



Via email: Advocacy.Policy@dva.gov.au

03 October 2024

To whom it may concern,

RE: INSTITUTE OF VETERANS' ADVOCATES – CONSULTATION RESPONSE

Please accept our consultation feedback regarding the proposed Institute of Veterans' Advocates.

Given the lack of detail contained in the “consultation paper” we are unclear if this is a genuine program being undertaken or test of an idea, for example, the proposal lacks significant detail, there is no implementation timeline included, and no direct contact to discuss the proposal.

Veteran Advocacy Australia have been calling on the Secretary and Minister to implement an improved system for “registering” Advocates for years. And advocated that an Accredited Advocate must, at least, be trained, insured, and a fit and proper person. The consultation paper fails to address the situation should an Advocate fail the requirements i.e. in the Migration system only Registered Agents can perform work in the field, should a Veteran Advocate fail the requirements, can they continue to “work as a non accredited Veteran Advocate”?

The “consultation process” appears overall disingenuous on the basis The Department of Veterans' Affairs (DVA) does not actively inform interested parties this consultation was occurring. We again submit that the first step to improve DVA communication is for a “mailing list” register to be created whereby people can directly receive information like this in their inbox (as per Ministerial Releases). The choice to utilise a Q&A based survey limiting feedback also demonstrates a lack of interest in receiving genuine feedback from stakeholders.

The basis that dealing with DVA is so complex, adversarial, and riddled with error as a starting point for Veteran Advocacy is incoherent. Improvements in staff training and an ethos of the beneficial nature of the legislation within DVA would go a long way to simplifying the system for all parties.

Many Veterans engaging Advocates do not know their rights, or responsibilities of the Advocate and Ex-Service Organisation (ESO) they are dealing with. A system of disclosure must be immediately implemented which discloses Veteran rights, privacy disclosures, liability, and the ESO complaints process.

Ex-Service Organisations Round Table (ESORT) has been failing the Veteran community for many years, it is a narrow gene pool of near life time appointments that have self serving interest at heart.

ESORT should have already been “providing leadership and support to veterans advocates, setting competency and training standards for the sector”, but it has failed, the consultation paper fails to address how this new Institute will be any different.

A code of conduct for ADTP Advocates already exists, and Veterans were supposed to have had confidence in the Advocate's credentials under this system, however the consultation paper fails to address why this has failed and what would be different under the new Institute.



What are the proposed qualifications of the “Institute’s Board”? We see many of the current Veteran issues stem from incompetent and unqualified leadership. And current issues with Veteran Advocate training includes incorrect training information not in accordance with the legislation.

The proposed Board compilation lacks skill and diversity, the Board should give stakeholders confidence in how the organisation will be steered and provide influence. There is no need for a “families representative” or “ESORT Representative”, what is needed is an “Independent Member” and a “Training Expert”.

The consultation paper does not discuss whether Board positions are appointed or voted nominations.

The consultation paper does not address if Board positions are remunerated or not.

In accordance with accepted business practices, Board appointment terms should be “capped” at a maximum of, for example, two terms.

Is there a proposal that Membership of the Institute is free or paid?

What are the “equivalent experience or professional qualifications” being proposed or who will decide these?

Will members receive post nominal as an “associate”, “member”, or “fellow”.

The proposal states that “Fee-for-service advocates may also be required to adhere to additional standards, such as ensuring their relevant fee- schedules are clear and easily accessible to veterans and families”, how is this proposed to occur without relevant legal representation on the Board?

ESORT is well aware of unethical practices and conduct by some “Veteran Advocates” and done absolutely nothing to stop or prevent that conduct to date.

For the Institute to “refer matters to other professional bodies e.g. law societies” it would need to establish a number of sub committees i.e. People and Culture/ Ethical Standard Committee chaired by a human resources or legal professional. As a minimum, the Institute would also need an Audit and Risk Committee. There is no mention of these in the consultation paper.

What is the budget for the Institute? Membership systems, databases, websites, Board Meetings and travel all cost money.

How many staff does the proposal speculate will be provided under MOU? Managing an “institute” is complex and requires significant resources.

Previous research commissioned by DVA found *“Survey data indicate the current advocacy workforce is likely to decline by 19% in the next 1–2 years and a further 11% in the following 3–5 years, or 30% over 5 years. The estimates are based on existing advocates leaving rather than their work rate.”* The consultation paper fails to address how this proposed institute would resolve access to Advocacy.



What has ESORT or DVA done about the 2022 *“Baseline study of current and future availability of ex-service organisation advocacy services”* study by UNSW? Nothing!

Overall, we strongly support the need for an accreditation system, however, the consultation paper as presented is poor. We are also concerned that DVA cannot manage its current affairs so how will this be addressed.

The Veteran community lacks confidence in ESORT on the basis it should have already repaired matters contained in the consultation paper. Additionally, the ability of an ESORT working group to progress this idea to a fully functional accreditation body is highly questionable.

We submit that DVA establish a “broader” group to bring this consultation paper to fruition. We are willing to provide an Advocate to the group with Business, Governance, and Training experience and qualifications.

We submit that implementation of an accreditation body be implemented prior to the training of Advocates in the 2026 Legislation changes.

Please contact me should you require any further information.

Regards,

Jane Davis
Founder, Veteran Advocacy Australia

Cc: repatriationcommissioner@dva.gov.au
secretary.dva@dva.gov.au
matt.keogh.mp@aph.gov.au