

## Comparison of JWG Recommendations with MoU Provisions

### Summary of Results

The original summary of results published in the EVSA/RNZRSA Update from the Discussion Forum reported four categories. The detailed comparison chart that follows this Summary comprises six categories in order to reflect as accurately as possible the different degrees of acceptance, modification etc. accorded to the JWG Recommendations by the Provisions of the MoU.

**Total Recommendations : 69**

**Fully Accepted : 44**

**Accepted for Further (Sympathetic) Consideration : 2 [Items 12 & 16]**

**Accepted in Part : 6 [Items 23, 24, 25, 26, , 30 & 49]**

**Included in the WPA & VANZ Reviews : 10 [Items 55, 76, 77 & 79 – 84]**

**Not Accepted, but Alternative Proposed : 3 [Items 31, 33 & 34]**

**Not Accepted Outright : 4 [Items 27, 32, 41 & 42]**

### Detailed Comparison

| <i>Item Ref</i> | <i>JWG Rec Ref</i> | <i>JWG Content Summary</i>  | <i>Status and MoU Reference</i>                                | <i>Comment/Action Required</i>   |
|-----------------|--------------------|---|--|--|
| <b>1.</b>       | <b>2.1</b>         | <b>Apology &amp; Acknowledgment</b>   |  |  |
| <b>2.</b>       | <b>2.1.2</b>       | <b>The Government</b>   |  |  |
| 3.              | 1.                 | A Government apology  | <b>Accepted.</b><br><b>See MoU 2.2; 2.3; 2.4</b>               | EVSA/RNZRSA will be involved in drafting the Apology for final approval by Cabinet   |
| 4.              | 2.                 | Acknowledge service; failures to address concerns; effects of failures; commits to action | <b>Accepted.</b><br><b>See MoU 2.3 (a); (b); (c) &amp; 3.2</b> |  |
| 5.              | 3.                 | Context: Directly to veterans and their families  | <b>Accepted.</b><br><b>See MoU 2.2 &amp; 3.1</b>               |  |
| 6.              | 4.                 | Set aside Reeves & McLeod Reports as basis for future policy                              | <b>Accepted.</b><br><b>See MoU 2.3 (d)</b>                     | Requires specific public statement & formal instructions to Depts & officials.   |
| 7.              | 5.                 | As far as possible a bipartisan approach to addressing vets concerns                      | <b>Accepted.</b><br><b>See MoU 2.4</b>                         | Major parties informed & invited to support this package   |
| <b>8.</b>       | <b>2.1.4</b>       | <b>Whakanoa</b>   |  |  |
| 9.              | 1.                 | NZDF acknowledge past failures to use & take action on AO information                     | <b>Accepted.</b><br><b>See MoU 3.2 (e)</b>                     | In particular the “1980 Letter”  |
| 10.             | 2.                 | Matters of incomplete med records & AO exposure info not made avail by NZDF               | <b>Accepted.</b><br><b>See MoU 3.2 (f) &amp; 7.1</b>           | The ‘reverse onus of proof’ still stands, whether or not medical file is incomplete.                                       |
| 11.             | 3.                 | Public statement of facts of these matters by NZDF  | <b>Accepted.</b><br><b>See MoU 3</b>                           |  |
| 12.             | 4.                 | Readdress I RNZIR Battle Honour to include V5 & V6 full period of operational service     | <b>Accepted (in principle).</b><br><b>See MoU 5.3</b>          | Under active consideration by CDF’s “2007 Battle/Theatre Honours Committee”, membership including RSA/EVSA representative. |
| 13.             | 5.                 | NZDF essential to Viet Nam veterans' transition to Whakanoa                               | <b>Accepted.</b><br><b>See MoU 3.1</b>                         |  |
| 14.             | 6.                 | NZDF formally acknowledge & welcome back NZ Viet Nam veterans                             | <b>Accepted.</b><br><b>See MoU 3</b>                           | RNZRSA & EVSA to be involved in planning & implementation.   |
| 15.             | 7.                 | Cultural needs of Maori recognised in this process  | <b>Accepted.</b><br><b>See MoU 3.1 &amp; 3.3</b>               | Planning to involve TPK and Maori veteran representation   |

