

# THE FUTURE OF ADVOCACY – SCOPING THE ISSUES

*Ambitiously idealistic experiments often collapse under the weight of their internal contradictions.*  
Tom Vanderbilt, 'Lore of the Jungle', 2018.

## Introduction

On 21 March 2018, the Alliance of Defence Service Organisations (ADSO) tabled at the ESO Round Table (ESORT) *'The Future of Advocacy – Scoping the Issues'* as ESORT's first strategic topic for 2018. This submission to the Productivity Commission Public Inquiry into *Compensation and Rehabilitation Veterans* arises from the ESORT paper in the context of early interviews with ADSO Members.

Interviews indicate that the Commission team preparing the Issues Paper is interested in our impressions about the Advocacy Training and Development Program (ADTP), any challenges moving from the previous Welfare and Compensation Officer framework to accredited Advocacy through ADTP.

By way of context, ADSO strongly supports the advent of ADTP and accredited advocacy. It is also aware that the small team of volunteers that is progressing ATDP sees its current achievements as just the start of a process of progressive professionalisation of Military Advocacy. ADSO's *Future of Advocacy* looks forward beyond the current scope of ATDP to what may come next.

While this submission develops only one option, the intention is not to be definitive. Rather, it is to outline some of the issues the Productivity Commission may wish to consider. Later submission will address the other ToR.

## 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 Senate Inquiry's findings were frequently critical of DVA and advocates' performance, and led to the Government's accepting (amongst others) the recommendations for formal review by the ANAO, Productivity Commission and the *Veterans' Advocacy Services and Support Scoping Study*.

## Scope of Submission

The 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?

## 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. These stakeholders may decide not to anticipate the future of Military Advocacy and be subjected to change imposed externally. Or, they may thoroughly prepare their position and be the architects of the future.

## 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 more than a

motivation. It is now a value embedded so deeply in veterans' culture that it is a '*tradition*'. Crucially, the same imperative is now 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 predecessors' views and activities. The benefits to which Korea-Malaya-Vietnam era veterans are entitled are no better and no worse than their predecessors' advocacy of veterans' legislation.

The current cohort of ESO Leaders, Members and Advocates, may be agitated about the adequacy of their 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 and their families 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. Traditional ESOs and YVOs 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 the present generations 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 Senate Inquiry recommendations was greater support for the 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*'.<sup>1</sup> Addition to the learning pathway of significant new content, supported by hands-on workplace experience is the result.
- Contemporary advocacy by traditional ESOs and YVOs 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' needs are heard.

To adapt ESOs' founding traditions to these and future realities is one of the greatest challenges we face as ESO and YVO leaders. The Inquiries and Scoping Study reinforce how critical is the challenge.

## Resolution

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

- advocates' learning and development:
  - trains them to meet clients' needs as they evolve, and

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<sup>1</sup> The advocacy model is entitled: '*Healthy Veteran. Healthy Family*'.

- 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, ESOs and YVOs need a ‘vision’ – a mental model of what the future system for delivering advocacy services needs to look like. Current Advocates are either volunteers or salaried.<sup>2</sup> Both ‘DVA Towards 2020’ and the ‘ATDP Blueprint’ mandate the delivery of high quality advocacy services. Whether an 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 national VET 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. As the PC Inquiry and Scoping Study gather evidence, the current performance of the advocacy service delivery system will be the ‘given’. Improvement therefore means further professionalisation.

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

- honesty and integrity,
- specialised knowledge,
- advocacy skills,
- national standards of competency,
- self-motivated continuing learning and skills development,
- self-regulated performance grounded in critical self-analysis, and
- accountability.

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.<sup>3</sup> All must focus their full 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.

### 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 Senate Inquiry did not receive submissions from the volunteers deeply engaged in developing and implementing ATDP, or the Advocates that have been accredited under the ASQA-accredited 10620NAT Course in Military Advocacy, none of the complaints was tested against progress made by

<sup>2</sup> Indicatively, around 45-50 practicing advocates Australia-wide are salaried.

<sup>3</sup> 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.’

those effecting change. Stakeholders must therefore inform the review agencies of the gap between the Inquiry's findings and the current reality.

