

11 June 2024

Committee Secretary  
Parliamentary Joint Committee on Corporations and Financial Services

**Mode of delivery:** upload

## INQUIRY INTO THE FINANCIAL SERVICES REGULATORY FRAMEWORK IN RELATION TO FINANCIAL ABUSE IN AUSTRALIA

Relationships Australia welcomes the opportunity to make a submission to this Inquiry. Our submission will address the Terms of Reference through the lenses of abuse and neglect of older people and intimate partner violence.

### The work of Relationships Australia

Relationships Australia is an Australian federation of community-based, not-for-profit organisations with no religious affiliations. Our services are for all members of the community, regardless of religious belief, age, gender, sexual orientation, cultural background, lifestyle choices, or economic circumstances. Relationships Australia provides services for victims and perpetrators of domestic, family, sexual and other interpersonal violence, including abuse and neglect of older people. We aim to support all people in Australia to live with positive and respectful relationships, and believe that people have the capacity to change how they relate to others. Relationships Australia believes that violence, coercion, control and inequality are unacceptable. We respect the rights of all people, in all their diversity, to live life fully within their families and communities with dignity and safety, and to enjoy healthy relationships.

In 2022-2023, Relationships Australia member organisations:

- served more than 140,000 clients across more than 100 locations and 97 outreach locations
- employed 2,340 staff to offer more than 320 unique services/programs
- launched more than 25 new programs
- participated in over 29 research projects, and
- offered more than 27 articles, submissions and papers to support legislative and policy development, and continuous improvement and innovation in service delivery, and which reflected and amplified what we learn from our clients and through our research projects.

Our services include:

- individual, couples, and family counselling

- family law counselling, mediation and dispute resolution, and post-separation services for parents and children
- Children’s Contact Services (services which provide supervised contact and changeovers for high risk families)
- Specialised Family Violence Services
- a range of tailored services for older Australians, including senior relationship services, elder mediation, elder abuse case management and mediation, social connection services and mental health services in residential aged care on behalf of Primary Health Networks in South Australia
- therapeutic and case management services to applicants for Redress Support Services, Forgotten Australians, Forced Adoption Support Services, Intercountry Adoptee Family Support Service, and Post Adoption Support Services
- services designed for men, including programs to support parenting capacities and resources, Men’s Behaviour Change Programs, and tailored programs such as the Respectful Relationships Program for Indigenous clients
- gambling help services
- alcohol and other drugs services
- employee assistance programs
- Headspace (youth mental health) services
- mental health (including suicide prevention) services and programs, and
- Family Mental Health Support Services.

To better understand the Australian relational landscape, we relaunched our *Relationship Indicators* research during the 2022-2023 financial year (Fisher et al, 2022). Relationship Indicators is the only nationally representative survey that explores the state of relationships in Australia.<sup>1</sup> Relationships Australia is continuing to analyse this data and release special reports on discrete topics. Key findings relevant to this Inquiry include that:

- 1.7 million Australians (or 8.8%) feel unsafe disagreeing with their most important person, and
- 59% of people who felt unsafe disagreeing with their important person were aged 55 years or more.

## Recommendations

Many of the following recommendations are consistent with recommendations made in a range of recent submissions by Relationships Australia to various inquiries on matters including human rights, abuse and neglect of older people, intimate partner violence, reforms of the *Family Law Act 1975* (Cth) , superannuation policy, poverty and the cost of living, aged care, disability

---

<sup>1</sup> The findings from this report have been quoted in Australia’s first Wellbeing Framework (<https://treasury.gov.au/policy-topics/measuring-what-matters> ).

services and enduring powers of attorney. These submissions, and further detail supporting the recommendations below, are available at <https://www.relationships.org.au/research/#advocacy>

We would be pleased to provide further detail as required. Recommendations relating solely to this Inquiry are indicated with an asterisk.

### Term of Reference 1 Financial abuse of older people

**Recommendation 1** That, as a matter of urgency, the Australian Government establish both a national plan to *end* abuse and neglect of older people within a generation, and a long-term strategic framework to support future plans, that is genuinely co-designed with older people and their advocates.

**Recommendation 2** That, following the successful evaluation of the Commonwealth's Elder Abuse Service Trials (Inside Policy, 2021), governments end the 'postcode lottery' and ensure that older people in our country can access effective service responses regardless of their location. This could be done in the context of the Government's upcoming restructure of the Family Relationship Services Program.<sup>2</sup>

**Recommendation 3** That Commonwealth, state and territory legal assistance funding enable timely and geographically equitable access to legal advice and representation of older people experiencing, or at risk of experiencing, financial abuse.

**Recommendation 4** That governments implement the recommendations made by the Australian Law Reform Commission in Report 124 in relation to National Decision-Making Principles and supported decision-making, having regard also to the recommendations made by the Royal Commission into Violence, Abuse and Neglect of People with Disability.

**Recommendation 5** That governments provide ongoing investment in systemic and individual advocacy services like those supported by OPAN.

**\*Recommendation 6** That, as a matter of urgency, the Australian and state and territory governments expedite harmonisation of laws relating to enduring powers of attorney:

- (a) the Commonwealth Treasury assume the lead role on achieving greater consistency of laws concerning enduring financial powers of attorney and establishing a national register, and

---

<sup>2</sup> In our recent submission to the Attorney-General's Department (24 November 2023), on achieving greater consistency in laws relating to enduring powers of attorney, we recommended that the Commonwealth consider expanding the functions of Family Relationship Centres (and future hubs) to offer services around the making (and witnessing) of EPOAs, noting that future planning can exacerbate or initiate family conflict. This would easily and seamlessly complement existing Family Relationship Centre functions, as well as other services that organisations offering FRCs provide. These include, of course, case management and mediation for older people experiencing abuse or neglect, family group conferencing, individual and group counselling and Family Dispute Resolution under the *Family Law Act 1975* (Cth). This would be done in the context of this Review to better enable a new FRSP to meet the needs of separating families.

(b) state and territory governments refer to the Commonwealth the power to make laws on enduring instruments, along the lines of similar referrals of power in family law.

**\*Recommendation 7** Given the accelerating moves towards a ‘cashless society’ and away from in-person financial services - banking, insurance, superannuation and other providers of financial services and products should be required to establish and maintain specialist teams tasked with:

- developing products and services to support financial literacy among older clients, including First Nations and culturally and linguistically diverse clients
- developing products and services to build confidence among older people in being able to access and use emerging technologies to manage their finances
- identify and rapidly respond to suspected financial and economic abuse of older people (including abuse occurring as part of a family dynamic, or by carers, as well as scams).

### Term of Reference 1      Financial and economic abuse of intimate partners

Relationships Australia **supports** ANROWS’ recommendations for policy and practice described at p 11 of the synthesis attached to its submission to the Inquiry.

**\*Recommendation 8** That the Australian Government implement recommendations 11 and 12 of the Third Interim Report of the Joint Select Committee inquiry into Australia’s family law system.

**\*Recommendation 9** That the Australian Government establish a review of child support legislation, to report by no later than 30 June 2025, to identify opportunities for perpetration of financial and economic abuse, and recommend amendments to eliminate or reduce these opportunities.

### Term of Reference 1      Recommendations applicable to both financial abuse of older people and of intimate partners

**Recommendation 10**      That, having regard to the disproportionate number of women who are unpaid carers, and the enduring economic impacts on them of undertaking these roles, the Australian Government legislate to pay the superannuation guarantee contribution for carers, in recognition of the costs that carers save the taxpayer.<sup>3</sup>

**Recommendation 11**      That cultural safety training and trauma informed practices should be mandatory for all those working with First Nations people who are experiencing, or at risk of experiencing, financial abuse.

**\*Recommendation 12**      That financial institutions and service providers falling within scope of the Terms of Reference ensure that teams dedicated to supporting victim survivors are

---

<sup>3</sup> See, eg, Evaluate, 2022.

equipped and empowered to offer warm referrals to appropriate therapeutic and other support services (eg emergency accommodation, family mediation, and legal advice).

**\*Recommendation 13** That financial institutions and service providers falling within scope of the Terms of Reference ensure that workers receive training in coercive control and in identifying the person most in need of protection, within intergenerational as well as intimate partner relationships.

