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(HANSARD)

Second Session, Fortieth Parliament, 1983

HOUSE OF REPRESENTATIVES

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now the Treasurer in the new Government in Canberra—to visit New Zealand under the Australian visitors' fund. Mr Keating received further briefing on closer economic relations from New Zealand's point of view, as did Senator Walsh and Mr Dawkins, who were members of the last parliamentary delegation to visit New Zealand. Senator Walsh is the new Minister for Resources and Energy, and Mr Dawkins is the new Minister for Finance. Mr Kerin was also nominated under the Australian visitors' fund to visit New Zealand before the election. Now he is Minister for Primary Industry in the new Government and he has accepted an invitation to visit New Zealand later in the year, possibly in July. The generally bipartisan approach taken to closer economic relations by the Australian Parliament no doubt reflects to some extent the work of the New Zealand representatives in Australia, as it reflects the fact that the new agreement is clearly in the national interests of both countries.

Mr Moore: The closer economic relations agreement having only recently been signed, what was the date of the last briefing given to Australian Labour members of Parliament before the election?

Hon. W. E. COOPER: I do not have the dates of the briefings. I do not know if the House will be particularly interested, but it would be no problem to get the dates and give them to the member. All I can say is that one of the first actions of the newly elected Australian Government was to endorse the closer economic relations agreement. It will be good for both countries.

Hon. P. I. Wilkinson: Is the fact that the new Labour Government took such a little time to come to its decision an indication that it was very well briefed?

Hon. W. E. COOPER: Yes, there is no doubt whatsoever about that. It is apparent that the person who should have been briefed is the Labour member for Papanui.

Mr Moore: Could it also be taken that the reason the Australians were so ready to sign the agreement was that it is better for Australia than for New Zealand?

Hon. W. E. COOPER: There have been reports to the 3 200 000 people in New Zealand that 15 000 000 people in Australia are concerned that New Zealand is getting a very good deal, and that it may be easier for New Zealanders to get the benefits.

Home Births

18. **Dr BASSETT** (Te Atatu) to the **Minister of Health**: In the light of recent comments from groups interested in home births, what steps is he taking to increase the availability of domiciliary midwives?

Hon. M. L. WELLINGTON (Acting Minister of Health): Last year a board of health committee issued a report entitled *The Mother and Baby at Home: the Early Days*. In particular, home births was one of the issues discussed. I understand that a recommendation in respect of that is being assessed.

Dr Bassett: Is it correct, as reported in the *Auckland Star* last Saturday night, that the Minister recently refused to allow a 17 percent increase in the very low salaries at present payable to domiciliary midwives, despite approval having already been given by the Department of Trade and Industry; and, if that is correct, is it not likely to increase the shortage of domiciliary midwives as they seek employment in other spheres?

Hon. M. L. WELLINGTON: I cannot confirm the authenticity of some article in the *Auckland Star*.

VIETNAM WAR VETERANS' HEALTH (INVESTIGATION) BILL

Introduction

Mr SPEAKER: This Bill involves an appropriation.

Mr BRAYBROOKE (Napier): I move, *That leave be given to introduce the Vietnam War Veterans' Health (Investigation) Bill*. The object of the Bill is to institute an Act that would allow the Government to set up a commission of inquiry to investigate the extent of damage that may have been caused to the health of New Zealand servicemen by the use of herbicides and other chemicals during the Vietnam war. The Bill comes before the House this afternoon because there has been an unexplained procrastination on the part of the Government. I have been a member of the House for only about 16 months, and during that time I have put at least three questions to the Minister of Health and to the Minister of Defence asking them whether they are prepared to consider following the example of other allied nations whose troops served in Vietnam by setting up a commission of inquiry. The

answer on each occasion has been an unqualified no. However, in one answer there was a promise to study overseas results.

When Government members speak on the Bill I should be very happy if they could tell the House what progress has been made, because that is one of the burning questions asked by ex-servicemen who served in Vietnam. There is a long history of controversy over the issue. It is an issue that will not go away. It is a controversy not only in New Zealand but also in Australia and in the United States—countries that contributed forces to the war in Vietnam. It is the first time there has been such a controversy, and I believe that is because the Vietnam war was like no other war in that vast amounts of chemicals and herbicides were dumped upon that unfortunate country. I have studied the problem, and know from a report submitted to the United States Congress that more than 19 000 000 gallons of herbicide were dumped on Vietnam during the conflict.

There is a definite link between exposure to a variety of chemicals and the onset of many medical complaints. I shall read to the House an extract from a report to Congress in 1974 by the United States Academy of Sciences: "That the military use of herbicides in South Vietnam had effects on people is undeniable. The chemicals in particular have scientifically proved to be highly toxic, with carcinogenic and teratogenic effects on humans. One of the principal herbicides used during that time was one that has become popularly known as Agent Orange, and it is unquestionably proven that Agent Orange contained a chemical known as dioxin." Dioxin is one of the most powerful poisons known to man. My research has discovered that it is about 10 times more lethal than cyanide. One drop of diluted dioxin mist falling on the bare skin may cause a skin disease for more than 15 years. Very often, the effects of dioxin take a long time to show up. In fact, medical evidence is now coming forward in the United States to suggest that it takes up to 10 years or more to show up. The strange thing is that it does not affect every person who is exposed to it.