Stakeholders should, however, presume that, until improvements benefit the majority and the complainants are satisfied that advocacy service delivery has been advanced, the PC Inquiry and Scoping Study will view sceptically assurances of improvement. 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 even closer 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 substantive 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.
- The National Collaboration Project (NCP), chaired by Sir Angus Houston AK AFC, is seeking to enhance the standard of support services to veterans and veterans' transition from Defence service to civilian life and work.
- 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.
- The DCP and Ministers focuses underscore again the concern governments share about perceived inadequacies in ESO advocates' support of veterans and their dependents.<sup>4</sup>

To continue to professionalise advocacy, ESO/VSC/YVO leaders and Advocates must share a vision of veterans' advocacy. However, as Tom Vanderbilt (epigram) cautions, that vision must be realistic. It must build upon VCR, ATDP and ESO/VSC/YVOs' current levels of advocacy service delivery. The new vision must be supported by an implementation plan with actions, resources and timelines.

### 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 – the '*Healthy Veteran. Healthy Family*' model and Military Advocacy refocused on '*wellbeing*'.<sup>5</sup> These developments have been embedded in advocates' training. Figure 1 (overleaf).

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<sup>4</sup> 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.

<sup>5</sup> The ATDP would be able to provide to the Inquiry the papers that record the rationale for and progression of these advances.

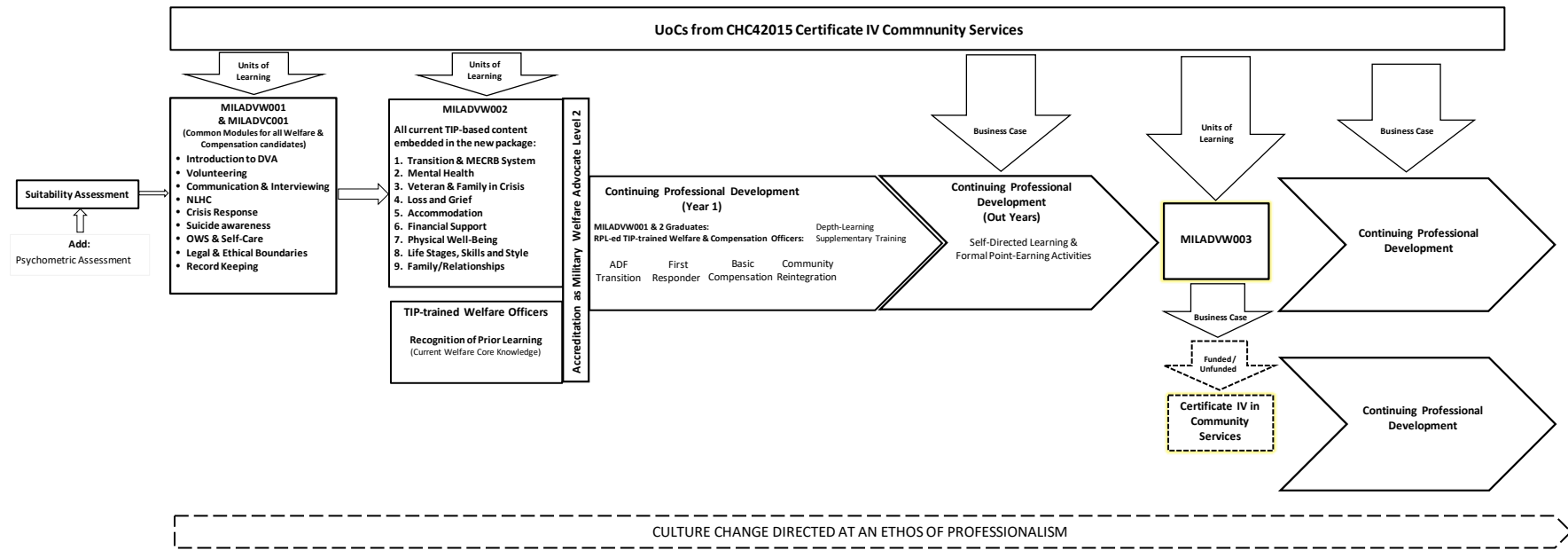


Figure 1. ATDP Learning and Development Pathways

### Systemic Foundations

Figure 1 (above) 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 (UoL) are to be rolled-out from 1 July 2018.

### Qualitative Foundations

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

- compensation advocacy was the focus of advocacy, it was always episodic; and
- TIP-trained welfare officers only '*pointed the way*'.