**Recommendation 14** That the Australian Government commission ongoing research into:

- prevalence and demographics of financial abuse within intergenerational and intimate partner relationships (and any association between financial abuse in these kinds of relationships)
- links between financial abuse and technology-facilitated abuse
- mapping and measuring strategies to prevent, disrupt and remedy financial abuse, and
- effective services tailored for those who are abused and perpetrators
- the nature and prevalence of abuse and neglect of older people living in institutional settings as well as in the community, that:
  - includes people with dementia or other cognitive impairment<sup>4</sup>
  - identifies patterns of co-occurring abuse,<sup>5</sup>
  - differentiates between sub-types of abuse<sup>6</sup>
  - differentiates between different kinds of perpetrator (eg family members,<sup>7</sup> visitors, formal or informal carers, coercive controlling perpetrators)
  - takes into account cultural factors that may contribute to recognition, or masking, of abuse of older people, and
  - identifies protective and risk factors both for older people and for people who are at risk of becoming perpetrators.<sup>8</sup>

---

<sup>4</sup> Dementia and cognitive impairment contribute to dependency, which is recognised as a risk factor for the perpetration of abuse of older people, yet people affected by dementia or other cognitive impairment have seldom been included in research to date: see Chesterman & Bedson, 2017. Chesterman & Bedson observed that people with dementia and other forms of cognitive impairment tend to be actively excluded from samples in prevalence studies (at 17), with only a few exceptions in existing literature (p 21; see also Bedson, Chesterman & Woods, 2018). While Chesterman & Bedson note that ‘evidence supporting a relationship between dementia and elder abuse is mixed,’ (at 8), this is a particular weakness in the evidence base which Relationships Australia considers, given predictions of increasing rates of dementia in the community, must be addressed urgently.

<sup>5</sup> A review of case files held by the Victorian Office of the Public Advocate in 2013-2014 ‘suggested that 71 per cent of elder abuse victims had experienced more than one form of abuse’: Bedson, Chesterman & Woods, 2018.

<sup>6</sup> Chesterman & Bedson (2017) note that ‘Studies also suggest that aggregating the various types of mistreatment, or seeing physical violence as part of a spectrum...is problematic and may mask risk factors for the various abuse types (at 13). Bedson, Chesterman & Woods (2018) note, in addition to the more widely-recognised types of physical, social, psychological and financial abuse, as well as neglect, other categories can include impairment-related abuse, legal or civil abuse and acts of omission: footnote 52 of that article.

<sup>7</sup> Noting that abuse within the family can be lateral and/or intergenerational. In our experience, too, there are often claims and counter-claims of abuse among multiple family members.

<sup>8</sup> See Kaspiew, Carson & Rhoades, 2016; Bedson & Chesterman, 2017, 23-24. See also Yon et al, 2017. Yon et al, 2018, also make detailed recommendations about the design of research into institutional abuse of older people

**\*Recommendation 15** That governments ensure that education curricula include:

- de-mystifying financial language
- financial savings strategies (eg pay yourself first)
- learning about credit, debt, superannuation etc
- empowering girls to be confident in thinking about and using financial products and services, and
- learning about wills, enduring documents, and supported decision-making.

**\*Recommendation 16** That governments support public awareness campaigns aimed at developing financial literacy, and encouraging legal, financial and relational advice/support before making wills, enduring documents, and nominating attorneys/guardians.

**\*Recommendation 17** That sector workers engaging with victim survivors be empowered to work confidently and effectively with:

- people experiencing the impacts (including cognitive impacts) of trauma
- people experiencing ANOP and IPV/DFV
- culturally safe practices, and
- other services, including relationship and therapeutic services and legal services.

## Term of Reference 2 – Insurance Contracts Act 1984

**\*Recommendation 18** That the Australian Government consider amendments to the *Insurance Contracts Act 1984*, along the lines suggested by Fitzpatrick, to reduce opportunities for financial and systems abuse currently available under the Act, in the contexts both of IPV and ANOP.

## Term of Reference 2 Legislation and statutory instruments for superannuation

**\*Recommendation 19** That the Australian Government recognise the long-term effects of financial abuse by allowing victim survivors of domestic and family violence, and victim survivors of ANOP, to:

- be awarded an amount from their perpetrator's 'additional' contributions for the purposes of satisfying unpaid compensation orders, as proposed in relation to victim survivors of child sexual abuse in Treasury's 2023 paper,<sup>9</sup> and
- submit a superannuation information request to the appropriate court which could then request that the ATO disclose specific information regarding the offender's or their spouse's superannuation accounts.

---

<sup>9</sup> Treasury, 2023, *Access to offenders' superannuation for victims and survivors of child sexual abuse*, available at <https://treasury.gov.au/consultation/c2022-353970> [accessed 27 January 2023]

## Framing Principles for Submission

### Principle 1 - Commitment to human rights

Relationships Australia contextualises its services, research and advocacy within imperatives to strengthen connections between people, scaffolded by a robust commitment to human rights. Relationships Australia recognises the indivisibility and universality of human rights and the inherent and equal freedom and dignity of all. In our 2023 submission to the inquiry Parliamentary Joint Committee on Human Rights into Australia's human rights framework, we recommended that Government should introduce a Human Rights Act that provides a positive framework for recognition of human rights in Australia (Recommendation 2 of that submission).<sup>10</sup>

Of particular relevance to this Inquiry, we note that the United Nations considers that

No social phenomenon is as comprehensive in its assault on human rights as poverty. Poverty erodes economic and social rights such as the right to health, adequate housing, food and safe water, and the right to education. The same is true of civil and political rights, such as the right to a fair trial, political participation and security of the person.<sup>11</sup>

Australia has obligations to reduce poverty, defined by the Sustainable Development Goals.<sup>12</sup>

In our experience, poverty co-occurs with a range of experiences, circumstances and positionalities, including longstanding health restrictions, abuse or neglect of older people intimate partner violence, intimate partner violence, poor mental health, housing insecurity and instability, employment precarity, misuse of alcohol and other drugs, and harmful gambling. Causation is often multi-factorial and multi-directional and, once individuals, families and communities are caught by it, our social, economic, political and legal systems operate in concert not only to actively hinder escape, but also to exacerbate it.

Relationships Australia supports measures to ensure that current experiences of episodic poverty, including those related to abuse and neglect of older people and intimate partner violence, do not deteriorate into entrenched, and potentially intergenerational, poverty that will not only harm the individuals experiencing it, but will hinder full economic, social and cultural recovery for Australian society in its entirety.

---

<sup>10</sup> Available at [https://www.relationships.org.au/wp-content/uploads/PJCHRhumanrightsframework.FINAL\\_.pdf](https://www.relationships.org.au/wp-content/uploads/PJCHRhumanrightsframework.FINAL_.pdf)

<sup>11</sup> See <https://www.ohchr.org/en/poverty> [accessed 12 January 2023]

<sup>12</sup> See <https://un.org/sustainabledevelopment/poverty/>. We note Australian Government reporting on progress against these goals at <https://www.sdqdata.gov.au/goals/no-poverty> [accessed 12 January 2023].

## Principle 2 – Accessible and inclusive public institutions, regulation and service delivery

Inclusive and universally accessible public institutions, regulation and services are an imperative of human rights. This is because circumstances that operate to exclude, marginalise or discriminate against individuals become barriers to full participation in economic, cultural, political, and social life through the operation of systemic and structural factors including:

- legal, political and bureaucratic frameworks
- beliefs and expectations that are reflected in decision-making structures (such as legislatures, courts and tribunals, and regulators)
- policy settings that inform programme administration, and
- biases or prejudices that persist across society and that are reflected in arts, culture, media and entertainment.

Relationships Australia is committed to ensuring that financial circumstances are not a barrier for people seeking our help. We have always been conscious of the adverse effect that financial stresses can have on family relationships, including as a precipitating factor and a co-occurring factor with DFV (including abuse and neglect of older people and intimate partner violence).

Cohorts at heightened risk both of poverty and of experiencing circumstances that can induce or entrench poverty, including financial abuse, are:

- people on low incomes<sup>13</sup>
- people living with disability or restrictive long term health conditions<sup>14</sup>
- carers.<sup>15</sup> Recent research undertaken by Relationships Australia found that 1.4 million (or 7.1% of Australians) identified themselves as a carer and an overwhelming 77.9% reported facing pressures in their important relationship, with 43.9% citing mental health and 37.1% citing money problems. Disturbingly, carers were more likely than the general population to experience multiple pressures at once.<sup>16</sup>
- people from culturally and linguistically diverse backgrounds<sup>17</sup>
- people from Aboriginal and Torres Strait Islander communities; Venn & Hunter (2018) note that Aboriginal and Torres Strait Islander people ‘generally have higher entry and

---

<sup>13</sup> See, eg, Naidoo et al, 2022, p 7.

<sup>14</sup> See, eg, AIHW, 2022; ACOSS, Rates of poverty among adults with disability, <https://povertyandinequality.acoss.org.au/poverty/rate-of-poverty-among-adults-with-disability/> [accessed 15 January 2023]; WHO & World Bank, 2012; ABS, 2020; ABS 2020-2021.

