



# Veterans' Review Board

## Annual Report 2022–23



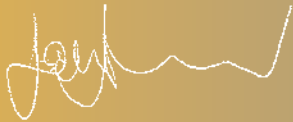
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Hon Matt Keogh  
Minister for Veterans and Defence Personnel  
Minister for Defence Personnel  
Parliament House CANBERRA ACT 2600

Dear Minister

I am pleased to present to you the 2022-23 Annual Report of the Veterans' Review Board, as required by subsection 215(4) of the Veterans' Entitlements Act 1986.

Yours sincerely,

A handwritten signature in white ink, appearing to read 'Jane Anderson', is positioned above the printed name.

Jane Anderson  
Principal Member  
2023

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# About the VRB

We are a specialist, high volume tribunal. We are innovative, responsive and seek to improve access to justice for all veterans, current serving members and their families by resolving applications at the earliest possible opportunity in a cost effective and efficient way.

The law that establishes the VRB and governs our operations is the *Veterans' Entitlements Act 1986* (the VEA).

## About this report

Each year we must give the Minister for Veterans and Defence Personnel a report, as required under the VEA. It provides an account of our activities from 1 July 2022 to 30 June 2023.

This report is prepared for the Minister for Veterans and Defence Personnel and the Parliament of Australia, the veterans who use our services and the organisations that support them.

## VRB Vision and Values

### **VRB vision**

To deliver justice by listening to veterans and making high quality decisions in a timely, cost effective and efficient way.

### **VRB values**

Fairness, professionalism, integrity, impartiality, independence, efficiency, accessibility and respect for the service of all veterans.

### **Our goal**

To be an innovative and responsive tribunal that provides a specialist service to meet the unique needs of the veteran community.

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# The year in review

# Message from our Principal Member and National Registrar



Ms Jane Anderson, Principal Member and Ms Katrina Harry PSM, National Registrar.

## We are pleased to introduce the Veterans' Review Board annual report for 2022-23.

For close to 100 years veterans have had a right of independent review of decisions affecting their interests. Today, this important function is delivered by the Veterans' Review Board. Made up of specialist members – three-quarters of whom are veterans themselves – the VRB operates in locations across the country and serves Australian veterans, current ADF members and their families.

The VRB endures to this day because it is relevant, responsive and focused on delivering a mechanism of review that meets the evolving needs of its users. With expertise in veterans' law and high levels of experience across multiple periods and arms of service, the VRB is well placed to deliver on its commitment to provide a specialist and innovative system of justice for veterans, serving members and their families.

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## 2022–23 activities and priorities

The reporting year saw the commencement of consultation on legislative reform to the veteran support system. Included in this pathway is the proposal to make the VRB the first point of administrative appeal for all claims, including claims under the Safety, Rehabilitation and Compensation (Defence-related claims) Act 1988. We look forward to the outcomes of the consultation and future involvement in relation to the legislative drafting process.

## Royal Commission into Defence and Veteran Suicide

The reporting year also saw a continuation of the work of the Royal Commission into Defence and Veteran Suicide.

As indicated in the Royal Commission's interim report, in recent years there has been an increase in primary claims lodged with the Department of Veterans' Affairs (DVA). As a result, the VRB forecasts an increase in its own caseload, and as at 30 June 2023, applications for VRB review exceeded 3000 applications – the highest number in almost a decade. In the year ahead, we anticipate further growth in applications for VRB review, as DVA progresses initiatives to address the backlog of claims.

## VRB member recruitment

Towards the end of the reporting year, we commenced a recruitment process for the appointment of VRB members. The regular appointment of members ensures the VRB retains and builds its specialist knowledge and skills, with its current membership comprising extensive military, legal and medical experience. Recognising the forecasted growth in our caseload and the upcoming legislative reform process, the VRB aims to recruit a full-time Senior Member, in addition to a number of sessional members to ensure capacity and continuity in the year ahead.



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## Our performance

Resolving applications at the earliest possible opportunity remains a key priority for the VRB. In the last 3 years, we have achieved a 60 percent reduction in the time taken to finalise applications, and in 2022–23 we further improved our timeliness.

For a fifth year in a row our clearance rate was higher than 100 percent and there was no backlog of applications awaiting dispute resolution events or hearings.

Veterans' trust and confidence in the VRB was also reflected in the growing number of applications (more than 80 percent) finalised by agreement in our dispute resolution program.

In addition, recognising that some people may find legal processes intimidating and stressful, the VRB has continued to offer its applicants the choice about how they participate in their cases. Veterans can choose to take part in-person at VRB locations, or remotely from their homes, offices or other environments where they feel most comfortable and supported. We are committed to broadening access to justice, including for veterans, serving members and families living in rural and regional areas or serving overseas.

In 2022–23, we also continued to shape the VRB's Vulnerable Veteran Protocol ensuring that veterans experiencing mental health issues, terminal illness and/or financial hardship are identified at the earliest opportunity with a view to resolving their applications with minimal stress or delay. Recognising the fact that it is a 'living' protocol, in 2022 the Vulnerable Veteran Protocol was invoked for VRB applicants with service in Afghanistan recognising that the withdrawal of allied forces in the region may have caused adverse mental health impacts on certain veterans and their families. In addition, partnering once again with Phoenix Australia, the VRB offered mental health first aid training to its staff and members, ensuring best practice for communicating with people experiencing emotional and/or psychological stressors.







## **2023-24**

We are honoured and privileged to be leading the VRB in a period highlighted by both challenges and opportunities. With a determination to deliver high-quality decisions in an environment where veterans are listened to and their service is respected, the VRB remains committed to striving for excellence in the administration of justice in 2024 and beyond.

# OUR EVOLUTION

1914

The right to seek a review of veterans' pensions and entitlements was included in the *War Pensions Act 1914*

1917

The right of appeal to a Board came into existence in the *Australian Soldiers Repatriation Act 1917*

1920s

Ex-service organisations complain about the absence of an independent right of appeal.

1929

The first external appeals tribunals – the *War Pensions Entitlement and Appeals Tribunals* are established by the *Australian Soldiers Repatriation Act 1920*.

2011

The VRB starts its digital transformation and parties are able to provide documents to the VRB electronically – including section 137 reports.

2012

The VRB releases a handbook for advocates and representatives appearing before the VRB.

2014

The VRB launches two super registries in Sydney and Brisbane, designed specifically to meet veterans' needs including hearing rooms with technology to support videoconferencing.

2015

The VRB introduces Alternative Dispute Resolution (ADR). Important changes are made to enhance the VRB's case management powers. ADR events are conducted digitally.

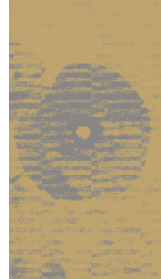
2021

The VRB launches Online Dispute Resolution (ODR), the first of its type and starts to resolve certain applications in under 3 weeks.

A new website and the VRB Justice Portal are launched – allowing parties to upload documents directly to the VRB and live-track the status of cases throughout the whole review process.

The VRB expands its Vulnerable Veteran Protocol to include online triage of applications involving veterans at risk enabling a quicker and more tailored resolution of applications.

The VRB releases a new online guide for self-represented applicants and advocates appearing before the VRB.



1945	1979	1984	2004
The number of appeal tribunals is increased to deal with an influx of applications at the conclusion of World War 2.	The appeals tribunals are replaced by the <i>Repatriation Review Tribunal</i> .	The Veterans' Review Board was established by the <i>Repatriation Legislation Amendment Act 1984</i> .	The VRB's jurisdiction is expanded to include appeals under the <i>Military Rehabilitation and Compensation Act 2004</i> .

2017	2018	2019	2020
The VRB expands its ADR program and concurrent to a Senate Inquiry into suicide by veterans and ex-service personnel, the VRB commences a triage process for applications concerning vulnerable veterans.	The VRB launches a new IT case management system, which streamlines processes and transitions the VRB to fully digital files.	The VRB launches a 'decisions on the day' program; a 'fast-track review process for incapacity payment applications. Formalises a Vulnerable Veteran Protocol.	In response to the COVID19 pandemic, the VRB provides a digital platform for virtual hearings, ensuring no hearing or ADR is cancelled in the face of the pandemic.

2022		
The VRB enhances its online hearing platform to support complex applications with multiple participants.	The VRB is increasing accessibility even further, with a focus on delivering a review mechanism tailored to the needs and expectations of its users. This includes offering a hybrid hearing model combining in-person and remote participation in a single hearing. As well as harnessing the specialist expertise of its members across the country, a hybrid model offers veterans and their representatives greater flexibility in the way they participate in VRB hearings.	The VRB is recognised for its ODR program, winning the Courts and Tribunals ADR Group of the Year at the Australian Disputes Centre ADR Awards for 2021.

## Delivering justice: a snapshot

Our services	2021–22	2022–23
Clearance rate	100.1%	107.5%
ADR resolution rate	82.8%	83.9%
Time targets met	✓	✓

Feedback on our services	2021–22	2022–23
Compliments rate	2.6%	2.7%
Complaint rate	0.2%	0.3%

Our People	2021–22	2022–23
Members	45	42
Staff (full time equivalent employees)	20.55	23.6

Our Finances	2021–22	2022–23
Our budget	4,837	4,893

## At a glance

Highlights 2022–23		
We improved <b>access to justice</b> resolving more than 83.9% of all applications using dispute resolution.	We cleared 107.5% of our case holding, with <b>no backlog</b> of applications awaiting listing for a dispute resolution event or hearing.	We continued to <b>improve timeliness</b> , resolving all applications on average in 4.4 months.



# Overview of the VRB



## Overview of the VRB

### **Delivering justice for veterans: your right to be heard**

We are a specialist, high volume tribunal that is innovative and responsive to its users. We seek to improve access to justice for all veterans, current serving members and their families by resolving applications at the earliest possible opportunity in a cost effective and efficient way.

### **What we do**

We are less formal than a court. Where possible, we help veterans or their family members resolve their applications by talking through the issues at an 'outreach' with a Conference Registrar or at a conference with a Commission representative. If an application cannot be resolved, our members will decide the case at a hearing.

We can only hear cases where the law gives us this authority. The types of decisions that we most commonly review relate to:

- claims to accept liability or entitlement for a service injury, disease or death
- applications for increase in disability pension
- compensation for permanent impairment or incapacity for work
- claims for war widow(er)'s or orphan's pension.

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## Our powers

In reviewing a decision, we take a fresh look at the facts, law and policy relating to that decision. In many cases, new information is provided to us that was not available to the original decision maker. We consider all of the material before us and decide what the legally correct decision is or, if there can be more than one correct decision, the preferable decision. We can exercise all the powers and discretions available to the original decision-maker. We have the power to:

- affirm a decision (the original decision is unchanged)
- vary a decision (the original decision is changed in some way)
- set aside a decision and substitute a new decision (we make a new decision), or
- remit a decision to the decision-maker for reconsideration (we ask the decision maker to reconsider the whole decision again, or some aspect of it).

## Our objective

Whilst the VRB is an independent statutory tribunal, we are not a separate Commonwealth entity under the *Public Governance, Performance and Accountability Act 2013*. Rather, we are considered a Secondary Australian Government Body, receiving our funding and corporate services from the Department of Veterans' Affairs. As a result, we do not have a budget allocation in the Portfolio Budget Statements.

Our objective is set out in law. In carrying out our functions, we must pursue the objective of providing a mechanism of review of administrative decisions that:

- is accessible
- is fair, just, economical, informal and quick
- is proportionate to the importance and complexity of a matter, and
- promotes public trust and confidence in the decision-making of the VRB.



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## Who we are

Our need for specialist expertise is met by the appointment of appropriately qualified and experienced members in the categories of Senior Member, Member and Services Member. Each member is appointed by the Governor-General on the recommendation of the Minister for Veterans and Defence Personnel. Additionally, to be considered for appointment, Services Members (who have military experience) must be nominated by an ex-service organisation. Members of the VRB are statutory appointees and are not public servants employed by the Department of Veterans' Affairs.

All our members must have:

- a high level of integrity
- sound judgment
- legal, military, health or other professional skills
- excellent communication and interpersonal skills
- the ability to conduct hearings
- a capacity to make fair decisions quickly.

At 30 June 2023, there were 42 members of the VRB. Table 1 shows the breakdown of the membership by category is set out below.

