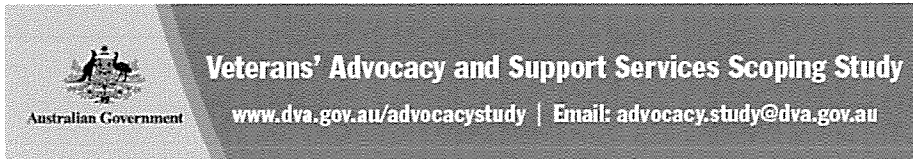


Terms of Reference



Context

The veterans' advocacy sector is undergoing a period of change. The nature of service and training is evolving, driven by the expectations of younger veterans who seek a more professionalised client-centric service than their predecessors in accessing their entitlements. They seek quality services which are underpinned by accreditation frameworks and high standards of governance.

Veterans' advocacy services can encompass assistance with the lodgement of an initial claim through to assistance with the appeals process including internal review, the Veterans' Review Board and the Administrative Appeals Tribunal.

The majority of current services to veterans are delivered by ex-service organisations and their volunteer workforces. However, some ex-service organisations and other professional bodies, such as the legal aid commissions, do employ professional, paid advocates. Overall, service standards are not well defined and differ depending on the organisation providing them.

Younger veterans are seeking a nationally-consistent service where the support, at a minimum, is equal to those provided in comparable sectors and have a strong preference for modernised services where they are empowered to act independently.

On 15 August 2017, the Senate Standing Committee on Foreign Affairs, Defence and Trade tabled its report, *The Constant Battle: Suicide by Veterans*, in Parliament. The report found the current advocacy model is unsustainable because ex-service organisations are unable to attract younger veterans into their ranks to replace the ageing volunteer workforce. It recommended:

...the Australian Government establish a Bureau of Veterans' Advocates to represent veterans, commission legal representation where required, train advocates for veterans and be responsible for advocate insurance issues. (Recommendation 23)

The report also considered the current legislative provision, which prevents lawyers from appearing at Veterans' Review Board hearings. It recommended:

...the Australian Government establish an independent review of the representation of veterans before the Veterans' Review Board. This review should assess whether the rights of vulnerable veterans are being adequately protected and whether further support mechanisms for veterans appearing before the Veterans' Review Board are required. (Recommendation 24)

On 8 November 2017, at the Veterans' Ministers' Round Table, Ministers supported the establishment of a body within the sector to define the standards for services provided by ex-service organisations to veterans and establish a formal accreditation process.^[1] Whilst the Government provides grant funding to support ex-service organisations in providing services to veterans, there is currently no means of assessing the quality of those services.

On 7 December 2017, the Defence sub-committee of the Joint Standing Committee on Foreign Affairs, Defence and Trade found debriefing on unsuccessful Veterans' Review Board cases may reduce appeals and associated stress for veterans. It recommended the:

... Department of Veterans' Affairs investigate options for an independent authority to review all unsuccessful Veterans' Review Board determinations in consultation with the affected veteran or their delegate to alleviate the stress and burden of making their own case to appeal. (Recommendation 10)

From 1 July 2016, prior to these reviews, the Advocacy Training Development Program introduced accredited training for advocates providing compensation and welfare services to veterans. This is a joint initiative between the ex-service community, the Department of Veterans' Affairs (the Department), and the Department of Defence to improve the quality of advice provided to veterans in accessing their entitlements. The program introduces the first form of accreditation into the sector which provides a solid foundation for advocacy and other reforms to build on.

More broadly, the Department's Veteran Centric Reform is seeking to modernise the claims process by making it simpler and more efficient for the majority of veterans to access their compensation entitlements without assistance.

The Veterans' Review Board has recently introduced an Alternative Dispute Resolution Program to put the veteran at the centre of the appeal process and resolve cases as quickly as possible without the need for a formal hearing. The Board provides active assistance to veterans, both represented and unrepresented, to achieve an acceptable outcome and provides training to educate their representatives. Further, the Board has offered training and support to educate and inform representatives.

Advocacy is an essential part of a modern service that is able to meet the wide range of veterans' needs. A more professionalised service will allow veterans to focus on their rehabilitation and civilian life.

Scope

In response to the several recommendations outlined above, the Department has committed to undertaking this Scoping Study to examine the:

- range of advocacy and welfare services currently provided by both volunteer and paid professionals from the ex-service community, government and the legal sector
- current challenges and barriers to accessing entitlements and services and the impact they have on veterans' wellbeing
- needs of different veteran cohorts for professionalised advocacy support and the potential benefits to each cohort
- different models for professionalised advocacy both within Australia and overseas to determine the most suitable model so veterans have
 - a sustainable, consistent and reliable advocacy service which is scalable based on demand
 - an efficient and effective service to assist them to access their entitlements so they can focus on more important things, such as rehabilitation and their civilian life
 - a level of service which, at a minimum, is comparable in quality and value with other cohorts accessing government entitlements
 - a service based on their needs, irrespective of age, and which adequately protects their interests
 - access to advice on why their claim was unsuccessful and options for appeals
- governance and quality frameworks available to deliver performance driven professionalised advocacy and service models, including recommending the most appropriate frameworks and any partnerships required to achieve this outcome

- roles and responsibilities of traditional, new and emerging stakeholders within the veterans' advocacy sector as it stands and under any future model, articulating the value and contribution of those roles and responsibilities in professionalising veterans' advocacy
- costings for all models considered
- timeframes and strategy for implementation, including: key milestones, risks, change management and transitional considerations.

Approach

The Study will be led by Mr Robert Cornall AO.

Ex-service organisations and their existing volunteer workforce have provided a great service to Australian veterans over many years. The ex-service, veteran and Australian Defence Force communities will be widely consulted as an integral part of this Study. In particular, younger veterans, female veterans and veterans' families, who have emerging needs, will be co-contributors to the [Scoping Study](#) through consultation and gathering information about user experience.

The Study will incorporate various forms of research and include the views of relevant policy and technical stakeholders (in Australia and overseas), including community consultation with the veteran community, appeal bodies including the Veterans' Review Board and the Administrative Appeals Tribunal. It will also include new stakeholders from the legal, community, health and disability sectors.

Timeframe

The Study commenced in April 2018 and will be completed by December 2018. Public submissions will be accepted until mid-2018.

Outcome

A report complete with its evaluations and recommendations will be submitted to Government at the end of the year.

^[1][VMRT Joint Communique](#)