<sup>15</sup> See, eg, Hill et al, 2011; Evaluate, 2022; ABS, 2020.

<sup>16</sup> Relationships Indicators, Fact Sheet on Carers, <https://relationships.org.au/wp-content/uploads/Carers.pdf> ) Relationship Indicators is the only nationally representative survey that captures the state of Australia’s relationships, and the effect that these relationships have on our wellbeing. The Relationships Indicators survey was previously run from 1998-2011. In response to the enormous effects of the Covid-19 pandemic and other challenges in recent years, Relationships Australia recognised a shift in Australia and was interested in gaining a better understanding of the state of relationships at a national level. Relationships Australia decided to reinvigorate the project with a renewed focus on research design and method, releasing the results in November 2022.

<sup>17</sup> See, eg, ECCV, 2023.



lower exist rates than non-Indigenous people’ and that ‘Indigenous poverty is likely to be more persistent than non-Indigenous poverty’<sup>18</sup>

- people from LGBTIQ+ communities<sup>19</sup>
- older people (especially older women)<sup>20</sup>
- children and young people,<sup>21</sup> and
- child and adult care leavers.<sup>22</sup>

### *Cultural safety and responsiveness*

Cost, literacy, language, bureaucratic hurdles and lack of confidence in cultural safety can all impede the access of Aboriginal and Torres Strait Islander people to financial products and services, including banking and insurance, as well as to legal advice and assistance. Systems, processes and practices developed in the context of urbanised clients often do not translate well to the situation of First Nations people living in remote areas. Additionally, many of our clients suffer from intergenerational and complex trauma. In some communities, violence has been normalised and cultural practices can obscure financial and economic abuse, such as through ‘humbugging’.<sup>23</sup> Relationships Australia **recommends** that cultural safety training and trauma informed practices should be mandatory for all those working with First Nations people.<sup>24</sup>

### *Accessible regulatory frameworks*

Victim survivors of domestic and family violence (DFV), intimate partner violence (IPV) and abuse and neglect of older people (ANOP) should be supported by regulatory frameworks that are clear, intelligible, accessible and inclusive. Accordingly, Relationships Australia is committed to advocating for:

- reducing complexity of the law and supporting systems and processes
- reducing fragmentation, and
- high quality and evidence-based regulation, accompanied by robust and timely accountability mechanisms.

### *Fragmentation*

Our commitment to accessibility also underpins our advocacy for systems and processes that lift from the shoulders of those least equipped to bear them the burdens of fragmented, siloed, complex and duplicative laws, policies, programmes, and administering entities. The complex

---

<sup>18</sup> At p 40. See also AIHW, 2021, and sources cited therein.

<sup>19</sup> See, eg, Hill et al, 2020; especially pp 25-26.

<sup>20</sup> See Naidoo, et al, 2022, p 50, citing Mills et al, 2020 and Porto Valente et al, 2022.

<sup>21</sup> See, eg, Davidson et al, 2022, p 16, noting that ‘The poverty rate among children is much higher [than for adults] at one in six’; Naidoo et al, 2022, pp 49-50. Childhood poverty has an adverse effect on development: see eg Warren, 2017, heightening risk of poverty becoming intergenerational; Klein et al, 2021, p 64.

<sup>22</sup> See, eg, DSS, 2018, which describes the findings of various Commonwealth Parliamentary inquiries into the experiences of care leavers as children and adults.

<sup>23</sup> See Kimberley Birds, 2020.

<sup>24</sup> See SNAICC, 2010; see also observations and recommendations in Family Law Council, 2012a and 2012b.

co-morbidities and intersectionalities experienced by many victim survivors<sup>25</sup> can limit their capacity to navigate the multiple services and agencies with which they are brought into contact. In the context of women experiencing or escaping 'domestic financial abuse' in the USA, Canada and the UK, Glenn, 2019 cautioned that policy makers, service providers and financial institutions need to have an:

[u]nderstanding that system complexity and lack of cognitive bandwidth means many survivors can't or don't access the limited support available  
...and should be

Working to simplify systems and processes and improve access to resources.<sup>26</sup>

Fragmentation endangers victim survivors. These individuals could benefit from wraparound services, including navigation services. We **recommend** that financial institutions falling within scope of the Terms of Reference ensure that teams dedicated to supporting victim survivors are equipped and empowered to offer warm referrals to appropriate therapeutic and other support services (eg emergency accommodation, family mediation, and legal advice).

Relationships Australia acknowledges recent Government initiatives to reduce the extent to which individuals and families must shoulder the burden of fragmentation across the family law, family violence and child protection systems. We have also welcomed recommendations from the Australian Law Reform Commission, the Joint Select Committee on Australia's Family Law System and the Social Policy and Legal Affairs Committee of the House of Representatives that urge better integration of service delivery. However, more work is needed to ensure that system fragmentation does not exacerbate the dangers and traumas experienced by victim survivors of ANOP and IVP.

### *Geographic equity*

Relationships Australia advocates for geographic equity in the availability of services for people affected by abuse and neglect of older people and intimate partner violence.

### **Principle 3 – An expanded understanding of diverse ways of being and knowing**

Our commitment to human rights necessarily includes a commitment to respecting epistemologies beyond conventional Western ways of being, thinking and doing. Of acute importance is a commitment to respecting epistemologies and experiences of Aboriginal and Torres Strait Islander people as foundational to policy and programme development, as well as service delivery.

Aboriginal and Torres Strait Islander people have different ways of knowing the dimensions of poverty; indeed, the drivers of poverty and the mechanisms and conditions for escaping from poverty are different from those applying to other groups in the community.<sup>27</sup> Connection to Country, and context-specific experiences of kinship, for example, do not countenance the

---

<sup>25</sup> See, eg, ALRC, 2018, Discussion Paper 86 (esp Chapters 1 and 4); Family Law Council reports, 2015 and 2016.

<sup>26</sup> Glenn, 2019, p 53.

<sup>27</sup> Hunter, 2012.

hyper-individualism that pervades Western assumptions about distribution of resources and obligations between the Western nation-state and individual taxpayers and among individual taxpayers. Centring the epistemologies and experiences of Aboriginal and Torres Strait Islander people is a necessary (although not sufficient) step in achieving the targets in the National Agreement on Closing the Gap, as well as preventing entry into poverty, ameliorating its effects, and hastening transitions out of poverty.

Current ANOP and DFV services are premised on the concept of a Western nuclear family, and do not accommodate the diversity of family formation and composition that now characterises families in Australia. This includes intergenerational households, whether emerging from cultural mores or driven by housing and other cost of living pressures<sup>28</sup>), as well as kinship systems.

Cost, literacy, language, bureaucratic hurdles and lack of confidence in cultural safety can all impede the access of people from Culturally and Linguistically Diverse backgrounds, to 'White' financial and commercial systems. Further, workers in 'White' systems may not, without appropriate support, recognise culturally-specific forms of intimate partner violence (eg through dowry abuse)<sup>29</sup> and abuse of older people (eg economic abuse through slavery that exploits culturally-accepted intergenerational dynamics and expectations).<sup>30</sup>

#### Principle 4 – An expanded understanding of valued and valuable work

...a major and enduring flaw in Australian social security [is] its inability to recognise various productive activities people undertake – including unpaid care work, which is largely undertaken by women (Blaxland, 2010). People receiving social security payments are accused of being dependent on welfare, but actually, the economy and society are dependent on their unpaid labour, yet these same people are denied an economic floor upon which they can survive.<sup>31</sup>

These circumstances exacerbate women's vulnerability to economic abuse, and heighten the barriers women must overcome to recover from economic abuse, particularly when they are carers. To ameliorate these risks, we must re-frame how caring roles – paid and unpaid – are recognised and valued in our social, economic and political infrastructure. The *Carer Recognition Act 2010* (Cth) ('the Act') is intended to raise awareness and recognition of unpaid carers. Relationships Australia made a submission to the recent inquiry, undertaken by the Standing Committee on Social Policy and Legal Affairs, into the effectiveness of that Act.<sup>32</sup>

---

<sup>28</sup> Relationships Australia organisations are reporting increases in client households where couples are living 'separated but together', because of inability to find or afford separate households. This is leading to increased parental conflict, increased DFV, increased abuse and neglect of older adults, and is affecting parent and child mental health and wellbeing.

<sup>29</sup> Legal and Constitutional Affairs References Committee. (2019).

<sup>30</sup> See, eg, National Action Plan to Combat Modern Slavery, 2020; Coyne, 2021; EAAA, 2022.

