EXECUTIVE SUMMARY
‘THE FUTURE OF ADVOCACY – SCOPING THE ISSUES’

Background
In December 2017, ESO National Presidents identified ‘The Future of Advocacy’ as their first strategic discussion topic at ESORT in 2018. This paper scopes some of the key issues.

Rationale
Government has accepted 22 of the 24 recommendations of the Senate Inquiry into Suicide by Veterans. The Audit Office (ANAO) has released its criteria for Performance Audit of DVA’s service delivery. The Productivity Commission (PC) is expected to start its review of DVA shortly.

Each ESO, veteran support centre (VSC) and younger veteran organisation (YVO) has a common objective - the same one that coalesced into traditional ESOs 100 years ago: Mates helping mates, widows, orphans and families. ESO/VSC/YVO Leaders have a mutual interest in doing all they can to ensure their mates’ and future veterans’ needs are met.

Veterans organisations have a choice. They can await the review findings and be subject to change identified externally, or they can take the initiative and act together to shape the future. To ensure the optimum outcome, a shared view of the future of veterans’ advocacy is needed for presentation to the ANAO, PC and Scoping Study.

Paper
‘Scoping the Issues’ proposes that pressure for increasingly professional veterans’ advocacy is inevitable. The paper aims to identify key issues influencing the future of advocacy and, especially, its increasing professionalisation. The Senate Inquiry recommended a Bureau of Veterans Advocates be created along the lines of Veteran Affairs Canada (VAC)’s, Bureau of Pensions Advocates (BPA).

‘Scoping the Issues’ overviews the BPA model, but notes that it is the product of distinct Canadian traditions and values. Australia’s way forward must respect and respond to Australia’s social values, ex-service traditions, veterans’ legislation, regulatory environment, and budgetary constraints. The paper discusses one option in detail: creation of an institute of professional advocates. It proposes that a working party be convened to develop a consensus on the future of veterans’ advocacy.

Irrespective of the model that emerges from discussions, the needs are clear. It must manage veterans’ advocacy, set and monitor professional standards, authorise advocates’ practice, assure advocates’ ongoing competency, manage continuing professional development, provide professional indemnification, and assure the quality of advocacy services received by DVA clients.

Irrespective of the model eventually adopted, it must be true to the tradition that all ESO/VSC/YVO share. It must ensure that when ‘mates help mates’, in future, they are doing it even better!

Recommendations
The recommendations are that the working party:

• consider, but not be bound by, the discussion in the ‘Scoping of the Issues’ paper;
• be informed in detail of the progress made in the training and development of veterans’ advocates since the Minister’s endorsement of the ATDP Blueprint in 2015;
• precede the scoping study into veterans’ advocacy;
• be funded from the appropriation for the Scoping Study;
• comprise informed representatives from ESOs, VSCs and YVOs, and other stakeholders; and
• prepare a comprehensive report of its deliberations and recommendations, for distribution to stakeholder including the review agencies and consultants resulting from the Senate Inquiry.
Introduction
ESO National Presidents’ decision to address ‘The Future of Advocacy’ as ESORT’s first strategic topic for 2018 begs development of paper that scopes the issues. While this ‘think piece’ develops only one option, the intention is not to be definitive. Rather, it is to outline some of the issues ESORT may wish to discuss.

Background
A series of reviews of advocacy services and advocacy training since 2004 culminated in the 2015 Rolfe Review and the Workshops that defined the Advocacy Training and Development Program (ATDP) Blueprint. Inception of ATDP followed endorsement in late 2015 by ESORT and the Minister for Veterans’ Affairs. Concurrently, pressure by (especially) younger veterans culminated in the Senate FADT References Committee’s Inquiry into ‘Suicide by Veterans’. The Inquiry elicited 458 submissions and 72 witnesses (some of whom jointly represented the same organisation).

The Inquiry’s findings were frequently critical of DVA and advocates’ performance, and led to the Government’s accepting (amongst others) the following recommendations for formal review:

- **Productivity Commission (PC):** Examine governance, administration and service delivery in the veterans’ affairs portfolio.
- **Australian National Audit Office (ANAO):** Conduct an efficiency audit of veterans’ service delivery by DVA.¹
- **DVA:** Review the support for partners of veterans to identify further avenues for assistance.
- **Australian Government:**
  - consider, alongside other models, establishment of a Bureau of Veterans’ Advocates (BVA) modelled ‘institutionally’ on Veterans Affairs Canada (VAC)’s Bureau of Pensions Advocates (BPA); and
  - review representation of advocates before the VRB.

The Minister subsequently announced $1.7m funding over two years for a ‘Scoping Study’ on the professionalisation of veterans’ advocacy’. Discussions indicate that the scoping study should commence in FY2018-19.

Purpose of Paper
Presuming that ESORT Members are consulted as each of the Inquiry’s recommendations is progressed, National Presidents will need to be prepared. Their discussion on 9 March 2018 of ‘The Future of Advocacy’ is an opportunity to address some of the issues. This paper considers three framing questions:

- How necessary is change to, and in particular professionalisation of, veterans’ advocacy?
- If change is necessary, how should veterans’ advocacy change?
- What are some of the considerations that might guide change?

¹ The Audit Criteria require that ANAO establish whether:
  - ‘Business systems and processes in the Department of Veterans’ Affairs support the efficient delivery of services to veterans and their dependents; and
  - Compensation, support and health services are delivered efficiently by the Department of Veterans’ Affairs to veterans and their dependents.’

ANAO is accepting contributions to the audit until Saturday 31 March 2018. ADSO has requested Member’s responses by 7 March 2018.
Rationale
This paper is grounded in the view that ESO National, State and Sub-Branch/Branch Presidents, Advocates and ATDP – along with the wider veteran community, Veteran Support Centres (VSC) and Younger Veterans’ Organisations (YVO) – have a choice. We may decide not to anticipate and be subjected to change imposed externally. Or, we may thoroughly prepare our position and be the architects of the future of advocacy.

Setting the Scene
Advocacy is now over 100-years old. The imperative that drove advocacy services quickly coalesced into ex-service organisations. ‘Mates’ saw an urgent need to ‘help their mates’ or ‘their mate’s widow and orphaned children’. That imperative is unchanged; but, a century later, it is the veterans’ culture – a value embedded so deeply that it is a ‘tradition’. Importantly, the same imperative is mobilising the support organisations that younger veterans are creating.

Until recently, traditional ESOs were the sole stewards of veterans’ advocacy. Veterans and their dependents’ entitlements were established – either well or inadequately – by our predecessors’ advocacy. The benefits to which our generation is entitled now are no better and no worse than our predecessors’ advocacy of veterans’ legislation.

