



VICE CHIEF OF THE DEFENCE FORCE GROUP
Military Strategic Commitments Division

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Mr Paul Copeland
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Dear Mr Copeland

Thank you for your letter of 7 April 2011 to the Minister for Defence Science and Personnel, the Hon Warren Snowdon MP, in which you sought an update of the earlier request to have the nature of service of Operation ASTUTE reclassified from non-warlike to warlike for the period 12 May 2006 to 22 May 2008. As matters concerning the reclassification of the Nature of Service of Australian Defence Force operations fall within my responsibilities, the Minister for Defence Science and Personnel has authorised me to respond to your submission.

You originally made this submission, on behalf of the Australian Peacekeeper and Peacemaker Veterans' Association (APPVA), in March 2009. On 10 May 2011 the Parliamentary Secretary for Defence, Senator the Hon David Feeney, informed you that research into the reclassification of Operation ASTUTE was continuing. The purpose of this letter is to provide you with the results of this research.

Following receipt of your 2009 submission the Nature of Service Branch began an exhaustive review of the circumstances of Operation ASTUTE and the service of all ADF personnel involved in the operation. In the meantime, on 12 May 2010 the then Prime Minister, the Hon Kevin Rudd MP, directed that Ministerial Submissions seeking a reclassification of the Nature of Service (NOS) for past operations be considered by an inter-departmental process prior to consideration by the Expenditure Review Committee of Cabinet. The establishment and conduct of this process has caused further delays in considering your submission.

Notwithstanding these contributing factors, I very much regret the delay in responding to your representation.

It is Government policy to review all submissions seeking a review of a Nature of Service classification in the context of the legislation and policies that applied at the time of the operation under review. Consequently, service on Operation ASTUTE during the period 12 May 2006 to 22 May 2008 has been reviewed in relation to the repatriation legislation that was in force at the time, being the *Veterans' Entitlements Act 1986 (VEA)* and the *Military Rehabilitation and Compensation Act 2004 (MRCA)*.

In May 1993 Cabinet established a 'conditions of service' framework for ADF personnel deployed overseas and agreed to the terms 'warlike' and 'non-warlike' operations based on the level of force authorized for use and the associated risks expressed as the likelihood of casualties.