<sup>31</sup> Klein et al, 2021, p 63.

<sup>32</sup> Available at <https://www.relationships.org.au/research/#advocacy>

Relationships Australia also commented on a 2023 draft Strategy for the care and support economy. The draft acknowledged that the historic devaluation of caring work derives from, and persists by virtue of, devaluation of women and their contributions to society.<sup>33</sup> Disturbingly, despite recent advances in how women are treated in society, as well as the passage of the Act, the value placed on caring roles has in real terms diminished.<sup>34</sup> However, our economic, social and political institutions now have the opportunity to build on experience and insights about the true value of caring, which emerged from the pandemic and which we hoped would transform the policy landscape in these areas.<sup>35</sup> Relationships Australia was heartened by the acknowledgement, in the draft Strategy, of the pernicious and still ubiquitous gendered influences that affect how we value the work of caring, and the work of those who undertake it. We further submit that gendered, ageist and ableist beliefs about those to whom care is provided strongly influence the value society places on the work.

## Responses to Terms of Reference

### Term of Reference 1      Prevalence and impact of financial abuse

#### *Financial abuse of older people*

Structural and systemic ageism enables financial abuse of older people.

Our rights as we age are customarily viewed through reductionist medicalised, economic, or technocratic lenses. This impoverished understanding of our rights as we age has facilitated ongoing ageism and age discrimination, as well as amply-documented violence, abuse, neglect and exploitation.<sup>36</sup> Certainly, Australia is not unique in its conspicuous lack of attention to our rights as we age. Across the world, older persons face entrenched ageism and age discrimination.<sup>37</sup> As the COVID-19 pandemic has shown, older persons are disproportionately vulnerable to violation of even the most fundamental rights, such as the right to life.<sup>38</sup> Although the Universal Declaration of Human Rights states that we are all born equal and are all equally entitled to the same rights as everyone else, this does not apply as we grow older.

Ageism disvalues, others and segregates the older people of our community.<sup>39</sup> It has licensed the continued failure, over many years, to implement recommendations for reform emerging

---

<sup>33</sup> Caring roles remain predominantly gendered; see, eg, ABS, 2020.

<sup>34</sup> See Evaluate, 2022, p 6.

<sup>35</sup> See eg Klein et al, 2021, pp 59, 63-64. The ABS has found that 'The most common reason women were unavailable to start a job or work more hours within four weeks was 'Caring for children', while for men it was 'Long-term sickness or disability': ABS, 2020-2021.

<sup>36</sup> See the Final Report of the Royal Commission into Aged Care Quality and Safety; Qu et al, 2021; EveryAGE Counts 2017 and 2021.

<sup>37</sup> Global Report on Ageism (2021) (n 3). See also Izenkova et al, 2015; Iversen, Larsen & Solem, 2009.

<sup>38</sup> United Nations Department of Economic and Social Affairs, Covid-19 Pandemic and Older Persons (Web Page); Inter-American Commission on Human Rights, Resolution No. 01/20: Pandemic and Human Rights in the Americas (adopted 10 April 2020).

<sup>39</sup> See AHRC, 2021.

from a succession of reviews and inquiries prompted by intermittent exposure of scandalous mistreatment of vulnerable older people living in the community and in institutions.

Pervasive silence and inertia from key decision-makers evidences deep structural ageism that continues to countenance egregious and systemic violation of the rights of older people. In 2019 and following an influential report by the Australian Law Reform Commission (ALRC Report 131, 2017), the Australian Government established a National Plan to Respond to the Abuse of Older Australians. Despite the Plan ending in 2023, a decision by the Standing Committee of Attorneys-General to establish a new plan was only made in April 2023. The communiqué emerging from the most recent SCAG meeting (February 2024) noted merely ‘a progress update’.<sup>40</sup> Details remain unknown to older people, their advocates, service providers and the broader public. Since a hasty consultation round in late 2023, the public has been excluded from the development of this critical work. Relationships Australia has consistently argued for a new national plan that does not merely ‘respond to’ abuse and neglect of older people, but also aims to end it within a generation, which would be consistent with the current National Plan to End Violence Against Women and Children.

Policy work on abuse and neglect of older people is consistently and consciously de-prioritised – by all governments - relative to intimate partner violence and a range of other projects. This continues despite findings by the Australian Institute of Family Studies (Qu et al, 2021) that:

- one in six older Australians (15%) reported experiencing abuse in the 12 months prior to being surveyed between February and May 2020
- elder abuse can take the form of psychological abuse (12%), neglect (3%), financial abuse (2%), physical abuse (2%) and sexual abuse (1%) – the finding that psychological abuse was far more prevalent than financial abuse overturned previous assumptions that financial abuse was more prevalent; it is the experience of Relationships Australia that psychological abuse, including social isolation and withdrawal or threatened withdrawal of family contact (especially grandchildren) is used as a precursor, or grooming technique to enable financial abuse
- perpetrators of elder abuse are often family members, mostly adult children, but they can also be friends, neighbours and acquaintances
- people with poor physical or psychological health and higher levels of social isolation are more likely to experience elder abuse
- almost two thirds of older people don’t seek help when they are abused (61%)
- elder abuse often remains hidden, with the most frequent action taken to stop the abuse involving the victim speaking directly to the perpetrator, and

---

<sup>40</sup> See <https://www.ag.gov.au/about-us/publications/standing-council-attorneys-general-communicues>

- family and friends are the most common source of support for older people who experience abuse.

The Law Council's Justice Project (2018) drew attention to the particular barriers to accessing justice that are experienced by older people in Australia. Since then, the Royal Commission into Aged Care Quality and Safety and the Australian Institute of Family Studies have identified widespread abuse and neglect of older people. Meaningful and timely legal remedies are necessary to address these and other human rights violations of older people, and to hold to account perpetrators of financial abuse. We note, too, that financial abuse is disproportionately disastrous for older victims, because they don't have the same opportunities to recover financially and re-build assets and income. We therefore **recommend** that Commonwealth, state and territory legal assistance funding enable geographically equitable and timely access to legal advice and representation of older people experiencing, or at risk of experiencing, financial abuse.

This Committee has an opportunity to counter structural ageism, through making the recommendations proposed in this submission, which would:

- elevate the human rights of older people to have agency and participate in the economic life of Australia
- reduce unnecessary fragmentation of policy, research and service responses to financial abuse, depending on the nature of the relationship between victim survivor and perpetrator (eg intergenerational relationships and intimate partner relationships)
- empower older people to protect themselves from financial abuse, including by reducing their reliance on others to manage their finances and assets (
- empower providers of banking, insurance, superannuation and other financial services to resist attempts by perpetrators to misuse their services to carry out financial abuse of older people, and
- support rapid, effective and geographically equitable responses to financial abuse of older people; these should include relational services such as elder mediation, therapeutic (counselling supports) and legal advice and representation.

### Powers of attorney

Relationships Australia provided the Attorney-General's Department with comments on a consultation paper about achieving greater consistency in laws for financial enduring powers of attorney.<sup>41</sup> The glacial progress on these reforms, despite its self-evident importance to a banking and finance sector (and an entire economy) faced with an imminent wealth transfer of \$3.5 trillion,<sup>42</sup> cannot be allowed to continue. We accordingly **recommend** that:

---

<sup>41</sup> [https://www.relationships.org.au/wp-content/uploads/EPOAconsistency\\_sub241123FINAL.pdf](https://www.relationships.org.au/wp-content/uploads/EPOAconsistency_sub241123FINAL.pdf)

<sup>42</sup> Productivity Commission, 2021.

- the Commonwealth Treasury assume the lead role on achieving greater consistency of laws concerning enduring financial powers of attorney and establishing a national register, and
- state and territory governments refer to the Commonwealth the power to make laws on enduring instruments, along the lines of similar referrals of power in family law.

### Service responses to intergenerational financial abuse

Common scenarios of financial abuse of older people that are encountered by Relationships Australia practitioners include:

- adult children seeking to control assets (inheritance impatience, inheritance conservation)
- adult children urging parent/s to sell the marital home because it's 'too big, too hard to care for'; move in with us; put money into the adult child's business/mortgage; not on title; subsequently made to leave; often moved out of old area with existing networks and has no networks to tap into for help
- adult children using ongoing contact with grandchildren as a reward or precondition for financial support<sup>43</sup>
- convincing themselves that 'mum would want me to have this money' (for petrol, for own groceries, for children; expensive and unprecedented presents), and
- humbugging.<sup>44</sup>

It is foreseeable that, in the absence of diversion to expert dispute resolution and counselling services, financial abuse will increase sharply amid the expected \$2.4 trillion dollar transfer over the next two decades (Productivity Commission, 2021). To support safe and successful mediation which addresses these issues, Relationships Australia offers clients and, where they wish, family members:

- counselling and psycho-education
- specialist Elder Mediation and Eldercaring Coordination services
- case management and coordination, and
- referrals to complementary services, within and outside our federation.

