



Australian Government

Defence

Senate Standing Committee
Inquiry into Compensation and Income Support for
Veterans

Department of Defence
Submission

June 2025

The Department of Defence (Defence) welcomes the opportunity to contribute to the important work of the Committee. Defence acknowledges the complexity of the veteran claims processing system and the importance of providing a streamlined and simplified method for veterans to work through their individual requirements. It also acknowledges the work done by the Department of Veterans' Affairs (DVA) to support all veterans to access the support needed, which has included significant improvements in the claims lodging process.

Defence is aware of the challenges some veterans experience in navigating through the DVA claims process. Despite the claims processing improvements, not all veterans have the capacity to take advantage of the simplification and other improvements in the system. Many veterans require, or choose to utilise, the services of an advocate on their behalf. Advocates may be volunteers, paid advocates provided by Ex-Service Organisations at no charge to the veteran, or through third-party commercial entities where contracts are entered into between the veteran and the commercial entity. Although fee schedules vary, the latter comes at a cost to the veteran.

The over-riding concern from Defence is that the veteran is well-informed when making the decision to use an advocate, and the advocate is appropriately trained, insured and reputable. The following contribution will address specific aspects of the Terms of Reference (TOR).

(a) The appropriateness of commercial entities, within and outside Australia, providing advocacy services, including the charging of fees or commissions on statutory entitlement payments.

The historical complexity of legislation governing veteran compensation and income support has made navigating the DVA claims processing system challenging for some veterans. There is also a cohort of veterans who have the resources but not the time available, and therefore make a conscious decision to employ the services of a commercial advocate rather than undertaking the process themselves. Consequently, some veterans seek third party support when considering and/or lodging a compensation claim. Extensive work has been undertaken to harmonise the legislation,¹ and to simplify the claims system through initiatives such as 'My Service', however, not all veterans have the time, desire, capability or capacity to navigate the system unaided.

In addition to the benevolent advocacy offerings from Ex-Service Organisations discussed below, some commercial entities (including legal firms) and individuals, provide claims assistance at a cost to the veteran. The cost structures may range from a fee-for-service basis, to a percentage of any compensation received, to a charge per claim or medical condition lodged, to charge a membership fee, to any combination of these. The fee structures and conditions are generally agreed upon with a signed contract. These are independent businesses where the contractual arrangement is made between the veteran and the commercial entity – the Government has limited capacity to intervene. However, DVA, the Commonwealth Superannuation Corporation (CSC) and Defence provide information and educational material in order to ensure veterans are well informed.

There are an increasing number of personnel supported by commercial advocates who are seeking retrospective medical separations. Whilst Defence acknowledges there will always be a need and demand for advocacy, Defence is aware of, and concerned by, a number of instances where individuals have suffered significant financial detriment after entering contracts with profit-based commercial advocacy businesses. Where possible, Defence encourages veterans to source support from advocacy where there are no costs attributed to the veteran.

¹ *Veterans' Entitlements, Treatment and Support (simplification and Harmonisation) Act 2025.*

(b) Representation of veterans at the Veterans' Review Board, including by legal practitioners.

Defence understands a veteran has a right to be represented throughout the review process, including by advocates, however lawyers cannot appear at Veteran Review Boards. Defence continues to be supportive of the Veterans' Review Board as an independent reviewer of decisions. The use of legal practitioners has been perceived as adversarial by some. Accordingly, the current policy mitigates this risk and is arguably less expensive for the veteran; thereby ensuring a fair, transparent system that is available to all veterans.

(c) Regulation, training and professional discipline arrangements for advocates.

Over the last 18 months, Defence has worked with the DVA and the Ex-Service Organisation community through the Ex-Service Organisation Round Table to identify a professional network of qualified, credible and reliable advocates, including compensation and wellbeing advocates as a professional body independent DVA.

In March 2025, the 'Institute of Veterans' Advocates' was registered to ensure better governance and transparency around advocacy services. Defence ex-officio membership on the Board of the Institute is provided through a permanent Australian Defence Force (ADF) member at the Colonel (06) level who is on staff within the Joint Transition Authority.

Defence supports the work being undertaken by DVA and the newly registered Institute to professionalise the advocacy industry for veterans. Defence has invited the Institute of Veterans' Advocates to present at its ADF Member and Family Transition Seminars. This is expected to occur from July 2025. Defence is aware of the developments in advocacy training provided by the DVA and is confident the training is fit for purpose, providing advocates with the skills required to support veterans through claims processing.

(d) The consideration of previous reviews undertaken into the advocacy model, including recommendations made and subsequent implementation or lack thereof.

Defence has been working with DVA and CSC for a number of years through various mechanisms to try to manage the growing concern, particularly with the proliferation of commercial advocacy businesses on social media. Defence acknowledges the challenges associated with interacting with commercial entities' right to free-trade, and as such has focussed on education. Education material, briefings, presentations and advice through the transition process is provided to try to support serving members to make well-informed choices.

The Productivity Commission Review *A Better Way to Support Veterans* Chapter 12 provides a good consolidation of review recommendations as it pertains to advocacy. Defence has considered the recommendations outlined in Chapter 12. The recommendations focused on improved training and increased provision of advocacy at no-charge to the veteran. Based on briefings received Defence is confident the model proposed, which includes a Memorandum of Understanding between the 'Institute of Veterans' Advocacy', DVA and the 'Advocacy Training and Development Program' will meet the intent of the previous reviews. Until the establishment of the 'Institute of Veterans' Advocates', Defence's focus has been to support the DVA and to educate its personnel.

Defence welcomes the establishment of the 'Institute of Veterans Advocates', and is hopeful it can further support DVA to leverage the improvements already made since the Productivity Commission Review *A Better Way to Support Veterans* (chapter 12).