**Table 1: VRB membership, 30 June 2023**

CATEGORY OF MEMBER	TOTAL (WOMEN)
Principal Member, full time	1(1)
Senior Members, sessional	15(7)
Services Members, sessional	15(6)
Members, sessional	11(4)
<b>TOTAL</b>	<b>42 (18)</b>

Members perform a variety of VRB work, including conducting online and alternative dispute resolution processes, providing opinions in the form of Case Appraisals and Neutral Evaluations, and sit on panels for VRB hearings.

### Principal Member

Our Principal Member is Ms Jane Anderson. Ms Anderson commenced as Principal Member of the VRB on 31 January 2018 for a term of five years. Ms Anderson was appointed for a second term on 31 January 2023 for a period of three years. Ms Anderson currently holds the VRB's only full-time statutory appointment.

### National Registrar

Our National Registrar is Ms Katrina Harry PSM. Katrina also performs the role of the VRB's Chief Legal Counsel. The National Registrar's statutory function is to assist the Principal Member in managing the functions of the VRB across Australia.





## Staff

The National Registrar is supported by VRB staff, employed under the *Public Service Act 1999* and made available by the Secretary of the Department of Veterans' Affairs. The VRB does not have any Senior Executive Service positions. At 30 June 2023, there were 23.6 full time equivalent staff at the VRB. Staff are organized into two groups: client services and tribunal services.

Client Services teams include:

- South Eastern Registry headed by Jodi Ross
- North West and South Australian Registry headed by Andrea Flanagan PSM, and
- Dispute Resolution team headed by Jane Warmoll, who is also a Senior Legal Officer.

The Tribunal Support team includes member support, financial management and internal communications. Mark Huthnance is the VRB's Finance and Business Services Manager and Carolyn Gordon is the VRB's Business Systems Manager.

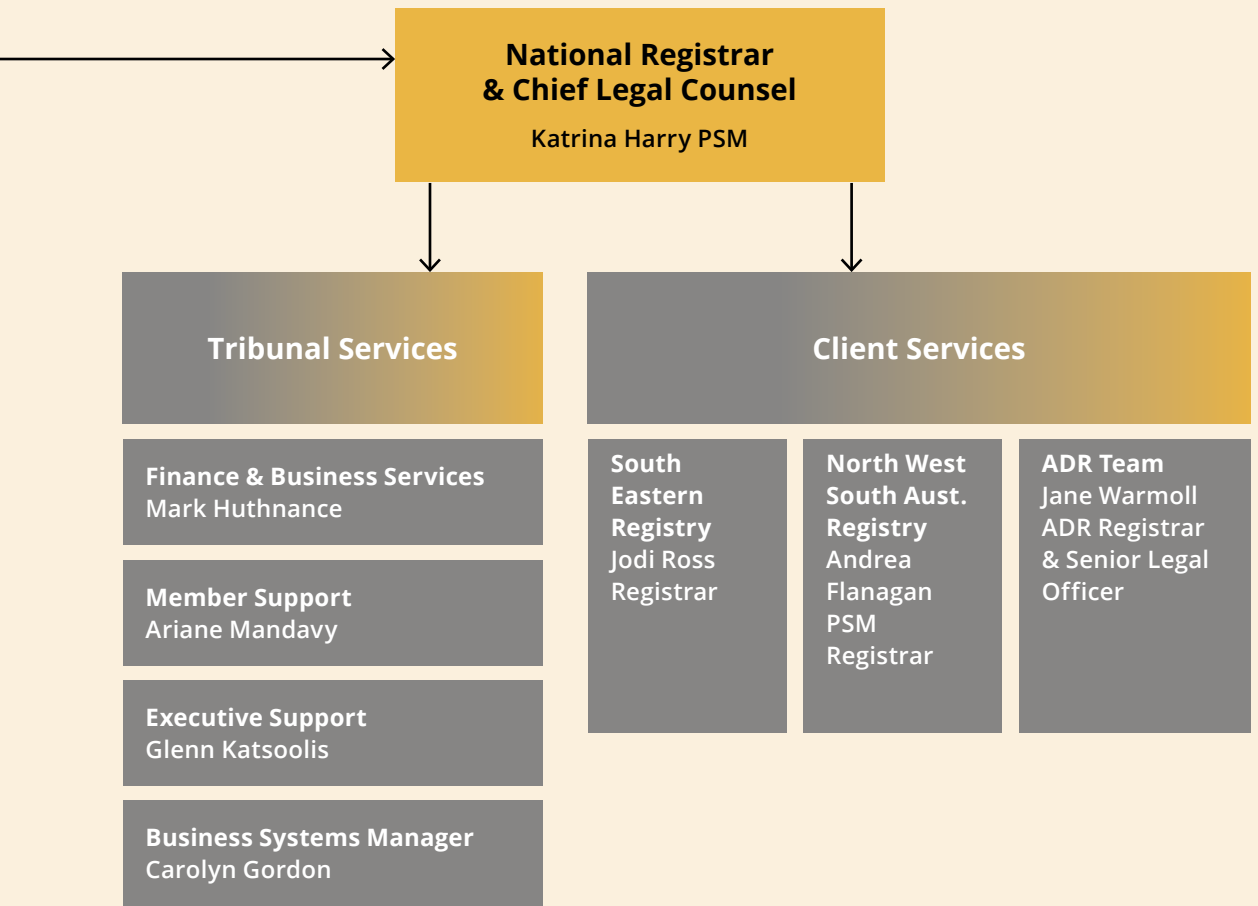
Staff in our client service teams:

- provide a dedicated single point of contact for each veteran, ensure applications are 'event- ready' and facilitate the listing of dispute resolution processes and hearings
- liaise with veterans and advocates about their cases and give them information, and
- provide support services to conference registrars and members. Conference registrars conduct VRB dispute resolution processes.

# Figure 1 Organisational structure

VRB organisational chart as at 30 June 2023









# Delivering justice

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# Delivering justice

The VRB serves veterans and their families by listening and making decisions about their applications for review.

In this section of our annual report we provide detailed information about the number of veterans' applications we handled in 2022–23, how quickly we resolved them, and the key factors affecting the delivery of these services.

## Year in review

Key points		
We cleared more than 100 percent of our case holding, ensuring <b>no backlog</b> of applications awaiting hearing or dispute resolution events.	We <b>improved our time targets</b> , with all applications taking (on average) less than 4.4 months to be resolved.	We <b>improved access to justice</b> , resolving more than 83.9% of applications by dispute resolution.

## Number of applications finalised

This is an indicator of how the VRB is carrying out its role of delivering justice for veterans, current serving members and their families.

Targets	Results
Finalise more applications than received (2426 in 2022–23)	✓ <b>Target met:</b> The VRB finalised 2607 applications in 2022–23, 7.5 per cent higher than the target.

## Applications finalised within time

This is an indicator of how quickly the VRB deals with applications. The VRB measures time taken for the stages within its control. It includes applications finalised within our dispute resolution programs, as well as applications that proceed to a hearing.

The time taken to finalise applications can depend on a range of factors including the availability of the parties (particularly volunteer advocates) to participate in dispute resolution events and hearings, the nature and complexity of the applications, and the overall level of VRB resources available. A target based on an average figure takes these variables into account.

Target	Results
<ul style="list-style-type: none"> <li>ADR applications: average number of applications finalised within 6 months</li> </ul>	<p>✓ <b>Target met:</b> on average, applications in the ADR program were finalised within 3.5 months. This is a 0.1 month improvement on last year</p>
<ul style="list-style-type: none"> <li>All applications: average number of applications finalised within 12 months</li> </ul>	<p>✓ <b>Target met:</b> on average all applications were finalised in 4.4 months. This is a 0.2 month improvement on last year.</p> <p>The VRB is committed to continuing to improve its timeliness. In the reporting year, we continued to refine and develop our case management approach. The increase in the number of applications finalised by dispute resolution this year contributed to the overall reduction in the time taken to resolve applications.</p>
<ul style="list-style-type: none"> <li>Less than 10 per cent of applications adjourned at hearing</li> </ul>	<p>✓ <b>Target met:</b> 6.7 per cent of applications were adjourned at hearing. This is a reduction of 2.9 percent from the last reporting year.</p> <p>The VRB's dispute resolution process are designed to ensure matters are 'hearing ready' and provide applicants with clear guidance on how to prepare for a hearing, meaning smoother proceedings, with less delay and fewer adjournments.</p>

## Proportion of appeals to the AAT

This criterion indicates the extent to which the VRB is providing a mechanism of review that is fair and just and that promotes public trust and confidence in its decision-making.

Targets	Results
<ul style="list-style-type: none"> <li>Less than 10 per cent of decisions made by the VRB in 2022–23 appealed to the AAT</li> </ul>	<ul style="list-style-type: none"> <li>✓ <b>Target met:</b> Appeals to the AAT in 2022–23 amounted to 2.4 per cent of decisions made by the VRB in 2022–23. This is the same outcome as for the previous year.</li> </ul>

## Accessible to the veteran community

This criterion indicates how accessible the VRB is to the veteran community.

Targets	Results
<ul style="list-style-type: none"> <li>Dispute resolution is available to all applicants and is the preferred option for resolving appeals</li> </ul>	<ul style="list-style-type: none"> <li>✓ We resolved 83.9% of applications by dispute resolution. This is a 1.1% increase on last year.</li> </ul>
<ul style="list-style-type: none"> <li>Provide accessible and welcoming venues across Australia, including regional areas</li> </ul>	<ul style="list-style-type: none"> <li>✓ We conducted hearings in-person and online and also offered 'hybrid' hearings, with a mixture of in-person and remote participants at a single hearing. Overall, we conducted 421 hearings.</li> </ul>
<ul style="list-style-type: none"> <li>Enhance digital capability to support dispute resolution events and hearings</li> </ul>	<ul style="list-style-type: none"> <li>✓ We established 'virtual hearing suites' and continued to upgrade our hearing rooms to support hybrid and remote hearings. This work will continue in 2024.</li> <li>✓ We made upgrades to our digital case management system including refreshing end-to-end digital workflows, which assisted us to continue to speed up processes significantly.</li> </ul>
<ul style="list-style-type: none"> <li>Increase the veteran community's awareness of the VRB's role and services</li> </ul>	<ul style="list-style-type: none"> <li>✓ We continued to update and refresh information on the VRB website to increase awareness of the VRB's role and services.</li> <li>✓ We conducted online advocates' forums across Australia in 2022-23, and participated in a variety of stakeholder events.</li> </ul>



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## Analysis of our performance against our purpose

The VRB operates in a dynamic environment. In the year ahead, we anticipate a growth in demand for review by the VRB as the Department of Veterans' Affairs progresses initiatives to finalise the backlog of claims. At 30 June 2023, applications for review by the VRB (received by the Department) exceeded 3000 applications, the first time this level has been reached in close to a decade.

In the context of increasing applications, the VRB remained responsive and continued to provide a specialised service. In the reporting year, the VRB met all of its key performance indicators and timeliness continued to improve. For the fifth year in a row, we recorded a clearance rate of more than 100% with no backlog of applications awaiting hearing or dispute resolution events. Applications resolved using dispute resolution services were resolved on average in 3.5 months. All applications, including those that proceeded to hearing, were resolved on average in 4.4 months.

We further improved access to justice for veterans, serving members and their families with our dispute resolution services resolving more applications this year than in any previous year.

Hearings have remained an integral part of the VRB's processes, with over 400 hearings conducted, both online and in-person in 2022–23. During the reporting year, we upgraded remote hearing capabilities in our registries and established virtual hearing suites. More virtual suites will be established in 2023–34, ensuring that veterans around Australia and overseas have access to a modern and informal hearing environment, and harnessing the specialist expertise of VRB members located across the country.

To increase the veteran community's awareness of the role and objectives of the VRB, we hosted a series of forums for advocates and representatives, and met with our stakeholders on a regular basis.

## Budget efficiency

In 2022–23, our results were delivered within the budget allocated to us by the Department of Veterans' Affairs.