American medical evidence submitted to Congress has shown that dioxin accumulates in the body rather in the same way as DDT. While in some instances there are immediate reactions such as skin rashes, fatigue, and emotional distress, it has been proved that dioxin is able to remain relatively inactive for years. It can be stored in the liver and in other fatty tissues of the body. The severe onset of dioxin poisoning often takes place only after weight loss, and that is sometimes occasioned by other illnesses. A simple and often unrelated illness may have the potential gradually to activate the dioxin in the body. Evidence given in the 1978 congressional hearing in Washington strongly suggests that dioxin may be the cause of such other diseases as cancer. In Australia and in the United States medical evidence has been given that exposure to herbicides such as Agent Orange causes chloracne. I have seen a case of chloracne. A former Vietnam veteran in the Napier Hospital is covered from head to foot with this hideous skin disease.

Medical evidence presented to the United States authorities shows that Agent Orange causes fatigue, nervousness, numbness in the extremities, vision impediments, hearing loss, birth defects in offspring, reduced libido, miscarriages, impotence, respiratory problems, and various cancers. I am not a doctor, nor am I a scientist; I am a very new politician. However, I do not believe that this question should be settled by politicians. New Zealand has a very fine Medical Association and one of the world's finest scientists. I am not being patronising when I say that. I trust them. The New Zealand troops, who served New Zealand well, were exposed to a then unknown risk by the use of Agent Orange. They were told, as I was, that it was harmless. I strongly suggest to the House that the various allegations made prove that claim to be false. The House should urgently institute a commission of inquiry. The reasons for that are strong and clear. Vietnam war veterans must learn from a non-political and impeccable source whether or not they have been adversely affected by exposure to dioxin or other herbicides used in Vietnam.

Members have often quarrelled and differed in the House in the past, and I suppose we will do so again, but as representatives of the people we have a duty to ex-servicemen. The House has never failed to carry out its duties and obligations to our former servicemen. The commission of inquiry should be set up urgently so that it may correlate and analyse the facts, educate Vietnam veterans and their families about the classical symptoms of exposure, require any clinical or specialist examinations to prove or disprove whether exposure to Agent Orange is the cause of ill health, and decide whether veterans and their families need assistance or counselling as a result of their exposure to Agent Orange and similar

herbicides. Not only have there been reported physical problems; there have also been reported psychological problems. It is probably the psychological problems that are the hardest to prove. No politician can prove that. Only doctors and scientists are competent to prove it one way or the other. That is one of the reasons I am bringing the Bill before the House.

There is overwhelming proof that New Zealand troops in Vietnam were exposed to Agent Orange. Thousands of gallons of Agent Orange and other similar herbicides were poured over the Phuoc-Tuy province where most of the 3000 New Zealand servicemen or so were stationed. I had the privilege of serving with the New Zealand medical services team in the Binh Dinh province, and I served at a dispensary in a small town called Bong-Song. I am probably the only member who has actually seen Agent Orange used. Our American allies told us at the time that Agent Orange was harmless, and I must admit that I believed them. Probably the military authorities also believed that to be a fact. I have seen Agent Orange spread on the roadside both by trucks and by aircraft. Within a very short time we were calling it the old brown syndrome. It affected all trees and all vegetation, which rotted like fungi within a very short time. One does not need much imagination to realise what Agent Orange could do to human beings.

This Bill has only four clauses. It seeks justice—not only that justice be done, but that it be seen to be done. The controversy will rage until a commission of inquiry is set up. Former servicemen will consider that justice has been denied to them, and the longer the matter is left the worse it will become. The Minister has a distinguished war record—nobody doubts that. I do not doubt his integrity, but I ask him, as one old soldier to another, not to abandon his very high principles, and to remember that the second world war and subsequent wars were not the same as the war in Vietnam. More psychological and medical problems have resulted from the Vietnam war than from all the other wars put together. I served with the New Zealand Army in Malaysia, and in Malaya with my colleagues of the original first battalion. No disease, either medical or psychological, has been reported by, or has been of concern to, the members of that original battalion.

Hon. M. L. Wellington: What's the Labour Party's defence policy?

Mr BRAYBROOKE: The Minister of Education might ask that question, but it has nothing to do with the Bill. It is a pity he did not serve in the Army; it is a pity he is not a former serviceman; it is a pity he seeks to ridicule a Bill that should be above politics.

Hon. M. L. Wellington: I raise a point of order, Mr Speaker. [*Interruption.*]

Mr SPEAKER: Order! A point of order is being raised. I want to hear it without interruption.

Hon. M. L. Wellington: Quite simply, the member has misinterpreted the nature of my remarks. I was asking, by way of interjection, about the Labour Party's defence policy. It is well known that it is in a shambles, but I think the matter is relevant to a debate of this kind.

Mr SPEAKER: Order! That is not a point of order; it is a matter of debate. Interjections, when they are relevant, and the comments that members make on interjections, are part of the cut and thrust of debate.

Mr BRAYBROOKE: Thank you, Mr Speaker. I will give the House the Labour Party's policy on Agent Orange. I sincerely hope that when a Labour Government takes office next year—and I shall press for this in my party—it will follow the Australian Labour Government and set up a commission of inquiry to investigate all aspects of Agent Orange. I sincerely hope, however, that this matter will have been cleared up by then, and that the Government will have taken some initiative. Clause 3 deals with the composition of the commission. I do not mind if the Government wants to change that clause in the select committee. It may do so. It is included as a guide. Full representation on the commission is essential, and one person should represent the Vietnam War Agent Orange Victims Association. Clause 4, which deals with the powers and procedures of a commission, is simple in that, although it may come under the Commissions of Inquiry Act 1908, there should also be power to compensate people who give evidence. We look forward to the introduction by the Minister of Justice of an amendment to that Act in the not too distant future.

