

# Where are all the Advocates going

By John Burrows

## Introduction

My last fourteen years as a volunteer veteran pension officer has been a very interesting and immensely satisfying period of my life. Although the commitment and challenges have been exhausting and almost overwhelming at times, the satisfaction of providing assistance, advice and obtaining support for veterans, their families and dependents has provided me with a considerable amount of contentment and happiness. Although it can be said that I may be “past it” at 70 years of age, I believe like a lot of my fellow advocates, pension and welfare officers, I can still be useful and help fellow veterans and their families. However, from my perspective recent changes to the operation of the Department of Veterans Affairs (DVA), the evolving impact of multi Act eligibility, the ongoing problems of transition, and the changes to the advocate/ pension and welfare officer volunteer accreditation system have complicated matters and it’s my personal view that it’s becoming increasingly difficult for the ex-service organisations (ESOs) and the various advocacy groups to continue providing valuable support. A particular concern is the falling numbers of advocates, pension and welfare officers and the corresponding reduction in support to veterans, their families and dependents and the impact that is having.

There are many opinions as to why this is happening but from what I’m hearing and seeing a number of valuable and capable volunteer advocates, pension and welfare officers are leaving and are not being replaced; additionally ESO succession plans aren’t being as fruitful as they have been in the past. Furthermore and very sadly some of the well intentioned replacements aren’t coping with the complications and associated difficulties of the current system so they are not staying. Please note that in the rest of this paper I’ve applied the term advocate as a generic title for all advocates, pension and welfare officers from both the Training and Information Program (TIP) and the Advocacy Training and Development Program (ATDP). The main reasons that advocacy services are not meeting expectations and are reasonably under scrutiny are described in the following paragraphs. Please note that the following comments are mine and based mainly from my experience and anecdotal evidence.

## About DVA

As many will be aware, DVA has been promoting and carrying out significant changes to its structure, responsibilities, improving processes and supposedly enhancing client services. On the basis of what I’m seeing and experiencing, one has to question their purpose and reasons because despite their best endeavours, there are still many aspects of their operation which I consider are still inefficient, ineffective and questionable and don’t meet their very well quoted and often used philosophy “*servicing those who serve the nation*”. A critical question that I have is just what impact are these so-called improvements having for veterans, their families and dependents. Just as importantly, what is the impact and what are the effects that these changes and so-called improvements have on ESOs, their advocacy groups and other supporting agencies? I believe that a lot of the changes that DVA are making are impacting negatively on the willingness and commitment of many advocates.

Sadly one of the main changes which has had a significant impact has been the move away from an all encompassing responsibility based system in each state to the allocation of various responsibilities to different states. Although this change was made a couple of years ago supposedly for efficiency and economic reasons, the repercussions have been momentous and are still being felt. It has baffled not only many ESOs and their advocacy

groups but absolutely bamboozled the veteran community. The days of contacting or going to the local State DVA office to have most if not all matters considered and resolved in the State Office is gone. From an advocates perspective it's sadly stopped many of the very well established local contacts and sources of support and information. Unless you know which State is responsible for what then not only do you need to be very patient but able to spend lengthy periods of time on a phone or on the computer!

Going on from that, I believe that DVA's communication practices and connection processes are unhelpful; I'm prepared to go so far as to say that it appears at times that veterans are to be avoided where possible. Contact with DVA seems to be aimed at confusing clients, even shunning contact and for some it's obstructionist. The nameless/ faceless process which has crept in recently via phone and some correspondence is baffling and mystifying. For example, even for an advocate, lists of staff and their responsibilities are now very difficult to obtain or are just not available, often staff will not provide their names and/ or contact details over the phone, letters with just a staff number with no contact details, emails with just a general address makes one wonder what the policy of client focus and contact is. There are even circumstances where telephone calls between states cannot be connected unless the call is during office hours within the State that one is calling from. An example is trying to contact the Eastern States from WA during daylight saving, certain interstate numbers are not available from WA until WA Office hours have commenced; the same applies between other States and QLD during daylight saving.