We, as the current cohort of ESO Leaders, Members and Advocates, may be agitated about the adequacy of our entitlements. The Senate Inquiry indicates where younger veterans and their dependents are dissatisfied with the entitlements and advocacy services they are receiving. But, future generations of veterans will castigate us all for having been self-serving if we focus solely on our needs.

ESOs, VSCs, and YVOs’ advocacy, contemporary societal perceptions, government priorities, and budgetary constraints are shaping now future veterans’ entitlements. We alone can ensure that the benefits for which future veterans and families are eligible are no less beneficial than those our predecessors’ advocacy bequeathed to us.

Whether the century-old tradition of ‘Mates helping Mates’ survives our generation vests in us. To do so, the tradition itself must adapt. An example, and related conclusions:

- No longer can the tradition conjure up a male-specific response:
  - In 2015-16 the Chiefs of Service Committee set the 2023 targets for female participation at 25% for Navy, 15% for Army and 25% for Air Force.
  - In June 2016, the actual percentages were around 19% for Navy, 12% for Army and 20% for Air Force.
- One of the Inquiry recommendations was greater support for partners of veterans. The Veterans’ Affairs Legislation Amendment (Veteran-Centric Reforms No.1) Bill 2018, Schedule 1 appears to cover this need and to go well beyond it.
- ATDP is responding to younger veterans and their families’ needs. Compensation is now recognised as being episodic in a life-long continuum of support. As a result, advocacy has been refocused on the ‘wellbeing of the veteran and the family’. Addition to the learning pathway of significant, new content, workplace experience and assessment is the result.
- Contemporary veterans’ advocacy must therefore:
  - encompass all those potential beneficiaries identified in MRCA 2004 s15(2);
  - deliver services to female veterans and attract female advocates; and
  - ensure that younger veterans’ advocacy is heard.

---

2 The advocacy model is entitled: ‘Healthy Veteran. Healthy Family’.
To adapt our founding traditions to these and future realities is one of the greatest challenges we face as ESO, VSC and YVO leaders. The imminent PC and ANOA reviews and Scoping Study reinforce how critical is the challenge.

**Resolution**

We, ESO/VSC/YVO Executives and our practicing Advocates and Members, are the product of our individual and shared experience. It manifests as the preconceptions that shape our behaviours. To meet imminent challenges, we need to set aside our habitual thinking, identify and analyse the emergent influences, resolve the vectors inherent in those influences, and project critically into the future. We will then need to ensure that:

- our advocates’ learning and development:
  - trains them to meet clients’ needs as they evolve, and
  - prepares them to mentor the next generation of advocates; and
- our institutions are committed to the delivery of high quality advocacy services.

**What Marks Professionalism?**

To identify how to progress and what to adapt, we need a ‘vision’ – a mental model of what the future system for delivering advocacy services needs to look like. Our current Advocates are either volunteers or salaried. Both ‘DVA Towards 2020’ and the ‘ATDP Blueprint’ mandate the delivery of high quality advocacy services. Whether the advocate is salaried or volunteer is thus immaterial.

Said another way, the same professional standards apply to both cohorts. A volunteer may provide only a few hours advocacy per week and may take several weeks to research a matter and deliver services to a client. On the other hand, a salaried compensation advocate may be working full-time and complete several claims per week or support many welfare clients concurrently. None-the-less, the standard against which each cohort works is identical. Nor does ATDP’s training differentiate. All advocates complete the same learning pathway and are assessed for competency against the same standards.

Critically for traditional ESOs, ‘mates helping mates’ remains the benchmark on which their reputations rest and by which their performance continues to be judged. An accelerating demand for professionalism is the only change. Reasonably, the performance of the advocacy service delivery system for veterans and families at the time of review will be the ‘given’. Inevitably, the reviews will find the need for further professionalisation.

So, what are the measures of professionalism the ANAO, PC, the scoping study will apply? The accepted norms – irrespective of which profession – are as follows:

- identifies standards of performance,
- specialised knowledge,
- competency,
- honesty and integrity,
- accountability,
- self-motivated continuous learning and skills development, and

The needed outcome is clear. Irrespective of role within the advocacy system, whether APS officer or ESO/VSC/YVO leader, salaried or volunteer, or advocacy discipline, the veterans’ advocacy system must deliver high quality advocacy services. All members are stakeholders. All must focus their full

---

3 Indicatively, around 45-50 practicing advocates Australia-wide are salaried.
4 What a past DVA legal officer said at a Level 4 TIP course remains the norm: ‘Make no mistake. We are here for the same reason: to ensure that every DVA client receives their full entitlements. Not one bit more. But (said with emphasis), not one bit less.’
knowledge and skill within the legislation and policy to achieve the best possible outcome for the
veteran and family. A robust partnership that delivers high quality advocacy services is essential.
Professionalisation is ever more critical as stakeholders approach scrutiny, variously, by the ANAO,
PC, Scoping Study and Australian Charities and Not-for-Profit Commission (ACNC)

Grounding Perceptions
By their evidence to the Senate Inquiry, few respondents were informed of advances in advocacy
training and development and advocacy service delivery over the last three years. Key findings are
based on incomplete and untested information. Many complaints evidence pre- VCR (Veteran-
Centric Reform) service delivery, TIP-trained advocacy, and pre-ATDP Blueprint thinking.

As the Inquiry did not receive a submission from the volunteers deeply engaged in implementing
ATDP or the Advocates that have been accredited under 10620NAT, the ASQA-accredited Course in
Military Advocacy, none of the complaints was tested against progress made by those effecting
change. Stakeholders must therefore inform the review agencies of the gap between the Inquiry’s
findings and the current reality.

Stakeholder should, however, presume that, until improvements benefit the majority, complainants
are satisfied and advocacy service delivery has been advanced, review agencies will view assurances
sceptically. Stakeholders must therefore provide quantitative and qualitative evidence.

Change Vectors
To meet the Inquiry's challenges, ESO/VSC/YVO leaders and their Advocates must become active
partners with DVA in VCR. In this respect, ATDP trains the ESO/VSC/YVO members that deliver
advocacy services to DVA clients. It is effectively the advocacy learning and development stream
within VCR. The relationship is even tighter: ATDP uses DVA’s e-learning modules to train advocates.