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|-----------------|--------------------|---|--|---|
| 16.             | 2.2.1              | <b>Campaign Medal</b><br>Distinct national campaign medal   | <b>Accepted (in principle).</b><br><br><b>See MoU 5.2</b>  | Under active consideration by NZDF in association with RNZRSA/EVSA.   |
| 17.             | 2.2.2              | <b>South Vietnamese Gallantry Awards(12 of)</b><br>Recommend to Queen for unrestricted permission to wear | <b>Accepted.</b><br><br><b>See MoU 5.1</b>   | Royal assent is required.   |
| 18.             | 2.4                | <b>Recording the Viet Nam Stories</b>   |  |   |
| 19.             | 1.                 | Support for oral history of veterans & families   | <b>Accepted.</b><br><br><b>See MoU 4</b>   |   |
| 20.             | 2.                 | Recording to begin in 2006  | <b>Accepted</b><br><br><b>See MoU 4.3</b>  | <b>( Start time modified to 2007).</b>  |
| 21.             | 3.                 | <b>Putting Things Right</b>   |  |   |
| 22.             | 3.1.6              | <b>Viet Nam Veterans</b>  |  |   |
| 23.             | 1.(a)              | Ex-gratia \$40,000 for 'Prescribed Conditions'  | <b>Accepted in part. (Only for conditions on IOM 'sufficient evidence of association' list).</b><br><br><b>See MoU 6.1</b> | RSA/EVSA to continue pursuing for conditions on 'limited or suggestive evidence of association' list.<br><br>See also MoU 8, Expert Panel.  |
| 24.             | 1. (b)             | Automatic eligibility for 160% WDP  | <b>Accepted in part. (Only if diagnosed with “terminal illness”).</b><br><br><b>See MoU 7.2</b>                            | See MoU Definitions and Interpretation. Terminal illness is “an advanced, progressive disease likely to cause death within 12 months of the date of diagnosis”. (Note: “likely”). |
| 25.             | 2. (a)             | As for 1.(a) for 'future diagnosis'   | <b>Accepted in part. as for 1.(a) above</b><br><br><b>See MoU 6.2</b>  |   |
| 26.             | 2.(b)              | As for 1.(b) for 'future diagnosis'   | <b>Accepted in part. as for 1.(b) above</b><br><br><b>See MoU 6.2</b>  |   |
| 27.             | 3.                 | WPA amendment at Annex 2. Meanwhile by administrative action  | <b>Not Accepted – but fresh opportunity as part of Review of WPA</b><br><br><b>See MoU 7.3</b>                             | To be considered in Review & Rewrite of War Pensions Act.   |

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| 28.             | Un-numbered para   | <i>Associated Condition</i> = automatic presumption it is service related   | <b>Accepted.</b><br><b>See MoU 7.1</b>   | <b>'Reverse Onus of Proof'</b> is defined as: "A condition or illness suffered by a Veteran is to be considered to relate to the Veteran's Service, unless there is proof to the contrary"<br>Ensure "reverse onus of proof" is applied to all veterans uniformly. |
| 29.             | <b>3.1.7</b>       | <b>Vietnam Veteran Progeny</b>  |  |  |
| 30.             | 1.(a)              | Ex-gratia \$30,000 for any of the 5 currently accepted conditions & sequelae for children & grandchildren. Take account of 'caregivers' | <b>Accepted in part.</b><br><b>(Not to include separate sequelae and not for grandchildren).</b><br><b>See MoU 9.1</b> | <b>This will come up again during the review of the WPA. Meantime, MoU Para 18 – Trust Fund – will be brought to bear on the issues in this Section</b>  |
| 31.             | 1.(b)              | War Disablement Pension and med costs for 1(a)  | <i>Not accepted.</i><br><b>Alternative proposed.</b><br><b>See MoU 9.2</b>   |  |
| 32.             | 2.                 | WPA amendment at Annex 3. Meanwhile by admin action   | <i>Not accepted.</i>   |  |
| 33.             | 3.(a)              | Progeny with 2 or more sequelae but without one of 'Accepted Conditions' treated as for 1.(b) above                                     | <i>Not Accepted. See 1.(b)</i><br><b>Alternative proposed</b><br><b>See MoU 9.3 &amp; 18</b>                           |  |
| 34.             | 3.(b)              | Med expenses for progeny with life long & seriously debilitating conditions   | <i>Not accepted. See 1.(b)</i><br><b>Alternative proposed</b><br><b>See MoU 18</b>                                     |  |
| 35.             | 4.                 | Ongoing accessing & incorporation of relevant research on intergenerational effects   | <b>Accepted.</b><br><b>See MoU 9.3</b>   | To be considered in Review & Rewrite of War Pensions Act.  |
| 36.             | <b>3.1.8</b>       | <b>Surviving Spouses/Partners</b>   |  |  |
| 37.             | 1.                 | Ex-gratia \$25,000 for spouse/partner of veteran who died of 'prescribed condition'   | <b>Accepted.</b><br><b>See MoU 6.3</b>   |  |
| 38.             | 2.                 | Review surviving spouse pension criteria on remarriage/new relationship   | <b>Accepted.</b><br><b>See MoU 7.4</b>   | Eligibility criteria will be reviewed as part of Review & Rewrite of War Pension Act.  |
| 39.             | <b>3.1.9</b>       | Ex-gratia \$30,000 for families which have/had child with any of the 5 'accepted conditions'  | <b>Accepted.</b><br><b>See MoU 10.1 &amp; 10.2</b>   |  |
| 40.             | <b>3.1.11</b>      | <b>All Veterans</b>   |  |  |

