

Consultation Report

The Institute of Veterans' Advocates

January 2025

Scope of this report

This report provides a summary of the feedback received during consultation on the Ex-Service Organisation Round Table (ESORT) proposal to establish an independent Institute of Veterans' Advocates (the Institute), conducted between 23 August and 4 October 2024.

DVA conducted this consultation to seek the views of the broader veteran and advocacy community on ESORT's proposal.

This report is not intended to present policy recommendations or provide evidence on specific issues. This report represents the views that were expressed by organisations and individuals regarding the proposed creation of the Institute.

ESORT proposal: The Institute of Veterans' Advocates

Through a working group established in 2024 ESORT proposed the establishment of the **Institute of Veterans' Advocates** as a national professional association for veterans' advocates.

Under the proposal, the Institute would provide leadership and support to veterans' advocates, set competency and training standards for the sector, and accredit and register advocates. The Institute would similarly establish a code of conduct for advocates and provide members with access to the training and tools they need to deliver high quality advocacy services.

In fulfilling these responsibilities, the institute would:

- manage advocates' accreditation, registration and membership processes, including maintaining a publicly accessible register of approved advocates (replacing the current ATDP advocate register)
- undertake education, communication, promotion and other activities to build awareness in the veteran community of the services provided by approved veterans' advocates
- monitor members' compliance with the Institute's Code of Ethics, training and professional development requirements, competency standards and other conditions of membership, including managing complaints and discipline processes (including referring matters to other professional bodies e.g. law societies), and
- undertake quality assurance and continuous improvement activities to assist advocates to provide quality services and advice.

Consultation overview

There was significant interest in the proposal with 95 complete submissions received online and via email:

- 80 comments via the webform or email, and
- 15 document submissions.

Of the 95 submissions received - 61 of these were from individuals (advocates, veterans and interested parties) and 34 identified as an organisation (24 identified as a veteran's organisation, ten as another organisation - including, Commonwealth, State, Territory or Local Government agency and the legal sector/individual solicitors).

When making a submission, providing identifying data was optional, with many electing not to provide any further information.

Key take outs

Broad support for the Institute

Most submissions supported the concept of the Institute. Many submissions flagged more detail was needed on a variety of operational matters.

Governance

A common sentiment was that the Institute must be independent to gain trust and be successful.

Themes from submissions

Broad support for the Institute

The majority of submissions supported the concept of the Institute and the need to govern and standardise advocacy services.

Some submissions sought clarification and further detail on the elements of the proposal and put forward questions and issues which should be considered when progressing this work.

Only eight submissions outlined that they did not support the proposal, either in its current form or with amendment.

Governance

A common view was that the Institute should be independent.

Some submissions made suggestions on the composition of the governing board, including representatives who were veterans, family of a veteran or had technical expertise.

Fee-for-service providers

A number of submissions noted the importance of maintaining the volunteer advocate cohort and the expertise they bring to advocacy services.

There were mixed views regarding allowing fee for service advocates to become members of the proposed institute. These included that the commercial advocacy sector should be allowed to operate but with stronger regulation governing their practices, to views that veterans' advocates should not be allowed to charge a fee for their services.

Institute membership

There were a number of differing views on who should be eligible for membership ranging from compulsory membership for all advocates lodging claims (e.g. consistent with legal and financial sectors) to excluding fee-for-service providers.

Many submissions also sought more detail on the requirements for membership e.g. the level of training and experience needed for various membership types, and the mechanisms for accrediting advocates and ensuring their skills remained up to date.

Ethical and service and standards

There was broad support for a code of ethics and standards to be established to govern advocacy practices. A number of submissions put forward suggestions for what these codes might entail e.g. advertising standards.

Regulation

Some submissions raised the ability to uphold/enforce standards without legislative powers, and the need to more tightly regulate practices within the commercial sector.

Timing

A small number of submissions expressed views on the timing of implementation, primarily around ensuring the proposal aligned with broader reform work, including the Veterans' Entitlements, Treatment and Support (Simplification and Harmonisation) Bill 2024 (which was before the Senate at the time of consultation), and the Government's response to recommendations in the Royal Commission into Defence and Veteran Suicide's Final report.

Other issues

Several submissions sought more detail relating to the Institute's funding arrangements.

Some submissions suggested further enhancing advocacy training.

Some submissions suggested that solicitors should be excluded from regime.