

**SENATE FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE  
REVIEW OF SCHEDULE 9 OF THE VETERANS' ENTITLEMENTS, TREATMENT AND  
SUPPORT (SIMPLIFICATION AND HARMONISATION) ACT 2025**

**SUBMISSION OF THE FAMILIES OF VETERANS GUILD**

The Families of Veterans Guild (**'the Guild'**) proudly owned and operated by Australian War Widows NSW Ltd, is grateful for the opportunity to assist the Senate Foreign Affairs, Defence and Trade References Committee (**'the Committee'**) with its review into Schedule 9 of the Veterans Entitlements, Treatment and Support (Simplification and Harmonisation) Act 2025.

The Guild represents over 2,000 widows and families of veterans. We offer our support to all families of veterans; from the moment their loved one commences their service and beyond. We do so because we understand the unique sacrifices veteran families make, and the impacts of those sacrifices. Our vision is to see all families of veterans thriving, resilient, acknowledged and respected because they are crucial for a strong and robust Australian Defence Force (**'ADF'**).

The Guild supports the implementation of Recommendation 122 of the Royal Commission into Defence and Veteran Suicide (**'Royal Commission'**) and would like to see the enabling legislation strengthened.

***The undisputed need***

During his Press Club address on 13 September 2023, Commissioner Kaldas rightly called out successive governments, the bureaucracy, and the media for their lack of attention and meaningful engagement with the issues facing veterans and their families. He urged Australia and her representatives to care about these matters, engage with them and report on them. Through the implementation of Recommendation 122, the Government has signalled to the Australian public that it has heard these calls and is taking seriously defence and veteran system reform.

The Royal Commission highlighted a significant gap in the veteran system and that was the inability of any one existing entity to monitor the ecosystem of agencies responsible for the wellbeing veterans and their families, particularly through the lens of suicide prevention.<sup>1</sup> This lack of oversight results in a fragmented and narrow approach to suicide prevention that does

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<sup>1</sup> Royal Commission into Defence and Veteran Suicide: Final Report (2024) Vol 6, p. 279.

not support a systems level understanding of suicide and suicidality in this population responsibility for suicide prevention.<sup>2</sup>

The Royal Commission found that current oversight mechanisms do not enable system wide visibility and as a result opportunities for systemic reform are being lost.<sup>3</sup> For example, it pointed to all previous sector inquiries (which together produced 750 recommendations for reform) however the system continued to get more complicated and no significant or long term reform had taken place, because there was no accountability.<sup>4</sup>

As the Royal Commission notes, death by suicide is preventable. Prevention requires sustained investment focus and leadership, all of which can be facilitated by an oversight body that keeps the sector accountable and ensures strategic reform.<sup>5</sup>

### ***Object of Schedule 9 & the Commission***

It is within this context that the Guild has reviewed the content of Schedule 9, establishing the Defence and Veterans' Services Commission (***'the Commission'***).

The Guild is of the view that the objects of the new entity ought to be bolder and stronger. The Guild specifically recommends the strengthening the object of the agency from one that seeks to improve suicide prevention to one that seeks to reduce the incidents of suicide within the veteran community. Specifically, the Guild recommends a revised object statement of:

*"The object of this Part is to improve wellbeing outcomes for veterans and their families and reduce the incidents of suicide and suicidality among the veteran community through the provision of independent, evidence-based advice of system reform."*

The omission of the words *'to the Australian Government'* above is intentional. That the *'problem'* of veteran suicide doesn't belong to one element of the system. It isn't just government's problem to solve. As the Royal Commission notes, every actor within the defence and veteran community has a role to play in preventing suicide and suicidality among this community. The Royal Commission demonstrated that the veteran support system isn't meeting community expectations and therefore this entity ought to be accountable to the people of Australia not just the government of the day.

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<sup>2</sup> Ibid.

<sup>3</sup> Royal Commission into Defence and Veteran Suicide: Final Report (2024) Vol 6, p280.

<sup>4</sup> Royal Commission into Defence and Veteran Suicide: Final Report (2024) Vol 6, p281.

<sup>5</sup> Royal Commission into Defence and Veteran Suicide: Final Report (2024) Vol 6, p282.