We have found that providing **counselling and other psycho-social interventions** is helpful in preparing people experiencing financial abuse to reach a psychological state in which they can benefit from legal advice and are emotionally able to pursue legal interventions to protect themselves.

Accredited Elder Mediators offer a blend of **case management and mediation**, to wrap around a person undertaking advance planning and, where that person wishes it, the whole family. Case management can include system navigation and warm referrals to a range of other capacity building and therapeutic services, including counselling and family group counselling.

---

<sup>43</sup> See, eg, Saitova, 2022.

<sup>44</sup> Kimberley Birds, 2020.

Accordingly, we **recommend** secure and ongoing funding for accredited elder mediation and/or Eldercaring Coordination services. The former New South Wales Ageing & Disability Commissioner (and incoming Age Discrimination Commissioner) has said that

We believe that family mediation in relation to older people is an essential part of the elder abuse architecture and I'm more convinced of that today than I've ever been.<sup>45</sup>

In very high conflict families, practices such as **Eldercaring Coordination** can help to centre the rights of a person at risk and enable high conflict families to work safely and collaboratively to support the will, views and preferences of the person concerned. The Eldercaring Coordination model works with high conflict families to ensure their focus remains directed to the needs and desires of the older person; effectively centring the voice of that older person in decision making that affects them. It has been developed in the USA as a human-rights centred alternative to guardianship. It is also used for high conflict families who would otherwise make repeated returns to court.

A group of Australian practitioners, researchers and other stakeholders has been exploring the potential implementation of this model here in Australia, in the hopes that we can replicate the successes seen in the USA. Thanks to the combined efforts of the University of South Australia, the South Australian Adult Safeguarding Unit and Relationships Australia South Australia, a pilot of the model is being implemented and evaluated. The findings of this pilot will then be used to inform the future direction of Eldercaring Coordination in Australia.

**Case management** enables complex and interconnected vulnerabilities affecting clients' safety and well-being to be identified and considered, and can mitigate the stresses of dealing with fragmented systems and services. Our clients' rights and agency are enshrined at the centre of our services. Beyond the federally-funded case management and mediation services provided in Queensland, Canberra and Region, Western Australia and the Northern Territory, we also offer:

- state-government funded relationship and other services in Queensland and New South Wales
- support to Legal Aid services in Tasmania
- mediation services in Victoria,
- support for making and maintaining social connection in Queensland, and
- mental health services in residential aged care on behalf of Primary Health Networks in South Australia.

Cultural safety is critical. Our First Nations clients, for example, have told us that they value access to Aboriginal staff who can advocate for solutions that strive to harmonise relevant elements of law and traditional cultural practices. Cultural differences need to be unpacked and

---

<sup>45</sup> Quoted in Wong et al, 2023, p 5.



understood so that the family, and service providers supporting them, can navigate past traumas and collaborate in establishing positive and nourishing relationships.

We **recommend** that banking and finance sector workers engaging with victim survivors be empowered to work confidently and effectively with:

- people experiencing the impacts (including cognitive impacts) of trauma
- people experiencing DFV and ANOP
- culturally safe practices, and
- other services, including relationship and therapeutic services and legal services.

People experiencing, or at risk of experiencing, abuse, violence and exploitation need a range of service options across diverse practices. Additional services may be needed to address co-morbidities including intergenerational trauma, harmful gambling, misuse of alcohol and other drugs. The value of wraparound services for families maximises:

- the possibilities that families are able to confidently support a person's exercise of autonomy and agency
- the quality of the support that family members can give, and
- the opportunities for durable change in family dynamics.<sup>46</sup>

Clients of our various elder abuse services have been clear that they want options that are not legal options (whether the criminal or civil law). They often want to preserve valued relationships, while living in them in greater safety from violence, abuse, neglect or exploitation.<sup>47</sup> The Final Evaluation of the service trials of the case management and mediation program (Inside Policy, 2021) found that these services were valued by clients, met their needs, and should continue to be funded by the Commonwealth. We have, in other submissions and advocacy, urged the Australian Government to act on these recommendations and provide geographic equity for older people who need these services to be safe and thrive.

#### *Financial abuse of intimate partners*

Cortis & Bullen (2016) observe that 'Women are disadvantaged economically relative to men, and violence exacerbates this inequality.' This is the case during intimate partner relationships between women and men, and post separation.<sup>48</sup> The negative effects on women of separation are of long duration (Kaspiew et al, 2017), and can contribute to poverty and homelessness,<sup>49</sup> among other consequences, in later life. It is unsurprising, therefore, that many women are deterred from leaving violent relationships or, having left, return to them, because of fears for their economic security and that of their children.<sup>50</sup>

---

<sup>46</sup> See, eg, Wong et al, 2023, p 7.

<sup>47</sup> See, eg, Qu et al, 2021; Wong et al, 2023.

<sup>48</sup> See, for example, Broadway et al, 2022; de Vaus et al, 2007; de Vaus et al 2015; Easteal et al, 2018; Fehlberg & Millward, 2014; Gray et al, 2010, Smyth & Weston, 2000.

<sup>49</sup> As explored in other ANROWS research: eg ANROWS, 2019; Breckenridge et al, 2016.

<sup>50</sup> Summers, 2022; McLaren et al, 2020; Kaspiew et al, 2017.

Relationships Australia acknowledges the submission to this Inquiry from ANROWS, which traverses contemporary research evidence on the complex, multi-directional relationship between economic security and IPV. Building on the ANROWS submission, we offer the following observations from our practice experience.

Some men continue to:

- believe that women who have worked part time, or been stay at home parents, and done most of the parenting, have not contributed to the family or to the financial assets; generally, men have control of these
- undervalue the cost of raising children
- believe that child support is used for the woman's expenses; alternatively or in addition, child support is withheld as a punitive measure or bargaining tool<sup>51</sup>
- believe women use unfounded allegations of DFV to gain advantage in property disputes, and
- subscribe to the view that 'his money is his money; her money is ours'.

Financial abuse can be a strong indicator of coercive control in relationships where physical harm has not occurred, and is often concurrent with emotional and psychological abuse. It can be part of a mosaic of controlling behaviours which becomes the *status quo*, including exerting control over:

- activities, movement, freedom and time
- intimacy, and
- precise amount of money to which a victim survivor has access for grocery shopping, school supplies, clothing for herself and children; it is not uncommon for victim survivors to have to ask for money for sanitary products, medications, cosmetics.

Financial abuse can be facilitated by ease of access to online banking/pins/payWave on debit cards etc, and by decreasing personal interaction in banking transactions (eg people don't go into physical branches).

Our Family Dispute Resolution Practitioners (FDRPs)<sup>52</sup> report that:

- it is common for a woman to hold firm in FDR on parenting if children's safety is at stake, but feels less confident to protect her financial position
- in couples who don't share financial information during the relationship or who have distinct and gendered roles in the relationship - women may not be in a position to have an understanding or access to information about, family assets and liabilities; this facilitates abusers hiding assets (forensic accountants have high fees and are out of reach for many victims)

---

<sup>51</sup> See Cook et al, 2023.

<sup>52</sup> Family Dispute Resolution is defined in Division 3 of Part II of the *Family Law Act 1975* (Cth), which also defines Family Dispute Resolution Practitioners. These are specialist professionals who help people affected by separation to resolve disputes about arrangements for children as well as property disputes.

- if abuser has had control of assets during the relationship, the victim can't afford advice and is often locked out of legal aid (tests can take into account income and assets to which the victim does not, in fact, have access or can control)
- wastage and incurring debt can further imperil a victim survivor's financial recovery (Relationships Australia has supported amendments to the Family Law Act to specify these kinds of conduct as family violence)
- non-disclosure of income/assets accrued through participation in the cash economy is a significant issue in the family law and child support contexts and can be part of broader perpetration of financial abuse; payee clients, because of non-disclosure or under-disclosure of money received through the cash economy, receive under \$10 per month (Relationships Australia has supported family law reforms to apply a positive duty of financial disclosure to financial, property and superannuation matters brought under the Family Law Act; we acknowledge that this may have workforce implication for the relevant sectors)
- joint debts are still a problem (with violent partner often trashing assets that are secured, with lender then turning to victim to make good). A common scenario involves a primary borrower who is the higher income earner and the perpetrator, and a lower income earner who is named, in accordance with lender's policy as a secondary borrower (required by bank); violent relationship; lower income earner leaves and primary borrower defaults on the loan, and the lender pursues secondary earner, and
- rural/regional/remote perspective (particular considerations around primary producers).