The current Veterans Advisory Network (VAN) telephone contact system means that anyone trying to contact DVA by phone can be talking to anyone in Australia; this often results in the caller being passed from one staff member to another and often in another state. Explaining individual circumstances several times and then to different people in different states can be overwhelming particularly when the ongoing process means being passed from one area/ staff member to another. The problems are further compounded when the staff member either can't access your file, can't help because they don't deal with that particular topic or they get Albany WA mixed up with Albury Vic or Albany Qld. In some instances, the call is put on hold and stays on hold indefinitely; in the end the phone finally goes dead! Trying to reconnect to the same person at a later date is near on if not impossible, often because they haven't or won't give their name and/ or contact details. Unfortunately a reconnection to a totally different staff member requires a complete re-explanation of the situation! The problems can then be further exacerbated when the veteran, family and/ or dependents are psychologically/ emotionally not well, seriously ill, can't hear or just don't understand.

A quick referral to the DVA Website by DVA staff is not always helpful either because a lot of our veterans, their families, and dependents are not computer savvy or they find many aspects of the DVA Website confusing. In many instances, the initial response of a DVA staff member to a query is to refer to a DVA Factsheet or Form available from the Website. The Factsheet and Forms component of the Website can be useful but in many instances the abbreviations, language and description of processes are confusing and meaningless unless the reader has an understanding of the applicable Act and/ or what process is being referred to and how it relates. Connecting to the right information and/ or process can even be a problem and confusing for an Advocate let alone a veteran, his family and dependents. So what do they do then, hopefully they find a capable advocate who knows something about what they are endeavouring to find out or in many cases they just give up!

### Duel/ Tri / Multiple Eligibility and Entitlements

As mentioned, one of the evolving complications in advocacy, pension and welfare work has been providing advice and support to those veterans and their families who have entitlements and access to benefits under two or more Acts. Before 1 Jul 2004, providing advice and support to veterans, their families and dependents involved only two pieces of

legislation being the Veterans' Entitlement Act (VEA) and the Safety, Rehabilitation and Compensation Act (SRCA). Even though eligibility and the entitlement to benefits and support under those two Acts was and has been workable there were aspects of it which can be complicated and could disadvantage an applicant if they made the wrong decision when choosing certain entitlements. Unfortunately, even then the implications of making certain choices, the resulting outcomes and potential offsetting were not well understood by many advocates. I'm not sure whether it still exists but for as long as I can remember there has been unwillingness on the part of some advocates to become involved with SRCA and only focus on VEA cases! This often resulted in clients not getting their optimum entitlements or being disadvantaged. Unfortunately, this attitude by many advocates and the problems that have resulted has been aggravated by the introduction of the new Military Rehabilitation and Compensation Act (MRCA) on 1 Jul 2004.

The introduction of MRCA on 1 Jul 2004, suddenly created a much larger eligible population and not only increased the benefits and support available but required advocates to change, broaden their spectrums, increase their knowledge considerably and develop a clear understanding of eligibility and all of the financial benefits and support that is now available. What has emerged is that there are veterans, their families and dependents eligible for entitlements under the three Acts (VEA, SRCA and MRCA) and in some cases; they have further financial entitlements from their Military Superannuation (MilSuper) and other sources. In the initial stages of the application of MRCA, there were many advocates who for various reasons, refused to deal with tri-eligible applicants and in particular those who were eligible under MRCA. As a number of advocates are finding, the proper processing of tri/multi-entitlement claims requires an intricate knowledge of eligibility and entitlements from the various Acts, MilSuper and other financial sources. The entitlements from multi entitled claims can be considerable, very complex and require a great deal of consideration and a very clear detailed understanding of the entitlement variations.

In simple terms, the identification of the various entitlements, the setting out the options available is the first step; then identifying the impact of selecting certain options available is critical to ensure an optimum result and not disadvantage a veteran, his family or dependents. Added to the complexity of options and subsequent choices can be the impact of offsetting, taxes, consideration of the future, the impact of benefit changes which can be predicted in certain options, the effects of making a particular choice now and its potential impact in the future and finally how will the various options meet personal expectations. For example, a choice now might pay off the mortgage but will it provide enough income in the future if the applicant stops work, can't work and/ or can't return to work?

Providing information and advice to a veteran, widow/partner and/or dependent with eligibility for benefits and assistance from two or more Acts and other sources, places a great deal of responsibility on a willing Advocate. From my perspective and experience, it requires a detailed understanding of the entitlements, a great deal of patience, a willingness to spend a considerable amount of time working on the case, a lot of research combined with interpreting and understanding expectations. Although identifying and providing detailed information on financial and other benefits is seen in many quarters as providing financial advice, I don't believe that it is, it's the job of a good advocate! I believe that the development and consideration of options and then sending the client to a financial advisor with all of the workable options is the appropriate process and a clear responsibility of an Advocate. I say that because at this time, DVA and MilSuper don't/ won't do it, they say that it is a "conflict of interest"? A matter which perturbs me greatly in the finance area is that many financial advisors do not understand the nuances involved in DVA, MilSuper and other financial entitlements associated with veterans, their families and dependents, from my experience, many of them are only interested in taking a fee. Finally, an extremely important aspect of the finance process is that once an applicant has made a choice, in most circumstances it is irrevocable!