ESO/VSC/YVO leaders and Advocates are major stakeholders in VCR and ATDP for additional
reasons:

- **VITA Indemnification:**
  - Advocates are authorised by their ESO/VSC/YVO to practice;
  - typically, a claim for professional negligence would be made against the authorising
    ESO/VSC/YVO with the advocate joined in the litigation; and
  - if advocates do not deliver high quality advocacy services, it is the ESO/VSC/YVO’s
    members that suffer.

- **At their November 2017 meeting, the Federal and State Ministers for Veterans Affairs
  resolved to investigate creation of an accreditation system for ESOs and VSCs as service
  providers. That Ministers are considering this step underscores again the concern
  governments share about perceived inadequacies in ESO advocates’ support of veterans
  and their dependents.**

Beyond these considerations, ESO/VSC/YVO leaders and Advocates must present to the ANAO, PC
and Scoping Study a shared vision of veterans’ advocacy. As Tom Vanderbilt (epigram), however,
cautions that vision must be realistic. It must be built on VCR, ATDP and ESO/VSC/YVOs’ current
levels of advocacy service delivery. The new vision must also be supported by an implementation
plan with actions, resources and timelines.

---

5 The prospect of accreditation as service provider need not alarm ESO Executives. It is not an
uncommon regulatory measure to assure the quality of services delivered. Where the agency is government-
funded, typically, funding is tied to performance. Indeed, eligibility for BEST funding has quantitative
performance criteria (number of claims and welfare services delivered). The proposal is therefore best viewed
as another limb of professionalisation.
Foundations for Change

ATDP is the product of critical analyses of advocacy training and ESO advocacy services over the period 2004 to late 2014. Subsequently, between June 2015 and December 2017, TIP and ATDP worked with younger veterans to determine their advocacy needs. The latter work led to the next evolution in Advocates’ core knowledge and advocacy skills – adoption of the ‘Healthy Veteran. Healthy Family’ model and veterans advocacy refocused on ‘wellbeing’.

Systemic Foundations

These developments have been embedded in advocates' training. Figure 1 (overleaf) depicts the elements, activities and links in the refined ATDP learning and development pathway. The new core knowledge has been added to the aged care content that dominated TIP-trained advocacy. The new 10620NAT, Course in Military Advocacy, units of learning will be rolled-out from 1 July 2018.

Qualitative Foundations

Younger veterans' needs have fundamentally changed the structure of advocacy:

- compensation advocacy has always been episodic, but has been the focus of advocacy; and
- whereas TIP-trained welfare officers ‘pointed the way’, ATDP-trained Wellbeing Advocates ‘walk beside’.

Younger veterans have also made clear that compensation advocacy is an intervention in a lifelong continuum of support for the ‘Defence Family’. ATDP has introduced units of learning about advocacy into compensation, and vice versa.

The purpose of ‘rehabilitation’ (MRCA 2004, s38) provides a legislated measure of successful Wellbeing Advocacy. Effectiveness will be judged by the health, social integration, economic productivity, financial wellbeing, self-sufficiency and resilience that members of the ‘Defence Family’ achieve through the support they receive.

ESO/VSC/YVO leaders and Advocate will therefore be open to opprobrium if, in the face of identified needs, a legislated measure, and incontestable change vectors, they fail to:

- support ATDP’s implementation of these changes to advocates’ training, and
- fully support their trainee-advocates’ on-the-job learning and development.

Quantitative Foundations

From another perspective, a number of submissions to the Senate Inquiry expressed concern about the dwindling numbers of advocates and, in particular, the low number transitioning to accredited advocacy. DVA data are the counterpoint for these concerns. Advocacy News, Issue 7, indicates that around:

- 380 TIP-trained compensation and welfare officers have completed Recognition of Prior Learning (RPL) and are now accredited Level 2 Advocates; and
- 520 candidates are enrolled on the ATDP Level 1 compensation or welfare learning pathways.

(Continued on page 6)
Figure 1. ATDP Learning and Development Pathways
ATDP has advised separately that around 30 TIP-trained Level 2 Compensation Advocates who have accredited by RPL are now enrolled for RPL at Level 3 (VRB). Another 8 Level 3 advocates are already accredited through the ‘pilot’ program for the assessment process.

Straightforward calculations put complaints to the Inquiry into perspective. If the annual average number of primary claims (10,500) and appeals to the VRB (2,800) and AAT veterans’ jurisdiction (350) is divided by number of cases or appeals an advocate can reasonably complete in a year, the resulting demand analysis suggests that significantly fewer advocates are needed than TIP typically trained each year.

Indicatively, the number of Full-time Equivalent (FTE) compensation advocates works out to be around: 10

- Level 1 and 2 (Primary Claims): 153
- Level 3 (VRB): 78
- Level 4 (AAT): 19

Note specifically that these are calculations of FTE. They must be moderated for part-time advocacy, advocate retirement, location, and contingencies. To these numbers must be added the number of wellbeing advocates needed to meet the greater workloads resulting from support of younger veterans and their families. Other moderation factors include the following:

- the evidence that younger veterans favour the option of self-lodgement of primary claims through MyAccount and, increasingly, MyService;
- increasing on-line lodgement of primary claims without an advocate’s support, will change the focus of casework:
  - the total caseload of primary claims will decrease, and
  - the number of applications for reconsideration or appeals will increase; and
- the increasingly complex interaction between clients’ physical and psychological conditions will compound the advocates’ task, lengthening the time to resolve cases.

Assuming that:

- 1½ Level 1 or 2 wellbeing advocates are required for each Level 1, 2 and 3 compensation advocate; and
- 3/4 of Level 1 and 2 advocates are part-time and work only 1/3 FTE;
- 1/2 of Level 3 advocates are part-time and work only 1/3 FTE; and
- emerging trends in claims by younger veterans:
  - reduce Level 1 and 2 compensation workload by 50%; and
  - increase Level 3 compensation workload by 25%;

the indicative number of salaried plus fulltime advocates to meet future demand would be:

- Level 1 or 2 Wellbeing Advocates: 700
- Level 1 or 2 Compensation Advocates: 198
- Level 3 Compensation Advocates: 213

At the level of gross comparison, after one year of ATDP operations comparison of the aggregate number of accredited Level 2 advocates, Level 1 under-training, and enrolled for RPL at Level 3, with the number calculated through demand analysis is encouraging (around 900 vs around 1100).

---

10 The following data are derived from face-to-face survey of ATDP-accredited volunteer and paid advocates. Time taken to research, prepare and lodge:

- Primary Claims: 25 hours
- DR Submission/VRB Appeal: 50 hours
- AAT Appeal: 100 hours
Cost Effectiveness

Finally, as a Publicly-funded program, ATDP must be able to sustain scrutiny during Budget deliberations in competition with bids from other programs. To be funded, it must demonstrate cost-effectiveness. Typical metrics can be expected to include:

- the number of candidates trained;
- the number of wellbeing cases supported, or primary claims submitted per practicing advocate;
- the ratio of appeals to the VRB versus primary claims lodged; and
- the ratio of AAT appeals versus the number heard by the VRB.