Younger veterans have made clear that compensation advocacy is merely an intervention in a lifelong continuum of support for the '*Defence Family*'.<sup>6</sup> And, they have stipulated that Wellbeing Advocates must '*walk beside*' them. To meet younger veterans' needs, ATDP introduced UoL about wellbeing into compensation, and vice versa. Future Advocates will be far better versed in the other discipline's field of expertise. They will be well prepared to work as a team.

The measure of success of Wellbeing Advocacy is clear in the objective of '*rehabilitation*'<sup>7</sup> (MRCA 2004, s38). 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, this 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. At the time of writing, around:

- 400 TIP-trained compensation and welfare officers have completed Recognition of Prior Learning (RPL) and are now accredited Level 2 Advocates;
- 25 TIP-trained VRB advocates have completed RPL and are accredited as Level 3 Compensation Advocates; and
- 600 candidates are enrolled on the ATDP Level 1 compensation or wellbeing learning pathways.

Straightforward calculations put complaints to the Inquiry into perspective. If the annual average number of primary claims and appeals to the VRB and AAT veterans' jurisdiction is divided by the number of cases or appeals an advocate can reasonably complete in a year, demand analysis suggests significantly fewer advocates are needed than ESOs have in the past demanded of TIP.

The indicative demand analysis is calculated at Annex A suggests that the number of Full-time Equivalent (FTE) Wellbeing and Compensation Advocates to meet demand would be around:

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<sup>6</sup> Veterans and their dependents as defined in MRCA 2004 s15(2)

<sup>7</sup> MRCA 2004, s38, defines the purpose of rehabilitation as being: '*to maximise the potential to restore a person who has an impairment or an incapacity ... to at least the same physical and psychological state, and at least the same social, vocational and educational status, as he or she had before the injury or disease.*

○ Level 1 or 2 Wellbeing Advocates:	700
○ Level 1 or 2 Compensation Advocates:	200
○ Level 3 Compensation Advocates:	200
○ Level 4 Compensation Advocates:	25

At the level of gross comparison, after eighteen months of ATDP operations the aggregate number of accredited Level 1 candidates under-training and Level 2 and 3 advocates is encouragingly close to the number calculated through demand analysis.

### 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 decided by ADR or 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, suggesting the following ramifications:
  - cross-training of all advocates in the other advocacy discipline (starting 01 July 2018),
  - a greater number of wellbeing advocates (see Annex A),
  - 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'*<sup>8</sup> 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 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

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<sup>8</sup> Can be provided on request.

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 essential. And, if reappraisal discovers a gap between traditional values and current advocacy practices, the need for increased professionalism is again underscored.

Professionalism must therefore be the driving ethos of veteran's advocacy. As stakeholders, ESOs, VSCs, YVOs, ATDP, DVA, VRB and AAT share responsibility to assure progressively increasing professionalism. Success, however, 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 have planned) are necessary; but stakeholders should expect that, over time, will prove not to be sufficient. They must therefore be vigilant, flexible, and quick to respond to emergent influences.

### 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 this recommendation be progressed. It is therefore an option for the future of advocacy with which stakeholders need to be familiar. The BPA is discussed next.

#### *Option No 1 - Bureau of Veterans Advocates<sup>9</sup>*

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, and 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.

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<sup>9</sup> This discussion is extracted from the Veterans Affairs Canada website: <http://www.veterans.gc.ca/>



- **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 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:<sup>10</sup>

- |   |     |
|---|-----|
| • 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; and
- represent clients with the client in attendance **only** at the Review Hearing (viz, Australian VRB equivalent) level.

Interpretation of the term '*institutionally modelled*' notwithstanding, the BPA model appears to have fundamental downsides. The following features of BPA support are contrary to the beneficial intent of Australian veterans' legislation, cultural norms, ex-service traditions, and veterans' expectations:

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

### *Alternative Option - Institute of Professional Military Advocates*

This submission 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. The intention is not to be definitive, but to outline some of the issues to be addressed to further professionalise Military Advocacy.

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<sup>10</sup> At the time of writing, VAC had been invited to forward the identified statistics. Less disaggregated data is accessible on: <http://www.veterans.gc.ca/eng/about-us/statistics>

### *Purpose*

The broad purpose of an 'institute' would be to assure the delivery of high quality advocacy services to members of the 'Defence Family' that are eligible under veterans' legislation.