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# Caseload overview

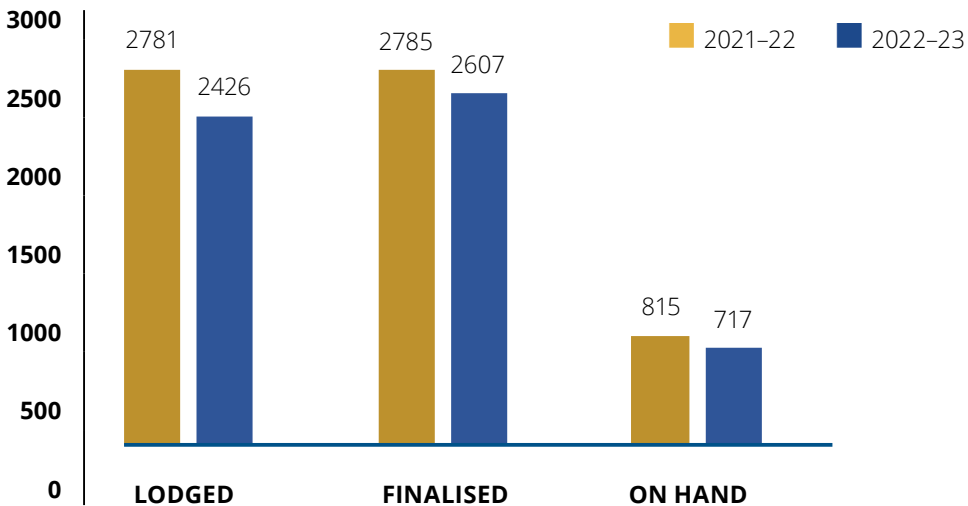
The number of applications lodged with the VRB has increased over the last two reporting years, driven by the increase in claims lodged with the Department of Veterans' Affairs. This trend continued in 2022–23.

Currently, there is no mechanism for applicants to appeal directly to the VRB. Rather, applicants wishing to appeal to the VRB are required to lodge their applications with DVA (or the MRCC). As at 30 June 2023, more than 1000 VRB applications for review were being held by DVA or the MRCC for section 137 report preparation. This equates to around 20 percent of the VRB's caseload for the reporting year. On average, section 137 reports were provided by DVA or the MRCC to the VRB more than 10 weeks after a veteran's VRB application had been lodged with DVA or the MRCC.

The VRB cleared more than 100 per cent of its case holding and as at 30 June 2023 there was no backlog of applications awaiting a hearing or dispute resolution event.

Chart 3.1 illustrates the number of applications lodged and finalised in the last two financial years, and the number of applications on hand (in progress) at 30 June in each year.

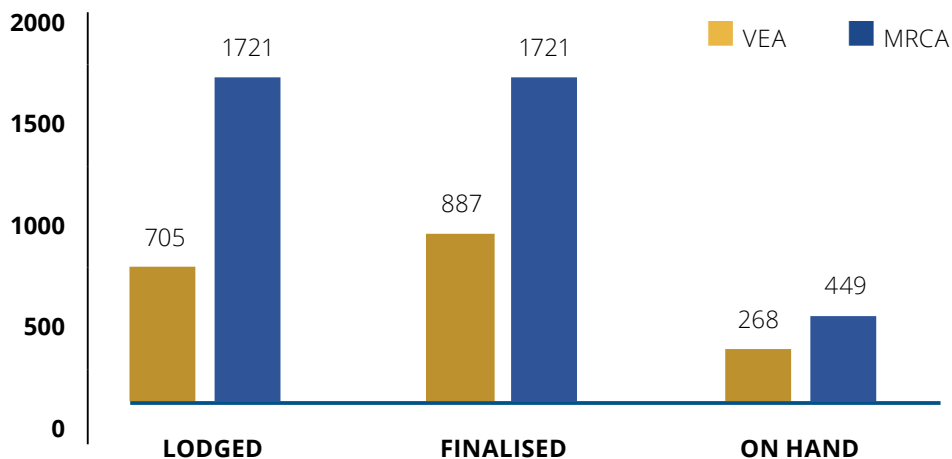
**Chart 3.1 Total applications lodged, finalised and on hand, 2021–22 & 2022–23**



# Our jurisdictions

**Chart 3.2 Applications lodged, finalised and on hand, 2022–23 – By jurisdiction**

The workload in each of our jurisdictions remained similar to the previous reporting year: 70.9 per cent of applications were made in relation to the MRCA and 29.1 per cent in relation to the VEA. Our clearance rate for the MRCA jurisdiction was 99.9 per cent and for VEA it was 125.8 per cent.



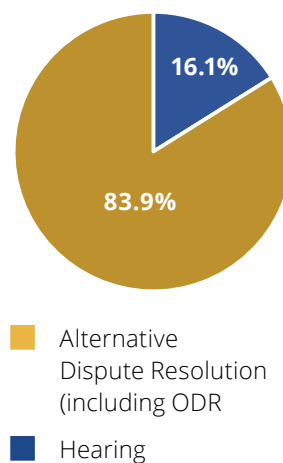
## How we resolve applications

We resolve applications in different ways. In 2022–23, we resolved the majority of applications by a dispute resolution process (83.9%). This can include online dispute resolution, a decision being made on the papers (without a full hearing), a decision being made by the VRB which reflects an agreement made by the veteran and the Commission, or a veteran choosing not to proceed further with an application for review. In 40.2 per cent of applications resolved by dispute resolution an outcome was reached that was favourable to the veteran.

In the remaining applications that could not be resolved by a dispute resolution process (16.1%) the VRB conducted a hearing and made a decision following the hearing. In 26.1 per cent of these applications, the VRB made a new decision that was favourable to the veteran.

Overall, as a proportion of the number of primary decisions made by the Commissions that could have been reviewed by the VRB, the VRB made a different decision in 1.8 per cent of cases that were resolved in ADR and 0.2 per cent of cases that went to a hearing. These outcomes remained similar to the previous reporting year.

**Chart 3.3 Mode of finalisation of applications for review of decisions, 2022–23**



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# External Scrutiny

Our operations are subject to external scrutiny through various mechanisms. Our decisions can be appealed to the Administrative Appeals Tribunal or the courts. We can also receive requests made under the Freedom of Information Act, complaints to the Commonwealth Ombudsman and other bodies, audits by the Australian National Audit Office. We can also be called to attend senate estimates hearings.

## Appeals

If a veteran is unhappy with a VRB decision, he or she can appeal to the Administrative Appeals Tribunal (AAT) for a review “on the merits.” This means the AAT will take a fresh look at the relevant facts, law and policy and arrive at its own decision.

The table below shows the number of AAT appeals lodged in 2022–23 as a proportion of VRB decisions and the number of cases where the AAT, at hearing, made a different decision to the VRB. This amounted to 2.4% per cent of all VRB decisions which could have been appealed to the AAT.

Year	AAT appeals lodged	Proportion of total VRB decisions	Finalised	Percentage of cases where AAT at hearing decided differently to VRB*
2021–22	67	2.4%	87	0.4%
2022–23	63	2.4%	65	0.3%

**\* This measure identifies those appeals heard by the AAT and excludes those cases where a consent agreement was reached by the parties.**

## Court Decisions

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. There were no Federal Court decisions handed down in the reporting year.

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## Freedom of information

In 2022–23, we received eight requests for access to documents under the *Freedom of Information Act*. Ten applications were finalised during the reporting year, and one application was finalised in July 2022 within the timeframe required by the Act. Additionally, we received one request for an internal review and were notified of one request made to the Information Commissioner. The Information Commissioner decided not to make any recommendations in relation to the matter.

## Information Publication Scheme

Agencies subject to the *Freedom of Information Act* are required to publish information to the public as part of the Information Publication Scheme. This requirement is in Part II of the Act and has replaced the former requirement to publish a section 8 statement in an annual report. Each agency must display on its website a plan showing what information it publishes in accordance with the IPS requirements. Our plan is on our website.





## Complaints to external bodies

In 2022–23, two complaints about our operations were made to the Office of the Information Commissioner concerning reviews of decisions made by the VRB in relation to Freedom of Information, no complaints were made to the Commonwealth Ombudsman, and one complaint was made to the Australian Human Rights Commission. The President’s Delegate decided to terminate the complaint.

## Reports on our operations

Our operations were not the subject of any report by the Auditor-General, any parliamentary committee or the Commonwealth Ombudsman in 2022–23.

## Services to veterans

Each application is different and we will work with the parties to find the best way to resolve an application. Options for resolving applications include – Online Dispute Resolution, Dispute Resolution (outreach, conference or appraisal) or a VRB hearing.

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## Dispute Resolution

Our review processes are designed to resolve applications using dispute resolution.

The processes are also designed to ensure that those matters that are unable to be fully resolved via dispute resolution can be finalised at hearing informally and without undue delay.

Dispute resolution is available to all veterans across Australia. Dispute resolution can be faster than a hearing and gives the veteran more control over the outcome.

**Outreach** is the first step in the VRB's dispute resolution program. Outreach is about helping the parties resolve applications.

The VRB Conference Registrars and Members are dispute resolution experts who will guide the parties through process. They are also independent.

At an outreach, the applicant and their advocate can talk to an independent VRB Conference Registrar or Member about the decision they have received from DVA. The VRB will contact applicants and advocates to set up a time for this discussion. It can take place by phone, video or face-to-face.

The VRB Conference Registrar or Member will explain the review process and ask the applicant or their advocate to explain why they are unhappy with the decision. They will also help the applicant and advocate to identify the issues in the case and discuss the next best steps to resolve it.





Outreaches are private, confidential sessions and the VRB Conference Registrar or Member will not disclose anything an applicant or advocate has said without their consent.

In some cases, the VRB Conference Registrar or Member may recommend that an application be resolved by a favourable decision 'on the papers'.

If the case can be resolved in this way, the parties will be sent a copy of a draft decision.

If the applicant accepts the draft the VRB will make a final decision, a copy of which will be sent to the parties.



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## Online Dispute Resolution

The VRB's Online Dispute Resolution (ODR) program increases veterans' access to justice by providing a modern, simple, efficient, user-friendly and accessible forum for veterans, current serving members and their families seeking review of decisions that affect their interests.

ODR lets current serving members, veterans and their families resolve applications when and where it's convenient for them. This could be at home, at work or on a phone.

### What are the benefits of ODR?

ODR further advances the benefits of the VRB's current dispute resolution program ('offline dispute resolution'). ODR sits alongside offline dispute resolution, providing an easy and accessible process whereby VRB Conference Registrars facilitate the early resolution of applications. ODR broadens veterans' access to justice by:

- giving greater choice and flexibility to veterans to resolve their applications
- providing a more accessible and informal way of resolving certain applications
- removing restrictions on the time at which the VRB online processes can be used
- avoiding veterans having to travel lengthy distances (particularly from regional locations) to participate
- avoiding veterans needing to take time off work
- enabling veterans to participate from their homes (or places where they feel most comfortable) and alleviating the need to attend the VRB in person
- veterans not being restricted to being in the same locations as their representatives
- providing an immediate start to the resolution process, allowing veterans to resolve their applications as quickly as possible
- allowing veterans to communicate at a pace that suits them; rather than communicating 'on-the-spot'.

In addition, not only does VRB ODR provide greater choice and flexibility, it also alleviates some of the pressures placed on the volunteer advocates who support veterans.

### How it works

There are three steps involved:

1. **Request ODR**

After a person has made their application for review they can ask for ODR by using the VRB Justice Portal.

2. **Facilitation**

A Conference Registrar will help the applicant to resolve their application online.

3. **Decision**

If an application can be resolved by ODR, the applicant will be given a binding decision, delivered online.

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## How does an applicant request ODR?

ODR provides an applicant with an opportunity to resolve their application fairly and quickly. It is the applicant's choice to request ODR.

There is no form required. An applicant can simply upload a document (e.g. a screen shot or word document) into the VRB Justice Portal saying, "I would like my application to proceed to ODR". An applicant should do this after:

- an application for review by the VRB has been lodged with DVA
- DVA or the MRCC provides the application and the Section 137 report to the VRB
- an applicant tells us if they have a representative, and
- the applicant (or their representative) have registered for the VRB Justice Portal.

## Facilitation

A Conference Registrar will start the facilitation process within a week of receipt of the veteran's election to proceed via ODR. Online Conference Registrars will have a facilitative, inquisitorial role and provide evaluative assistance to veterans from the start of the ODR process.

The veteran will not be asked to submit evidence until requested by the Conference Registrar. This will avoid the scenario where applicants who are uncertain as to the material required to support their cases, often upload documents in large quantities, many of which may not be relevant to the application.

Any request by the Conference Registrar for additional material will be made online, and if any such material is obtained, it will likewise be required to be submitted online, via the VRB Justice Portal.

The time to resolve an application will depend on the complexity of the application and the issues involved. However, the VRB has set a relatively short timeframe of two weeks for the provision of material through the ODR process in order that applications can be progressed without undue delay.