In conclusion, this is a moral issue. I assure Government members that this is not a political Bill; it is a moral issue, because justice deferred is justice denied. We have a right, a duty, and an obligation to my former colleagues who served in Vietnam to ascertain once

and for all whether or not the alleged medical problems that afflict them were caused on active service as a result of exposure to the herbicide Agent Orange, and others.

Rt. Hon. DAVID THOMSON (Minister of Defence): The Government has always adopted a careful and responsible approach to the assertions—and they are no more than that—that service in Vietnam was the cause of birth defects in children fathered by Vietnam veterans. The sorrow and bewilderment of those fathers is well understood, and I sympathise with it, but the fact is that the work done so far indicates quite clearly that there is no causal relationship between Agent Orange and birth defects in the children of those men. The member for Napier spoke with sincerity, and called the issue a moral one. Therefore, I hope that he will not raise false hopes by going on with the Bill, which is based on false premises, but that he might seek the leave of the House, under Standing Order 110, to withdraw it.

The preamble of the Bill states that there is evidence that dioxin and phenoxy herbicides used in defoliants may have damaged the health of military personnel from other nations. There is no reliable scientific evidence to support that claim. We have been following constantly, and publicly declaring our interest in, overseas inquiries. In November 1982, the United States Veterans Administration released a review on Agent Orange. That review included the statement: "At present the best available scientific evidence fails to indicate that exposure to Agent Orange or other herbicides used in Vietnam has caused any long-term health problems for veterans or their children." Secondly, the Australian Senate Standing Committee on Science and the Environment released a lengthy report in November 1982. Among its conclusions that report stated: "The committee concludes that at present there is no convincing evidence that the rates of birth abnormalities, psychiatric disorders, and mortality are excessive amongst Vietnam veterans."

Thirdly, an Australian report to the Minister for Veterans' Affairs, *A Case Control Study of Congenital Anomalies and Vietnam Service (Birth Defects Study)*, published in January 1983—and which has just come to my hand—concluded that there is no evidence that army service in Vietnam has increased the risk of the birth of a child with an anomaly. I am delighted that that is so, because at least it puts away the false hope that many such fathers hold—that their service in Vietnam might be the cause of their babes' abnormality. False hope is tragic. I hope that the member will share my view, and, as I suggest, seek the leave of the House to withdraw his Bill. With that information in their ears I think that any members who support the Bill could well find themselves charged with seeking to make political profit out of the personal sorrows of some of our distinguished servicemen who served this country well in Vietnam. I hope that no member will support the Bill's going forward.

The Government has been much concerned, since 1980 when these assertions first arose, to seek all the information it could. The assertions were made in a genuine belief and out of the agony of parents, so the Government approached the task responsibily. In 1980 the War Pensions Medical Research Trust Board, of which I am chairman, considered the matter of making funds available so that a research project could be mounted in New Zealand on the effects on ex-servicemen of chemicals used in Vietnam. The board decided on good grounds—mainly the limitation of numbers and the inability to get a properly controlled scientific study carried out—that it could not be done adequately in New Zealand. However, the board is financing research into an epidemiological study of agricultural chemicals. That is not strictly related, although the components of Agent Orange—a term that came from the fact that the drums containing the compound were painted orange—are commonly used. I am referring here to agricultural herbicides—245T and 24D, in which I, and many other farmers in New Zealand, have been drenched.

Mr Lange: Well, the farmers in New Zealand!

Rt. Hon. DAVID THOMSON: The Leader of the Opposition mocks. I am glad to say that the member for Napier does not mock. I know that the member for Napier will be most concerned to ensure that false hopes do not continue. As I have said again and again over the years, the Government intends to continue to monitor closely the progress made overseas in research studies. The biggest study, known as "Ranch Hand", is being carried out by the United States Veterans Administration. As the member for Napier knows well, and, I think, would readily say, the United States had far more men in Vietnam than either Australia or New Zealand had, and, therefore, far more Americans were likely to be drenched with Agent Orange. Those who were filling the planes and those who were flying them often got

absolutely saturated in it. While the studies continue, the Government will follow the progress that is made.

The other aspect of the Bill is the suggestion that such a commission should examine the adequacy of the War Pensions Act, and the member referred to the 1908 Act. I must point out that ex-servicemen who have disabilities arising from service in Vietnam are already well covered under the War Pensions Act. The War Pensions Board needs only to be satisfied that a disability occurred or arose in Vietnam. The cause of disability is not a factor. Free medical treatment is provided for any disability for which a war pension is granted. One might ask why the new Australian Government has decided—after the result of that independently scientific study—to go ahead and set up a commission in Australia. I can say only that promises, which do not necessarily have any logical justification, are made on the hustings by Oppositions seeking power.

Mr O'Flynn: Why did they do it in the United States?

Rt. Hon. DAVID THOMSON: It was done for the simple reason that many servicemen from the United States served in Vietnam.

Mr Lange: And Australia?

Rt. Hon. DAVID THOMSON: A commission was set up in Australia because far more Australian servicemen than New Zealand servicemen were in Vietnam, and Australia was able to carry out a properly controlled study.

Mr Lange: Ahhhhhh!

