



Cabinet Policy Committee

POL Min (06) 21/15

Copy No:

Minute of Decision

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Additional Measures For Proposed Response To Joint Working Group Report

On 11 October 2006, the Cabinet Policy Committee (POL), having been authorised by Cabinet to have Power to Act [CAB Min (06) 37/12]:

Background

- 1 **noted** the contents of the paper tabled by the Minister of Defence entitled *Additional Measures for Proposed Response to JWG Report* and his briefing on it;
- 2 **noted** that on 15 February 2005 the Minister of Defence and the Minister of Veterans' Affairs established a Joint Working Group (JWG) to make recommendations to government regarding the grievances felt by Viet Nam veterans and their families;
- 3 **noted** that on 14 August 2006 Cabinet approved in principle a series of measures in response to the JWG report and noted that the Minister of Defence and the Minister of Veterans' Affairs would discuss the proposed package with veterans' representatives [CAB Min (06) 30/3];
- 4 **noted** that there is a small number of measures requiring further negotiation before finalisation of the proposed package;

Theatre Honours

- 5 **noted** that the Chief of Defence Force has established a review panel to examine the criteria relating to the JWG's recommendation regarding Theatre Honours;

Campaign Medal

- 6 **noted** that the RSA is preparing a further submission for the Chief of Defence Force's consideration regarding the award of a further campaign medal;

Small Grants Fund

- 7 **agreed** that the sum of \$2.5 million be allocated for a specially created joint fund to allow the Ex-Vietnam Services Association (EVSA) and the Returned and Services Association (RSA) to make discretionary payments to cover cases such as children or grandchildren of veterans who do not fit into any officially-recognised medical categories;

Medical Checks

- 8 **agreed** that the government fund a comprehensive initial medical assessment for Viet Nam veterans in order to ascertain their eligibility for a War Disablement Pension;

Respiratory and Prostate Cancer

- 9 **noted** that the JWG recommended that Viet Nam veterans already, or in the future, diagnosed with one or more of a list of “prescribed conditions” should be given an ex gratia payment of \$40,000 and automatic war pension entitlement at the maximum rate, backdated to the date of diagnosis;
- 10 noted that on 14 August 2006 Cabinet agreed in principle, subject to the provision of costed proposals and approval by Cabinet, that:
- 10.1 Viet Nam veterans diagnosed with a condition on the Institute of Medicine “sufficient evidence of an association” list being granted an ex gratia payment of \$40,000;
- 10.2 the payment of a 160% war pension to veterans with terminal conditions and the use of a presumptive list as the basis for automatic eligibility for a war disablement pension;

[CAB Min (06) 30/3]

- 11 **noted** that the RSA and EVSA have indicated their dissatisfaction with the government's proposals in response to this JWG recommendation;
- 12 **noted** that the acceptance of the JWG’s recommendations regarding the inclusion of respiratory and prostate cancers have not been recommended because they are not consistent with accepted medical science and would create undue precedent in New Zealand and internationally, but that this is central to the RSA’s claim as a basis for an acceptable settlement;

Financial implications

- 13 **noted** that in light of the response from the RSA/EVSA to the current package of measures for Viet Nam veterans, it would be desirable to provide an additional sum to be added to the already negotiated measures, with the use of this sum to be negotiated between the government and the veterans;
- 14 **agreed** that the Minister of Defence and Minister of Veterans’ Affairs negotiate a compensation package for Viet Nam veterans’ representatives within a fiscal cap to be determined;

Next steps

- 15 **invited** the Minister of Defence and Minister of Veterans’ Affairs to report back to the Cabinet Policy Committee on progress with the negotiations by 30 November 2006;

16 **noted** that the Minister of Defence indicates that consultation is not required with the government caucuses or other parties represented in Parliament.

Secretary

Reference: Paper tabled by the Minister of Defence entitled:
Additional Measures for Proposed Response to JWG Report

Present:

Rt Hon Helen Clark (Chair)
Hon Dr Michael Cullen
Hon Jim Anderton
Hon Steve Maharey
Hon Phil Goff
Hon Annette King
Hon Trevor Mallard
Hon Parekura Horomia (part of item)
Hon Mark Burton
Hon Rick Barker
Hon David Benson-Pope
Hon David Parker
Hon Clayton Cosgrove

Officials present from:

Office of the Prime Minister
Department of the Prime Minister and Cabinet