



## ***EDUCATION, ARTS AND COMMUNITIES COMMITTEE***

**Members present:**

Mr NG Hutton MP—Chair  
Ms W Bourne MP  
Mr N Dametto MP  
Miss AS Doolan MP  
Mr JM Krause MP  
Ms CP McMillan MP

**Staff present:**

Ms L Pretty—Committee Secretary  
Mr P Yagmoor—First Peoples Liaison Officer

### **PUBLIC HEARING—INQUIRY INTO ELDER ABUSE**

#### **TRANSCRIPT OF PROCEEDINGS**

**Wednesday, 14 May 2025**

**CAIRNS**

## WEDNESDAY, 14 MAY 2025

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**The committee met at 9.31 am.**

**CHAIR:** Good morning, ladies and gentlemen. Thank you so much for joining us today for the Education, Arts and Communities Committee inquiry into elder abuse and thank you for joining us in Cairns for our inquiry hearing. From the outset I would like to acknowledge the fact that we are in a location that is not where we had originally intended to be. Unfortunately, our booking for downstairs was changed at the last minute due to a five-day booking that preceded ours, and we acknowledge the challenges that that creates. I just want to acknowledge straight up that we are very conscious and aware of the access point that that provides. I would now like to invite Henry Fourmile to do a welcome to country for us.

*Mr Henry Fourmile then gave a welcome to country.*

**CHAIR:** Good morning. I officially declare open this public hearing for the committee's inquiry into elder abuse in Queensland. I would like to respectfully acknowledge the traditional custodians of the land on behalf of the Queensland parliament and pay our respects to all elders past, present and emerging.

My name is Nigel Hutton. I am the member for Keppel and the chair of the committee for this morning's proceedings. With me here today are the committee members: Corrine McMillan MP, the member for Mansfield and the deputy chair; Wendy Bourne MP, the member for Ipswich West; Nick Dametto MP, the member for Hinchinbrook; Jon Krause MP, the member for Scenic Rim; and Ariana Doolan MP, the member for Pumicestone.

The purpose of this hearing is to assist the committee with its inquiry into elder abuse in Queensland. We are here today in Cairns to hear your views. Please take this opportunity to share your experiences with us. The committee is a committee of the Queensland parliament and its hearings are subject to the rules of the parliament. These proceedings are being recorded by our Hansard reporter and will be published on the parliament's website. If you have any concerns about this, please speak to our committee secretary, the lovely Lynda.

Media may be present and are subject to the committee's media rules and the chair's direction at all times. You may be filmed or photographed during these proceedings and images may also appear on the parliament's website or social media pages. Please turn off your mobile phones or make sure they are switched to silent.

Before we begin formally today I would like to acknowledge the member for Cairns, Michael Healy, who has joined us, along with Bree James, the member for Barron River, and David Kempton, the member for Cook. I have asked Michael and Bree to take just a few moments to share some of their learnings from their community prior to hearing from our first participants.

**Ms JAMES:** Thank you all for being here today. This is a very important topic for Queenslanders—and across Australia, of course, but this inquiry is focused on Queensland. The Jasper floods were where I first saw this in a really sad manner. There were people who had granny flats in the backyard where elders were living and they had been totally forgotten. They had been left there for weeks during the floods and it was the police who found these elders in the backyard basically in severe health crisis. To see some of those elders removed from those houses in such a poor state was a real eye-opener for me and it was absolutely heartbreaking for those police and first responders.

Times of flood and natural disasters are when some of these sorts of things are brought to our attention. We all know about financial abuse. I have a friend who is a financial planner. He tells me some horrific stories about his experience with elders going through financial abuse. In the case of one of his clients, the daughter has care of the mother and there is a million dollars in missing funds that cannot be accounted for over a two-year period. The stories that we hear about elder abuse—whether it is financial, emotional, physical or restriction to grandchildren—are really sad.

I think this is a really important topic. Thank you all for being here. Thank you for the time you are investing in sharing your stories with the panel today. I want to thank all of my colleagues, the members of parliament, who travelled here today from afar. I also know of one man who has come

all the way from Normanton and has driven here today, so I say thank you to all who have come. To my local MPs who are here, the member for Cairns and the member for Cook, I say thanks for being here as well. This is a very important topic.

**Mr HEALY:** I also just want to acknowledge Henry. It is always good to have your welcome to country, my friend. Thank you very much for that. I also want to acknowledge the traditional custodians. To everybody I say welcome to my electorate, the most beautiful electorate in the world by a country mile. Some would argue for other areas, but at the end of the day those of us who live here absolutely know that to be true.