If a veteran is required to provide additional evidence and they cannot meet the short time frame, the application can be referred out of ODR and into the VRB's offline dispute resolution program. This will be appropriate in those cases where further evidence gathering needs to be undertaken and is an opportunity for a veteran to have more time to prepare his or her case.



## **A VRB decision**

Once the facilitation process is complete, a VRB member will be assigned to the application within 3 days. If the VRB Member considers the application can be resolved by a decision, a draft decision will be communicated to the parties.

If the veteran consents to the draft decision, the application will proceed to a virtual hearing before the VRB Member who will deliver the reasons for the decision orally online to the parties.

The veteran and a representative of the respondent will be notified of the hearing and invited to attend. Given the 'virtual' nature of the hearing, either party can participate in the hearing from any location with internet access.

If an application can't be resolved via ODR because the veteran has not consented to a decision, within a specified short timeframe he or she can elect to (1) discontinue their application; (2) have their application referred to offline dispute resolution; or (3) proceed to a hearing (including the option of a virtual hearing) before a panel of 3 VRB members.

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## Hearings

We encourage all veterans to participate in their hearings. Attending a hearing may seem daunting, but VRB hearings are much less formal than a traditional legal hearing. VRB hearings are held in private, online or in person and they are not open to the public. A representative from the Commission will generally not attend VRB hearings. Applicants are welcome to bring a friend or support person to their hearing, regardless of whether they are represented.

Our hearings generally take less than one hour.

Where possible, VRB members will make their decision on the day of a hearing and tell the veteran and his or her advocate the reasons for their decision. The veteran, the advocate and the Commission will also receive a written copy of the VRB's decision.

VRB decisions and reasons are not published or made public. They are only provided to the veteran, the representative (if applicable) and the relevant Commission.

## Composition of hearing panels

In most review hearings, the VRB is made up of three members. One of the three members is a Senior Member, who generally has legal qualifications and presides over the hearing. Another is a Services Member, who has experience in the Australian Defence Force. The Services Member does not need to be from the same arm of service as the applicant seeking review, but whose general knowledge and experience of military service assists the panel in interpreting the material before it. The remaining panel member is a Member, who has relevant qualifications within the community and/or professional sector, for example, a health professional.

The three-member multi-disciplinary panel is one of the most important features of the VRB. The combined knowledge and experience of each category of membership provides an appropriate setting in which veterans, current serving members, or family members are able to tell their stories.

## Information about our review process

The VRB website contains information about:

- how to apply
- the types of decisions the VRB can review, and
- steps to resolve an application at the VRB including online dispute resolution.

Veterans and the serving community can access the VRB Justice Portal from our website.

Additional information and resources are available on the website, along with our Service Commitment and Vulnerable Veteran Protocol.



## Service Commitment

### **Our commitment to you**

The Veterans' Review Board (VRB) is a specialist, independent tribunal that reviews decisions affecting veterans, current serving ADF members, and their families. The VRB is committed to providing a mechanism of review which is accessible, fair, just, informal, economical, economical and quick.

### **Our service commitment**

We aim for service excellence by being: accessible, respectful, responsive, timely, impartial, consistent, professional and efficient.

When you contact the VRB you can expect:

- to be greeted in a polite and courteous way
- a dedicated Client Service Officer to manage your application
- answers to your queries from 8:30 am to 5:00 pm on working days
- accurate information about VRB processes.

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## Your rights

The VRB respects your right to:

- fair and helpful assistance, including appropriate arrangements for people with special access needs
- be represented in your proceedings
- a fair and just ADR event and/or hearing
- timely decisions with reasons provided either orally or in writing.

## How you can help us provide excellent service

To assist the VRB to provide high quality service to you we ask that you:

- participate in your hearing
- keep hearing or other appointments, or tell us beforehand if you cannot keep an appointment
- provide us with complete and accurate information
- comply with any directions about your application
- treat staff, members and other parties with respect and courtesy
- understand that we cannot give you legal advice about your application.

## Vulnerable veteran protocol

This protocol addresses the needs of those veterans and current serving members who face particular difficulties in the review process, and whose ability to understand and effectively present their case or fully participate in the review process may be impaired.

## Early identification and priority attention

A veteran may be identified as vulnerable at any stage during the review process. There are various ways in which the VRB can identify a veteran who may be vulnerable, or at risk of self-harm or harm to others. These sources include:

- the veteran or his/her family member
- the veteran's advocate
- treating health professionals
- government departments or agencies, including the Veterans' Affairs and Defence Departments, and law enforcement agencies
- VRB members, Conference Registrars or staff.

It is important that vulnerable veterans are identified as early as possible in the review process and that appropriate action is taken by the VRB as soon as possible to manage their applications. Where the VRB identifies a vulnerable veteran, the veteran's application will be immediately triaged for an on-papers review by one of the VRB's subject matter experts. If the application cannot be resolved on the papers, consideration will be given to arranging an urgent hearing with a full panel or a directions hearing, depending on the particular circumstances. If a veteran is unrepresented, the VRB will assist the veteran to appoint an advocate.



## Hearing arrangements

All VRB hearings are held in private. In listing a hearing, the VRB will liaise with the veteran's advocate, treating health professional and/or Departmental Liaison Officer. Consideration of a range of factors include:

- the most convenient/appropriate time for the hearing for the veteran and whether the veteran attends in person, by phone or video conference
- the attendance of support persons including the veteran's advocate, treating health professional or others such as family members or assistance dogs etc
- the panel composition (e.g. an all-female or male panel or members with specialist expertise).

VRB members conducting a hearing will be specifically informed of any cases scheduled which involve a vulnerable veteran and that this should be properly taken into account in conducting the review. At any hearing, VRB members are committed to creating an open and supportive environment. Questioning of the vulnerable veteran by members is to be done in a sensitive and respectful manner and questions will be formulated in a way that the vulnerable veteran understands. Additionally, the VRB may consider taking evidence from family members or close friends. During the hearing, the VRB will also ensure any vulnerable veteran is provided with breaks as appropriate. In every case the VRB will endeavour to complete the review without delay.



## **Notification of the VRB's decision**

At the conclusion of any VRB hearing involving a vulnerable veteran, careful consideration will be given as to how the decision should be delivered; i.e. orally on the day of the hearing, or in writing following the hearing. The presiding Senior Member will make this decision after consultation with the advocate, treating health professional or other support person.

If a decision is to be given in writing, either following a hearing or on-papers review, Registry staff will contact the veteran's advocate, treating health professional and/or Departmental Liaison Officer to make arrangements for the decision to be conveyed to the veteran. For example, a written decision can be delivered to the office of the veteran's advocate or treating health professional. The aim is to ensure that the veteran has appropriate support persons available and accessible to discuss the VRB's decision, whether favourable or unfavourable.

Generally, Registry staff will seek to ensure that decisions are not delivered on a Friday, or prior to a public holiday (or commemorative events such as ANZAC Day), or any other date that may be significant to the veteran. Similarly, the VRB will ensure that hearings for vulnerable veterans are not listed on or around these days.

## **Immediate threats**

If there is an imminent threat at any point in the review process, Registry staff may contact the relevant arm of emergency services in order that a welfare check be undertaken. Additionally, Registry staff will also notify the Department of Veterans' Affairs security team with a view to an incident assessment being undertaken.

## **Support services**

The VRB will encourage any vulnerable veteran to seek appropriate counselling or other support services after a hearing, or will recommend to the veteran's advocate that such services be sought. In locations where the VRB is co-located near Open Arms, Registry staff, where appropriate, will endeavour to arrange an immediate referral or support.



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## Obtaining evidence

### Types of evidence

The VRB commonly receives the following types of evidence:

- Medical evidence: including service medical records, hospital notes or surgery reports and doctors' expert opinions.
- Documentary evidence: including service records, unit diaries or other published historical or contemporary accounts of events that took place during service.
- Witness statements: including those of fellow service personnel who can confirm the details of incident/s, participation in a sporting activities/occupations, or postings or deployments.
- The veteran's own story that describes the details of the disability, incident, or service event. The veteran's own personal story is often the most important evidence the VRB receives.

It may be new evidence that the Department did not have when the primary decision was made. A veteran's own story is often an important factor in the VRB making a favourable decision for a veteran. As such, the VRB encourages veterans to participate in their appeals by participating in dispute resolution events and attending VRB hearings.

### How evidence is obtained

As is the case for many Tribunals, the VRB does not apply the strict rules of evidence. Rather, the VRB encourages the parties to obtain relevant and probative material in a manner that is informal, economical and quick. In order to avoid unreasonable costs to the parties and reduce the risk of unreasonable delay to the finalisation of veterans' applications, the VRB requests the parties to consider:

- Where appropriate, obtaining oral evidence from a doctor or specialist (who has reviewed the veteran) over the telephone during a hearing or dispute resolution conference, rather than requiring the veteran to undergo a further medical assessment and obtain a full medical report. The oral evidence can be confirmed in a follow up email following a dispute resolution outreach event.
- Where a medical report is required, the examination of the veteran is conducted by video or telephone conference, to avoid unnecessary travel, expense or delay.
- Witness statements provided by colleagues or other persons by email.
- The parties agreeing to obtain reports jointly, using a collaborative approach.

A veteran or representative is welcome to ask a Conference Registrar in a dispute resolution event (or Registry staff prior to a hearing) if evidence can be obtained via one of the ways noted above.



### Assistance in obtaining your own evidence

Rather than asking the respondent to obtain material, it may be quicker and more economical for veterans to obtain their own medical evidence. It also gives the veteran more control over the choice of health professionals, location and timing of appointments, including the option of using tele-health where appropriate.

A veteran or representative is welcome to ask a Conference Registrar in a dispute resolution event for help in drafting a schedule of questions for a health professional. The schedule of questions can be included in the direction that is issued following the dispute resolution event.

### Reimbursement for veterans

If a veteran chooses to obtain his or her own material for the purposes of the application, the Department of Veterans’ Affairs will reimburse the costs of obtaining medical evidence up to a maximum amount of \$1000.00 per claimed condition.

Additionally, reimbursement of reasonable travelling expenses incurred in obtaining such medical evidence (and travelling expenses for those of an attendant) to a maximum of \$500 may also be paid.

### Complaints

During 2022–23, 0.3 per cent of complaints were made for every application we resolved. This was a small increase of 0.1% in comparison to the previous year.

	2021–22	2022–23
Applications finalised	2785	2607
Percentage of complaints per applications finalised	0.2%	0.3%

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## Compliments about our service

During 2022–23, 2.7 per cent of compliments were made for every application we resolved. The rate of compliments increased by 0.1% as compared to the previous year.

	2021–22	2022–23
Applications finalised	2785	2607
Percentage of compliments per applications finalised	2.6%	2.7%

## Engagement

We are committed to engaging with the broad range of external stakeholders. By seeking feedback, we are able to continue to improve our services and build public trust and confidence in our decision-making.

The Principal Member and National Registrar met with a range of people and organisations in 2022–23, including the Secretary of the Department of Veterans' Affairs and other members of the Repatriation Commission and Military Rehabilitation and Compensation Commission. Our senior staff worked closely with the Department during the reporting year on matters such as our membership and budget.

In addition, the Principal Member and National Registrar continued liaison with advocates across Australia, and attended and presented at various events hosted by ex-service organisations.

The Principal Member and National Registrar also conducted a series of hybrid advocates' forums. Advocates can express their interest in participating in these forums via the VRB website.



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# Feedback about our service

## User feedback

We regularly ask our users to evaluate the level of service we provide and seek their views on how we can improve. Recent feedback to the VRB has included some of the following comments:

*I wish to thank the VRB Board Members and Staff for fitting this hearing into a face-to-face hearing as even if it ends up unsuccessful I believe it has helped the veteran understand the system and was good for his mental health in getting to discuss and answer relevant questions about his service. Thank you again.*

*I am deeply grateful to the Conference Registrar with whom I was able to present my case via the telephone Outreach process. She was highly professional and it was very reassuring to spend some time with someone in authority who was willing to listen to me address points of concern and to outline my case. Please pass on my appreciation.*

*...when dealing with your team at the VRB, we were met with an easy process and some great communication that allowed us to make some informed decisions and feel good about them... We want to thank you for your prompt response.*

*...the staff of the VRB have the requisite skills and competency to understand the legislative framework thus allowing them to undertake their duties with aplomb. The VRB is crucial for Veterans – thank you for the work you do...*

*The veteran wishes to pass on his sincere gratitude for the quick nature in which his application has been dealt with here at the Board – in his words “you have all been seriously amazing” and “it’s has been an extremely stress free and quick process.”*

*...I would like to withdraw my case post discussion, you have been exceptional in your assistance. Many thanks to you guys for all you do...*

*...On behalf of the veteran, I would like to sincerely thank you for your professional and ongoing support. The journey has been seamless...*

## Practice notes and VerBosity

We continue to issue our journal VerBosity, along with regular practice notes to promote the availability of information about our decision-making and provide current information about the VRB. Practice notes also include short, plain English summaries of recent decisions from the AAT and the courts. These resources continue to be well received by our stakeholders.