Rt. Hon. DAVID THOMSON: I have a report here, and I do not want to be interrupted by cynical and disinterested Opposition members. I would far rather respond to the member for Napier, who at least cares, as I do, about Vietnam veterans. Some Opposition members just want to make a political profit out of the matter. In the Australian independent scientific study the scientists were clearly satisfied that the sample was large enough to enable the study to meet its aims. In New Zealand we did not have a sufficiently large sample. The summary of the study stated: "The important finding from the study is that 127 of the fathers of children with anomalies were non-veterans, whilst 123 veterans were amongst the fathers of healthy children. This indicates there is no evidence that army service in Vietnam relates to the risk of fathering a child with an anomaly." It was also stated at the end of the summary: "It was concluded that there should be considerable confidence in the validity of the findings. There is no evidence that army service in Vietnam has increased the risk of the birth of a child with an anomaly."

I did not just accept the report when it came into my hands a few days ago. I gave instructions to the effect that official advisers from the Ministry of Defence, the Department of Health, and the war pensions division of the Department of Social Welfare should study the report and obtain the opinions of our scientists as to whether it is scientifically valid. I propose to put their report in the hands of my colleagues who are members of the Cabinet committee on family and social affairs, so that it will not just be I who adopts that view. In other words, I have been very careful, knowing the seriousness of the assertion to the Vietnam fathers who have children who were disabled at birth. That is the sad thing, but it could be made much worse if the Bill—which we now know, with this information, is based on false premises—proceeds.

I understand that there are only a few copies in New Zealand of the report on the case control study of congenital anomalies and Vietnam service, but I should be glad to get a copy for the member for Napier. He will see, as I have seen, that the report immediately puts at rest the false hopes—which are understandable—of the Vietnam servicemen who have fathered children with this sad disability. The member's interest in promoting the Bill is understood. The fact that it is based on false premises means that it should not be suppported and should not proceed, and I hope that the member will adopt my advice and, under Standing Order 110, ask for the leave of the House to withdraw the Bill. I assure him—and I am sure he knows this—that our war pension legislation in New Zealand caters for ex-servicemen far better than any similar legislation overseas, and it does not require the investigation he suggests in the Bill. I hope the member will take my advice.

Hon. MICHAEL CONNELLY (Yaldhurst): I commend the member for Napier for raising an issue that is of concern to New Zealand servicemen who served in areas of Vietnam that had been sprayed by Agent Orange and other herbicides and chemicals that had the potential to affect adversely their health, and also the health of their children. I hope

the Minister will take account of what is subsequently said in the debate, and that he will examine further the proposal advanced by the member for Napier. I also hope that he will reconsider the view he has expressed, and agree that there is a case for the Bill, and that the logic and justice of it cannot be ignored. I hope the member will recommend to his colleagues in Cabinet that they should take over the Bill as a Government measure and refer it to a select committee for the taking of evidence, and that when the Bill is returned to the House it should be passed, and a commission of inquiry set up immediately to hear evidence. That is the approach that has been adopted in Australia, where a commission of inquiry into the Vietnam war veterans' health is to be set up.

The Minister said that the Bill and the arguments about the impact on people of the spray are based on a false premise, and that there is no evidence to support those arguments. If there is anything lacking, it is that the research that ought to have been undertaken has not yet been undertaken. If there is no proof, there should be an examination of the facts to determine whether proof can be adduced. The Minister said that the United States Veterans Administation had not accepted any proof of the adverse effects of defoliants and other similar chemicals. My information is that the United States Veterans Administration recognises chloracne as a health effect of exposure to 245D, which is one of the chemicals contained in Agent Orange. Further, research on animals has indicated that chloracne could be the cause of cancers and birth defects. Those are some of the claims also being heard about Agent Orange.

Because New Zealand is agriculturally orientated, it is known that there are agricultural chemicals and defoliants of various kinds capable of being used here. Laws restrict the concentration and the formula of these chemicals, yet it is said that Agent Orange concentrates sprayed on Vietnam were capable of yielding an impact 5000 times greater. Five independent research studies on defoliants in Europe have concluded that the use of that type of chemical can cause deformed births and possibly cancer. Other claims have also been made. The matter that the member for Napier has drawn to the attention of the House is important. Research has indicated that chemicals and defoliants of the Agent Orange type can have an adverse effect on health. Should not an inquiry be held? If the inquiry establishes no more than that the research is inadequate and that further research directed at establishing the effects ought to be undertaken, at least that would be an advance on what we have now, and on the view of the Minister of Defence that the claims are based on a false premise, or that there is no proof. Proof could be established, and we should adopt that approach.

The Minister referred to the approach to policy of Opposition members. Notwithstanding what the Minister said about the adequacy of the war pension legislation, Opposition members consider that there is a case for review of that legislation. Our policy is that, on becoming the Government, we will arrange for a review of all war pension legislation and procedures, including entitlement. That provision would enable the Agent Orange question to be considered in the course of such an inquiry. The member for Napier suggested that we should pick out that issue as a special one, set up a committee of inquiry, and pursue the matter exhaustively. Nothing can be lost by a review. If there are doubts, let them be resolved. If there is lack of evidence, let the evidence be examined to find out whether such claims can be established. The claim has not been made only by New Zealanders, but by servicemen in Australia, the United States, and elsewhere who have alleged that their condition is the result of their service in such areas. The claim is widespread. Surely it could be valid.

The member for Napier suggests no more than that the claim could have validity, and that the matter ought to be examined. If, on examination, a case can be established, we have an obligation, as part of our responsibility as a nation to those who served New Zealand, to ensure with compassion and justice that a reasonable arrangement is made in the pension provisions for the people who may be affected, and for their dependants. That is all that is asked for, and it is not much. It merely calls for an inquiry. The Government has an obligation in the common good to proceed with such an inquiry.