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| 41.             | 1.                 | Ex-gratia payment of \$5,000 – 8,000   | <i>Not accepted.</i>                                   | RNZRSA/EVSA to revisit tax issue and issue of prolonged denial & mistreatment at an opportune time.   |
| 42.             | 2.                 | As for 1. paid to surviving spouse/partner   | <i>Not accepted.</i>                                   | RSA/EVSA to revisit as for 1.   |
| 43.             | <b>3.2.1</b>       | <b>EVSA Youth Development Trust</b>  |  |   |
| 44.             | 1.                 | Assistance for small grants  | <b>Accepted.</b><br><b>See MoU 12</b>                  |   |
| 45.             | 2.                 | EVSA YDT established vehicle   | <b>Accepted.</b><br><b>See MoU 12</b>                  |   |
| 46.             | 3.                 | Govt discuss with EVSA/RSA   | <b>Accepted.</b><br><b>See MoU 12</b>                  |   |
| 47.             | <b>4.</b>          | <b>Improving Services to Viet Nam Veterans</b>                                     |  |   |
| 48.             | <b>4.1.2</b>       | <b>Annual Medical Check</b>  |  |   |
| 49.             | 1.                 | Free annual medical for all Viet Nam veterans                                      | Accepted in part.<br><b>See MoU 17</b>                 | One-off comprehensive medical assessment for any service related conditions including looking particularly for the IOM List conditions (including Associated Conditions). |
| 50.             | 2.                 | First medical for non WDP vets to determine eligibility                            | <b>Accepted.</b><br><b>See MoU 17</b>                  |   |
| 51.             | <b>4.1.3</b>       | <b>National Register</b>   |  |   |
| 52.             | 1.                 | Establish national register of Viet Nam veterans & progeny, incl deceased veterans | <b>Accepted (and expanded).</b><br><b>See MoU 14.1</b> | Register to include veterans, children & spouse/partner. To be made useful for epidemiological research & monitoring veterans & families                                  |
| 53.             | 2.                 | Include/linked to health info incl cause/s of death                                | <b>Accepted.</b><br><b>See MoU 14.2</b>                | See 1.  |
| 54.             | 3.                 | Protocols to encourage registration and provide for effective use of information   | <b>Accepted.</b><br><b>See MoU 14</b>                  | See 1.  |
| 55.             | 4.                 | Similar register for veterans of all conflicts                                     | <b>To include in VANZ Review &amp; Restructure.</b>    |   |
| 56.             | <b>4.1.4</b>       | <b>The Veteran's Card</b>  |  |   |