Directions for Change

Reasonably, the preceding and other considerations will affect advocacy training and practice. For example:

- The VITA Chair has advised the following dates on which indemnification of TIP-trained will cease:
  - Levels 1 and 2: 30 June 2019.
  - Levels 3 and 4: 31 December 2021.
- Without a comprehensive caseload of primary claims, advocates will not have the experience they need to address an increasing number of complex, naively-prepared primary claims.
- The growing complexity of younger veterans and their families’ needs, fundamentally change advocacy practice, leading to the following ramifications:
  - a greater number (possibly, an eventual doubling) of wellbeing advocates,
  - cross-training of all advocates in the other advocacy discipline,
  - refocused mentoring and on-the-job training (OJT) for candidates,
  - accredited training of mentors to assure their competency, and
  - increased support for Communities of Practice (CoP).

ATDP is already implementing the critical changes to advocacy training identified in past reviews. The recommendations of the 29 July 2013 ‘Report of the ESORT Working Party on TIP Accreditation’\(^{11}\) are, however, not as well advanced – many ESO/VSC/YVO still struggle to:

- assess candidates’ suitability for advocacy training,
- find mentors and supervise on-the-job performance,
- administer and financially support their candidates and advocates,
- understand the risk implications of authorisation, and
- not see Communities of Practice (CoP) as a challenge to their ‘sovereignty’.

ATDP’s mentoring and on-the-job training (OJT) and continuing professional development (CPD) offer partial remedies. But, they also increase ESO/VSC/YVOs’ responsibility to support these activities. These responsibilities can be expected to have financial, administrative and professional indemnification limbs. Few ESO/VSC/YVOs are currently able to meet their commitments. Helping them get ready – or finding a resolution to their challenges – is a critical task that has yet to be addressed.

Prudent governance should anticipate that recent investigations, the current review of the ACNC legislation and appointment of a new Commissioner will result in ACNC scrutiny across the wider ESO/VSC/YVO community. In the emergent regulatory environment, reappraisal of cultural values, strategic objectives, fiduciary practices and financial administration are essential due diligence. If reappraisal discovers a gap between regulatory requirements and governance practices, change is

\(^{11}\) Can be provided on request.
essential. And, if reappraisal discovers a gap between traditional values and current advocacy practices, a stronger focus on professionalism is essential.

The ANAO efficiency audit, Productivity Commission review, scoping study, and concern about veteran suicide, underscore the critical importance of professionalism as the driving ethos of veteran’s advocacy. As stakeholders, ESOs, VSCs, YYVOs, ATDP, DVA, VRB and AAT will need to address these issues jointly. Success necessitates a robustly collegial approach rather than (in too many instances) the antagonisms and ‘silo-ed’ relationships of the past. Joint adoption of a ‘learning organisation’ approach is overdue.

The preceding issues are probably the tip of an iceberg of potential change. As Donald Rumsfeld quipped: ‘Then, there are unknown unknowns’. The foundations that VCR and ATDP have in place (or planned) are necessary; but ESORT should expect that, over time, will prove not to be sufficient. Stakeholders therefore need to be vigilant, flexible, and ready to respond quickly to emergent factors.

Options - Some Underpinning Considerations

The Senate Inquiry recommended investigation of a Bureau of Veterans Advocacy, ‘institutionally modelled’ on Veterans Affairs Canada (VAC)’s, Bureau of Pensions Advocates (BPA). Government has agreed that this recommendation be progressed. It is therefore an option for the future of advocacy with which ESO National Presidents need to be familiar. The BPA is discussed first.

Option No 1 - Bureau of Veterans Advocates

Its website describes the ‘Bureau of Pensions Advocates [as being] a unique, nation-wide organization of lawyers within Veterans Affairs Canada’ (emphasis added).

BPA provides free legal services for 90% - 95% of clients that are not satisfied with VAC decisions about claims for disability benefits. The BPA supports those claimants that decide to proceed to the Veterans Review and Appeals Board (VRAB). BPA staff:

- research the condition to be reviewed or appealed,
- determine if supportive evidence (eg. medical reports or other documentation) is needed, and
- recommend either proceeding or not proceeding to review or appeal.

The following appeal pathways are open to VAC clients. BPA lawyers provide support at no charge.

- **Departmental Review**: A BPA lawyer presents new evidence by written submission to VAC.
- **Review Hearing**: A BPA lawyer represents the client at a Review Panel of (usually) two members of the Veterans Review and Appeal Board (VRAB). The client is permitted to attend the Review Hearing.
- **Appeal Hearings**: When clients are not satisfied with the VRAB Review Panel decision, they have the right of appeal to, and cost-free representation by, a BPA lawyer at the Appeal level of the VRAB. The client is not permitted to attend an Appeal Hearing.
- **Reconsideration by VRAB**: While VRAB Appeal decisions are normally final and binding, the Veterans Review and Appeal Board Act provides for Board reconsideration of the matter if there has been an error of fact, error of law, or if significant new evidence is brought forward.
- **Judicial Review**: In very rare cases (eg. where the Board has made an error in law or in fact, or has overlooked significant facts that may have far-reaching effects for a class of veterans), a client may be able to refer the matter to the Federal Court of Canada. If the

---

12 This discussion is extracted from the Veterans Affairs Canada website: [http://www.veterans.gc.ca/](http://www.veterans.gc.ca/)
Federal Court determines that the Board has erred, it can refer the matter back to the Board for re-hearing.

BPA’s scale of effort is a relevant benchmark. It has provided the following data:\textsuperscript{13}

- Full-time Staff: TBA
- Number of Reviews: TBA
- Number of Appeals: TBA
- Number of Reconsiderations: TBA
- Expenditure (includes staff overheads): TBA
- Average cost per staff member: TBA

BPA also conducts out-reach programs for potential clients, and participates in VAC seminars for active and retired members of the Canadian Forces, Royal Canadian Mounted Police, and veterans’ organisations. It also advises departmental committees, and Members of Parliament on behalf of constituents.

In conclusion, BPA lawyers:

- are embedded in Veterans’ Affairs Canada;
- do not provide support with clients’ primary claims;
- provide free-legal support at all review and appeals levels, including judicial review by the Canadian Federal Court;
- represent clients with the client in attendance only at the Review Hearing (viz, Australian VRB equivalent) level.