## A guide for self-represented veterans and representatives

The VRB offers a guide for self-represented veterans and representatives. The guide is designed to provide information to applicants who may not have a representative, as well as representatives who assist veterans and their families through the VRB review process.

The guide provides information on:

- what type of applications can be reviewed by the VRB
- what it means to be ‘self-represented’
- stages in the process and what happens at each stage, and
- documents the parties need to provide.



## Management and accountability



## Our governance

### Senior Management

We are established by the *Veterans' Entitlements Act 1986* (Cth). This is the principal law that governs our operations. Under this law, the Principal Member is responsible for ensuring the expeditious and efficient discharge of our business and for managing the administrative affairs of the VRB. The National Registrar assists the Principal Member in managing our administrative affairs.

### Risk management

Risk management is an integral part of delivering services to veterans and being accountable. We apply the Department of Veterans' Affairs (the Department) Risk Management Framework to identify and manage strategic and operational risks. Further information in relation to risk management can be found in the Department's Annual report.

### Fraud control

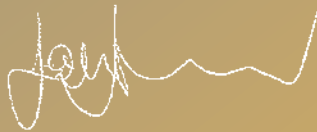
We are committed to preventing, detecting and dealing with fraud in relation to our operations. We apply the Department's Fraud Control Plan and fraud policies. Fraud control awareness forms part of the induction program for new staff and members. Staff participate in the Department's online learning module on fraud control.

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## Certification of our fraud control arrangements

I, Jane Anderson, certify that the VRB:

- has fraud risk assessments and fraud control plans
- has in place appropriate mechanisms for preventing, detecting incidents of, investigating or otherwise dealing with, and recording or reporting fraud that meet the specific needs of the VRB, and
- has taken all reasonable measures to deal appropriately with fraud relating to the VRB.



Jane Anderson  
Principal Member  
2023

## Maintaining ethical standards

We promote and encourage the maintenance of appropriate standards of ethical behaviour in a range of ways both for members and staff.

A Guide to Standards of Conduct for Tribunal Members, published by the Administrative Review Council provides guidance on appropriate conduct and professional behaviour for members.

Our staff are required to work in accordance with the APS Values, Employment Principles and Code of Conduct. Information relating to the APS ethical framework forms part of our induction process and ongoing awareness-raising activities are also undertaken. During the reporting year, specific APS Code of Conduct training was offered to all staff through the Department.

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# Our people

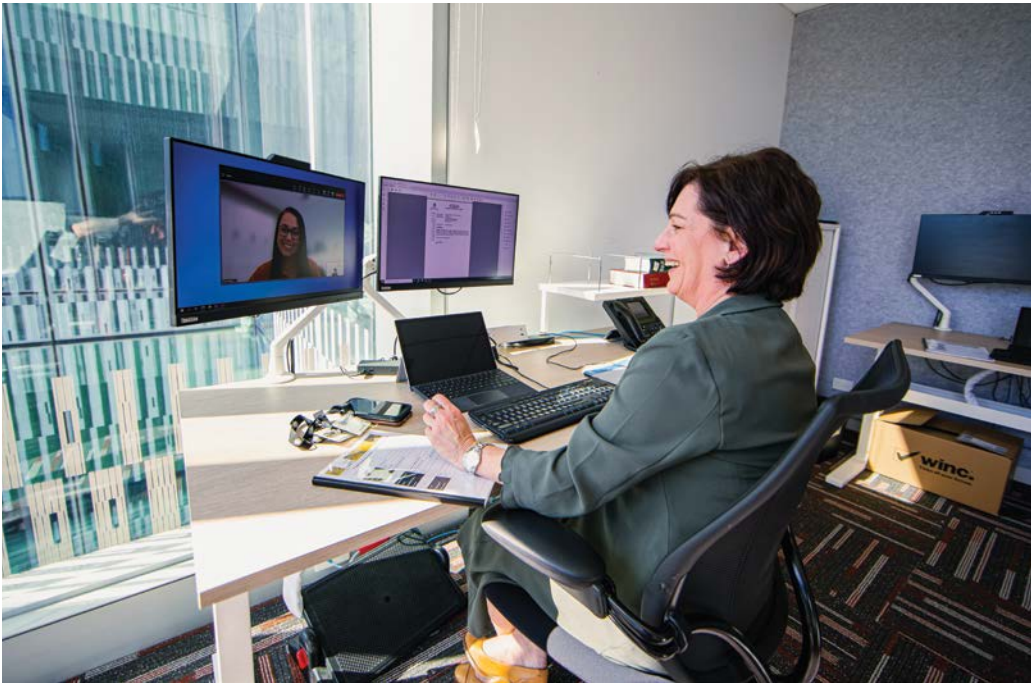
Our members and staff are integral to our functions as a specialist, independent merits review tribunal. Our need for specialist expertise is met by the appointment of appropriately qualified and experienced members in the categories of Senior Member, Member and Services Member.

## Overview of our members

At 30 June 2023, there were 42 members appointed to the VRB. A list of our members is set out below. The Principal Member is the only full-time member of the VRB.

Name	First Appointment	Appointment expires	State
<b>Principal Member</b>			
Anderson, Jane Elizabeth	12 Nov 2015	30 Jan 2026	NSW
<b>Senior Members</b>			
Bailey, Robyn	12 Nov 2015	11 Nov 2023	NSW
Byrne, Katherine	31 Mar 2022	31 Mar 2027	VIC
Carlin, Evan	1 Oct 2014	18 Oct 2023	QLD
Desses, Mary	1 Jan 2019	31 Dec 2023	NSW
Douglass, Robert	1 Oct 2014	11 Nov 2023	VIC
Hunt, Louise	12 Nov 2015	31 Dec 2023	WA
Kelly, Michael	1 Jan 2019	31 Dec 2023	QLD
Kramer, Hilary	30 Jul 1998	31 Dec 2023	NSW
Letts, David	1 Jan 2019	31 Dec 2023	NSW
MacDonald, Amanda	1 Oct 2007	18 Oct 2023	NSW
McLaughlin, Robert	1 Jan 2019	31 Dec 2023	NSW
O'Brien, Glenn	31 Mar 2022	31 Mar 2027	QLD
Salu, Peter	1 Oct 2014	18 Jul 2023	SA
Trengove, Anne	1 Oct 2014	18 July 2023	SA
Wyatt, Neville	12 Nov 2015	11 Nov 2023	NSW
<b>Services Members</b>			
Austin, Christopher	12 Nov 2015	11 Nov 2023	QLD
Bornholt, Mark	1 Jan 2011	11 Nov 2023	ACT
Carrigan, Catherine	19 Jul 2018	18 Jul 2023	VIC
Clark, Scott	1 Jan 2011	11 Nov 2023	QLD
Coghlan, Steven	1 Jan 2019	31 Dec 2023	WA
Collins, David	1 Mar 2013	18 Jul 2023	VIC
Creagh, Alison	1 Jan 2019	31 Dec 2023	NSW
Hart, Simon	1 Jan 2011	11 Nov 2023	NSW





Name	First Appointment	Appointment expires	State
<b>Services Members</b>			
Kelly, Mark	31 Mar 2022	31 Mar 2027	ACT
Maher, Peter	12 Nov 2015	11 Nov 2023	QLD
McConachie, Vicki	31 Mar 2022	31 Mar 2027	QLD
Roberts, Francis	12 Nov 2015	11 Nov 2023	QLD
Rogers, Felicity	31 Mar 2022	31 Mar 2027	NSW
Walker, Jennifer	19 Jul 2018	18 Jul 2023	QLD
White, Sophia	1 Jan 2019	31 Dec 2023	NSW
<b>Members</b>			
Bragg, Anthony	31 Mar 2022	31 Mar 2027	QLD
Dowsing, Brett	31 Mar 2022	31 Mar 2027	WA
Gill, Gerard	31 Mar 2022	31 Mar 2027	VIC
Harte, Jane	19 Jul 2018	18 Jul 2023	QLD
Henry, Leith	19 Jul 2018	18 Jul 2023	QLD
Lancken, Stephen	31 Mar 2022	31 Mar 2027	NSW
Lumb, Josephine	12 Nov 2015	11 Nov 2023	ACT
Morgan-Short, Kim	31 Mar 2022	31 Mar 2027	QLD
Nottle, Joshua	31 Mar 2022	31 Mar 2027	NSW
Petersen, Rodney	31 Mar 2022	31 Mar 2027	NSW
Seefeld, Scott	31 Mar 2022	31 Mar 2027	QLD



## Overview of our staff

At 30 June 2023, 23.6 full time equivalent staff members had been made available to the VRB by the Secretary of the Department of Veterans' Affairs. In the reporting year, we did not have any Senior Executive Staff or APS Level 1–3 positions. Our staff are based in Sydney, Adelaide and Brisbane.

Classification	NSW	QLD
APS Level 4	3	4
APS Level 5	3	0
APS Level 6	4.6	1
Executive Level 1	7	2 (and 1 in Adelaide)
Executive Level 2	1	0

## Employment agreements and arrangements for staff

At 30 June 2023, all on-going staff were covered by the Department's Enterprise Agreement and one staff member had an individual flexibility arrangement. Salary ranges available to staff which are set out in the agreement are noted below:

Classification	NSW Salary Range	QLD Salary Range
APS Level 4	\$76,696	\$81,802
APS Level 5	\$85,503	\$89,106
APS Level 6	\$93,976	\$106,713
Executive Level 1	\$118,220	\$129,820
Executive Level 2	\$142,574	\$160,474

## Strengthen workforce diversity

We are committed to reflecting the diversity of the Australian community in our workforce and building an inclusive culture in which employee backgrounds, skills and views enrich our working environment and quality of work. Strengthening workforce diversity includes developing a supportive and inclusive culture. We have contributed to and apply in our recruitment strategies, the Department's *Diversity Strategy 2018–2023*, *Gender Equity Action Plan 2022–26*, *Disability and Employment Strategy 2021–25* and *Gurru Ngali: Aboriginal and Torres Strait Islander Employment Strategy 2020–24*.

In implementing the Diversity Strategy we have ensured a range of flexible working arrangements are available to our staff to effectively balance their work, family, caring, other responsibilities and interests. Our flexible working arrangements for staff, include part-time and all staff have access to home based work.

We value diversity in the workplace and at the end of the reporting year 78.8 per cent of the VRB's staff and 42.9 per cent of our members were women, with strong representation across all classification levels.