Mr D. M. J. JONES (Helensville): It is known that the member for Yaldhurst is very interested in this matter. Government members were disappointed at his low ranking on the Opposition benches. It shows the low value given by the Opposition to matters relating to war pensions. If the Opposition were serious about defence and war pensions the member

for Yaldhurst—one of the most able Opposition members, and about to retire—would still have retained a high front-bench position, but, sadly, that is not so.

Everyone knows that the Government conducts a 6-monthly review of war pensions and an annual review of disability pensions. The allegations of the member for Yaldhurst that the Government is not interested in those subjects are unfounded. The Bill raises the question of a commission of inquiry. I am not enthusiastic about commissions of inquiry. It is our responsibility as elected members of Parliament to ensure that decisions are made and carried out. If a commission of inquiry is set up whenever something goes astray we will continually be delegating our responsibilities, and I do not favour that approach. Opposition members have failed to mention that people often come to the Defence Committee with problems relating to a war pension or a disability pension, and to make sure that those people are protected the committee considers such cases almost as another court of appeal. That point must be borne in mind when considering what New Zealand has to offer in the way of war pensions. Two points have to be considered: first, the person who actually served in Vietnam; and, secondly, the effects on his family as a result of children who are born later. Those are the two categories of people with whom we are concerned.

The ex-servicemen with disabilities arising from service in Vietnam are already well covered under the War Pensions Act. The War Pensions Board needs to be satisfied only that a disability occurred or arose in Vietnam. The cause of the disability is not a factor. Free medical treatment is provided for any disability for which a war pension is granted. New Zealand already has a system for looking after those who have been prepared to make the ultimate sacrifice in the defence of New Zealand, and it is probably the envy of most countries. The interest of the veterans' children was well covered in the Australian report mentioned by the Minister of Defence, *A Case Control Study of Congenital Anomalies and Vietnam Service (Birth Defects Study)*.

A report to the Australian Minister for Veterans' Affairs, dated January 1983, has just come to hand, and I am sure that the member for Yaldhurst has not yet had the opportunity to read it. I suspect that, being the kind of man he is, once he has read it he will realise that the question of concern for children born to veterans of the Vietnamese war no longer arises, as the report makes clear. An unequivocal statement is made in the summary—namely, that there is no evidence that army service in Vietnam has increased the risk of the birth of a child with an anomaly. That is found in the first part of the report, which was able to cover a larger number of people than any New Zealand commission of inquiry would be able to cover because of the larger number of Australians who served in Vietnam. We have already heard about the American studies that are taking place, and the comments made by the United States Veterans Administration, which released a review of the position on Agent Orange in November 1982.

Rt. Hon. David Thomson: It's a progress report.

Mr D. M. J. JONES: The progress report included the statement: "At present the best available scientific evidence fails to indicate that exposure to Agent Orange or other herbicides used in Vietnam has caused any long-term health problems for veterans or their children." I hope that the New Zealand Returned Services Association will study that report of November 1982. I understand that its previous meeting was in June 1982, so it will not have had the opportunity to read that report, or the more recent Australian report of January 1983.

Rt. Hon. David Thomson: I sent them a copy.

Mr D. M. J. JONES: The Minister of Defence has sent a copy of the Australian report to the New Zealand Returned Services Association. The member for Yaldhurst made a comment about Labour Party policy in relation to the review of legislation. Legislation is constantly reviewed. Am I to understand that a Labour Government would review its legislation only once and never again? Legislation, by the very process of government, is constantly coming up for review, particularly when money has to be spent. The legislation is considered annually with reference to the expenditure of that money. Increases in war pensions and similar benefits are paid out every 6 months, and a brief review is undertaken by the Government even then. Legislation is always being examined, and the Opposition, in claiming that a Labour Government would review the war pensions legislation, is building up false hopes in the minds of certain people. So often is legislation reviewed, and nothing done, that many people wonder whether it is worth the paper it is written on. In New

Zealand Dr A. H. Smith is undertaking research for the War Pensions Medical Research Trust Board in a study called "Epidemiological Studies of Agricultural Chemicals".

Mr Moore: What was that word?

Mr D. M. J. JONES: It is a very long word that I do not care to repeat, even assuming that I was capable of enunciating it in the first place. The War Pensions Medical Rresearch Trust Board decided as long ago as 1980 to make funds available to mount a research project in New Zealand on the effects on ex-servicemen of chemicals used in Vietnam. I suggest that the various bodies concerned should get in touch with Dr Smith, who is already almost a one-man commission of inquiry. I appreciate the concern of the member for Napier, who has shown his constant interest in defence matters in the House. It is a pity that he gets no opportunity to raise them during the debate on the Defence estimates. This debate is limited only to this particular topic, and does not cover defence as a whole. Perhaps there is something for people to note in that respect.

Many allegations are being made about the effects of Agent Orange. The United States Veterans Administration, which has much more at stake, and more opportunities to consider this aspect, has already indicated that the best scientific evidence fails to prove that exposure to Agent Orange or other herbicides has caused any long-term health problems, and I would not wish to raise any false hopes. However, the Government is constantly monitoring what is happening around the world, and will be looking closely at the wide-ranging Australian royal commission, which is looking not only at Agent Orange but also at the consequences of service in Vietnam for servicemen and their children. I am sure that all members on this side of the House will be interested to learn whether that royal commission ever gets off the ground, and to hear its final results.

