

## Terry Fogarty

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**From:** Terry Fogarty [terry.fogarty5@gmail.com]  
**Sent:** Wednesday, 5 August 2009 9:29 PM  
**To:** milcomp.review@dva.gov.au  
**Cc:** 'Bob Richards'  
**Subject:** RE: Submission to the Review of Military Compensation Arrangements [TOBECLASSIFIED] [SEC=UNCLASSIFIED]  
**Attachments:** 20090805 TF Reply to email.docx; Substitute for web pages.docx

Your email raises some very serious issues:

1. Government policy
2. Slander

I've dealt with those issues in the attached file "20090805 TF Reply to email.docx". As your statement in respect of government policy is obviously incorrect there is no justification for your not accepting the web site as the submission.

As a precaution I have included the file "Substitute for web pages.docx" which is a copy of the web pages.

Action that I consider should be taken includes:

1. Publishing the computer code used in decision making. As this would be fairly large a "pdf" file (or files) on the DVA web site would be adequate.
2. A genuinely independent review of whether the legislation and appropriate precedents are being correctly applied and whether procedural matters are legally correct. Only persons of the calibre of retired Federal Court Justice Peter Heerey or retired High Court Justice Michael Kirby should be considered. No person linked to the bureaucracy should be considered.
3. The issue of determining the diagnosis by using VEA Sec 120(4) ahead of the consideration of the reasonable hypothesis should be referred to the High Court for its determination as a matter of urgency. Given that five out of five cases concerning the VEA have been lost by the Repatriation Commission accepting a Federal Court decision in this matter is analogous to accepting that the leading horse past the post the first time around in the Melbourne Cup is the winner.
4. A genuinely independent method of checking for and prosecuting breaches of the Criminal Code (and other legislation) should be established.
5. All decisions unfavourable to the veteran involving Writeway or determined using a computer program should be immediately declared "ultra vires".

**Terry Fogarty**  
**16 Mann Avenue**  
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**Australia**  
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**Mobile: 0419 668 197**

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Alternative Email: [Terence.fogarty2@three.com.au](mailto:Terence.fogarty2@three.com.au)

Web: <http://amvif.com/>

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**From:** DVA Military Compensation Review [mailto:milcomp.review@dva.gov.au]  
**Sent:** Tuesday, 28 July 2009 10:06 AM  
**To:** Terry Fogarty  
**Subject:** RE: Submission to the Review of Military Compensation Arrangements [TOBECLASSIFIED]  
[SEC=UNCLASSIFIED]

Dear Mr Fogarty

Thank you for your correspondence.

Your submission in its current form cannot be accepted by the Review of Military Compensation Arrangements as it is against Government policy to provide links on Departmental websites to the personal home pages of individuals. Furthermore we cannot accept submissions which in any way slander third parties.

You may choose to resubmit in a different format. This can be done electronically by sending your submission in its entirety within the body of an email, word document or PDF file. Alternatively, you may send your submission by post to the Review mailbox:

Military Compensation Review  
PO Box 895  
Woden ACT 2606

When writing your submission, it is important to state clearly what the issue is you are writing about and what outcome you are seeking in relation to that issue. Please also include any evidence or arguments you wish to put forward in relation to that issue.

We can extend the deadline for your submission to Tuesday 11 August 2009.

Kind regards,

Review Secretariat  
Review of Military Compensation Arrangements

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**From:** Terry Fogarty [mailto:terry.fogarty5@gmail.com]  
**Sent:** Monday, June 29, 2009 9:30 AM  
**To:** DVA Military Compensation Review  
**Subject:** Submission to the Review of Military Compensation Arrangements [TO BE CLASSIFIED]

This is my submission to the Review of Military Compensation Arrangements. In accordance with your wishes that you prefer electronic lodgement I have prepared my submission as a self contained web site within my web site.

The hyperlink is: <http://amvif.com/government/Review/Review.htm>

Another, perhaps easier, way to locate it is to use the hyperlink below my signature:  
<http://amvif.com/>

The hyperlink below is prominent near the top of the web page and will take you to the review site.

**[My Submission to: REVIEW OF MILITARY COMPENSATION ARRANGEMENTS](#)**

I, Terence Fogarty  
Of:  
16 Mann Avenue  
Northgate, Brisbane, Qld 4013

hereby grant permission to the Department of Veterans' Affairs and the Minister for Veterans' Affairs to publish my submission to the Review of Military Compensation Arrangements.

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Alternative Email: [Terence.fogarty2@three.com.au](mailto:Terence.fogarty2@three.com.au)

Web: <http://amvif.com/>

## How to lodge a submission

The Review Secretariat **prefers electronic lodgement** of submissions where possible. However, submissions may also be lodged by post. All submissions should be accompanied by a completed form stating whether or not the person making the submission grants permission for it to be published by DVA or the Minister for Veterans' Affairs.

### Electronic lodgement

Electronic submissions should be emailed to:

<mailto:milcomp.review@dva.gov.au>

Submissions should include a name, address and contact number. These details will be used for identification purposes only and will not be published unless specifically requested by the individual making the submission.

Permission for electronic submissions may be provided simply by choosing **one** of the following options and including it in your email:

I [Name] of [Address] hereby grant permission to the Department of Veterans' Affairs and the Minister for Veterans' Affairs to publish my submission to the Review of Military Compensation Arrangements.

Phone:

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**Australia**

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**IMPORTANT**

1. Before opening any attachments, please check for viruses.
2. This e-mail (including any attachments) may contain confidential information for the intended recipient. If you are not the intended recipient, please contact the sender and delete all copies of this email.
3. Any views expressed in this e-mail are those of the sender and are not a statement of Australian Government Policy unless otherwise stated.
4. Electronic addresses published in this email are not conspicuous publications and DVA does not consent to the receipt of commercial electronic messages.
5. Please go to <http://www.dva.gov.au/feedback.htm#sub> to unsubscribe emails of this type from DVA.
6. Finally, please do not remove this notice.