

Jane Favretto

From: White, Frank <REDACTED>
Sent: Wednesday, 7 October 2015 3:46 PM
To: Jane Favretto
Subject: RE: Defence Abuse Claims: Treatment lists for Category As and Payback assessment for Mr Greaves [HDY-SYD.FID532417] [TO BE CLASSIFIED] [DLM=For-Official-Use-Only]

Dear Jane,

Apologies for the delay in responding. I have managed to obtain a little more information in relation to these questions, but have been unable to clarify every aspect.

The reason REDACTED and REDACTED did not have treatment lists is that these gentlemen both hold a Repatriation White Card, which only entitles them to receive treatment in relation to their accepted disabilities. As neither of these gentlemen has a mental health condition as an accepted disability, no treatment lists were available in relation to their White Cards.

Unfortunately I was not able to obtain any further information about why treatment lists were not provided for Messrs CJA REDACTED and REDACTED. However, the guiding principle in s 93 of the *Veterans' Entitlements Act 1986* (Cth) is that if a claimant obtains compensation for a condition through either a settlement or award of damages, the Department will seek to recover the treatment costs which it has outlaid in respect of that condition. This should prompt the claimants to consider whether they have obtained treatment for any condition for which they now seek compensation, and factor this in to their decision-making. If a claimant obtains compensation, they should notify the Department because at this point the Department will perform calculations to determine the amount, if any, which would be recoverable under s 93.

I was similarly unable to obtain any additional information in relation to Mr Greaves.

I'm sorry I wasn't able to be of greater assistance.

Regards

Frank White
 Tel: REDACTED

From: Jane Favretto [mailto:REDACTED]
Sent: Friday, 18 September 2015 11:15 AM
To: White, Frank <REDACTED>
Subject: Defence Abuse Claims: Treatment lists for Category As and Payback assessment for Mr Greaves [HDY-SYD.FID532417] [TO BE CLASSIFIED]

Dear Frank,

I refer to our telephone conversation on 1 September 2015.

I was wondering if you have been able to clarify why lists of treatment expenses were not provided for Category A claimants REDACTED, REDACTED and REDACTED, and if you have been able to obtain finalisation of Mr Greaves' payback assessment?

Please let me know if it appears you will not be able to clarify / obtain this information given the change we discussed on 1 September 2015, and we will communicate this to Shine.



Regards,

Jane

Jane Favretto
Lawyer

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