Dr BASSETT (Te Atatu): I am pleased to be associated with the member for Napier in the timely Bill that he has presented to the House today. Like many members of Parliament I went yesterday to several Anzac Day services, and I could not help thinking about the content of the speeches. I was struck by how many wars the National Government had managed to get us into over the years, and the consequences of them. The predecessors of the present Government got New Zealand into the Boer War and into World War I. The National Government had a go during the Chanak crisis in 1922, and the only war that it did not get New Zealand into was the second world war, but it made up for that with the Korean war. It had another go in 1954, trying to get New Zealand into Vietnam, but it failed. It tried again in 1962, but failed again, and finally succeeded in 1965, with none other than the present Minister of Defence being one of the leading hawks. The Government wanted to get New Zealand into wars. Its record would beat that of Attila the Hun any day. But the most disgraceful war of all in the history of this country in terms of our involvement has been the war in Vietnam. Every atom of common sense at the time suggested that New Zealand should stay out of it.

Rt. Hon. David Thomson: I raise a point of order, Mr Deputy Speaker. This is totally irrelevant to the Bill, and I am surprised that the member has not been called up already. I suggest that he might be brought back to the Bill.

Dr BASSETT: Speaking to the point of order, Mr Deputy Speaker, having said a little about all the wars that the National Government had got New Zealand into, I wanted to deal with its moral obligation to accept the Bill and to do something about the problems stemming from the Vietnam war.

Mr DEPUTY SPEAKER: Order! The Bill relates to the investigation of the health of Vietnam war veterans, and not to whether New Zealand should or should not have been involved, or to any damage that might have arisen because of the defoliants. We are debating the Bill before the House, and not the wider issue of Anzac Day services and previous wars.

Dr BASSETT: I am obliged to you, sir. If there had not been a war in Vietnam we would not have such a Bill before us today. Perhaps members might think about that; and the Minister of Defence, who was more responsible than anybody for getting New Zealand into that war, ought to accept the responsibility for doing something for its victims instead of sitting there poncing away and making silly comments. The member for Napier provided evidence that Agent Orange has particularly powerful side-effects, and that it has produced the greatest lingering problem from that war, which we got out of 11 years ago.

That chemical, and others poured on to the jungles in various ways over a 9-year

period—not just occasionally but consistently—meant that enough dioxin was distributed to kill the entire population of the world several times over. Some lasting scars appear to have been left on the health of American, Australian, and New Zealand servicemen, and we want to establish, by means of the Bill and the committee of inquiry that is to be set up, exactly how much damage was done. We do not want to prejudge the matter, as the Minister of Defence, for some bizarre reason, seemed to suggest. We want to review the scientific literature, the findings, and to find out exactly how much damage was done.

The next point depends on the answer to that question. If damage was done we want to find out what kind of compensation is appropriate. Would it not be proper for the same people who sent servicemen to Vietnam to fight in a totally misguided war, and see some of the most terrible things in the history of mankind, to accept some responsibility for looking after the men whose health deteriorated as a result of that service? We have not got that from the Minister today. The Opposition wants that thoughtless Blimp to face up to the consequences of his sending people to Vietnam in the first place. That crass behaviour requires some kind of scrutiny. It is all very well to criticise the Bill. There they sit, all suntanned, telling us that they are ready to carry on, but there are people in this country who believe that their health was irrevocably impaired as a result of serving in Vietnam. Something like that happening at the age of 25 is altogether different from something that happens at the age of 65. It is up to us and to the Minister to accept the responsibility for seeing that the doubts of many servicemen are cleared up. If it is good enough for the United States and for Australia to set up commissions of inquiry, it is good enough for us to set up a committee to review the literature and the findings, and come down with an appropriate finding. I believe that if the committee produces overwhelming evidence that no damage to the health of New Zealanders specifically resulted from Agent Orange the people will accept that, but they want the inquiry to be carried out. That is all that is being asked.

Despite what the Minister said, there is evidence that some damage may have been done. Research has established beyond doubt that only very small amounts of dioxin are required to produce abnormalities. An American biochemist named Thomasson has reported that rats and mice are killed by a dose of less than one-hundred millionth of their body weight, and that guinea-pigs are killed by a dose of less than one billionth of their body weight. I can imagine the damage to Government members if a drop of dioxin were spread here. The amount needed to kill guinea-pigs corresponds to less than one-hundred thousandth of an ounce for human beings. It takes even less to produce tumours and foetal deformities. The Americans set up an advisory committee on the health effects of this particular substance. While it is difficult to accept logically that there is a simple causative factor—that it could be responsible for such a diverse set of health effects—there is no definite evidence that permits selective exclusion of some of the illnesses from which Vietnam servicemen have suffered. The Opposition is asking for a survey of the literature and the findings, some of which suggest grounds for believing that Agent Orange may be responsible for health defects. I repeat—the Bill does not seek to prejudge the issue. I must lay that claim absolutely to rest.

It is not good enough to say that New Zealand has a good war pensions system. Indeed, it has quite a good war pensions system, although the member for Yaldhurst, who spoke so well, has often reminded the House that the system is not as good as it could be, and has tried unsuccessfully for a long time to make changes to the system. Any war pensioner will express reservations about the way in which the system operates. Agent Orange involves a special factor, because for the first time in the history of warfare exposure to the substance opens up the possibility of any defect suffered becoming hereditary. It is one thing to lose an arm or a leg, but that does not necessarily affect one's children or children's children. Exposure to Agent Orange may have hereditary effects, and therefore the issue should be carefully studied by a committee. In my view, the Tories are washing their hands like Pontius Pilate. They want to forget the appalling mistake they made in sending troops to Vietnam and engage in guilt transference by blaming others. The ones at fault are those who sent troops to Vietnam, and are now crassly doing nothing about the consequences.

