edition of "Vietnam Veteran" has statements about membership and also states that State Branches other than NSW are not providing welfare.

Queensland requested that such statements be withdrawn and an apology printed in the "Vietnam Veteran".

Ray Fulton stated that NSW were doing claims for QLD members. This matter will be discussed at the NSW State Committee meeting next week.

WA stated that no Branch or Sub Branch should undermine any other Branch or Sub Branch.

A letter from a Victorian member (transferred from NSW) was read to the Council. A copy is to be sent to NSW.

Victoria stated that Welfare and Pensions were well supported in Victoria. Ex Service Organisations had accepted the VVAA (Vic Branch) Pensions and Advocates Courses.

TAS agreed that aggravation from any other Branch is not required.

Ray Fulton stated that it appeared that the NSW Branch was only interested in getting TPI Pensions for members. Ray stated that NSW believe that there is no aspect more important than getting a Veteran compensation for war caused disabilities. (This was in answer to a question on Ray Fulton's definition of Welfare.)

ACT's discussion included the statement that the efforts of Welfare Officers and agencies were being both denigrated and diluted by NSW failing to direct enquiries to local offices.

The nett effect of this was to decrease the skills of local areas in dealing with problems. The adversarial nature of the relationship with NSW meant that when NSW had particular skills, the local areas

were loathe to draw on them.

This situation, unless resolved, decreases dramatically, the level of support available to the Veteran.

NSW were asked to recognise the unnecessary insult which has been delivered to all States.

Proposed: WA

Seconded: QLD

That NSW write a retraction in "Vietnam Veteran" of statements printed by Ray Fulton (August 1994 issue) as they have undermined efforts of all State Branches in Welfare. The retraction should be in a written form sent to all State Branches and printed in the next issue of "Vietnam Veteran".

CARRIED with NSW AGAINST

FRIDGE MAGNETS: These are a calendar available from Don Palmer, 12 Sun Valley Drive, ASHFORD on the Gold Coast.

9.5 TASMANIA

REUNION: Tasmania requested approval to hold a thirty year Anniversary of Long Tan in 1996 and require a letter of support from the National Council to obtain State Government funding. It would be called "Vietnam Veterans Family Reunion, 30 Years On".

Proposed: TAS

Seconded: WA

That a letter of support be sent.

CARRIED

VETERANS CHILDRENS EDUCATION SCHEME

Proposed: TAS

Seconded: QLD

That the Minister be requested that children of all DVA Pension recipients come under the scheme.

CARRIED

9.6 WESTERN AUSTRALIA

ZONE REPS IN OTHER STATES. NSW had stated that they were opening zones in other States. NSW were asked as to why this was occurring. It was considered that crossing boundaries was unacceptable.

Proposed: WA

Seconded: QLD

That the Zone representative in any State be retracted and that a written apology be made to those States involved and that, in future States remain within their own boundaries.

(SA stated that they have an Advocate representing NSW in their State and advertised as a NSW Zone Representative in SA. QLD produced a letter from Ray Fulton requesting the Gold Coast Sub Branch join NSW)
CARRIED - NSW Against

JOB LINK. The network is still working though there is missing monies which are being investigated by the Fraud Squad. Future State and Federal funding could be affected. Previous warnings had been given by the VVAA (WA) who are now back on the committee.

9.7 NATIONAL EXECUTIVE

MOBILE PHONE. The National President's current mobile phone is now unserviceable.

Proposed: WA

Seconded: TAS

That the national President's mobile phone be upgraded and is to include a "hands free kit"

CARRIED -NSW Abstained

HEALTH AND WELFARE HANDBOOK. This publication had been handed to the National Secretary for updating as DVA had now completed their task. The National Secretary is to devise a questionnaire and this is to be sent to recipients for suggested updates. These updates are to be on a national basis and not pertinent to a particular State.

10.0 RIGHTS OF APPEAL

(Carried over from Saturday)

Ray Fulton suggested that the following be the course of action:

1. John Methven is to advise the Minister in writing that he was against any changes.
2. A letter from the National President to the Minister expressing anger or infuriation at the changes.
3. Copies of the above are to go to all Ex Service Organisations and all members of the Association.
4. A legal opinion is to be acquired.
5. A legal opinion is to be interpreted into the document before it becomes policy.
6. The document is to be circulated to all members and to members of Parliament, especially marginal seats.

The President suggested that legal opinion be the first step.

ACT presented the following course of action:

1. A letter be sent to the Minister advising him of our intentions.
2. Obtain a legal opinion.
3. Develop a policy on the subject.
4. Develop an action plan.
5. Prepare a submission according to the action plan.

It was suggested that multiple legal opinions be obtained.

After a lengthy discussion it was resolved that the ACT option is the correct way to go.

11.0 DEBRIEF

The President advised States that they supply their Debrief input earlier and quicker instead of at the last minute.

12.0 GENERAL

Ray Fulton stated that he preferred that all the items in regards to NSW previously discussed, be smoothed over.

Clive Mitchell-Taylor (ACT President) offered to address the next NSW meeting to explain items.

13.0 TRAVEL COSTS

Proposed: VIC

Seconded: QLD

That NSW had indicated that they will not share in travel costs and may not pay capitation fees. This Council requires a reply from NSW on these matters by the 16th December 1994.

CARRIED -NSW Against.

14.0 COMPUTER

(Brought over from Saturday)

Proposed: NSW

Seconded TAS

That the computer be sold to John Methven for the amount of \$1200.

CARRIED UNANIMOUSLY

15.0 NATIONAL CONGRESS

It was resolved that the 1995 National Congress be held on 27th and 28th May 1995.

The President declared the meeting closed at 11-50 A.M.