



Australian Defence Force Retirees Association Inc.

No. A0108026R

We represent the interests of Defence Force Retirees regarding their Superannuation

www: <https://www.adfra.org/>

Email: admin@adfra.org

DFRDB Update – October 2024

Proposed Amendment to the DFRDB Act

Our proposed amendment to the DFRDB Act is moving through the necessary processes.

Follow-up to Vetaffairs Article

We followed up last month's Vetaffairs article by sending this [Letter to the Deputy Prime Minister and Minister Keogh](#) to:

- The Hon Richard Marles MP, Deputy Prime Minister and Minister for Defence;
- The Hon Matt Keogh MP, Minister for Veterans' Affairs and Defence Personnel;
- The Hon Andrew Hastie MP, Shadow Minister for Defence; and
- The Hon Barnaby Joyce MP, Shadow Minister for Veterans' Affairs.

With a copy to:

- Fiona McSpeerin, First Assistant Secretary, People Policy and Development, Defence People Group, Department of Defence.

We have also approached the Secretary DVA about the Vetaffairs article.

CDDA Claims

Fiona McSpeerin continues to advise that members of the DFRDB scheme who believe they have suffered a financial detriment through the provision of erroneous information should lodge a claim using the CDDA claims process, tailored by Defence, knowing that the Commonwealth Ombudsman set down conditions which ensured that no claim would succeed.

For those who have been following the saga. The claim lodged by Herb Ellerbock, which fell outside the tailored CDDA claims process, was also rejected. When he requested a review of that decision, the decision-maker took 262 days to review her own decision.

As is his right, Herb has now requested a review of that decision by the Commonwealth Ombudsman.

His request to the Ombudsman, Mr Iain Anderson, ends with:

This is my situation:

- **Defence** was the perpetrator of Defective Administration. **Defence** funded and determined the scope of the Ombudsman's investigation.
- The Commonwealth Ombudsman, who is also the **Defence** Ombudsman, set down conditions that ensured no DFRDB CDDA claim would succeed.
- The Directorate of Employment Law and Discretionary Claims, **Defence** Legal, assessed my claim and its Director was the decision maker.
- The **Defence** Legal decision-maker reviewed her own decision.
- Now, the (**Defence**) Ombudsman is my next level of appeal.

*What are my chances of getting **fair and impartial** treatment?*

The Broader Issue

- A Joint Parliamentary Committee recommended a range of defined benefits for ADF members if they served for at least 20 years.
- When the responsible Minister introduced the governing legislation in Parliament, he **unequivocally** declared his government's intent to implement those recommendations.
- That is what members were led to believe.
- However, **the legislation** produced by Defence **does not honour** those recommendations. Now that it has been exposed, Defence has done its utmost to conceal and divert attention from that betrayal of the men and women who devoted decades of their lives to service in the ADF.

Mr Anderson, your predecessor, Mr Manthorpe, destroyed the credibility of your Office in the eyes of those men and women.

However, with your 'own motion' powers you have an opportunity to restore some of that lost credibility and the independence of your Office. A challenge you also face in the wake of RoboDebt.

I wish to meet with you in person to discuss my claim and the broader issue.

Good luck with that, Herb.

Jim Hislop OAM

President