The revised object also omits the phrase ‘improve suicide prevention’ and replaces it with ‘*reduce the incidents of suicide and suicidality among the veteran community.*’ This shift in language seeks to strengthen the role and position of the Commission. The vision for this Commission ought to be to reduce the incidents of preventable deaths in this community. Phrasing such as ‘*improve suicide prevention*’ isn’t specific enough to set a vision nor guide the outcome sought by veterans and their families. The outcome veterans and their families are seeking is zero preventable deaths in our community. The complex nature of suicide and suicidality however makes zero almost impossible to achieve. ‘*Toward zero suicides*’ is a suicide prevention concept that was discussed at length during the Royal Commission and has since been picked up by the NSW Government. This too ought to be picked up in the Commission’s founding objects.

This Commission ultimately exists to reduce the rate of suicide in the veteran population. In doing so it can positively impact wellbeing outcomes. The Guild’s recommended ‘object’ also broadens the remit of the Commission beyond current and former serving ADF members. Again, this is intentional.

While today the focus of the Commission will be on veterans, it must also have room to evolve to ensure significant system gaps are closed. These gaps see families of veterans left out of the system of support, yet they are at a higher risk than the general population of suffering a mental illness and suicidal ideation.

Data from a 2019 Family Wellbeing study tells us that:

- 42% of families (partners, parents and children) of veterans have experienced suicidal ideation.<sup>6</sup> This compares to 16.7% in the general population.<sup>7</sup> Therefore, veteran families are 25% more likely to experience suicidal ideation than the general population.
- 29% of children of veterans experience psychological distress.<sup>8</sup> This compares to 20% in the general population.<sup>9</sup> Therefore, children of veterans are 9% more likely to experience childhood distress than the general population.

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<sup>6</sup> Transition Wellbeing Research Program: Family Wellbeing Study (2019). <https://www.dva.gov.au/documents-and-publications/transition-and-wellbeing-research-programme-family-wellbeing-study-2019>.

<sup>7</sup> Australian Bureau of Statistics. (2020-2022). *National Study of Mental Health and Wellbeing*. ABS.

<https://www.abs.gov.au/statistics/health/mental-health/national-study-mental-health-and-wellbeing/2020-2022>

<sup>8</sup> Transition Wellbeing Research Program: Family Wellbeing Study (2019). <https://www.dva.gov.au/documents-and-publications/transition-and-wellbeing-research-programme-family-wellbeing-study-2019>.

<sup>9</sup> Australian Institute of Health and Welfare. (2021). *Mental illness*. Retrieved from <https://www.aihw.gov.au/reports/children-youth/mental-illness>



- 31% of families (partners and parents) of veterans are suffering psychological distress.<sup>10</sup> This compares to 17% in the general population.<sup>11</sup> Therefore, parents and partners of veterans are 14% more likely to experience psychological distress than the general population.

The families of veterans shoulder the human costs of maintaining Australia's peace, security, and way of life. It starts from the moment an Australian completes one day's service – becoming a veteran and continues long after that service ends. The Parliament has an opportunity to set this Commission up to be future focused and ensure that it has the flexibility and scope it needs to investigate these issues as well. Military service has real impacts beyond the veteran and those too need to be factored into system reform.

### **Key definitions**

Section 110ZEE contains the definitions of key terms used throughout Schedule 9. However, two key terms are missing from this list: 'veteran ecosystem' or 'ecosystem' and 'family'.

First to 'ecosystem'. The Royal Commission has provided guidance on how the term ecosystem ought to be defined. It has referred to the ecosystem as a group of actors in the Defence and Veteran community. The Guild would go a little further and suggest that the ecosystem definition should include any actor who delivers a service or interacts with a veteran or their family – providing the Commission with the flexibility it needs to move with issues as they emerge and properly examine issues that may not be known about today. This would also ensure new entities being established following the Royal Commission such as the Veteran Wellbeing Agency and Ex-Service Organisation Peak Body are able to be picked up within the Commissions remit.

Secondly, 'veteran family' or 'family' needs to be included as a definition. Families of veterans are currently left out of all veteran related legislation therefore they have limited standing in the system, despite their importance and the impacts of service on them. Through Schedule 9, the Parliament has an opportunity to start making defence and veteran families more than a policy

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<sup>10</sup> Transition Wellbeing Research Program: Family Wellbeing Study (2019). <https://www.dva.gov.au/documents-and-publications/transition-and-wellbeing-research-programme-family-wellbeing-study-2019>.

<sup>11</sup> Australian Bureau of Statistics. (2020-2022). *National Study of Mental Health and Wellbeing*. ABS. <https://www.abs.gov.au/statistics/health/mental-health/national-study-mental-health-and-wellbeing/latest-release>.

by line. To date, difficulties in defining veteran families has led to their lack of inclusion and engagement.