### Identifying the person most in need of protection

There is significant research and practice experience demonstrating the danger that victim survivors of coercive control may be misidentified, in the law enforcement and justice systems, as perpetrators. As a consequence, there are urgent calls – particularly in the context of criminalisation of coercive control – for workers in those systems to receive training in correct identification of the person most in need of protection. Workers in the banking and finance sectors should be offered similar training.

### Prevention of financial abuse within intergenerational and intimate partner relationships – education, awareness and capacity building

As a long term preventative measure, education curricula should include:

- de-mystifying financial language
- financial savings strategies (eg pay yourself first)
- learning about credit, debt, superannuation etc
- empowering girls to be confident in thinking about and using financial products and services, and
- learning about wills, enduring documents, and supported decision-making.

Within intergenerational and intimate partner relationships, there may be a reliance on others to engage with technology to access their money and other financial services. Such reliance can arise from digital exclusion. Factors driving digital exclusion include:

- physical location (including urban and suburban ‘black spots’)
- cost
- apprehensions and lack of confidence around data security and the prevalence of scam activity, and
- technical expertise and/or the ability to access that.<sup>53</sup>

In coercive controlling relationships, digital exclusion may also arise from a perpetrator ensuring that they have access to and control of devices, apps and other means by which financial services may be delivered. This can occur with or without the knowledge and free consent of a victim survivor. The risks of this occurring can be mitigated by building capacity and confidence in using emerging technology independently.

Governments should support public awareness campaigns aimed at developing financial literacy, and encouraging legal, financial and relational advice/support before making wills, enduring documents, and nominating attorneys/guardians.

We acknowledge that some financial institutions have developed sympathetic policies and practices, including information packs (in relation to both IPV and abuse of older people).

**Term of Reference 2**      **The effectiveness of existing legislation, common law, and regulatory arrangements that govern the ability of financial institutions to prevent and respond to financial abuse...**

*...(d) the Insurance Contracts Act 1984*

Fitzpatrick (2024a and 2024b) canvasses the misuse of insurance products by perpetrators of DFV, identifying a range of behaviours by which perpetrators exploit insurance products and claims processes to control and financially harm victim survivors. She observes that

Financial abusers exploit general insurance policies and procedures to deny access to information, cancel policies, interfere with the claims process, and to steal, limit or withhold payouts to the victim-survivor.

They aim to exert control by leaving their partner with no money, damaged or irreparable property and assets, and the accompanying emotional toll.  
(Fitzpatrick, 2024b)

Fitzpatrick (2024b) highlights the following recommendations:

- close the loopholes that enable perpetrators to cancel insurance policies without the knowledge or consent of victim-survivors
- introduce a ‘conduct of others’ clause as a standard part of every insurance contract, enabling victim-survivors to make a claim when perpetrators deliberately damage property

---

<sup>53</sup> See Thomas et al, 2023.

- modernise the law so insurance products can be redesigned with features that protect against financial abuse.

While Fitzpatrick focuses on IPV, Relationships Australia considers that the Insurance Contracts Act in its current form creates similar opportunities for perpetrators of ANOP.

Accordingly, Relationships Australia **recommends** that the Government consider amendments to the *Insurance Contracts Act 1984*, along the lines suggested by Fitzpatrick, to reduce opportunities for financial and systems abuse currently available under the Act, in the contexts both of IPV and ANOP.

#### *(e) legislation and statutory instruments for superannuation*

Relationships Australia reiterates its advocacy for early release access by victim survivors of DFV to offenders' superannuation (see our submission at <https://www.relationships.org.au/wp-content/uploads/CSA-survivors-and-access-to-super-070223FINAL-Relationships-Australia-National.pdf>). This should also be extended to victim survivors of ANOP, with fast track options.

We have previously expressed dismay that, although victim survivors of DFV were within scope of the proposals published in 2017, they were omitted – without explanation - from the proposals set out in Treasury's 2023 consultation paper.

Accordingly, Relationships Australia **recommends** that the Australian Government recognise the long-term effects of financial abuse by allowing victim survivors of domestic and family violence, and victim survivors of ANOP, to:

- a. be awarded an amount from their perpetrator's 'additional' contributions for the purposes of satisfying unpaid compensation orders, as proposed in relation to victim survivors of child sexual abuse in Treasury's 2023 paper,<sup>54</sup> and
- b. submit a superannuation information request to the appropriate court which could then request that the ATO disclose specific information regarding the offender's or their spouse's superannuation accounts.

#### *(f) state and territory laws and regulations*

As noted above, harmonisation of laws relating to enduring powers of attorney has languished on the ministerial council agenda for over two decades without substantive progress being made by governments.<sup>55</sup> Relationships Australia most recently made a submission to the Commonwealth Attorney-General's Department in late 2023, commenting on a consultation paper about achieving greater consistency. There has been no further public action on this; we note that the Office of the Public Advocate Queensland has made a submission to you, setting

---

<sup>54</sup> Treasury, 2023, *Access to offenders' superannuation for victims and survivors of child sexual abuse*, available at <https://treasury.gov.au/consultation/c2022-353970> [accessed 27 January 2023]

<sup>55</sup> However, significant policy work has been undertaken by the Australian Guardians and Administrators Council: see, eg, AGAC 2018 and AGAC 2019.

out model provisions. We **support** this model, as previously indicated to the Commonwealth Attorney-General's Department.

Having regard to the vital interest of the banking, superannuation and insurance sectors in progress on enduring instruments, we **recommend** that state and territory governments refer to the Commonwealth the power to make laws on enduring instruments, along the lines of similar referrals of power in family law.

### Term of Reference 5      The role of government agencies in preventing and responding to financial abuse

See response to Term of Reference 2(f).

### Term of Reference 6      The funding and operation of relevant advisory and advocacy bodies

Services to prevent, detect and address ANOP and IPV are chronically under-funded, still 'playing catch up' from indexation freezes and the surges of demand emerging from COVID-19. As canvassed above, people experiencing (or at risk of experiencing) ANOP and IPV, and people who engage, or are at risk of engaging, in financial abuse need access to a suite of services, acting collaboratively. These include:

- counselling and psycho-social services
- Specialist Family Violence Services
- Family Dispute Resolution Services and other post-separation relationship services
- Elder Mediation by accredited specialist practitioners
- case management, and
- access to timely and expert legal advice and representation.

Accordingly, we **recommend** that Commonwealth, state and territory governments fund:

- geographically equitable access to counselling, psycho-social services, FDR, Elder Mediation, and case management services (necessary both in their own right, and to empower victim survivors to engage safely and effectively with legal assistance and justice systems)
- geographically equitable access to legal advice and representation of older people experiencing, or at risk of experiencing, financial abuse, and
- fund ongoing investment in systemic and individual advocacy services like those supported by OPAN

## Conclusion

Thank you again for the opportunity to make a submission to this Inquiry. Please do not hesitate to contact me or our National Policy Manager, Dr Susan F Cochrane, if we can provide further assistance. My contact details are [ntebbey@relationships.org.au](mailto:ntebbey@relationships.org.au) / 0422 415 987, and Dr Cochrane's are [scochrane@relationships.org.au](mailto:scochrane@relationships.org.au) / 0477 778 659.

Kind regards

A handwritten signature in black ink, appearing to read 'Nick Tebbey', with a stylized flourish at the end.