Interpretation of the term ‘\textit{institutionally modelled}’ notwithstanding, the BPA model appears to have some fundamental downsides. The following are contrary to veterans’ expectations, Australian ex-service traditions, and Australian cultural norms:

- no support for primary claims,
- no wellbeing advocacy support,
- perceived conflict of interest, and
- the denial of client attendance at higher levels of appeal.

\textit{Alternative Option - Institute of Professional Military Advocates}

The paper next discusses a second option – creation of an ‘institute of professional military advocates’. It collates issues under the characteristics that would accommodate ESO/VSC/YVOs’ challenges and, where practicable, includes remedies for identified weaknesses.

\textit{Purpose}

The broad purpose of an ‘institute’ would be to assure the delivery of high quality advocacy services to members of the ‘\textit{Defence Family}’ that are eligible under veterans’ legislation.

\textit{Caveat}

To put the title into context. The term ‘institute’ is illustrative. This section does not argue that creation of an institute of professional military advocates is the only, or the preferred, option. The section discusses some of the key issues that ESORT would need to consider irrespective of option.

\textit{Scope of Option}

If ‘\textit{institutional modelling}’ extends no further than the BPA features that the Inquiry saw as desirable, ESORT must consider at least the following:

\textsuperscript{13} At the time of writing, VAC had been invited to forward the identified statistics. Should the data not be available, less disaggregated data is accessible on: \url{http://www.veterans.gc.ca/eng/about-us/statistics}
• ‘veterans’ representation,
• ‘commissioning legal representation (where appropriate),
• ‘training veterans’ advocates, and
• ‘being responsible for advocate insurance issues.’

To be acceptable to the ‘Defence Family’, the preceding features are necessary, but not sufficient. To them must be added:
• the traditions and values deeply embedded in the Australian veteran community,
• the operational realities confronting ESO Executives and Advocates, and
• the concerns given in evidence by respondents to the Senate Inquiry.

In more detail, essential features include:
• the 100-year old founding tradition of ‘mates helping mates’;
• broad cynicism about government decisions, which (from the Inquiry findings) surfaces as distrust of DVA and the VRB;
• the various influences on volunteering by ex-service personnel including:
  ○ motivation by intrinsic reward,
  ○ freedom to contribute when and as able,
  ○ release from hierarchical command and control;
• probable scrutiny by ACNC of ESO, VSC and YVOs’ purpose, governance, fiduciary controls and financial management;
• many ESO/VSC/YVOs’ ill-preparedness to:
  ○ assess the suitability of candidates for ATDP enrolment,
  ○ administratively and professionally support advocacy mentoring and OJT,
  ○ assure the delivery of high quality advocacy services, and
  ○ contain the increasing risk resulting from the preceding challenges.

Other Institutional Models
A preliminary stakeholder survey indicates that a professional institute is a viable option. Viability depends, however, on its being independent of, but responsive to, stakeholders’ varying needs and appropriate to Australian veteran culture. This prompts the question:

‘What Australian professional institutes might be relevant models?’

Even the most cursory web-search identifies:
• Australian Veterans' Children Assistance Trust (AVCAT),
• Australian Medical Association,
• Australian Veterinary Association,
• State’s Law Societies or Legal Practice Board,
• Police Federation of Australia, and
• the Institute of Public Accountants or CPA Australia.

Functions
A brief overview of these models indicates that, to achieve its purpose, an institute of professional military advocates would need to:
• embed an ethos of self-directed professionalism;
• incorporate the objectives of VCR;
• continue the tradition of ‘mates helping mates’;
• assure the delivery of high quality advocacy services to clients;
• ameliorate ESOs and VSCs’ challenges in managing advocacy service delivery;
• contain the risk for those delivering professional advocacy services;
• be demonstrably well governed, managed and administered;
be appropriately funded to ensure its independence; and
be structured legally, organisationally, managerially and administratively to:
o meet current legislative and regulatory requirements,
o respond as seamlessly as practicable to emerging legislative and regulatory
requirements,
o nurture the intrinsic rewards of helping others in crisis or need, and
o not impose counter-cultural constraints on those delivering advocacy services.

Professional Standards

10620NAT, the Course in Military Advocacy, has been developed for ATDP by a Registered Training
Organisation (RTO), accredited by the Australian Skills Quality Authority (ASQA), and is being
implemented by volunteer Learning and Development Facilitators under the RTO’s Registration.

Although ATDP Facilitators have been accredited in Training and Assessment, the RTO14 is accepting
significant commercial risk in delegating training and assessment to ATDP volunteers. The RTO’s
business model rests on the preparedness of ATDP learning facilitators to perform to high
professional standards. As the contracting body, DVA is probably open to vicarious risk should an
ASQA audit discover failings in ATDP Facilitators’ delivery of training and assessment and de-register
the RTO.

Together, these are strong incentives for assurance of high professional standards. Assuming the
institute incorporates the training function as recommended by the Inquiry, it cannot expose itself to
any more risk than the current DVA-ATDP-RTO arrangement. This suggests that the institute would
either enter into a contractual arrangement with an RTO on a similar basis to the existing DVA-RTO
arrangement, or register with ASQA as an RTO in its own right. In either option, the institute will be
subject – either directly or vicariously – to:

- Vocational Education and Training (VET) legislation;
- ASQA accreditation regulations and audit; and
- commercial and reputational risk.

Quality Assurance

A number of the reviews that preceded ATDP were critical of TIP’s lack of quality assurance (QA).
The ATDP Blueprint corrected this failing. ATDP is well-advanced in developing a comprehensive
quality assurance program. Figure 2 depicts the key stakeholders and their interactions in a quality
assurance system that would be an institute function.

---

14  Major Training Services Pty Ltd.
Quality-assured delivery of advocacy services necessitates adoption of a systems approach. To be effective, collaboration by all stakeholders – ESOs, VSCs, YVOs, various DVA business units, the Commissions’ Delegates, VRB and AAT Registrars and Members, ATDP, ESOs’ Executives, Mentors and OJT supervisors, Communities of Practice (CoP), and Advocates – will be essential.

Professional Indemnification

The Inquiry recommends that the BVA be ‘responsible for advocate insurance issues’. VITA (the Veterans’ Indemnity and Training Association Inc) negotiates professional indemnification insurance (PI), and promulgates protocols with which advocates must comply to meet the insurer’s risk assessment. VITA also insures ATDP Facilitators for accidental personal injury while on authorised learning-facilitation duties. VITA actively supports ATDP’s professionalisation of veterans’ advocacy.