So my question is whose responsibility is it to provide this very complex information and assistance to the veteran, their families and dependents? At this time, I believe that there is a sad but very big void in this extremely important area of veteran assistance and support. I'm aware that many advocates won't deal with it because it frightens the bejesus out of them. It is certainly impacting on the willingness of the younger advocates and causing some of them to cease their commitment. From what I've seen and heard even the advocacy training system has reservations about teaching a combined approach to deal with multi eligible and benefited situations. With the increase in this complex area of supporting veterans, the potential of liability has grown even more than it has in the past! This is a very vexatious area for not only the veteran community, but for DVA, the ESOs, advocates and the trainers of advocates.

### Transition

One area where the complexity of multi eligibility has become very evident is the transition of veterans from either the Defence Force or civil employment since the introduction of MRCA. In many transition cases, eligibility and the availability of entitlements is from three DVA Acts and often includes additional monies and other benefits from Military Superannuation (MilSuper), Centrelink, various forms of insurance, other pre-enlistment superannuation schemes and may involve other available forms of support and benefits from various Trusts etc that exist. This is particularly the case with medical discharges from the Defence Force and those leaving full time employment with no or very little chance of ever being employed again. It's my experience that the improvements in the transition process and the so-called "seamless" move from the Defence Force to civilian life are still not meeting the requirement and expectations of veterans and their families. Although the "seamless" tag gives transition a very strong symbolic indication of its goal, it's simply not "seamless"!

Despite the years of encouragement and positive rhetoric about the improvements in the transition system and processes by DVA I still don't believe that it's right! The total package of transition and the care that is needed to ensure that it occurs effectively still doesn't seem to be appreciated nor understood. There are still servicemen and women being discharged without DVA, MilSuper entitlements and any other entitlements in place. These poor individuals are finding themselves in financial difficulty, without medical and rehabilitation support, unable to cope and unsure how to seek the assistance that they and in some cases their family need! I make the point at this juncture that I've found every transition case to be different for one reason or another. Referral to a compensation lawyer is not necessarily the answer because without an overall perspective and understanding of military service and relevant legislation the outcome can be incomplete and disadvantage the applicant.

Unsuccessful examples that I've been involved in recently have been caused by incomplete processing prior to and after discharge, disjointed and a lack of responsibility, a lack of connection between the veterans, their families, dependents and the various authorities such as Defence, DVA, MilSuper, ESOs that are involved and finally, a total ignorance that many have about the impact that transition has on veterans, their families and dependents.

One very sad aspect of my recent involvement in advocacy work has been the sorting out of incomplete/ inappropriate transitions from the Defence Force and even assisting those who haven't been provided with any advice or support! The really sad cases are those who have been unable to cope psychologically and/ or emotionally, are seriously or terminally ill but have been discharged medically or have had to stop work without any financial and or medical support and have been left to their own devices! This is an area where I believe that both compensation and welfare advocates, supported by DVA and ESO's, could play a much greater role and reinvigorate their purpose and responsibility.

## The Training of Advocates

The Training and Information Program (TIP) which for many years was responsible for the training of volunteer advocates, pension and welfare officers, has now been replaced by the new Advocacy Training and Development Program (ATDP). Once accredited and qualified under ATDP, practitioners are all now known as either compensation and/or welfare advocates. The ATDP which resulted from Brigadier Bill Rolfe's Review of Veterans' Advocacy certainly has much merit and hopefully will continue to improve a number of the nuances and inconsistencies which existed within the TIP system and between the various agencies involved. Hopefully, it will not only standardise the training content nationally but realise the need for a realistic approach particularly with multi eligible veterans, transition, young widows and dependants.

What I believe is frightening about advocacy work now is the amount of knowledge that is required about eligibility and entitlements. In most circumstances now there are many financial and support options available however an inappropriate choice by a veteran, their family and a dependent in the case of a deceased veteran and/ or inappropriate advice from an advocate/ advisor can be dire. It can result in the veteran and/ or their family missing out on critical financial and personal support and being considerably disadvantaged. Again one very sad aspect of benefit choices in a two or three Act situation is that once a choice/s have been made, in most circumstances it is irrevocable and cannot be changed.