Nick Tebbey  
National Executive Officer

## References

- ACOSS. (nd) <https://povertyandinequality.acoss.org.au/>
- Australian Bureau of Statistics. (2020) Disability, Ageing and Carers, Australia: Summary of Findings. <https://www.abs.gov.au/statistics/health/disability/disability-ageing-and-carers-australia-summary-findings/latest-release> [accessed 17 January 2023]
- Australian Bureau of Statistics. (2020-21). *Barriers and Incentives to Labour Force Participation, Australia*. ABS. <https://www.abs.gov.au/statistics/labour/employment-and-unemployment/barriers-and-incentives-labour-force-participation-australia/latest-release>. [accessed 17 January 2023]
- Australian Government. (2023) Response to the inquiry of the Joint Select Committee on Australia's Family Law System. [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Joint/Family\\_Law\\_System/FamilyLaw/Government\\_Response](https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Family_Law_System/FamilyLaw/Government_Response)
- Australian Government. (2023). Measuring What Matters. Australia's First Wellbeing Framework. [https://treasury.gov.au/sites/default/files/2023-07/measuring-what-matters-statement020230721\\_0.pdf](https://treasury.gov.au/sites/default/files/2023-07/measuring-what-matters-statement020230721_0.pdf)
- Australian Guardianship and Administration Council. (2018) National Standards for Financial Managers (including Easy English version) <https://www.agac.org.au/publications> [accessed 3 November 2023]
- Australian Guardianship and Administration Council. (2019) You Decide Who Decides <https://www.agac.org.au/assets/documents/Other-documents/You-Decide-Who-Decides.pdf> [accessed 3 November 2023]
- Australian Human Rights Commission (2021). What's age got to do with it? A snapshot of ageism across the Australian lifespan, September 2021. <https://humanrights.gov.au/our-work/age-discrimination/publications/whats-age-got-do-it-2021>
- Australian Institute of Health and Welfare (2021) Indigenous Income and Finance. <https://www.aihw.gov.au/reports/australias-welfare/indigenous-income-and-finance> [accessed 16 January 2023]
- Australian Institute of Health and Welfare (2022) People with Disability in Australia. <https://www.aihw.gov.au/reports/disability/people-with-disability-in-australia/contents/income-and-finance/income> [accessed 15 January 2023]
- Australian Law Reform Commission (2017) Elder Abuse: A National Legal Response. ALRC Report 131. <https://www.alrc.gov.au/publication/elder-abuse-a-national-legal-response-alrc-report-131/>
- Australian Law Reform Commission. (2018) Discussion Paper 86. Review of the family law system. <https://www.alrc.gov.au/publication/review-of-the-family-law-system-discussion-paper/>
- Australia's National Research Organisation for Women's Safety. (2019). Domestic and family violence, housing insecurity and homelessness: Research synthesis (2nd Ed.; ANROWS Insights, 07/2019). Sydney, NSW: ANROWS. [https://anrowsdev.wpenginepowered.com/wp-content/uploads/2019/03/DV-Housing-Homelessness-Synthesis-2.Ed\\_.pdf](https://anrowsdev.wpenginepowered.com/wp-content/uploads/2019/03/DV-Housing-Homelessness-Synthesis-2.Ed_.pdf)



Australia's National Research Organisation for Women's Safety. (2022) Economic security and intimate partner violence: Research synthesis. <https://www.anrows.org.au/publication/economic-security-and-intimate-partner-violence/>

Bedson, L., Chesterman, J. & Woods, M. The Prevalence of Elder Abuse among Adult Guardianship Clients. (2018) 18 Macquarie Law Journal 15

Blaxland M, 2010, 'Mothers and mutual obligation: policy reforming the good mother', in Goodwin S; Huppatz K (ed.), *The Good Mother: Contemporary Motherhoods in Australia*, Sydney University Press, Sydney, pp. 131 - 151, <http://purl.library.usyd.edu.au/sup/9781920899530>

Breckenridge, J., Chung, D., Spinney, A., & Zufferey, C. (2016). National mapping and meta-evaluation outlining key features of effective "safe at home" programs that enhance safety and prevent homelessness for women and their children who have experienced domestic and family violence: Final report. Sydney: ANROWS <https://anrowsdev.wpenginepowered.com/wp-content/uploads/2019/02/Safe-at-home-meta-evaluation-final-report-1.pdf>

Broadway, B, Kalb, G, and Maheswaran, D. (2022) *From Partnered to Single: Financial Security Over a Lifetime*. Melbourne Institute: Applied Economic & Social Research, The University of Melbourne.

Commonwealth of Australia, Attorney-General's Department. National Action Plan to Combat Modern Slavery 2020-2025. (2020) <https://www.ag.gov.au/system/files/2022-08/national-action-plan-combat-modern-slavery-2020-25.pdf>

Cook, K., Byrt, A., Burgin, R., Edwards, T., Coen, A. & Dimopoulos, G. (2023). Financial Abuse: The Weaponisation of Child Support in Australia. Swinburne University of Technology and the National Council of Single Mothers and their Children. <https://doi.org/10.26185/72dy-m137>

Cortis, N. & Bullen, J. (2016) Domestic violence and women's economic security: Building Australia's capacity for prevention and redress. Final report. (ANROWS Horizons, 05/2016). <https://anrowsdev.wpenginepowered.com/wp-content/uploads/2019/02/ANROWS-Horizons-Report-Domestic-violence-and-womens-economic-security-2.pdf>

Coyne, J. (2021) Modern Slavery. <https://www.aspi.org.au/opinion/modern-slavery>

Davidson, P, Bradbury, B, and Wong, M. (2022) *Poverty in Australia 2022: A snapshot*. ACOSS and UNSW Sydney.

de Vaus, D., Gray, M., Qu, L., & Stanton, D. (2007). The consequences of divorce for financial living standards in later life (Research Paper No. 38). Melbourne: Australian Institute of Family Studies

de Vaus, D., Gray, M., Qu, L., & Stanton, D. (2015). The economic consequences of divorce in six OECD countries (Research Report No. 31). Melbourne: Australian Institute of Family Studies

Easteal, P., Young, L., & Carline, A. (2018). Domestic violence, property and family law in Australia. *International Journal of Law, Policy and The Family*, 32, 204–229. doi:10.1093/lawfam/ebv005

Elder Abuse Action Australia. (2022) Our Nation's Shame – sector-led engagement in the next National Plan to respond to the abuse of older Australians. [https://eaaa.org.au/wp-content/uploads/2022/09/3200\\_eaaa\\_ournationsshame\\_report\\_7.pdf](https://eaaa.org.au/wp-content/uploads/2022/09/3200_eaaa_ournationsshame_report_7.pdf)

Ethnic Communities Council of Victoria. (2023) Elder Abuse in Care Relationships: Key learnings from the *Recognising and Respecting Carers from CALD Backgrounds* project. <https://eccv.org.au/elder-abuse-in-care-relationships-paper/> [accessed 3 November 2023]

Evaluate (for Carers Australia) (2022) *Caring Costs Us: The Economic Impact on Lifetime Income and Retirement Savings of Informal Carers*. <https://www.carersaustralia.com.au/wp-content/uploads/2022/04/Final-Economic-impact-income-and-retirement-Evaluate-Report-March-2022.pdf> [accessed 15 January 2023]

EveryAGE Counts (2017) *The drivers of ageism: Foundational research to inform a national advocacy campaign tackling ageism and its impacts in Australia*

EveryAGE Counts, 'Ageism Report 2021' (Full Report, 2021)

Family Law Council. (2012a) *Improving the Family Law System for Aboriginal and Torres Strait Islander Clients*. <https://www.ag.gov.au/families-and-marriage/family-law-council/family-law-council-published-reports>

Family Law Council. (2012b) *Improving the Family Law System for Culturally and Linguistically Diverse Clients*. <https://www.ag.gov.au/families-and-marriage/family-law-council/family-law-council-published-reports>

Family Law Council. (2015) *Families with Complex Needs and the Intersection of the Family Law and Child Protection Systems. Interim Report (Terms 1 and 2)* <https://www.ag.gov.au/families-and-marriage/family-law-council/family-law-council-published-reports>

Family Law Council. (2016) *Families with Complex Needs and the Intersection of the Family Law and Child Protection Systems. Final Report (Terms 3, 4 & 5)* <https://www.ag.gov.au/families-and-marriage/family-law-council/family-law-council-published-reports>

Fehlberg, B. & Millward, C. (2014). Family violence and financial outcomes after parental separation. In Hayes, A. & Higgins, D. (Eds.) *Families, policy and the law: Selected essays on contemporary issues for Australia* (1 ed., pp. 235-243) Australian Institute of Family Studies

Fisher, C., Huang, L. & Althor, G. (2022) *Relationship Indicators 2022 Report*. <https://relationships.org.au/relationship-indicators/full-report/>

Fitzpatrick, C. (2024a). *Designed to Disrupt: Reimagining general insurance products to improve financial safety* (CWES Discussion Paper 2). Sydney. Centre for Women's Economic Safety.