The Guild recommends using Australian Bureau of Statistics definition of family and including a list of relationships within that definition that constitute ‘family’ such as current and former spouses, biological and/or stepparents, siblings, children, and grandparents.

### ***Independence, accountability and transparency***

The Royal Commission found that veterans and their families have little trust in the veteran system. Core principles of independence, accountability and transparency are key to rebuilding trust and must guide the implementation of all Royal Commission recommendations.

The Guild is concerned about the operation of section 110ZFB (5) which allows the minister to withdraw or amend a request at any time before the Commission gives its report. This section creates a potential loophole in the legislation which doesn’t require the Minister to table research or reports they commission. For example, when reading section 110ZFA the commission may conduct its own inquiries, and under subsection (3) these must be given to the Minister and tabled. Yet, the schedule is silent on the status of inquiries and reports initiated by the Minister but withdrawn before they are handed over. This has the potential to undermine the above core principles of trust.

Section 110ZJD and 110ZJE deal with the important principle of independence. Section 110ZJE talks about the Commissioner being appointed by the Minister. The Guild notes that the Interim Commission has been established within the Department of Prime Minister and Cabinet and therefore assumes that the reference to ‘Minister’ in this section means Prime Minister.

However, for clarity and to ensure independence in the future, the Guild recommends that either a definition of Minister be added to note that it is the Prime Minister or these sections are updated and the reference to Prime Minister is included here.

Finally, it isn’t clear from the content of Schedule 9, how the Commission will be accountable. Again, the Guild assumes this will be through regular Department of Prime Minister and Cabinet scrutiny, and while perhaps not necessary for inclusion in the Schedule does need to be made clear to the veteran community.

### **Minor amendments**

There are other minor amendments that the Guild recommends to the Schedule which are outlined below:

<b>Section</b>	<b>Amendment</b>	<b>Reasoning</b>
110ZFC (1)	Remove reference to '2 inquiries'	The reasoning for the inclusion of a number in the Schedule isn't clear. Simply saying it must conduct the inquiries ought to be enough. There is a risk that leaving a number in there means that once 2 are completed no more will be.
110ZFC (2)(b)	Add to the end of this sentence ' <i>in reducing the incidents of suicide</i> '	The effectiveness of measures and actions taken in response to the implementation of the government's response to the Royal Commission need to be assessed against something. The outcome.
Section 110ZHA (1)(b) and (2) (b)	Add to end of sentence ' <i>without reasonable excuse</i> '.	Reasonable excuse is defined in 110ZHA (3) but ought to be referenced in these sections for clarity.
Section 110ZHG	Include in this section that witnesses giving evidence cannot have their claims or DVA entitlements prejudiced.	This section deals well with protecting witnesses from employment repercussions but ought to also note specifically protections against evidence prejudicing DVA claims and entitlements.
Section 110ZJB (d)	Add to the end of this sentence, ' <i>and their families</i> '	This provides the ability of the Commission to formally include families and those that service them in its remit.

### **Conclusion & recommendations**

A key challenge in the veteran sector has been the ability to deliver systemic and strategic reform. The establishment of this Commission helps to facilitate the reform our sector requires.

The Royal Commission itself demonstrated the power of an independent oversight body within this sector which is why the Guild is pleased to see positive action toward the implementation of Recommendation 122.

Ensuring the Commission is set up for success and it has the flexibility it needs to investigate the complex intersectionality of suicide is important to the Guild. As is clarity in its objects and the inclusion of families.

That is why the Guild makes the following recommendations:



1. The object of Schedule 9 to be updated to say:  
*“The object of this Part is to improve wellbeing outcomes for veterans and their families and reduce the incidents of suicide and suicidality among the veteran community through the provision of independent, evidence-based advice of system reform.”*
2. Definitions section be expanded to define ecosystem and family.
3. Minor amendments noted above be made to sections 110ZFC, 110ZHA, 110ZHG and 110ZJB.
4. Clarification be provided to the veteran community regarding the operation of sections 110ZFB, 110ZJD and 110ZJE.

The Guild thanks the Parliament and the Senate Committee for inquiring into this important matter and letting the veteran community have a say in how it will be governed.

**Questions and enquiries on this submission can be directed to Renee Wilson, CEO at [ceo@fov.org.au](mailto:ceo@fov.org.au)**