Principal Member	Number	%
Female	1	100%
Male	0	
<b>Total</b>	<b>1</b>	<b>100%</b>
Senior Member	Number	%
Female	7	46.7%
Male	8	53.3%
<b>Total</b>	<b>15</b>	<b>100%</b>
Services Member	Number	%
Female	6	40%
Male	9	60%
<b>Total</b>	<b>15</b>	<b>100%</b>
Member	Number	%
Female	4	36.4%
Male	7	63.6%
<b>Total</b>	<b>11</b>	<b>100%</b>
Staff	Number	%
Female	18.6	78.8%
Male	5	21.2%
<b>Total</b>	<b>23.6</b>	<b>100%</b>

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## Work health and safety

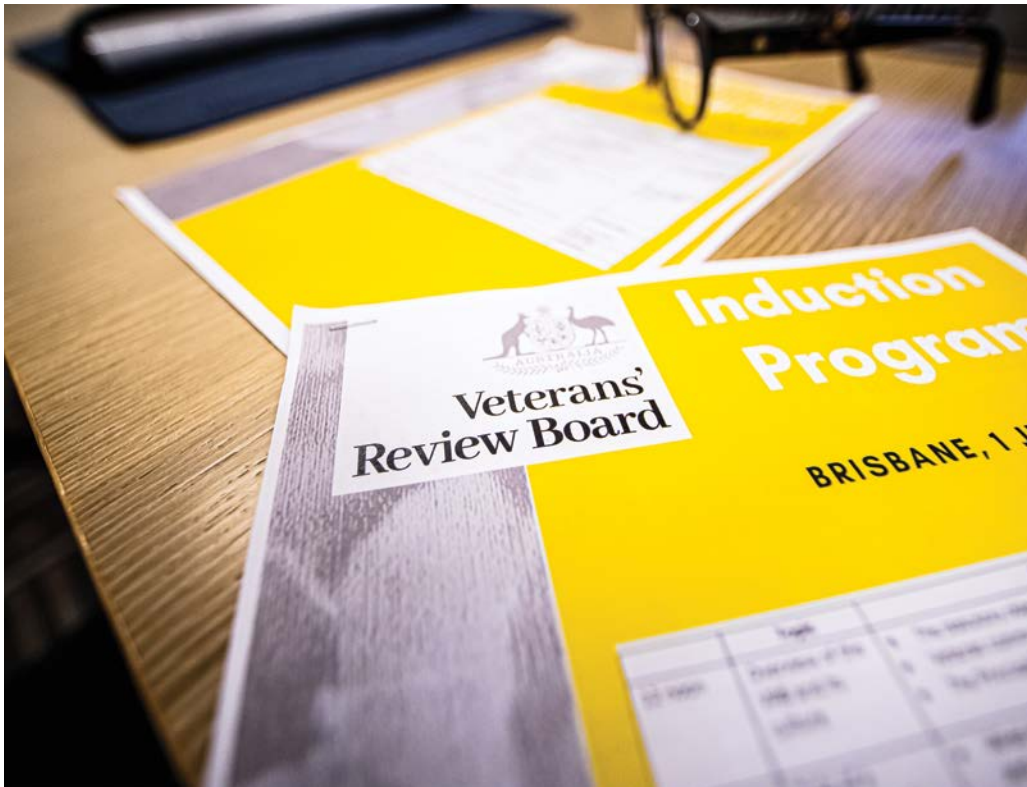
We are committed to providing and maintaining a safe and healthy work environment through cooperative, consultative relationships. We apply the Department's established work health and safety (WHS) strategies and systems that promote continuous WHS improvement and a positive safety culture.

In the reporting year, we participated in regular workplace hazard inspections conducted jointly by managers and trained workplace health and safety representatives. Our staff were also able to access Department sponsored training programs including Accidental Counselling, Mental Health First Aid, Planning and Managing Change and Domestic and Family Violence Awareness. Staff were also able to access annual flu vaccinations, subsidies for eyeglasses and fitness equipment and ergonomic workstation assessments.

More broadly, members and staff are also able to access VRB specific and external training programs that are designed to promote a healthy culture for mental and physical wellbeing.

## Notifiable incidents and investigations

No notifiable incidents arising out of the conduct of our operations occurred in the reporting year.



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# Skilled to deliver justice

Ensuring our people are properly skilled to deliver high-quality, specialised services continues to be a key priority. In 2022–23, we delivered a wide range of activities to meet the needs of members and staff and strengthen the capability of the VRB.

## **Delivering targeted skills development for staff and members to meet VRB needs**

VRB members and Conference Registrars participate in monthly sessions as a part of our online Learn and Connect program. Our most experienced members, staff and external presenters share their expertise with the membership. Veterans' mental health has continued to be a key topic of the VRB's professional development program. The VRB has collaborated with Phoenix Australia to deliver initial induction training for new members as well as comprehensive mental health first aid training during 2022. In 2023, the VRB hosted professional development seminars with both internal and external speakers, including Professor Neil Greenberg, Psychiatrist and Professor of Defence Mental Health at King's College London, and Bronte Pollard, Chair of the Young Veterans Committee and Liaison Officer to the National Centre for Veterans' Healthcare at Concord Hospital.

Members and conference registrars also attended a range of external professional development seminars during 2022–23, including sessions arranged by the Council of Australasian Tribunals and the Law Societies of the various states and territories.

Member and staff also have access to a dedicated resource channel providing access to templates, publications and presentations. Regular e-news bulletins and digital legal updates also ensured our members and staff were informed of relevant developments throughout the year.

We continued to survey our members and staff for their feedback to ensure our learning and development program continues to meet their needs and the needs of the VRB.

## **Staff performance management program**

All of our staff are required to participate in the performance management program established by the Department. The Scheme requires staff to have a performance agreement which sets out capability and behavioural expectations required in their role as well as learning and development priorities. It also covers the processes for reviewing and rating performance, and performance-based salary advancement.

In 2022–23, in addition to the learning activities provided by the VRB our staff were also able to participate in the various training and development programs offered by the Department.

Our staff were also able to access a Studies Assistance Scheme, which offers financial support and/or study leave to develop their own capability, and that of the VRB, through vocational and tertiary education.

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## Building a united culture to deliver justice



During the reporting year, we strengthened opportunities for greater collaboration and communication across the VRB including weekly senior staff and registry staff discussions, fortnightly Conference Registrar practice meetings and monthly member dispute resolution practice forums. These 'hybrid' meetings have taken place in our virtual suites, with a mixture of in-person attendees from our offices across Australia and remote staff accessing work from home arrangements. Hybrid meetings have allowed us to engage members and staff in consultation around our continued transformation journey and harness a shared vision for how we deliver justice to veterans. As a part of our hybrid working arrangements, we engage staff in daily 'stand-ups' and weekly one on one meetings on their home based work days to ensure that our people continue to feel connected and engaged in delivering justice to the veteran community.

### **Productivity gains**

Significant productivity gains were made in the reporting year. Our digital transformation and initiatives to improve case allocation, case management practices and support for members and conference registrars has allowed us to clear more than 100 per cent of our case holding. Importantly, user satisfaction also improved, reflected in an increased number of compliments received in the reporting year.

### **Purchasing**

We can access the support provided by the Department's Contract Advisory Unit in relation to procurement and contracting activities in accordance with the Commonwealth Procurement Framework.

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## **Consultants**

We may engage consultants where independent research or short-term projects are required; or for specialist knowledge or skills that are not available within the VRB. During the reporting year, we did not enter into any new consultancy contracts.

## **AusTender**

Annual reports contain information about actual expenditure on contracts for consultancies. Information on the estimated value of contracts and consultancies is available on the AusTender website: [www.tenders.gov.au](http://www.tenders.gov.au).

## **Financial Information**

While we are an independent statutory tribunal, we are not a separate Commonwealth entity under the Public Governance, Performance and Accountability Act 2013, but are considered a Secondary Australian Government Body, receiving our funding and corporate services from the Department of Veterans' Affairs. As a result, we do not have a budget allocation in the Portfolio Budget Statements

In 2022-23, we were provided a budget of \$4,893M which was a small increase (\$56K) in funding compared to the previous financial year.

In the reporting year, the majority of our operating expenditure was related to payroll costs for members and registry staff in the direct delivery of our services. Our travel expenditure reduced significantly in the reporting year following the introduction of virtual hearings. While the majority of our accommodation costs are met by the Department, a small property cost was also generated by the hire of hearing and conference rooms in other tribunal premises for in-person hearings, where we no longer have a physical registry presence.

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**Table 14: Veterans' Review Board Expenditure**

	2021-22 (\$'000)	2022-23 (\$'000)
<b>Salaries (includes superannuation)</b>		
Members	1,700	1,608
Staff (includes o/time & temps)	2,930	3,080
<b>TOTAL</b>	<b>4,630</b>	<b>4,688</b>
<b>Travel (includes fares, accommodation and allowances)</b>	<b>20</b>	<b>113</b>
<b>Supplies and services</b>		
Printing, postage, stationery and other office expenses	152	77
Communication and couriers	16	5
External training	19	10
Advertising	0	0
<b>TOTAL</b>	<b>207</b>	<b>205</b>
<b>GRAND TOTAL</b>	<b>4,837</b>	<b>4,893</b>



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# Appendix 1

## Membership Biographies

### **Ms Jane Anderson**

Ms Jane Anderson was appointed by the Governor-General as Principal Member of the Veterans' Review Board (VRB), commencing in the role in January 2018. For two years prior to her appointment, Ms Anderson had served as a part-time sessional member of the VRB.

Ms Anderson is a lawyer with more than 22 years' experience, including as a former Senior Member of the NSW Civil & Administrative Tribunal (NCAT) and a former Deputy President of the South Australian Guardianship Board, where she presided over legal proceedings involving people with serious mental illness and impaired decision-making capacity.

As well as her expertise in administrative law, Ms Anderson previously practised in criminal law, enjoying a career as a senior lawyer with the Commonwealth Director of Public Prosecutions, during which she appeared as prosecuting counsel in criminal courts and provided legal advice to government agencies.

Ms Anderson has a strong interest in human rights and access to justice. She holds a Master of Law degree in international law from Cambridge University, UK, and has served as an officer of the National Executive of the Australian Institute of Administrative Law and the NSW Law Society Human Rights Committee. Ms Anderson was a previous Co-Chair (and now Advisory Board member) of the Access to Justice and Legal Aid Committee of the International Bar Association, a global organisation of legal practitioners, bar associations and law societies.

### **Colonel Christopher Austin, ADC**

Colonel Austin has served in the Australian Army since 1980 and is currently an Active Reservist holding the rank of Colonel. He has operational service in East Timor, the Middle East and the Queensland Floods and is an Aide de Camp to the Governor General. Having enjoyed a corporate career within the building industry for over 20 years, Chris now runs his own consulting business and sits on a number of Boards and Committees. He was appointed to the VRB in 2015.

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## **Ms Robyn Bailey**

Ms Bailey holds Bachelors of Law and Arts as well as a Master of Laws degree from the University of New South Wales. After working in private practice she was appointed as a Member of the Guardianship Tribunal in 2007 and to the Consumer Trader and Tenancy Tribunal in 2009.

She is currently employed as a Senior Member of the NSW Civil and Administrative Tribunal and also works as a Mediator in the District Court of NSW, the Workers Compensation Commission and for her own company. She is also facilitator for the Defence Abuse Response Taskforce.

## **Brigadier Mark Bornholt (Retd)**

Mark Bornholt graduated from Officer School Portsea in 1978. He served in the 3rd and 6th Battalions of the Royal Australian Regiment. He was appointed a Member of the Order of Australia for his leadership of the 1st Battalion and was commended for distinguished service during the war against Iraq. His senior appointments included Chief of Staff Land Headquarters and Commandant Royal Military College of Australia. He retired in 2009 and worked as the CEO of a business unit of a publicly listed company until 2014 when he was appointed to the Defence Honours and Awards Appeals Tribunal. He remains a Chief of Army delegate for Redress of Grievance issues, a Director of the Royal Australian Regiment Foundation and is the Colonel

Commandant of the Australian Army Band Corps. He previously served as a Services Member of the VRB in 2010–2011.

## **Doctor Anthony Bragg**

Doctor Anthony Bragg is a Geriatrician and Stroke Physician and currently works as the Director of Rehabilitation and Geriatric Medicine at St. Vincent's Hospital in Lismore. He has research interests in Stroke and Dementia and has a close interest in Veterans health in the Northern Rivers community. Prior to his medical career, Dr Bragg worked in corporate roles, including as a Management Consultant with the Boston Consulting Group and as a Group Manager with Boral Energy. He holds bachelor degrees in Science and Commerce as well as post-graduate degrees in Medicine and Business Administration.

## **Ms Kate Byrne**

Kate Byrne was appointed in 2022 as a Senior Member of the Veterans' Review Board for a period of five years. With a Bachelor of Arts from Monash University, a Bachelor of Laws from the Queensland University of Technology, an Executive Master of Public Administration and mediator qualifications, Kate was admitted as a solicitor in 2000. Kate has extensive experience in senior executive roles in justice and community services and is also a Sessional Member on the Post Sentence Authority in Victoria.

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## **Colonel Evan Carlin**

Evan Carlin is a retired regular army legal officer. He served as Chief Legal Officer at HQ Land Command, the Deployable Joint Force Headquarters, Joint Operations Command and, latterly, at Command Legal Officer Forces Command. Colonel Carlin also served as an exchange legal officer at HQ Land in the UK and as ADC to the Judge Advocate General of the ADF. He has operational service in NATO, the Balkans (Kosovo), Iraq and Indonesia. He has been a Senior Member since 2015.