Most ESOs and several incorporated VSCs are members of VITA, and their advocates are therefore covered for inadvertent professional negligence. Members pay a $200 annual contribution to VITA, with the balance of the premium being paid by DVA. With an established indemnification insurance scheme in place, prima facie, negotiation of a replacement scheme appears unnecessary.\(^{15}\)

Creation of a professional institute may be an opportunity for the various insurances that, prudently, ESOs and VSCs have in place to be amalgamated into a comprehensive package of insurance cover. Currently, ESOs and VSCs applying for BEST funding must maintain public liability insurance that covers advocates when on duty. Presumably, ESOs also hold Contents Insurance to cover loss or damage to equipment used by advocates when on duty. Ideally, this cover should extend to use of IT equipment when advocates are on duty away from the office. ESOs and VSCs should also have taken out ‘volunteer insurance’ to cover advocates’ personal injury during travel to and from, and when on, duty.

Progression of consolidated cover would necessitate negotiations between the institute, VITA, VITA Members and DVA of, at least:

- terms of association;
- insurance cover to be provided;
- seating culpability for infractions of risk in the institute (rather than the ESO); and
- payment of premiums.

Legal Structure

Given that its purpose is to provide advocacy services through ESO/VSC/YVOs as not-for-profit (NFP) entities, it is appropriate – and presentationally sensible – to register the institute with the Australian Charities and Not-for-profits Commission (ACNC) and to apply for Deductable Gift Recipient (DGR) status with the ATO. These measures would be attractive to donors.

The NFP regulatory environment necessitates due diligence on the legal structure that best meets fiduciary responsibilities and contains governance risk. Demonstrably, the relatively un-demanding governance responsibilities of an Incorporated Association are not adequate. They also fail to inculcate the corporate culture and promote the probity that are appropriate to an organisation which would manage significant Public funds and assets.

The regulatory environment and governance requirements necessitate legal structuring as, at least, a Corporation Limited by Guarantee (CLG). Incorporation as a CLG would lead to creation of a Board, in turn necessitating the identification of Directors with the knowledge and skills needed to drive a

\(^{15}\) Reasonably, the wider insurance industry is aware of ASQA-accredited advocates. With a legislated benchmark available, non-VITA insurers can be expected reasonably to assess their risk as higher if they are covering unaccredited advocates. Increased risk implies higher premiums. This is a pro-accreditation incentive.
professional institute. Directors would be subject to the *Corporation’s Act 2001*, with their liability limited by guarantee.

The demand analysis above suggests that the institute’s professional membership would comprise not more than 1200 accredited advocates (salaried and volunteer), learning facilitators and mentors. Assuming the current BEST allocation ($2.0m) were received by the institute to fund volunteer advocates’ activities, a further ($2.0m) were required to cover salaries and on-costs for salaried advocates and management, and a 25% contingency were added to these sums, the indicative annual budget would be around $5.0m.

This ‘back-of-an-envelop’ calculation helps identify the number of directors required. Regulatory requirements and the institute’s role identify the combined knowledge and skills that the Board would need. Indicatively, it would comprise no more than the following directors and skills:

- **Chair:** experienced Board-level in the Not-for-Profit sector.
- **Professional Standards:** experience in (preferably) a professional legal institute.
- **Ex-Service Member:** elected by ESO members of ESORT, Young Veterans and Female Veteran and Families Forums.
- **Commission Member:** appointed by the Minister of Veterans Affairs.
- **Company Secretary:** experience in corporate law and financial accounting.

To these members may be added:

- **RTO Member:** filled if the institute enters into a strategic alliance with an RTO.
- **VITA Member:** Chair of VITA if the institute enters into a strategic alliance with VITA.

**Advisory Structure**

The CLG’s constitution would provide that the Board be empowered to create and define the powers of advisory groups. These groups may be standing or ‘ad hoc’ depending on need. Standing advisory groups would probably include:

- Training and Development including mentoring and CPD.
- Advocacy Practice.
- Quality Assurance.
- Professional Ethics and Culture Change.
- Finance, Budget and Audit.

**Management and Administration**

Expensive management and administrative overheads must be avoided. Ongoing constraints in the Federal Budget should be anticipated, as should careful management of ESO/VSC/YVOs’ funds and assets in the wake of future ACNC scrutiny.

ATDP is creating, with support from a DVA-contracted IT consultant, a comprehensive On-line Management System (OMS). The OMS will provide automated support for:

- enrolment on ATDP;
- access to on-line learning modules;
- candidates and mentors’ data entry into the Workplace Experience Logbook (WEL - required as evidence for assessment);
- CPD on-line activities and administration;
- quality assurance administration;
- client contact with an advocate (the Advocate Register); and
In other words, the OMS would facilitate institute management and administration with minimum staffing overheads. Indicatively, the governance structure would therefore be supported by no more than the following salaried management and administration staff:

- **Manager**: permanent, full-time; responsible for:
  - implementing Board directions,
  - day-to-day operational effectiveness of the institute, and
  - communicating Board policy directions to, and liaison with, stakeholders.
- **Two Administration Officers**: permanent, full-time; responsible for:
  - administration of enrolment, training and CPD,
  - office administration, and
  - day-to-day administration.
- **Accountant-Auditor**: contracted.
- **Book-Keeper**: contracted one-half day per week.
- **IT Contractor**: contracted for routine system management and remediation.

**Complex Systems Approach**

The institute's operational environment displays all the elements and interrelationships described by complex systems science. It must be fully effective in that environment. To channel Donald Rumsfeld again, it will not be sufficient to adapt solely to ‘known knowns’ and ‘known unknowns’. The institute must also adapt to ‘unknown unknowns’ – the unheralded change vectors that emerge in future. It must therefore be operationally nimble. But, it must be so without prejudicing good governance.

**Interrelationship with ESO/VSC/YVOs**

A question that ESORT will need to face squarely is:

‘Doesn’t creation of a professional institute for military advocates remove advocacy from ESO/VSC/YVOs’ suite of services to their members?’

![Diagram of ESO-Institute-Advocacy Inter-Relationships](image)

*Figure 3. Conceptual ESO-Institute-Advocacy Inter-Relationships*
As Figure 3 depicts, the factual response is that:

- advocates will continue to deliver advocacy services in the same place they always have;
- the institute will be akin to a national CoP;
- it will link advocates professionally and assure delivery of nationally-consistent advocacy services;
- the primary benefits accrue for ESOs, VSCs and YVOs, and include release from:
  - the risk of litigation for negligence, and
  - the following responsibilities that they have long been ill-equipped to perform:
    - assessment of potential candidates’ suitability for advocacy;
    - administration of candidates’ candidature;
    - provision of mentoring and OJT;
    - authorisation of advocates to practice;
    - monitoring of advocates’ performance;
    - assuring the quality of advocacy services;
    - insuring their advocates and their equipment.