### *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 would need to be considered irrespective of option.

### *Scope of Option*

If the Senate Inquiry's 'institutional modelling' extends no further than the BPA features that were seen as desirable, at least the following must be addressed:

- '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 values and traditions 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 Senate 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 candidate 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 survey of stakeholders indicates that a professional institute is a viable option. Viability depends, however, on its being independent of, but responsive to, stakeholders' varying needs and its appropriateness 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:
  - meet current legislative and regulatory requirements,
  - respond as seamlessly as practicable to emerging legislative and regulatory requirements,
  - nurture the intrinsic rewards of helping others in crisis or need, and
  - not impose counter-cultural constraints on those delivering advocacy services.

### Professional Standards

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

Although ATDP Facilitators have been accredited in Training and Assessment, the RTO<sup>11</sup> 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 the high professional standards its registration by ASQA demands. 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 Senate 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.

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<sup>11</sup> Major Training Services Pty Ltd.



Figure 2. Conceptual QA System

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

### Professional Indemnification

The Senate 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 and Assessors for accidental personal injury while on authorised learning-facilitation duties. The VITA Chair has been engaged in ATDP during its development, and 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.<sup>12</sup>

Never-the-less, creation of a professional institute may be an opportunity for the various insurances that, prudently, ESOs, VSCs and YVOs have in place to be amalgamated into a comprehensive package of insurance cover. Currently, ESOs, VSCs and YVOs applying for BEST funding must maintain public liability insurance that covers advocates while on duty. Presumably, they also hold Contents Insurance to cover loss or damage to equipment used by advocates on duty. Ideally, this cover should extend to use of IT equipment when advocates are on duty away from the office. ESOs, VSCs and YVOs should also have taken out ‘volunteer insurance’ to cover 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 the following:

<sup>12</sup> 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.

- terms of association;
- insurance cover to be provided;
- vesting 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 Deductible Gift Recipient (DGR) status with the ATO. Reasonably, 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 professional institute. Directors would be subject to the *Corporation's Act 2001*, with their liability limited by guarantee.

The demand analysis (Annex A) 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 (\$3.8m in FY2018-19) 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 \$7.25m.

This '*back-of-an-envelope*' 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 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 continuing professional development.
- 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
- the ATDP Policy and Procedures Manual.

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?'*

As Figure 3 (overleaf) depicts, the putative 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.

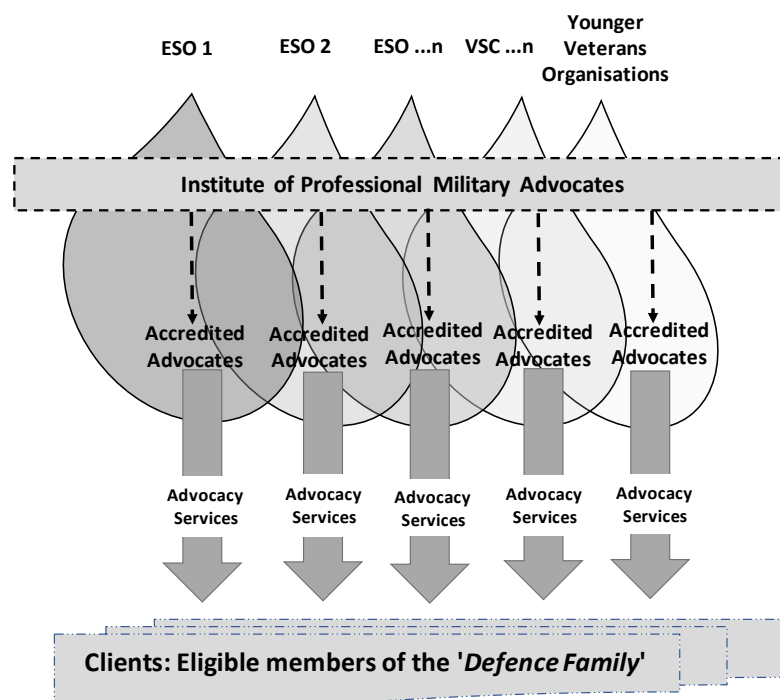


Figure 3. Conceptual ESO-Institute-Advocacy Inter-Relationships

### *Residual Responsibilities*

If ESOs, VSCs and, increasingly in future, YVOs take full advantage of the institute's services, their residual responsibilities will be largely supervisory. In this respect, accredited advocates that are subject to the institute's membership and professional obligations significantly ameliorates ESO/VSC/YVOs' supervisory and 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 are appropriate to their Branch/Sub-Branch.