Fitzpatrick, C. (2024b). Insurance is the latest weapon financial abusers use against their partners. Here's how we fix it. *The Conversation*. 8 March 2024. <https://theconversation.com/insurance-is-the-latest-weapon-financial-abusers-use-against-their-partners-heres-how-we-fix-it>

[Glenn, R. \(2019\) 2019 Churchill Fellowship to study service responses to women experiencing or escaping domestic financial abuse USA, Canada, UK.](#)

Global report on ageism. Geneva: World Health Organization; 2021

Gray, M., de Vaus, D., Qu, L., & Stanton, D. (2010). *Divorce and the wellbeing of older Australians* (Research Paper No. 46). Melbourne: Australian Institute of Family Studies

- Hill, T, Thomson, C & Cass, B. (2011) The costs of caring and the living standards of carers. Social Policy Research Paper No. 43. Social Policy Research Centre, University of New South Wales.
- Hill, A. O., Bourne, A., McNair, R., Carman, M. & Lyons, A. (2020). Private Lives 3: The health and wellbeing of LGBTIQ people in Australia. ARCSHS Monograph Series No. 122. Melbourne, Australia: Australian Research Centre in Sex, Health and Society, La Trobe University
- Hunter, B. (2012). Is Indigenous poverty different from other poverty?. 10.22459/CAEPR32.11.2012.10
- Inside Policy. (2021) Final Evaluation of the Elder Abuse Service Trials.  
[https://www.ag.gov.au/sites/default/files/2023-02/final-evaluation-of-the-elder-abuse-service-trials-report\\_0.pdf](https://www.ag.gov.au/sites/default/files/2023-02/final-evaluation-of-the-elder-abuse-service-trials-report_0.pdf) [accessed 4 November 2023]
- Iversen T N, Larsen L & Solem P E .A conceptual analysis of Ageism. (2009) 61(3) Nordic Psychology 4
- Izekenova AK, Kumar AB, Abikulova AK, Izekenova AK. Trends in ageing of the population and the life expectancy after retirement: A comparative country-based analysis. J Res Med Sci. 2015 Mar;20(3):250-2. PMID: 26109971; PMCID: PMC4468229.
- Joint Select Committee on Australia's Family Law System. Third Interim Report. (2021)  
[https://www.aph.gov.au/Parliamentary\\_Business/Committees/Joint/Family\\_Law\\_System/FamilyLaw/Third\\_Interim\\_Report](https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Family_Law_System/FamilyLaw/Third_Interim_Report)
- Kaspiew, R., Carson, R. & Rhoades, H. (2016). Elder Abuse: Understanding Issues, Frameworks and Responses. 10.13140/RG.2.1.3296.1682
- Kaspiew, R., Horsfall, B., Qu, L., Nicholson, J.M., Humphreys, C., Diemer, Kl, Nguyen, C., Buchanan, F., Hooker, L., Taft, A., Westrupp, E.M., Cookin, A., Carson, R. & Dunstan, J. (2017) Domestic and family violence and parenting: Mixed method insights into impact and support needs. Final Report. (ANROWS Horizons 04/2017) <https://www.anrows.org.au/publication/domestic-and-family-violence-and-parenting-mixed-method-insights-into-impact-and-support-needs-final-report/>
- Kimberley Birds. (2020) No More Humbug! Reducing Aboriginal Financial Elder Abuse in the Kimberley.  
<https://www.kcls.org.au/no-more-humbug-1>
- Klein E, Cook K, Maury S, Bowey K. An exploratory study examining the changes to Australia's social security system during COVID-19 lockdown measures. Aust J Soc Issues. 2022 57(1):51-69. doi: 10.1002/ajs4.196. Epub 2021 Nov 14. PMID: 34898752; PMCID: PMC8652978.
- Law Council of Australia. (2018) Justice Project. <https://lawcouncil.au/justice-project> [accessed 30 October 2023]
- Legal and Constitutional Affairs References Committee. (2019) Practice of Dowry and the incidence of dowry abuse in Australia. Final Report.  
[https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Legal\\_and\\_Constitutional\\_Affairs/DowryAbuse/~media/Committees/legcon\\_ctte/DowryAbuse/report.pdf](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/DowryAbuse/~/media/Committees/legcon_ctte/DowryAbuse/report.pdf)
- McLaren, H., Fischer, J., & Zannettino, L. (2020). Defining quality of life indicators for measuring perpetrator intervention effectiveness (Research report, 05/2020). Sydney, NSW: ANROWS  
[https://anrowsdev.wpenginepowered.com/wp-content/uploads/2020/03/McLaren\\_RR\\_QoL-Indicators.pdf](https://anrowsdev.wpenginepowered.com/wp-content/uploads/2020/03/McLaren_RR_QoL-Indicators.pdf)

Mills, A., Ng, S., Finnis, J., Grutzner, K., & Raman, B. (2020). Hidden in plain sight: the impact of the COVID-19 response on mature-age low-income people in Australia.

Naidoo, Y; valentine, k & Adamson, E (2022) Australian experiences of poverty: risk precarity and uncertainty during COVID-19 Australian Council of Social Service (ACOSS) and UNSW Sydney

National Plan to End Violence Against Women and Children 2022-2032. (2022)  
<https://www.dss.gov.au/ending-violence>

Porto Valente, C., Morris, A., & Wilkinson, S. J. (2022). Energy poverty, housing and health: the lived experience of older low-income Australians. *Building Research & Information*, 50(1-2), 6-18.  
<https://doi.org/10.1080/09613218.2021.1968293>

Productivity Commission. (2021) Wealth transfers and their economic effects. Research paper.  
<https://www.pc.gov.au/research/completed/wealth-transfers/wealth-transfers.pdf>

Qu, L., Kaspiew, R., Carson, R., Roopani, D., De Maio, J., Harvey, J., Horsfall, B. (2021). National Elder Abuse Prevalence Study: Final Report. (Research Report). Melbourne: Australian Institute of Family Studies

Queensland Public Advocate (2023) Model financial enduring powers of attorney law.  
[https://www.justice.qld.gov.au/\\_data/assets/pdf\\_file/0007/770794/final-qpa-model-financial-enduring-powers-of-attorney-law.pdf](https://www.justice.qld.gov.au/_data/assets/pdf_file/0007/770794/final-qpa-model-financial-enduring-powers-of-attorney-law.pdf) [accessed 31 October 2023]

Royal Commission into Aged Care Quality and Safety (2021) Final Report  
<https://agedcare.royalcommission.gov.au/publications/final-report>

Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability. (2023). Final Report. <https://disability.royalcommission.gov.au/publications/final-report> [accessed 3 October 2023]

Saitova, D. G. (2022) Potential mechanisms of government incentives encouraging grandparental labor, *National Interests: Priorities and Security*, 10.24891/ni.18.12.2338, 18, 12, (2338-2356)

Smyth, B., & Weston, R. (2000). Financial living standards after divorce: A recent snapshot (Research Paper No. 23). Melbourne: Australian Institute of Family Studies

Secretariat of National Aboriginal and Islander Child Care Inc, Working and Walking Together: Supporting Family Relationship Services to Work with Aboriginal and Torres Strait Islander Families and Organisations (SNAICC, 2010)

Summers, A. (2022). The Choice: Violence or Poverty. University of Technology Sydney.  
<https://doi.org/10.26195/3s1r-4977>

Thomas J, Barraket J, Parkinson S, Wilson C, Holcombe-James I, Kennedy J, Mannell K, Brydon A (2021). Australian Digital Inclusion Index: 2021. Melbourne: RMIT, Swinburne University of Technology, and Telstra. DOI: 10.25916/phgw-b725 <https://www.digitalinclusionindex.org.au/digital-inclusion-the-australian-context-in-2021/> [accessed 18 January 2023]

United Nations Department of Economic and Social Affairs, Covid-19 Pandemic and Older Persons (Web Page)

Venn, D & Hunter, B. (2018) Poverty Transitions in Non-remote Indigenous Households: The Role of Labour Market and Household Dynamics. 21(1) Australian Journal of Labour Economics. 21-44

Warren, D, Low Income and Poverty Dynamics - Implications for Child Outcomes. Social Policy Research Paper Number 47 (2017). Available at <https://www.dss.gov.au/publications-articles/research-publications/social-policy-research-paper-series/social-policyresearch-paper-number-47-low-income-and-poverty-dynamics-implications-for-child-outcomes>

Wong, S., Harvey, S., Frost, M. & Althor, G. (2023) Hidden Gems: The Unique Role of Collaborative Approaches in Preventing and Responding to the Abuse of Older People. <https://www.relationshipsnsw.org.au/blog/abuse-of-older-people-nsw-report/> [accessed 31 October 2023]

Yon Y., Mikton C.R., Gassoumis, Z.D. & Wilber, K.H. (2017) Elder abuse prevalence in community settings: a systematic review and meta-analysis. Lancet Glob Health. 5(2):e147-e156. doi: 10.1016/S2214-109X(17)30006-2. PMID: 28104184.

Yon, Y., Ramiro-Gonzalez, M., Mikton, C.R., Huber, M. & Sethi D. (2018) The prevalence of elder abuse in institutional settings: a systematic review and meta-analysis. Eur J Public Health. 2019 Feb 1;29(1):58-67. doi: 10.1093/eurpub/cky093. PMID: 29878101; PMCID: PMC6359898.