Residual Responsibilities
If ESOs, VSCs and, increasingly in future, YVOs take full advantage of the institute’s services, their residual responsibilities will be supervisory. Supervision by accredited advocates, subject to the institute’s membership obligations, further ameliorates administrative risk. ESO/VSC/YVO executives will need only to ensure that:

- their administrative and client confidentiality policies and advocate management procedures are adhered to; and
- policy and procedures guidelines prepared by the institute were appropriate.

Membership Flexibility
Needless-to-say, some ESO/VSC/YVOs would already be able to satisfy the institute’s (probable) standards, policy/procedures/practices, and the insurer’s business model. They may therefore not need to use all, or some, of the institute’s services. Some others may believe they meet those requirements, but do not.

These considerations suggest that, while the institute’s membership rules need to be flexible, it must protect its reputational and PI risk. Its rules will therefore place the onus on the ESO/VSC/YVO to satisfy the institute and insurer that the institute’s administrative support is not needed.

In such cases, the ESO/VSC/YVO’s advocates would have full membership of the institute, subject to the ongoing quality of their organisation’s administration of their advocacy services.

Future Professional Development
ESORT should anticipate prudently that the current level of professionalisation, while necessary, will not be adequate when formally reviewed. Inevitably, review bodies will see the professionalisation of advocacy to date as the start point for further professionalisation. Fortunately, development of the vision that will drive further professionalisation has already begun.

ATDP’s recent series of Workshops has identified younger veterans and their families’ advocacy needs. These provide guidelines for the future. Importantly, the interests that younger veterans articulated in those workshops are consistent with many of the submissions to the Senate Inquiry.

Wellbeing Advocacy Development
Younger veterans have long expressed concern that their interests would best be served if their advocates were professionally qualified. ATDP is moving to satisfy that requirement. During the
Workshops younger veterans identified the additional knowledge and skills that ATDP is now incorporating into its learning and development pathways. The additional content and higher levels of competency that are needed, have led to a third level of competency in Wellbeing Advocacy. To reiterate: the new units of learning have been added to the aged care knowledge and skills that have been the focus of TIP courses since the early 1990s.

**Career in Military Advocacy**

Younger veterans have expressed the wish that ATDP create opportunities for a professional career in military advocacy. Notably, this is consistent with the Prime Minister’s Veterans Employment Initiative and findings elsewhere about employment opportunities for the spouses of serving ADF personnel.

ATDP Workshops found that many of the units of competency (UoC) in CHC42015 Certificate IV of Community Services were relevant to 10620NAT, Course in Military Advocacy. There is also growing awareness that other courses may prove to be relevant. One is the Certificate IV in Life Counselling. Integration of appropriate CHC42015 (or other) UoC into the ATDP pathway is an incentive for younger veterans to engage in military advocacy. DVA is understood to have contracted the RTO to, where possible, link CHC42015 and 10620NAT UoC. To the extent that this is possible, Advocates who wish to continue to full certification will be able to transfer credit to CHC42015 (or other course) the UoC they completed in 10620NAT.

**Compensation Advocacy Development**

By analogy, linking 10620NAT and CHC42015 raises a possible remedy for concerns heard by the Inquiry about representation at the VRB and AAT. Incontestably, a thorough understanding of legislation and the ability to reason legally at the VRB is an advantage for any Level 3 Compensation Advocate. It is even more advantageous at the AAT, where arguments tendered by TIP-trained Level 4 volunteer Advocates encounter those submitted by the Respondent’s lawyer.

This is not to suggest that volunteer Level 4 Advocates must qualify in law.

Already, the Legal Aid Commission’s Veteran’s Advocacy Service can, in certain circumstances, provide legal representation for veterans. Alternatively, veteran-appellants may engage a lawyer to represent them at AAT at their own expense – with costs awarded in some circumstances. In this respect, a small number of lawyers have established a sound reputation for their expertise in veteran’s representation before the AAT.

DVA’s model litigant obligations and the recent policy change notwithstanding, several TIP-trained volunteer Level 4 Advocates have expressed concern about the Respondent being represented by barristers.

In anticipation that the ANAO, PC and Scoping Study will review veterans’ representation at the VRB and AAT, ESORT will prudently identify how Level 3 and 4 compensation advocacy might be further professionalised. At least two options are available:

- Completion of LAW10069 - Veterans Law 1, a unit of learning that is offered from time-to-time by Southern Cross University is one option. Its utility is enhanced by the unit’s mandatory pre-requisite: either LAW101157 – Australian Legal System, or LAW00051 – Legal Research and Writing.
- Alternatively, ATDP could engage experts in veterans’ law and advocacy such as Robin Creyke, Peter Sutherland, Hugh Selby and Bruce Topperwein to increase the academic rigour and advocacy skills in the units of competency for Levels 3 and 4.
Professionalisation and development of career paths in compensation advocacy by the addition of para-legal studies in veterans' advocacy has not yet been started. Prudently, ESORT could champion this work in advance of the forthcoming reviews.

**Mentoring**

With competency-based training relying for 90% of learning and development through mentoring and OJT, professionalisation of mentoring is axiomatic. Currently, those TIP-trained practitioners who undertake RPL also complete a one-day introduction to mentoring. The evidence is already that a competency-based approach to mentor training is required. Again, this work has not yet been started. Prudently, ESORT could champion it in advance of the external reviews.

**Ethos and Culture**

Although the ATDP Blueprint includes culture change, the focus of effort to date has been on accrediting and implementing the Course in Military Advocacy. Despite the significant number of TIP-trained practitioners that have undertaken RPL and the number enrolled on learning pathways, the evidence is that inculcation of a professional ethos is far from complete. A comprehensive culture change program is critical to the success of the institute and, through it, the delivery of professional advocacy services.

Inevitably, a small number of ATDP members have done most of the development. These members are aware of the critical need to ‘bring their colleagues along with them’. Information dissemination and nurturing of professionalism vests in all ATDP members. The challenge is, however, wider than ATDP. It is systemic. Ultimately, practicing Advocates must be convinced that an ethos of professionalism is necessary, irrespective of whether they are volunteer or salaried advocates.

Other culture change projects provide incontestable evidence that, unless leaders champion and actively engage in culture change, it will either not happen or be severely impeded. An elementary first step is to improve the flow of information within, and to, ESO/VSC/YVOs.