## **Colonel Catherine Carrigan**

Colonel Catherine (Bunny) Carrigan is a business consultant, Board Director and senior Army Reserve Officer. She was appointed a VRB Services member in 2018. Colonel Carrigan has served in the Australian Army (Regular and Reserve) for forty years. She is a logistics officer with a breadth of ADF experience including operational service in Somalia, the Middle East and on domestic operations. She holds a Bachelor of Applied Science, Masters of Defence Studies, Masters of Business, and Australian Institute of Company Directors Diploma.

## **Dr Scott Clark**

Dr Clark is a Psychologist with a background in both clinical and organisational psychology.

He has a particular interest in psychology of old age and has worked in acute, extended care and community services. Dr Clark has served in the Army Reserve since 1990 initially as a Rifleman before becoming a Psychologist in 1997.

## **Mr Steven Coghlan**

Steve served as an Army Signals Officer from 1998 to 2006 during which time he saw service in Bougainville and Pakistan. Since transitioning he has held senior management positions within both the telecommunications and broader infrastructure sectors. He is a graduate of both the Australian Defence Force Academy (ADFA) and Royal Military College — Duntroon (RMC-D) and holds a Bachelor's degree in Politics (UNSW), a Master's degree in International Relations (Macq) and Diplomas in Business, Personnel Management and Administration.

## **Colonel David Collins**

Colonel David Collins has served in the Australian Regular Army and the Army Reserve. He holds a Bachelor of Education and Training, Diploma of Law and a Masters of Management and Governance. He has deployed on operations several times. In 2005 he was the Officer in command of the 2nd rotation of the ADF Medical Detachment attached to the US Theatre Hospital, Balad, Iraq. In 2006 the 2nd rotation ADF Medical Detachment was awarded a Meritorious Unit Citation for its efforts in Iraq.

He is currently employed by the Royal Children's Hospital Melbourne and St Vincent's Hospital Melbourne. He is also a member of the Australian Health Practitioner Regulation Agency's, health performance and professional standards panel. He was re-appointed as a VRB Services member in July 2018.

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## **Brigadier Alison Creagh CSC**

Brigadier Alison Creagh CSC was appointed to the Veterans' Review Board as a Services Member for a five-year term in January 2019. She also Chairs the ACT Veterans' Advisory Council, the Board of Governors for The Road Home and The Hospital Research Foundation ICT and Cyber Security Committee. She is a Non-Executive Director of The Hospital Research Foundation, an ACT Defence Ambassador and member of the ACT Defence Industry Advisory Board, a member of the AustCyber Canberra Node Industry Advisory Group and Strategic Adviser for the University of NSW Defence Research Institute. Brigadier Creagh is the Representative Colonel Commandant for the Royal Australian Corps of Signals. Brigadier Creagh retired from the Australian Regular Army in March 2015 after a 30-year career and continues to serve in the Army Reserve. She served on operations in Cambodia East Timor, Iraq and Afghanistan

## **Ms Mary Desses**

Ms Desses was appointed as a Member of the Veterans' Review Board commencing 1 January 2019 and then as a Senior Member commencing 31 March 2022. She holds a Bachelor of Arts from Griffith University, a Bachelor of Laws from the University of New South Wales, a Graduate Diploma of Adult Education, and a Vocational Graduate Diploma of Family Dispute Resolution. She was admitted as a solicitor in 1992.

Mary worked as an Associate for two Federal Court judges, a Mediation Officer at the Retail Tenancy Disputes Unit, an advocate for the Repatriation Commission and a Conference Registrar at the Administrative Appeals Tribunal.

Mary is a mediator with over twenty years' experience as an Alternative Dispute Resolution practitioner.

## **Major Robert Douglass**

Mr Douglass holds Bachelor degrees in Economics and Laws from Monash University and a Masters degree in Arts (Military History) from the Australian Defence Force Academy. He joined the Department of Veterans' Affairs in 1993 and was an Assistant-Director in the Rehabilitation and Compensation Group from 1995 to 2010, before working as a Senior Lawyer in the Legal Services Group from 2010 to 2014. Mr Douglass has served as a Legal Officer in the Australian Army from 2007 and remains an active member of the Reserve. He was appointed a Member of the VRB in 2014 and a Senior Member in 2015.

## **Commodore Brett Dowsing, JP, RAN (Ret'd)**

Brett Dowsing is a career naval officer with 51 years' permanent and reserve service. He qualified as a seaman officer and a helicopter pilot, and has had sea, air and shore commands across

all officer ranks held. Recognition has included Vietnam and counterterrorist service along with international duties including in the USA, Republic of Korea, Mongolia and Timor-Leste. Brett serves on several veterans' related boards from Perth, WA and commenced duties with the VRB, this year.

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## **Clinical Professor Gerard Gill RFD MBBS PhD FRACGP FAFPHM FARGP**

Gerard Gill RFD MBBS PhD FRACGP FAFPHM FARGP is the retired Professor of General Practice at Deakin University. He spent 37 years as an Army Reserve Medical Officer, deployed to the MEAO in 2008 and has a long involvement with caring for veterans and on DVA committees.

## **Commodore Simon J Hart CSC RAN (Ret'd)**

Simon Hart served in the ADF for 33 years from 1973 until transferring to the Naval Reserve in 2006. Simon's operational background is primarily in guided missile Frigates and Destroyers with extensive Command experience in Destroyers. His two key positions in the Navy Senior Leadership Group were Director General, Navy Personnel and Training Organisation; and Commander, Australian Surface Combatant Force Element Group. He is a graduate of the Royal Australian Naval College; University of NSW; US Navy Postgraduate School (Computer Science); and Kings College, London (International Relations). He is a Fellow of the Australian Institute

of Management and a member of the Australian Institute of Company Directors. Simon was appointed to the VRB as a Services Member in 2011.

## **Dr Leith Henry**

Dr Henry is a Psychologist with significant leadership experience in workplace health, including work related illness/injury and workers' compensation. She holds a Bachelor degree in Psychology (with Honours) and a PhD in Organisational Psychology. Dr Henry commenced duties in 1995 as an Army Reserve Psychologist, serving periods of full time service and deploying on operations.

## **Group Captain Louise Hunt**

Ms Hunt is a graduate in Law and holds a postgraduate Master of International Law. She entered private practice as a Solicitor in 1983 and joined the Royal Australian Air Force Reserve Legal Panel in 1984. From 2007 to 2021 she was a Panel Leader for the Royal Australian Air Force Specialist Reserve Legal Panel. As an Assistant Inspector General of the Australian Defence Force, Ms Hunt conducts complex inquiries and leads teams conducting military justice audits at Australian Defence Force establishments. Ms Hunt was appointed as a Services Member in 2015 and a Senior Member in 2019.

## **Major General Mark Kelly, AO, DSC**

Major General Mark Kelly graduated from the Royal Military College in 1978 and served in the Army for 36 years as an Infantry officer. His senior command appointments include: 1st Battalion, The Royal Australian Regiment; 3rd Brigade; 1st Division; Land Command Australia; and Joint Task Force 633. His operational service includes: Zimbabwe/Rhodesia, East Timor, Iraq and Afghanistan. He also served as the Repatriation Commissioner from July 2010 until June 2019.

He was appointed to the VRB as a Services Member in March 2022.

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## **Michael (Mike) Kelly**

Mike Kelly is currently an Active Reservist holding the rank of Lieutenant Colonel. He holds Bachelor degrees in Arts and Laws and a Graduate Diploma in Management. He is an admitted legal practitioner and a senior lawyer within an incorporated legal practice. He joined the Australian Army in 1986 and has held a range of RAAC regimental, and staff appointments. His service includes operational service in the Middle East Area of Operations.

## **Ms Hilary Kramer**

Hilary Kramer has many years of experience in administrative law as a member of Commonwealth and State tribunals, including the Social Security Appeals Tribunal, NSW Mental Health Review Tribunal, Guardianship Tribunal and in assessing off-shore asylum-seeker refugee status claims.

Previously Hilary worked for the Legal Aid Commission as an advocate, representing clients in the NSW Court system in criminal, prison and mental health law. She has also undertaken research in criminal law in NSW and in legal services for prisoners and people detained in psychiatric facilities overseas, including in the UK and USA.

Hilary has an Arts/Law degree from Sydney University and has undertaken mediation and negotiation training. She was appointed a member of the VRB in 1998 and a senior member in 2006.

## **Mr Stephen Lancken**

Mr Lancken has practiced law since 1982. He is an accredited mediator and graded arbitrator. Since 1999 Mr Lancken has acted as a specialist mediator, arbitrator and tribunal member. He was a facilitator for the Defence Abuse Response Taskforce and has done similar work for the Commonwealth Ombudsman and various religious institutions. He is or has been a member of the ACT Civil and Administrative Tribunal, the Workers Compensation Commission of NSW and the National Sports Tribunal. He has arbitrated and mediated on panels for the Supreme Court of NSW and the District Court of NSW.

## **Associate Professor David Letts AM CSM RAN**

David Letts completed more than 30 years of fulltime service in the RAN at the end of 2012. During his military career David worked as supply officer and a legal officer, as well as holding senior appointments in Navy and Defence. He is now the Director of the ANU College of Law's Centre for Military and Security Law where his academic teaching and research interests centre on the application of the law to all aspects of military legal practice.

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## **Ms Josephine Lumb**

Ms Lumb holds bachelor degrees in Arts and Law. She has 20 years' plus experience in both legal and policy roles across a range of Commonwealth Government agencies. Ms Lumb worked with the Department of Foreign Affairs and Trade from 1998–2011, including serving on diplomatic posting in Chile from 2001–2004. She also served on the Defence Abuse Response Taskforce in 2014–15. Ms Lumb was appointed to the Defence Honours and Awards Appeals Tribunal as a member in 2017.

## **Ms Amanda MacDonald**

Ms MacDonald has extensive experience working in Commonwealth Administrative Review Tribunals. She was a member, senior member and the Deputy Principal Member of the Migration Review Tribunal and the Refugee Review Tribunal, a member of the Social Security Appeals Tribunal, a member of the Superannuation Complaints Tribunal and a Conference Registrar

and District Registrar of the Administrative Appeals Tribunal. Amanda is currently contracted to the Department of Agriculture, Fisheries and Forestry to design and implement changes to the Commonwealth biosecurity system. She is also contracted to undertake reviews for the Merit Protection Commissioner. Amanda holds a Bachelor of Science and a Masters in Administrative Law and Policy from the University of Sydney. She was first appointed to the Veterans' Review Board in 2007 as a Senior Member and again as a Member from 2018 and a Senior Member from 2022.

## **Colonel Peter Maher (Retd)**

Colonel Maher graduated from the Royal Military College, Duntroon in 1973. He holds a Bachelor of Arts in Military Studies and a Graduate Diploma in Management Studies, and he is a 1984 graduate of the Command and Staff College, Queenscliff. Colonel Maher has overseas service with the United Nations in Kashmir, the British Army in Germany and the United States Marine Corps at Quantico, Virginia. He was the Deputy Chief of Operations, HQ Multi-National Security Transition Command in Baghdad, Iraq in 2006. He completed his Army full-time service in 2007 as the Commander, Land Warfare Centre, Canungra. Colonel Maher was appointed to the VRB in March 2013.

## **Commodore Vicki McConachie**

Commodore Vicki McConachie served in the permanent Navy from 1984 to 2012 undertaking senior roles in both a legal and non-legal capacity, including serving in Iraq. She has served in the reserve since 2012. After leaving the permanent force she served as a non-executive director for Defence Housing Australia. From 2012 until 2020 she served as Chief General Counsel to a Commonwealth government entity. She currently reviews and undertakes complex investigations for the Inspector General ADF among other reserve service. She holds bachelors degrees in Arts and Law and a Masters degree in law.

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## **Professor Robert McLaughlin RAN**

Prof Rob McLaughlin is Professor of Military and security Law at UNSW Canberra. He researches, publishes, and teaches in the areas of Law of Armed Conflict, Law of the Sea, Maritime Security Law and Maritime Law Enforcement, and Military Law. He routinely engages in research activities, and course development and delivery, with the ICRC, the Australian Red Cross, the International Institute for Humanitarian Law, and the UN Office on Drugs and Crime. Rob joined academia after a career in the Royal Australian Navy as a Seaman officer and a Legal officer.