However for many TIP qualified practitioners, the transition to ATDP has been unwelcome and in some regards overwhelming and demoralising. Anecdotally, there appears to have been a serious impact on the morale and willingness of a great number of our very knowledgeable and experienced brethren as a result of the introduction of ADTP. For some, it has caused a great deal of anxiety, a loss of faith in the system and a feeling of no longer being useful and even wanted. The requirement to "requalify" has left some feeling like they know nothing and they need to retrain. I'm well aware that there has been much said and a tremendous amount of literature spread around promoting the new system but from many comments that I've heard it hasn't convinced a number of practitioners that it will better the "old system" nor has it reassured many that their personal commitment has or is being appreciated. Sadly I've heard that some advocates aren't going to make the transition to the "new system" and won't be carrying on the very good work that they do.

## Support, Advice and Feedback

A positive aspect of being an advocate/pension and welfare officer in the past was the communication and support provided by DVA, our respective ESO's, various support agencies and informal exchanges between peers. It's been informative, provided advice and practical solutions, assisted with difficult cases and circumstances, fostered teamwork and co-operation and has been encouraging. It took the form of newsletters, updates and advice of changes to the legislation, details of structural changes to DVA and relevant agencies eg RMA, descriptions of changes to policies and procedures, practitioner meetings and discussion groups etc. From my perspective, these avenues of advice and support have dried up and access seems to be becoming harder. Practitioner meetings with local peers and DVA/ ESO officials to discuss matters and the impact of the many changes happening and or intended just don't seem to be occurring any more. Although as an advocate I do access the DVA Website to keep in touch I find that it can be overwhelming and there is very little opportunity to comment on matters of concern.

I now find the opportunity, as a practising advocate to provide feedback lost/ ignored/ overridden. This is because often the information that is presented/ represented comes from senior DVA staff and ESO officials who haven't been or are not intimately involved in

providing advice and support and subsequently just don't understand the real problems at a practitioner's level. It's my personal view, after having been involved in many DVA and ESO hosted forums that this is often the case and the transfer of information has become mainly one way! It's a number of years since the practitioners meetings that were once sponsored by DVA have occurred. No one's listening so there is no doubt why advocates are feeling "left out".

One of the most frustrating and developing aspects of being an advocate is the recent lack of empathy, indifference and even withering support that is shown for the work that advocates do. Although I'm aware that some advocates do get paid a salary and are compensated in various ways, a majority of advocates are volunteers, give a lot if not all of their time for free and are really committed to helping. However, after many years of volunteering and being involved in pensions and welfare with a number of ex-service organisations, I'm becoming jaded by the lack of consideration and support that is being shown by a number of our so-called patrons and allies. I'm particularly disenchanted with the lack of empathy and indifference shown by the likes of the Minister of Veterans' Affairs, various political parties, politicians, some elements within DVA, Defence, serving and ex-senior Defence Force officers and even some of our own ESO's. In particular, I'm really perplexed at the failure to appreciate the increasing and evolving commitment to veterans, their families and dependents and the associated complications caused particularly by dual, tri and multi eligibility and transition.

#### Conclusion.

Volunteer advocates are a very valuable asset and provide an immense amount of support to the veteran community. Despite views held in some quarters, they also provide a tremendous amount of support to DVA, MilSuper and other agencies involved supporting veterans, their families and dependents. The care, processing, collection and preparation of documentation, and advice provided by advocates obviously saves many agencies a tremendous amount of work and time. The value of this support is immeasurable, extremely valuable and can't be underestimated. Allowing the advocacy service to decline is a national tragedy, of great concern at this time, and deserves immediate consideration.

There are a number of potential solutions but simply just discarding what has been established and not making an endeavour to find out what is wrong and not fixing what is fixable could result in another unwarranted change and be very disheartening. I believe that the first part of the process should be to find out what the problems are and then go from there. I think that there is still much to be done and although it may not seem to be too onerous from the inside, from the outside the recent changes to and within DVA have been confusing and in many regards absolutely mind boggling. Finally there needs to be more recognition for the work that advocates do. Aligned with that is a willingness to listen to those practitioners who do the work. After all they do the work, know the problems and deserve to be listened to; on most occasions they provide the solutions and fix the problems!

JB

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