The institute may design a national culture change program and develop culture change materials; but, success will require information dissemination and leadership across the entire veterans’ organisation – from national to grass-roots level. Leaders have a crucial – and demanding – task ahead of them.

**Progression**

Following its acceptance of the Rolfe Review, ESORT nominated representatives to Working Parties that developed the ATDP Blueprint. A number were TIP-trained pension officers. A small core went on to work voluntarily with DVA officers and other volunteers to implement ATDP.

ATDP has already significantly professionalised advocacy training and development, and has further development under way. It is preparing to roll out:

- a program of continuing professional development (CPD) and self-directed learning, and
- a QA system covering ATDP training and ESO service-delivery.

Should, as presumed, the ANAO/PC/Scoping Study regard VCR and ATDP achievements as the point of departure for change, ESORT will need to consider how further professionalisation might be achieved.

**Working Party**

The Blueprint Working Party Model served advocacy training and development well. This paper therefore proposes that a Working Party again be convened to identify the vision that should drive training for, and delivery of, advocacy services beyond the current VCR-ATDP benchmarks.
The stakeholders that constitute, and the objectives of, the next Working Party should not simply replicate the previous one. Careful consideration is needed. Factors that will shape the Working Party include:

- external scrutiny:
  - by PC and ANAO of DVA and ESOs and VSCs’ delivery of advocacy services, and
  - by ACNC of ESO governance;
- the forthcoming Scoping Study;
- the National Collaboration Project and its interaction with traditional ESOs and younger veterans’ organisations;
- ESO National Presidents’ increasing collaboration;
- the advent of strategic planning as a key ESORT activity;
- DVA’s progress with VCR;
- ATDP’s progress with implementation of the 2015 Blueprint;
- the emergence of the ‘Healthy Veteran. Healthy Family’ Model with its:
  - overwhelming importance of wellbeing advocacy; and
  - embedding of episodic compensation advocacy in a wellbeing continuum.

The composition of the Working Party will need to be balanced quantitatively and qualitatively. It cannot have so many participants that it is unwieldy. On the other hand, it must comprise enough knowledgeable members to represent stakeholders’ interests. The participants must also have the authority to commit their organisation to a course of action. The following composition is suggested:

- As ESOs and VSCs will continue to, and increasingly YVOs will, deliver advocacy services, their interests must be represented by:
  - three Presidents of national young-veteran organisations that are providing wellbeing and compensation services;
  - representatives of the National Presidents of RSL and Legacy, and the ADSO National Convenor;
  - three very experienced and ATDP-accredited wellbeing and compensation advocates.
- The Chairs of ATDP’s Strategic Governance Board and Capability Framework Management Group and National Training Manager - as they are the principal holders of information on progress made and planned against the Blueprint vision.
- DVA represented by Assistant Secretaries or Directors of:
  - VCR, because of its extensive community consultations and its driving of change to meet the outcomes of those consultations; and
  - other appropriate business units identified by the Department.
- Three uniformed ADF personnel engaged in transition policy, administration and support service provision.
- A small number of participants invited because of their specialist knowledge and ability to contribute authoritatively to decision-making on the future of advocacy.

The Working Party may also constitute Consultation Panels to provide advice on matters that are critical to developing a new Blueprint, but do not warrant full-time membership.

**Workshop Process**

As with the ATDP Blueprint Working Party, a series of workshops were convened over a period of time, to ensure all relevant issues were identified, wider stakeholder constituencies engaged, and then discussed to consensus.

**Funding**

As the Working Party will ‘set the scene’ for especially the Scoping Study, but also for the ANAO and PC reviews, a submission to the Minister seeking approval to fund the Workshop from the Scoping Study is proposed.
**Working Party Outcome**

The intended outcome is a ‘Blueprint II’ – a document that:

- focuses on:
  - the training for, and
  - delivery by, and
  - quality assurance of, Wellbeing and Compensation Advocacy services to the future ‘Defence Family’; and
- is presented to the Productivity Commission, ANAO and Scoping Study consultant as:
  - the veteran community consensus on the future of advocacy service-delivery,
  - the means by which stakeholders ensure the reviews are thoroughly well informed in reality,
  - a agreed ‘social licence’ for change.

**Conclusion**

This ‘think piece’ has scoped a range of the issues that ESORT will want to address at its 9 March 2018 Meeting. When considering the future of advocacy, ESORT will need to take a complex systems approach. Its Members, and stakeholders not represented at ESORT such as VSCs and YVOs, will need to collaborate.

Complaints to the Senate Inquiry will inevitably arise again during the forthcoming reviews. ESO National Presidents will need to be well versed in the progress made. VSC and YVO leaders will also need to be informed of the intent of this paper and the progress made to date in VCR, ATDP and by practicing Advocates.

But, all stakeholders will need to be prepared for the unexpected. A thoroughly well considered vision of the future of advocacy is the essential start-point. Convening of a Working Party to develop a stakeholder-wide consensus on that vision is proposed.

This ‘think piece’ discusses one option. Without seeking to be definitive, it has addressed some key considerations that underpin an ‘institute of professional military advocates’. The option builds on Canada’s Bureau of Pension Advocate; but situates it in Australian ESOs’ traditions, social values, veterans’ legislation, regulatory environment, and budgetary constraints. The ‘institute’ would:

- manage and administer veterans’ advocacy;
- set and ensure standards of training, accreditation and performance;
- authorise practice of professional military advocates;
- monitor advocates’ ongoing competency, currency and CPD;
- provide professional indemnification; and
- quality assure delivery of advocacy services.

Importantly, it would be the foundation for ongoing professionalisation of advocacy over and above VCR and ATDP’s current achievements and plans. Equally importantly, it would be the foundation for younger veterans’ careers in professional military advocacy. Finally, the ‘institute’ would ameliorate the challenges historically and currently facing ESOs, VSCs and YVOs, including being ill-prepared to:

- administer veterans’ advocates;
- support younger veterans;
- meet regulators’ governance requirements, and
- respond satisfactorily to the questions the imminent reviews are likely to ask.

The Institute would relieve those ESO/VSC/YVOs that needed the institution’s services of responsibility for these functions. It would do so, however, in a way that maintained ESO/VSC/YVOs’ profiles as the providers of advocacy services. Indeed, the assured quality of advocacy services has the potential to enhance the ESO/VSC/YVO’s reputation. Adoption of the institute model (or another similar option) would remain true to ESOs’ 100-year old tradition. It would, however, ensure that when ‘mates help mates’, they are doing it **better**!