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| 57.             | 1.                 | Card for all veterans with theatre/s of service   | <b>Accepted.</b><br><b>See MoU 13.1</b>        |  |
| 58.             | 2.                 | Similar card for progeny  | <b>Accepted.</b><br><b>See MoU 13.3</b>        |  |
| 59.             | 3.                 | Purpose to ensure access medical services   | <b>Accepted.</b><br><b>See MoU 13.2</b>        |  |
| 60.             | <b>4.1.5</b>       | <b>Information for Clinicians</b>   |  |  |
| 61.             | 1.                 | VANZ to inform health professionals so veterans & progeny screened & monitored for conditions | <b>Accepted.</b><br><b>See MoU 15.1</b>        |  |
| 62.             | 2.                 | Info on PTSD included   | <b>Accepted.</b><br><b>See MoU 15.2</b>        |  |
| 63.             | 3.                 | Info avail to veterans & progeny  | <b>Accepted.</b><br><b>See MoU 15.1</b>        |  |
| 64.             | 4.                 | Info updated as in 3.1.5  | <b>Accepted.</b><br><b>See MoU 15</b>          |  |
| 65.             | 5.                 | List of conversant health professionals for veterans  | <b>Accepted in principle. (Refer to 4.1.5)</b> | JIG to resolve legal method for this.  |
| 66.             | 6.                 | Discuss with EVSA & RSA improved services for PTSD & especially the Ranfurly initiative       | <b>Accepted.</b><br><b>See MoU 15.3</b>        | Note particularly that All three Veterans Homes to establish mutually supporting “centres of excellence” including for PTSD. |
| 67.             | <b>4.2.4</b>       | <b>Review of VANZ.</b> Independent review of resourcing & structure                           | <b>Accepted.</b><br><b>See MoU 16</b>          |  |
| 68.             | 1.(a)              | VANZ placement  | <b>Accepted.</b><br><b>See MoU 16</b>          |  |
| 69.             | 1.(b)              | Functions & responsibilities  | <b>Accepted.</b><br><b>See MoU 16</b>          |  |
| 70.             | 1.(c)              | One-stop shop for all vets  | <b>Accepted.</b><br><b>See MoU 16</b>          |  |
| 71.             | 1.(d)              | Minimise inter agency costs   | <b>Accepted.</b><br><b>See MoU 16</b>          |  |
| 72.             | 1.(e)              | Minimise delays in approval   | <b>Accepted.</b><br><b>See MoU 16</b>          |  |

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| 73.             | 1.(f)              | Maximise case management benefits  | <b>Accepted.</b><br><b>See MoU 16</b>  |                                |
| 74.             | 1.(g)              | Determine base line funding required   | <b>Accepted.</b><br><b>See MoU 16</b>  |                                |
| 75.             | 2.                 | Pending this review, VANZ to progress removal of bottlenecks in WDP & VP approval processes  | <b>Accepted.</b><br><b>See MoU 16 &amp; 19</b>   | JIG to address                 |
| 76.             | 3.                 | Govt to make a contribution through VANZ to cost of RNZRSA welfare services  | <b>To be included in Review &amp; Restructure of VANZ.</b><br><b>See MoU 16</b>        |                                |
| 77.             | 4.                 | WP Advisory Board role be expanded to advise Minister on range & quality of VANZ services  | <b>To be included in Review &amp; Rewrite of War Pension Act</b><br><b>See MoU 7.3</b> |                                |
| 78.             | 5.                 | Expanded role of WPAB to incl monitoring & reporting to Govt on implementation of Govt decisions from this Report                    | <b>Accepted.</b><br><b>See MoU 19</b>  | JIG to perform this role.      |
| 79.             | 6.                 | If roles of Secretary of War Pensions and Director VANZ not separated then Sec WP NOT to be presiding member of WPAB                 | <b>To be included in Review &amp; Rewrite of War Pension Act</b><br><b>See MoU 7.3</b> |                                |
| 80.             | 4.3                | <b>NZ Viet Nam Veterans in Australia</b>   | <b>To be included in Review &amp; Restructure of VANZ.</b><br><b>See MoU 16</b>        |                                |
| 81.             | 1.                 | VANZ develop info kit for NZ vets in Aust on access to entitlements  | <b>To be included in Review &amp; Restructure of VANZ.</b><br><b>See MoU 16</b>        |                                |
| 82.             | 2.                 | VANZ train Australia-based welfare officers  | <b>To be included in Review &amp; Restructure of VANZ.</b><br><b>See MoU 16</b>        |                                |
| 83.             | 3.                 | VANZ designate case managers specialising in needs of Australia based NZ vets & relate to Aust veterans depts & orgs.                | <b>To be included in Review &amp; Restructure of VANZ.</b><br><b>See MoU 16</b>        |                                |
| 84.             | 4.                 | VANZ streamline processes for pre-approval and reimbursement of med costs for NZ vets in Aust & align with Aust local health systems | <b>To be included in Review &amp; Restructure of VANZ.</b><br><b>See MoU 16</b>        |                                |