### *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 risk model. They may therefore not need to use all, or some, of the institute's services. On the other hand, some others may believe they meet those requirements, but do not.

These considerations suggest that, while its membership rules need to be flexible, the institute 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**

Prudently, stakeholders should anticipate that the current level of professionalisation, while necessary, will not be adequate – at least into the future. Reasonably, the current level of professionalisation must be regarded 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 Wellbeing 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 well advanced in satisfying 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 Units of Learning and higher levels of competency that are needed have led to a third Unit of Competency (UoC) in Wellbeing Advocacy. Importantly, the new UoL have been added to the aged care knowledge and skills that have been the focus of TIP courses since the early 1990s. Whole of life, whole of family needs are assured.

#### *Career in Military Advocacy*

Younger veterans also 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 found that many of the 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 being 10382NAT Certificate IV in Life Coaching.

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 Senate 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 volunteer Level 4 Advocates encounter those submitted by the Respondent's barrister.



Accordingly, 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. This is not, however, 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.

Prudently, how Level 3 and 4 compensation advocacy might be further professionalised, must be addressed. At least three 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.
- Completion of the Brisbane TAFE, Diploma in Legal Services.<sup>13</sup>
- Alternatively, the institute 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, ESOs, VSCs, and YVOs should champion this work as an element of further professionalisation.

#### *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, ESOs, VSCs and YVOs should champion this work as an element of further professionalisation.

#### *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 volunteers has 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.

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.

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<sup>13</sup> See: <http://tafebrisbane.edu.au/course/16358/diploma-legal-services-online>

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' community – 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. From 01 July 2018 it 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, VCR and ATDP achievements to date be regarded as the point of departure for change, ESO/VSC/YVOs will need to consider how further professionalisation might be achieved. A working party approach is proposed.

### Working Party

The Blueprint Working Party model served advocacy training and development well. It provided a means for all interests to be identified and combined into a solution that met stakeholders' needs. A Working Party would again provide a means for stakeholders to identify the vision that should drive training for, further professionalisation of, 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:
  - of DVA and ESO/VSC/YVOs' delivery of advocacy services and support, and
  - of ESO governance (by ACNC);
- the National Collaboration Project and its interaction with traditional ESOs, VSCs 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 would 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 Spokesman;
- 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 would be 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 further professionalisation, a submission to the Minister seeking approval to fund the Workshop 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
- represents:
  - the veteran community consensus on the future of advocacy service-delivery,
  - the means by which stakeholders ensure the future is thoroughly grounded in reality,
  - an agreed ‘social licence’ for change.

### **Conclusion**

This submission has scoped a range of the issues that ADSO would like the Productivity Commission to consider during its Public Inquiry into Compensation and Rehabilitation for Veterans. A complex systems approach is envisaged. Close collaboration by all stakeholders in the delivery of high quality advocacy services is essential.

Complaints heard by the Senate Inquiry will inevitably arise again during the Inquiry and Scoping Study. Fundamental progress has, however, already been made in professionalising advocacy. Much of the progress made by VCR, ATDP and practicing advocates has not yet been recognised. Amongst other things, this submission has sought to inform about that progress.

While necessary, progress to date is not sufficient. 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 submission 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 veterans' 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 institute'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!**

## Alliance of Defence Service Organisations

**Annex: A.**      Indicative Demand Analysis

## INDICATIVE DEMAND ANALYSIS

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:<sup>14</sup>

- |                                   |     |
|-----------------------------------|-----|
| • 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
- ¾ of Level 1 and 2 advocates are part-time and work only 1/3 FTE;
- ½ of Level 3 advocates are part-time and work only 1/3 FTE;
- 1/3 of Level 4 advocates are fulltime and work only ½ FTE; and
- emerging trends in claims by younger veterans:
  - reduce Level 1 and 2 compensation workload by 50%;
  - increase Level 3 compensation workload by 25%; and
  - increase Level 4 compensation workload by around 25%.

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

- |  |     |
|--|-----|
| ○ Level 1 or 2 WellbeingAdvocates:     | 700 |
| ○ Level 1 or 2 Compensation Advocates: | 198 |
| ○ Level 3 Compensation Advocates:      | 213 |
| ○ Level 4 Compensation Advocates:      | 25  |

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<sup>14</sup> 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