Mr KIDD (Marlborough): The Government is not washing its hands of the matter, and in view of the revelations made recently by General Giap and others the decisions upon which New Zealand's involvement were made were absolutely sound, and showed the competence of the previous National Government in assessing the problem at the time. I

shall deal with some of the arguments raised by the member for Te Atatu, and then discuss the details of some of the reports. If the member for Te Atatu is right and the compound does cause hereditary damage, and if we were to take a final stand upon the matter now and determine that there was no evidence because of the relatively short number of years, that in itself would block any future consideration of the matter. I raise that argument to suggest that the matter should be carefully considered on an ongoing basis. Government members support the Minister's arguments, and assure the House and the Vietnam veterans that the ongoing assessment will continue.

It is no use the member for Te Atatu arguing his case on the basis of theoretical work carried out by applying to human beings the results of research with rats and mice, and saying that one-hundred thousandth of an ounce may cause damage. Unlike most of the research carried out to test for dangerous consequences, we are dealing with what happened to men and women on a widespread basis over about 9 years. It is 11 years since the end of involvement in Vietnam. That is important, because up to 20 years have elapsed since the first application of Agent Orange. Reports from diverse sources state that, as yet, there is no evidence. We do not need a royal commission to review the findings of the literature and to produce a report. New Zealand has a first-class war pensions administration that has taken up every one of these matters, and has generations of experience and the best medical advice available to support it. We do not have the determinations from the latest reports. The member who seeks to introduce the Bill is not aware of the latest report, which is no discredit to him. The Department of Health has pondered various reports on an ongoing basis, with studies in New Zealand divorced from the Vietnam problem. The Government is not approaching the matter today from a cold start. It has people with the skills to assess the problem, without seeing its salvation in royal commissions.

In relation to the War Pensions Act, members have mentioned that a liberal test is applied when considering the onset of medical conditions in servicemen. Opposition members have said that a Labour Government would review the War Pensions Act. The Act provides that returned servicemen should have free medical care for the rest of their lives for every illness arising from their service. No more liberal test can be promulgated. I refer to the most recent report handed to the Australian Minister for Veterans' Affairs in January 1983, entitled *A Case Control Study of Congenital Anomalies and Vietnam Service (Birth Defects Study)*. It is worth dealing with at length, because it provides the latest authoritative material. Forty people, with degrees and expertise, took part in a study that produced a 127-page report. The study had a much wider base than could be possible in New Zealand because of the numbers involved, and I shall return to that point later.

The report states: "Fathers of both cases and controls were identified in 8517 instances, and those identified were compared with a list of every man who served in the Australian Army between 1962 and 1972, which was the period of Australian involvement in Vietnam. Fathers identified as having served in the army during this period were then classified according to whether or not they had served in Vietnam." The processes were worked through. The following point is made at the end: "The study gives persuasive evidence that Vietnam service has not been associated with any important increase in the risk of birth defects in children of veterans."

If one goes a little further in breaking it down one even comes up with suggestions. So that I cannot be accused of selective quotation—and I would not want to be on such a serious topic—I shall deal with the detailed matters. "When the risks were estimated separately for Australian regular army and for national service veterans, they were found to be similar. The same applied for comparisons of risks in contemporary members of the Australian regular army and national service who did not serve in Vietnam." There is no difference between any of those categories. "Comparisons of risk were also made with other aspects of Vietnam service which might have been expected to bear on the risk. Whilst there was a tendency towards lower risk for veterans with longer Vietnam service"—I emphasise that statement so that people will realise that there are suggestions to the contrary, but I put no particular weight on it statistically—"no effect on risk of this of time between deplanement and conception or calendar year of Vietnam service was demonstrated . . . When veterans were subdivided according to whether they had served in Vietnam before conception of the child or only afterwards, it was found that risks were similar, with estimates slightly higher for children conceived before the father had been in Vietnam."

The essential emphasis of the report is that there is no evidence that service in Vietnam is associated with the increased risk of birth defects, but detailed analysis suggests at least two indicators to the effect that, in some cases, the risk was lessened. That is hardly a document to trigger off public concern and a demand that the Government consider the matter urgently. Like all Opposition parties on the hustings seeking office the Australian Labour Party promised everybody anything they wanted, just as the Labour Party does in New Zealand every 3 years. Of course, it is cheap to implement such a promise, and the Australian Labour Government has started a royal commission. When that exercise and the "Ranch Hand" exercise in the United States are completed, the Government will examine the results in a detailed way and with great care. Because of the larger base on which the studies can proceed, the chance of finding evidence that would reverse the findings so far will be much better, and, therefore, in the greater interests of our servicemen.

The proper function of the House would seem to be to ensure that the Government gives a proper account of its assessment of those more useful and larger-scale reports when they become available. The Government can then take action, but there is no case for doing anything for anyone on the basis of all the reports so far. If, on the other hand, more wide-ranging and detailed studies show that there is a case, the Government had better take the matter up again, and I shall be one of the first to push for that.

