



Cabinet

CAB Min (06) 30/3

Minute of Decision

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Minister of Defence
Minister of Veterans' Affairs

Assessment of the Report of the Joint Working Group on the Concerns of Viet Nam Veterans

On 14 August 2006, following reference from the Cabinet Policy Committee (POL), Cabinet:

Background

- 1 **noted** that in responding to the Health Committee in December 2004, the government:
 - 1.1 acknowledged that New Zealand troops who served in Viet Nam were exposed to a toxic environment during their service;
 - 1.2 offered a formal apology to veterans for the failure of governments in the past to recognise that veterans were exposed to a toxic environment during their service in Viet Nam;

[CAB Min (04) 41/1B]
- 2 **noted** that on 15 February 2005 the Ministers of Defence and Veterans' Affairs established a Joint Working Group to consider the concerns of Viet Nam veterans;

- 3 **noted** that the terms of reference for the JWG state that:
- 3.1 the purpose of the JWG is to “recommend to government, for its consideration, a package of actions and procedures to address the health and wellbeing needs of Viet Nam veterans and their families”;
 - 3.2 the chair of the JWG is tasked to report on “what action can be taken to assist in the resolution of the grievances felt by veterans and their families”;
- [CAB Min (05) 28/16];
- 4 **noted** that the report of the Joint Working Group was delivered to the Ministers of Defence and Veterans’ Affairs on 28 April 2006;
- 5 **noted** that on 29 May 2006 the Cabinet Business Committee invited the Ministers of Defence and Veterans’ Affairs to submit a paper to the Cabinet Policy Committee (POL) outlining options for the government’s response to the ‘Report of the Joint Working Group on the Concerns of Viet Nam Veterans’ taking into account fiscal and precedent risks [CBC Min (06) 10/19];

‘Acknowledging the Past’

- 6 **agreed in principle, subject to** the provision of costed proposals and approval by Cabinet following the report referred to in paragraph 12, to the following package of responses to the Joint Working Group’s recommendations under the title ‘Acknowledging the Past’:
- 6.1 a formal government apology and acknowledgement;
 - 6.2 that government sets aside, as a basis for future policy, the Reeves and McLeod reports;
 - 6.3 a public statement by the New Zealand Defence Force;
 - 6.4 that the New Zealand Defence Force formally acknowledge and welcome back the surviving New Zealand veterans of the Viet Nam War;
 - 6.5 the recording of Viet Nam stories for the Ministry of Culture and Heritage oral history project;
 - 6.6 the acceptance of combat related South Vietnamese gallantry awards;
- 7 **noted** that the following JWG recommendations are not proposed:
- 7.1 a further campaign medal for Viet Nam;
 - 7.2 the “South Viet Nam” Theatre Honour;

'Putting things Right'

- 8 **agreed in principle, subject to** the provision of costed proposals and approval by Cabinet following the report referred to in paragraph 12, to the following package of responses to the Joint Working Group's recommendations under the title 'Putting things Right':
- 8.1 the use of the Institute of Medicine of the United States National Academy of Sciences lists of medical conditions;
 - 8.2 provision of *ex gratia* lump sum disability payments for veterans with conditions on the Institute of Medicine of the United States National Academy of Sciences 'sufficient evidence of an association' list;
 - 8.3 payment of a 160% War Disablement Pension to veterans with terminal illness and the use of a presumptive list as the basis for automatic eligibility for a War Disablement Pension;
 - 8.4 provision of *ex gratia* lump sum payment to surviving spouses or partners of Viet Nam veterans who died of conditions on the Institute of Medicine of the United States National Academy of Sciences 'sufficient evidence of an association' list;
 - 8.5 provision of an *ex-gratia* lump sum payment to the children of Viet Nam veterans if the child has one of the five currently accepted conditions;
 - 8.6 examination of other ways to improve the provision of services to the children of Viet Nam veterans;
 - 8.7 the maintenance of a national register of the grandchildren of Viet Nam veterans, noting that if scientific evidence shows a link between exposure to dioxins and medical conditions, the Crown would be able to act according to the precedent set for the children of veterans;
 - 8.8 commitment to ensuring that relevant research is incorporated into policies for the descendants of Viet Nam veterans;
 - 8.9 contribution to the Ex-Vietnam Services Association Youth Development Trust;
- 9 **noted** that the following JWG recommendations are not proposed:
- 9.1 review of the eligibility criteria for surviving spouse and partners' pensions;
 - 9.2 a lump sum historic tax repayment for all Viet Nam veterans;

'Improving Services to Viet Nam Veterans'

- 10 **agreed in principle, subject to** the provision of costed proposals and approval by Cabinet following the report referred to in paragraph 12, to the following package of responses to the Joint Working Group's recommendations under the title 'Improving Services to Viet Nam Veterans':
- 10.1 the establishment of a national register of Viet Nam veterans;

- 10.2 the establishment of a Veterans Card;
 - 10.3 the provision of information for clinicians;
 - 10.4 a review of the delivery of services to veterans;
 - 10.5 a review of services to New Zealand Viet Nam veterans living in Australia;
- 11 **noted** that the following JWG recommendations are not proposed:
- 11.1 annual medical check;
 - 11.2 Veterans card for children of Viet Nam veterans;

Next steps

- 12 **directed** officials to report to POL as soon as possible on the implementation and costs of the package of actions and procedures agreed in principle in paragraphs 6 to 11;
- 13 **noted** that following Cabinet approval in principle of the above proposals, the Minister of Defence and the Minister of Veterans' Affairs will consult further with veterans' representatives on the JWG and will report to Cabinet following this;
- 14 **noted** that the Minister of Defence and the Minister of Veterans' Affairs will consult government caucuses and other parties represented in Parliament.

Secretary of the Cabinet

Reference: CAB (06) 324; POL Min (06) 16/8