BALDWIN ADVOCACY & CLAIMS

Choosing a DVA Advocate: Fees, Red Flags, What the Senate Found

Do you need one at all, what the Senate inquiry found about commission fees, and what to ask before you sign anything.

REVIEWED AGAINST DVA SOURCES ON 11 SEPTEMBER 2026.

You do not have to pay anyone to lodge a Department of Veterans' Affairs (DVA) claim. Plenty of veterans do it themselves, and free help exists. But if you are going to pay for an advocate, you need to know what the Senate found in 2025, what the fee traps look like, and what to ask before you sign anything. This is the no-bullshit version.

Do You Need an Advocate?

Not always. DVA's own consultation paper on advocacy regulation says over half of all claims are lodged by veterans themselves, with no advocate at all. If your claim is simple and your evidence is clean, you can do it. My guide on how to make a DVA claim and the first claim evidence checklist will get you most of the way.

And if you want help, there is free help. Ex-Service Organisations (ESOs) run advocates who are trained through the Advocacy Training and Development Program (ATDP), covered by professional indemnity insurance and bound by a code of ethics. They do not charge, though some may ask for a small amount to cover incidental costs. Find them through the DVA Advocacy Register at advocateregister.org.au, which lists organisations by location and service. DVA also runs a Claims Lodgement Assistance (CLA) program for help lodging on MyService, and puts Veteran Support Officers (VSOs) on Defence bases for serving members.

So when does paid help make sense? Usually when the claim is complex: a stack of conditions across years of service, a knockback you need to review or appeal, or a medical separation, a family and a new job all landing at once. Paying someone to carry that load can be the right call. Be clear about what you are paying for.

> **BAC tip:** DVA says it plainly in its own claims guide: paying for advocacy does not guarantee faster processing, a successful outcome or more compensation. DVA does not endorse any advocate and gives none of us special access. Anyone who says otherwise is selling something.

What the Senate Found

On 13 February 2025 the Senate referred veteran advocacy services to its Foreign Affairs, Defence and Trade References Committee. The inquiry lapsed with the 47th Parliament, was re-referred on 26 August 2025, and the committee's report was tabled on 4 November 2025.

The committee found the rise of fee-for-service advocacy had generated real concern in the Australian Defence Force (ADF) and ex-service communities, both about whether the model is ethically appropriate at all and about the poor behaviours and business practices of some providers. Its first recommendation was that DVA explore legislative action to curb harmful and deceptive practices, including fee caps. Its fourth targeted offshore providers and offshore handling of veteran data.

The numbers should make you angry. DVA says it is aware of commission rates as high as 29% of a veteran's compensation. Legal Aid NSW told the inquiry about break fees running to tens of thousands of dollars, some charged regardless of the work done. And DVA points out the perverse incentive in commission fees: more conditions and more impairment points mean a bigger cut, so the advocate has every reason to overstate your impairment and send you for testing you do not need.

What the Government Is Doing About It

The Government tabled its response in December 2025 and agreed, or agreed in principle, to six of the committee's seven recommendations, including the one on fee caps. DVA released a consultation paper on 9 February 2026 and submissions closed on 8 May 2026.

The options in that paper tell you what the Government thinks bad practice looks like: banning commission-based and contingency fees, banning unreasonable termination fees, banning "no win, no fee" advertising, requiring veteran information to be hosted in Australia, and making advocates who charge fees members of a prescribed professional body with a code of conduct approved by the Minister. The Institute of Veterans' Advocacy (IVA) is the body being established for that role. DVA's claims guide is clear that IVA approval is not yet required, so membership today is voluntary, which is exactly why it is worth asking about.

Red Flags

Every one of these is a practice DVA has named as concerning. If you see one, walk.

A percentage of your back pay or lump sum. This is the commission model. The ex-service community has called it unacceptable, the Senate committee questioned whether it is ethically appropriate at all, and the Government says it is particularly concerned by it.

Fees tied to impairment points or a Gold Card. DVA calls these contingency fees. They reward the advocate for lodging everything under the sun, whether or not it has anything to do with your service.

Termination penalties. Break fees well above the value of the work done lock you in with a provider you are unhappy with. Some veterans were never even told about them. DVA says you can switch advocates.

A fee schedule you cannot get in writing. If they will not put the number on paper before you sign, it is not the number you will pay.

Offshore data handling. Your claim file holds your medical history, your service history and sometimes details of operations. The Senate flagged the privacy and national security risk of that sitting overseas, and how hard recourse becomes if something goes wrong.

Promises about outcomes or speed. DVA says paying buys neither. A "guaranteed Gold Card" is a marketing line, not a fact.

Seven Questions to Ask Any Advocate

Ask these before you sign anything, including of me. A half-arsed answer to any of them tells you what you need to know.

1. What is the total fee, in writing, before any work starts?

Not a range. A number you can hold them to.

2. Is any part of the fee calculated from my compensation, my impairment points or a card outcome?

If yes in any form, it is a commission or contingency fee.

3. What happens if I want to stop?

What do I owe, and is it tied to the work done?

4. Where is my information stored, and who can see it?

DVA recommends asking advocates how they will protect your privacy, and you only need to give them what your claim requires.

5. What are your qualifications, are you insured, and are you an IVA member?

The Advocacy Register tells you to sight a Statement of Attainment from the Course in Military Advocacy, a current Letter of Authorisation and proof of professional indemnity insurance. Hold paid advocates to at least that.

6. Who does the work on my claim, and who do I ring?

You want a name, not a call centre.

7. What will you not do, and where do you send me for that?

An honest advocate has limits. BAC is not a law firm, for example, and I will say so.

How BAC Charges

Since I am telling you what to ask, here are my answers.

BAC charges a fixed fee, quoted to you before we start. It is not a percentage of anything. It does not go up if DVA awards more impairment points or you get a Gold Card. There is no fee linked to the outcome at all. Your entitlement stays yours.

I am a member of the Institute of Veterans' Advocacy. BAC is veteran owned and veteran led, and I was medically separated from the ADF myself, so I know what the other side of the desk feels like.

I do not publish a dollar figure here because the fee depends on the work, but you will have it in writing before anything is lodged.

Fixed fee. No percentage cuts. You know what it costs before we start.

How BAC Can Help

If you decide you want paid help, I run the whole claim: identifying every eligible condition, coordinating the medical evidence, preparing and lodging it, and chasing DVA until a decision lands. If DVA knocks something back, I work the review with you. And if you are unsure what changed on 1 July 2026, we can cover that too.

If you decide you do not need me, good. Use the free help, use the guides on this site, and get it lodged. Either way, do not hand a percentage of your compensation to anyone. Fixed fee. No percentage cuts. You know what it costs before we start.

Ready to Get Started?

Book a free, no-obligation chat with me. No sales pitch, no pressure. Just a straight conversation about your situation and what you might be entitled to.

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