

Mrs Joy Coles
107 Beach Road
Batehaven. NSW 2536
4 July 2003

The Deputy Registrar
Mr Peter Stirk
Administrative Appeals Tribunal
Level 4, Cwth Law Courts
Tank St & Nth Quay
GPO Box 9955, Brisbane 4001

Dear Mr Stirk

RE: War Widow's Application No. Q2002/960

I write to say I am not proceeding with this application. I don't for a minute resile from my belief that I have a just claim, but there is no point in proceeding without an experienced lawyer to represent me.

I feel I must protest against a system that denies me a fair go. A lot of nonsense has been written or said by people from the Department of Veterans' Affairs and the Veterans' Review Board. They have sought to undermine my claim by focussing on side issues, including in particular the fact that I was receiving a single rate old age pension. Also that my husband and I did not share joint bank accounts and addresses.

I ask these people what was I supposed to do? My husband returned from the war a damaged man, damaged both emotionally and psychologically. He was undoubtedly a brave man who had fought on the front line in several theatres of war. However, he always carried with him a strong sense of grievance and aggression, and he could flip unpredictably from laughter to physical violence in the space of a few seconds. He threatened to shoot a potential witness in our divorce case, our GP, Dr John Yuen. I have no doubt he was mentally unbalanced – Dr Yuen said he suffered from manic-depressive disorder, but I believe these days it would be called post traumatic stress disorder.

Generally speaking my husband had very little insight into his condition but just before his death he told his brother and sisters that all the trouble between him and me was because he had always been a "bastard" in the way he treated me. In the course of this claim I have also discovered that in July 1976 he lodged an informal claim with the Repatriation Department for "nervous disorder": the claim was ignored and Don either didn't have the "nouse" or was too ashamed to follow it up (this was long before PTSD was a well-recognised outcome of war service). Elsewhere in his department file Don refers to bad dreams arising from his war experiences.

Don's mental condition progressively worsened during our marriage until he became impossible to live with. I tried separation several times but divorce was the only way in which I could preserve my health and sanity, and continue the relationship. The divorce gave me breathing space from him and saved our marriage from complete breakdown. Without the divorce I would've become a physical and nervous wreck – I was already taking valium for a couple of

years beforehand.

After we sold our home Don had a series of flats which functioned essentially as mailbox addresses for Veterans' Affairs. I sometimes stayed with him at these places, but mostly Don stayed with me. However, he no longer felt obliged to share our expenses, and I was forced to support him from my savings. As a result, years later I was forced to sell my home and move into a caravan park.

I ask again, what was I supposed to do? I never gave it a thought at the time, but I'm certain now that if DSS had discovered the time we spent under the same roof, they would have re-classified our relationship as marriage-like regardless of separate bank accounts and the other criteria that have been used against me. But when Veterans' Affairs and the VRB look at the same circumstances, they decide that the relationship was not marriage-like! I cannot help but think the system is designed to minimise pensions in whatever way it can, using the legislation as convenient.

There was only ever Don and I. Neither of us formed a relationship with anyone else. I feel bitter that the arrangements post-divorce that enabled our marriage to survive are now being used to knock my claim for war widow's pension over at the first hurdle.

I don't believe I have been given a fair go.

Yours sincerely

Joy Coles