Mr BRAYBROOKE (Napier): I thank all members on both sides who have contributed to the debate. All have contributed, to a greater or lesser extent. I can tell the Minister of Defence that I will not withdraw the Bill. I do not believe that it raises false hopes. Certain ex-servicemen's organisations have become extremely frustrated and angry at the lack of any action by the Minister or the Government. I sincerely believe they have a case that should be answered. It is quite understandable that Government members have been very selective in the reports they have accepted. They accept only those reports that fit their arguments. I publicly deplore the argument put forward by the member for Marlborough, and the Minister, that the announcement of the Australian Government that it would set up a royal commission was only a political ploy. Government members are being cynical. It is an insult to the Australian Government to suggest that the Speech from the Throne was only a political ploy. Government members should not judge everybody by their own bushel. The Bill will promote justice, because justice deferred is justice denied.

I am very cynical about the continuing delay in setting up a New Zealand inquiry. Both the Minister of Defence and the member for Marlborough mentioned the "Ranch Hand" investigation being carried out at present in the United States. Government members should note that in September last year in the United States Congress, a United States Congressman, Mr Thomas Daschle of South Dakota, expressed outrage because a subcommittee of the House of Representatives on veteran affairs had not even begun the continued study that had been ordered 3 years ago. He also accused the Veterans Administration of not wanting to face an ultimate decision on Vietnam veterans and their families. Apparently the study will not now be concluded until the end of this decade. That is not good enough. New Zealand soldiers were sent to Vietnam by a New Zealand Government, and they have the right to be examined by medical authorities and scientists in New Zealand, not by somebody in Australia or in the United States. I have every confidence in the New Zealand medical authorities and scientists, and I want the research, investigation, and commission to be conducted here in New Zealand.

My colleague the member for Te Atatu asked the House not to play Pontius Pilate. I echo those words. Pontius Pilate washed his hands of the affair and said that he could find nothing wrong. Let us not be accused of that, because in time to come, when the Labour Opposition sits on the Treasury benches, it will appoint a commission of inquiry and examine the records. I cannot help but be sceptical and wonder what the Government has to hide. Both the Minister and the member for Marlborough made great play of an Australian report, and I am the first to agree that I have not seen *A Case Control Study of Congenital Anomalies and Vietnam Service (Birth Defects Study)*.

Rt. Hon. David Thomson: I'll give it to you this afternoon.

Mr BRAYBROOKE: I thank the Minister, but that does not cover all the other controversies. It has been accepted by the United States Scientific Academy that certain skin diseases—and I mentioned one of them before, chloracne—can be, and are, a result of exposure to Agent Orange. The Minister was very careful to skirt around that subject. He

based his whole case on one reported study. I will not withdraw my Bill, because if Viet veterans are to have any justice at all they have the right to their own commission of inqu It is Parliament's duty and responsibility to see that they have that. I urge all membe stop playing politics for 5 minutes and to address themselves to their duties as membe Parliament.

John Banks: Ha, ha!

Mr BRAYBROOKE: The member for Whangarei can laugh. He has never t overseas except on a holiday jaunt, probably at somebody else's expense. It is a pity he t such an insulting and sneering attitude towards Opposition members. I hope a few Viet veterans in Whangarei will remember that at the next election, because I certainly w

The member for Marlborough also mentioned the United States Administration re of April 1982. There were 13 000 claims for damages. However, he did not explain tha report goes on to state that, of those 13 000 claimants, 6609 had a confirmed diagnosis only 923 were not accepted. However, to be fair, accurate, and honest, 5000 could have either way. That in itself should be grounds for the Minister to face up to his responsibil and order a commission of inquiry to discover the facts about whether Agent Orange ca those alleged diseases and abnormalities, and settle the matter once and for all. Altho the Minister is trying to interject, the controversy will not go away until justice is done. Bill is the first step towards seeking that justice.

The House divided on the question, *That leave be given to introduce the Vietnam Veterans' Health (Investigation) Bill.*

Ayes, 37

Arthur; Bassett; Batchelor; Beetham; Braybrooke; Burke; Butcher; Caygill; Cl Colman; Connelly; de Cleene; Douglas; Gerbic; Goff; Gregory; Hercus; Isbey; K Knapp; Lange; Maxwell; Moore; Neilson; O'Flynn; Palmer; Rowling; Shields; Tap Terris; Tirikatene-Sullivan; Wall; Wetere; Wilde; Young, T. J.

Tellers: Cullen; MacDonell.

Noes, 38

Angus; Austin, W. R.; Banks; Bell; Bolger; Burdon; Cooper; Couch; East; Elwo Falloon; Friedlander; Gair; Gray; Highet; Hunt, T. de V.; Jones, D. M. J.; Kidd; Luxton; McClay; McKinnon; McLay; Minogue; Quigley; Richardson; Shearer; Tal Templeton; Thompson; Thomson; Upton; Waring; Wellington; Wilkinson; Young, V.

Tellers: Austin, H. N.; Cox.

Pairs

For: Hunt, J.; Jeffries; Marshall; Moyle; Prebble; Rodger; Tizard; Woollaston.
Against: Allen; Birch; Jones, N. P. H.; MacIntyre; McLean; Malcolm; Muld Townshend.

Majority against: 1

Motion negatived.

WATER AND SOIL CONSERVATION AMENDMENT BILL

Introduction

Debate resumed from 22 April 1983

Mrs HERCUS (Lyttelton): When the debate was interrupted I was congratulatin member for St. Kilda on the introduction of his private member's Bill to increase penalties on water polluters to a realistic level. The member for Marlborough, who preceded me in the debate, gave almost exactly word for word the same negative speech he gave on the same topic in 1980. By doing that one assumes that he is showing his su for polluters, and for continuing and increasing levels of pollution. That follows, becaus