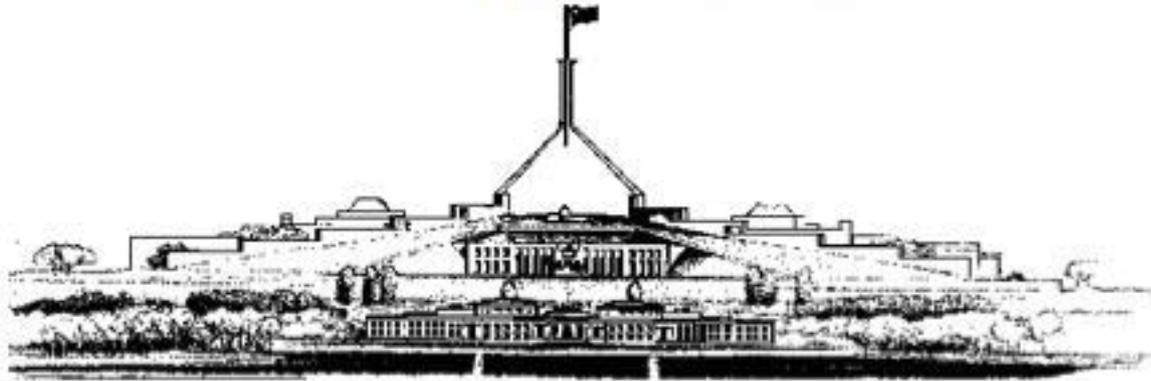




COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



**THE SENATE**

**BILLS**

**Veterans' Affairs Legislation Amendment  
(Veteran-centric Reforms No. 1) Bill 2018**

**Second Reading**

**SPEECH**

**Thursday, 22 March 2018**

BY AUTHORITY OF THE SENATE

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## SPEECH

<b>Date</b>	Thursday, 22 March 2018	<b>Source</b>	Senate
<b>Page</b>	1932	<b>Proof</b>	No
<b>Questioner</b>		<b>Responder</b>	
<b>Speaker</b>	Kitching, Sen Kimberley	<b>Question No.</b>	

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**Senator KITCHING** (Victoria) (12:51): I want to talk about the Veterans' Affairs Legislation Amendment (Veteran-centric Reforms No. 1) Bill 2018, which is a non-controversial piece of legislation, and I want to cite one example of why we so badly need a veteran-centric approach to veterans' affairs in Australia, which is what this bill promises to deliver. I'm referring to the case of Jesse Bird, a decorated 32-year-old veteran of the war in Afghanistan who died by suicide in June last year. This is a very sad case, and one which reflects badly on the Department of Veterans' Affairs. I say that with regret because I know the majority of DVA officers are dedicated to the welfare of our veterans and do their best in often difficult circumstances. But this case, and others like it, show that there are systemic failures in the way the department works. They are not the fault of any one officer or any one minister or any one government. They are systemic and they need to be fixed, and I'm sure it is everyone's hope in this chamber that this bill will go some way towards fixing them.

After his return from Afghanistan, Jesse Bird suffered post-traumatic stress disorder. This is the most common mental health condition faced by veterans after service in the gruelling circumstances of modern warfare in Iraq and Afghanistan. His PTSD led, in turn, to a depressive disorder and alcohol abuse. In August 2016, DVA accepted liability for Jesse Bird's PTSD and its consequences; then, perversely, the department refused his claim for permanent impairment status, which would have entitled him to financial support. The department did this knowing that he was a suicide risk and that he had no other source of financial support. A few weeks later he did indeed commit suicide. At that point, he had \$5 to his name.

Following Jesse Bird's death, his parents, John and Karen Bird, appeared on ABC TV calling for reforms that would prevent other veterans being treated in the same way. In response, the then Minister for Veterans' Affairs, Mr Dan Tehan, ordered an inquiry. In October, the inquiry reported its findings. It found that DVA had failed to comply with its own legislation in its handling of Jesse Bird's claim for permanent impairment status and also that DVA took far too long to process his claim. It found that DVA failed to follow up warnings that Jesse Bird was suicidal, that they did not arrange appropriate counselling for him and that they refused him interim financial support while his claim was being considered.

The report made 19 recommendations to prevent such tragedies occurring again. The most important of these were that interim financial support must be made available in such cases while claims are being determined, that veterans making compensation claims should have access to independent legal advocacy services, and that case management procedures should be overhauled so the veterans who are suicide risks can be quickly identified and supported with appropriate counselling. After these recommendations were released, Mr Tehan said:

After consulting with the Birds on the final recommendations, the Government is committed to addressing the recommendations made in the report and I will have the progress against each recommendation reviewed by an independent expert after 12 months.

This bill is in part a response to that inquiry. The bill establishes an interim income support payment for veterans waiting for mental health claims to be determined. The payments are subject to satisfying the income and assets tests and will require individuals to engage in vocational and psychosocial rehabilitation, including financial counselling.

In addition, partners of veterans may also be eligible for a payment. This new payment is in response to the inquiry into the suicide of Jesse Bird. It is a direct result of the advocacy of his parents and all of those who took the time to make submissions to the Senate inquiry. I want to acknowledge the persistent efforts of the Bird family to see that the circumstances which led to Jesse's death are not repeated. I hope they gain some comfort from the success that they have gained through the provisions of this bill.