## **Dr (SQNLDR) Kim Morgan-Short**

Dr Morgan-Short is a medical practitioner who has had a varied career working in many locations around the world, such as the UK, Ireland and Saudi Arabia. She has been an RAAF Reservist for 30 years and has operational service in the Middle East. She also has a Graduate Certificate in Law and a Post Graduate Diploma in Law (Medical Law and Ethics). Much of her working life has been spent as both a uniformed medical officer and a civilian doctor on military bases.

Unfortunately she is a War Widow having lost her first pilot husband in an RAAF F111 crash and also a Legacy Widow having lost her second husband to cancer whilst he was serving a pilot in the RAAF. Her son is also an RAAF pilot. Dr Morgan-Short currently works at Defence Force Recruiting doing medical assessments and she was a former Board Member of Australian War Widows Qld.

## **Mr Joshua Nottle**

Mr Nottle is a barrister in private practice. He has a Bachelor of Laws, Graduate Diploma in Military Law and a Master of Laws from the Australian National University. He served full-time in the Royal Australian Navy from 2003 as a Legal Officer before transferring to the Reserves and commencing practice as a barrister in 2017. He was appointed as a Member of the VRB in 2022.

## **Lieutenant Colonel Glenn O'Brien**

Lieutenant Colonel O'Brien is a partner in a law firm and a part-time member of the Administrative Appeals Tribunal. He was a member and Legal Officer of the Australian Regular Army and holds a Master of Defence Studies.

## **Colonel Rodney Petersen**

Associate Professor Rodney Petersen is a specialist Obstetrician and Gynaecologist with a strong interest in teaching and learning for both medical students and trainee doctors. He is actively involved in the College of Surgeons EMST (Trauma) program and is a member of the RACS EMST Committee. He has published more than 30 peer reviewed articles and is on the editorial board of the Journal of Psychosomatic Obstetrics and Gynaecology (JPOG). He has held Professorial roles for ECU, UNDA and ANU. He is an active Army Reserve member and holds the rank of Colonel.



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## **Major General Francis Roberts AO (Retd)**

Mr Roberts served as an Army Officer from 1970 to 2005. He then held a Senior Executive Service position in the Department of Defence from 2005 until 2013 before undertaking private consultancy work until his retirement in 2014. Mr Roberts has graduated with a Bachelor of Civil Engineering, Master of Science and Graduate Diploma in Management Studies.

## **CAPT Felicity Rogers RAN**

Ms Rogers joined the Royal Australian Navy as a full time legal officer in 1994. Her postings included Fleet Headquarters and Deployable Joint Force Headquarters – Maritime. She deployed to Dili, East Timor as a legal adviser to HQINTERFET in 1999. She transferred to the Navy Reserve in 2001, when she was admitted as a barrister at the NSW Bar, where she continues to practise.

Ms Rogers holds a Bachelors degree in both law and politics and a Masters degree in International Law. She is also a registered counsellor.

## **Dr Peter Salu**

Dr Salu holds a Bachelor of Laws (with Honours) and a Doctor of Philosophy from the University of Adelaide. He commenced legal practice as a solicitor in 1988, and since 2006 he has practised as a barrister. Dr Salu was appointed to the VRB as a Senior Member in 2014.

## **Mr Scott Seefeld**

Scott Seefeld is a barrister in private practice in Brisbane. He holds Bachelor degrees in Science and Law, and Masters degrees in Business Administration and Engineering Science. Prior to his legal career, Scott was an RAE officer in the Australian Army. He is a graduate of the Australian Defence Force Academy and the Royal Military College – Duntroon. He has over 25 years' service as both a regular and reserve officer, including operational service in East Timor in 1999 and 2000. Since 2019, he has continued to serve as a legal officer in the RAAF Specialist Reserve.

## **Group Captain Anne Trengove**

Group Captain Anne Trengove is a long standing member of the Board, having served since 2014. She also sits as a member of the Defence Force Honours and Awards Appeals Tribunal and the South Australian Civil and Administrative Appeals Tribunal.

She is a Reserve Legal Officer in the Royal Australian Air Force and has served since 1997.

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## **Ms Jennifer Walker**

Jennifer served 16 years in the Australian Intelligence Corps (Army Reserve) attaining the rank of Major. She holds a Bachelor of Business and a Diploma of Market Research and is a graduate of the Australian Institute of Company Directors. After a varied career in technical, management and organisational development roles, spanning over 30 years, she moved into consulting including the conduct of board reviews, director recruitment, organization reviews and workplace investigations.

She was the CEO of Legacy Australia from 2014 to 2018 and has been on the Queensland Police Service Board of Management, chairing the Audit and Risk Committee since 2014. She is also an independent director of Australian War Widows Queensland and is Chair of the Service Personnel Anglican Help Society operating St George's Defence Holiday Suites. Jennifer was initially appointed to the VRB in March 2013 and was reappointed in July 2018.

## **Commander Sophia White RAN**

Sophia White served in the Royal Australian Navy for 16 years, full time, transferring to the Active Reserves in 2018. She has operational experience in Afghanistan, on border protection operations, in Headquarters Joint Operations Command and served as the Fleet Legal Officer in 2017. She is a lawyer and holds postgraduate qualifications including a Master of Laws (Maritime Law) and Master of Military and Defence Studies. She is a member of the Australian Institute of Company Directors.

## **Commander Neville Wyatt RFD RAN**

Mr Wyatt served full-time in the Royal Australian Navy from 1981 to 1993. Since then he has continued to serve with the Royal Australian Navy Reserve. He is a graduate in Law and Communications. Since 1993 he has been in practice as a private solicitor. In 1999, he started up his own successful firm now known as Wyatts Lawyers and Advisors, which he continues to run with his legal practitioner wife.

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# Appendix 2

## Advertising and market research

We did not commission any press advertising in 2022–23, which is reflected in Table 14. We also did not undertake any market research in 2022–23.

### Grants

We did not administer any grants programs in 2022–23.

### Ecologically sustainable development and environmental performance

The VRB does not develop or administer legislation or policy relating to the environment but takes steps to ensure our operations are environmentally sustainable. We work closely with the Department who provides our accommodation to ensure compliance with a range of Australian Government policies, including the Energy Efficiency in Government Operations Policy and the National Waste Policy. More information can be found in the Department's Annual Report.

We also limit our impact on the environment in day-to-day operations by implementing simple measures such as ensuring lights and electrical devices are switched off when not required, encouraging double-sided printing, providing facilities to support staff who walk or cycle to work, and recycling office waste.



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# Appendix 3

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.

## Glossary

<b>AAT</b>	Administrative Appeals Tribunal.
<b>ADF</b>	Australian Defence Force.
<b>ADR</b>	Alternative Dispute Resolution
<b>ADR processes</b>	Procedures and services for the resolution of disputes, which includes outreach, conferencing, neutral evaluation and case appraisal.
<b>AD(JR) Act</b>	Administrative Decisions (Judicial Review) Act 1977
<b>Adjournment</b>	Suspension of a hearing.
<b>Applicant</b>	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).
<b>Applied provisions</b>	Provisions of the VEA that set out the VRB's powers and functions, which are applied by s353 of the MRCA for the purpose of the VRB's review of an original determination under Part 4 of Chapter 8 of the MRCA.
<b>Assessment matter</b>	A case under the VEA concerning the assessment of the rate of disability pension.
<b>Assessment period</b>	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.

<b>Attendant Allowance</b>	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.
<b>Case Manager</b>	VRB staff member who looks after the administrative matters concerning an application for review.
<b>Case appraisal</b>	The Conference Registrar can request a Case Appraisal be conducted by a VRB member as part of the ADR process. It involves a VRB member examining an application 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 and then providing a non-binding opinion. This is requested to assist the parties to finalise the application.
<b>Claimant</b>	A person who has made a claim for a pension (to DVA) or claim for acceptance of liability and/or compensation (to the MRCC).
<b>CLIK</b>	Consolidated Library of Information & Knowledge: a computer research tool for decision-makers and pension officers and representatives produced by DVA.
<b>Conference</b>	A meeting conducted by a VRB member or Conference Registrar with the applicant and/or their representatives as part of the ADR program. Conferences allow for discussion and clarification of issues, identification of further evidence that would assist to resolve the application, and consideration of whether the application can be settled without the need for a hearing.
<b>Deledio</b>	Repatriation Commission v Deledio (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.
<b>Directions Hearing</b>	A hearing conducted by either the Principal Member or a Senior Member of the VRB for the purpose of clarifying issues that are delaying the progress of an application.
<b>DVA</b>	Department of Veterans' Affairs.
<b>Entitlement matter</b>	A case under the VEA concerning whether an injury, disease, or death is war – or defence-caused.
<b>ESO</b>	Ex-service organisation.
<b>FOI</b>	Freedom of Information: the right to obtain documents from a Commonwealth Department or agency under the Freedom of Information Act 1982.
<b>Liability matter</b>	A case under the MRCA concerning whether an injury, disease, or death is service-related.

<b>Member</b>	A member of the VRB appointed by the Governor-General.
<b>MRCA</b>	Military Rehabilitation and Compensation Act 2004.
<b>MRCC</b>	Military Rehabilitation and Compensation Commission.
<b>Neutral Evaluation</b>	An option under the ADR process for the applicant to request that a VRB member provides a non-binding opinion on the likely outcome of a case.
<b>Original determination</b>	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.
<b>Outreach</b>	The first step in the ADR process is one mandatory outreach. The purpose of outreach is to explain VRB practices to unrepresented applicants and to give them an opportunity to consider representation. For all other cases, the purpose of an outreach is to discuss how the application will proceed before the Board.
<b>Principal Member</b>	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.
<b>Reconsideration</b>	A new consideration or review of an original determination under s347 or s349 of the MRCA.
<b>Registrar</b>	VRB staff member who manages a State Registry of the VRB.
<b>Registry</b>	An office of a court, tribunal, or the VRB.
<b>Respondent</b>	A person or body against whom a claim, application, or appeal is brought; the party that responds to an application brought by an applicant.
<b>s31 review</b>	Review by a delegate of the Repatriation Commission.
<b>s37 documents</b>	Documents prepared by the decision-maker for the purpose of an AAT review (also called 'T-documents').
<b>s137 report</b>	Documents prepared by DVA for the purpose of a VRB review. s148(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.
<b>s148(6A) request</b>	Request sent by VRB Registrar as delegate of Principal Member to the Secretary of DVA or MRCC seeking further investigation or documents.
<b>s151 adjournment</b>	Adjournment of a hearing by VRB usually at the applicant's request, but can be for any reason.
<b>s152 adjournment</b>	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.
<b>s152 request</b>	The request made to the Secretary of DVA or the MRCC by the presiding member of the VRB panel for further investigation or documents.

<b>s347 reconsideration</b>	Reconsideration of an original determination by a delegate of the MRCC or a service chief at their own discretion.
<b>s349 reconsideration</b>	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.
<b>Senior Member</b>	A member of the VRB appointed by the Governor-General who usually presides at VRB hearings, and who usually has legal qualifications.
<b>Service chief</b>	The Chief of the Army, the Chief of the Air Force, or the Chief of the Navy.
<b>Services Member</b>	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.
<b>SoP</b>	Statement of Principles determined by the Repatriation Medical Authority.
<b>Special Rate</b>	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 of remunerative work a week due to accepted disabilities.
<b>SRCA</b>	Safety, Rehabilitation and Compensation Act 1988.
<b>Telephone hearing</b>	A VRB hearing conducted by telephone between a VRB hearing room and another location.
<b>TIP</b>	Training and Information Program funded by DVA for training pension and welfare officers and representatives, conducted by ESO, DVA and VRB trainers.
<b>VEA</b>	Veterans' Entitlements Act 1986.
<b>Veteran</b>	A person who has rendered eligible war service under Part II of the VEA.
<b>Video hearing</b>	A VRB hearing conducted by video-link between a VRB hearing room and another location.
<b>VRB</b>	Veterans' Review Board.
<b>War-caused death</b>	A death for which liability has been accepted under Part II of the VEA as related to eligible war service.
<b>War-caused disease</b>	A disease for which liability has been accepted under Part II of the VEA as related to eligible war service.
<b>War-caused injury</b>	An injury for which liability has been accepted under Part II of the VEA as related to eligible war service.





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## Veterans' Review Board

Veterans' Review Board Annual Report 2022–23

Published by the Veterans' Review Board

© Commonwealth of Australia 2023

2023 ISSN 0–818–0679

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Publication no. P04625

Photos by Boaz Nothman