I want to thank each and every one of the committee members for their work here but, more importantly, I want to acknowledge everybody who has turned up. The purpose of these committees is that they travel around the state, they collect data, they go back, they correlate that data and out of that data the government of the day—and you have three government members here, one crossbench and two from the opposition—formulate a policy, and they use this as the foundations of information. Your contribution is absolutely vital. People talk about democracy. This is the democratic process that is well and truly underway.

The contribution you make will be recorded in the parliamentary record, being *Hansard*. Please feel free to speak. This is your time to let politicians know the issues. We know with an aging population the No. 1 issue in this space is abuse by family members of elderly people, and it is growing. It is becoming a bigger issue. As a state and as a nation we need to be able to identify that. We need to have the appropriate policies and government procedures in place to make sure we can identify them and we can clamp down on them. It is a difficult area, but your input is essential.

Like Bree said, I want to say an enormous thank you to each and every one of you for your contribution. Let's hope we get something really positive. Please make sure in your presentation you make your points very clear. It is all recorded and you will be able to get the transcript, have a look and see what you and other people have said. Good luck and thank you very much. Thank you for the opportunity, Chair.

**CHAIR:** Ladies and gentlemen, the structure today is that we will have a series of speakers who have asked to provide a statement. They are welcome to provide a statement, after which committee members may have some questions and then we will move to the next hearing participant. I would firstly like to welcome the representatives of the Family Responsibilities Commission who are here with us today.

**BANKS, Ms Camille, Manager Compliance and Legal Policy, Family Responsibilities Commission**

**MARKS, Ms Cara, Local Registry Coordinator Aurukun, Family Responsibilities Commission**

**POONKAMELYA, Ms Doris, Local Commissioner (Aurukun), Family Responsibilities Commission**

**CHAIR:** Thank you so much for joining us. Thank you for appearing and giving your time today. We acknowledge we have an apology from the FRC Commissioner, Ms Tammy Williams, who is unable to be with us. I invite you to make a brief opening statement, after which committee members may have some questions for you.

**Ms Banks:** I will make the opening statement on behalf of the commission. Thank you very much to the committee for travelling to hear the perspectives of the older people in this region. We are really grateful for the opportunity to speak today and hopefully to provide a voice to those in our FRC communities who are not often heard.

I would like to also acknowledge the traditional owners of the lands on which we are meeting today—the Gimuy Walubara Yidinji people—and of course the traditional owners and elders of the lands that we, at the FRC, travel across and in which we work in the communities of Aurukun, Coen, Doomadgee, Hope Vale and Mossman Gorge. I would like to also pass on the apologies of Commissioner Williams, who regretfully cannot be here.

Before I introduce my colleagues a bit more fully, I would like to make some brief statements about the role of the FRC working in the space of supporting elders in our communities. Having now worked on the ground in First Nations communities for over 16 years, we know that elder abuse in

our communities is common. It is exacerbated by the extreme levels of disadvantage and vulnerability experienced by community members. There are significant barriers to reporting and help seeking, and education, awareness and support services are limited.

We also know that elders are the heart of First Nations communities. As well as their rich knowledge of culture and kinship, they play critical caregiving roles, settle disputes, provide guidance to family and have a stabilising effect on community. When elders' place of respect and authority is disturbed by abuse, the fabric of the community is further eroded. Equally, when elders are protected, enabled and empowered to maintain their place in family and community, the whole community benefits, and the FRC has a role in doing just that.

One of the key statutory objectives of the Families Responsibilities Commission Act is to restore local authority. In the past the main way this has been achieved is through the appointment of local commissioners who are empowered to be decision-makers in their own communities. More recently, through the leadership and example of the local commissioners, our clients are increasingly taking up the opportunity to voluntarily engage with the commission and are being empowered to have agency over their own affairs, their wellbeing and the wellbeing of their families and community. One of the ways that this increased agency is showing is through voluntary income management. It has emerged as an excellent tool to empower older people to protect their income, to retain agency over managing their financial affairs and to provide access to support.

Since 2021 when the cashless debt card and now the SmartCard was introduced, 526 voluntary income management agreements have been entered into with the FRC. As at yesterday, of that number, 216, or 41 per cent, have been with older First Nations clients. The FRC has seen firsthand the benefits that voluntary income management can have in protecting the income of elders, and I am sure Commissioner Doris can speak to that as well. However, we consider that it should be made available to anyone in Queensland who would like it.

Minor amendments to the FRC Act would allow the FRC's unique model of voluntary income management to be available as a tool for elders to protect their welfare payments anywhere in Queensland. The uptake and success of voluntary income management is, of course, primarily due to the work on the ground by our local commissioners and local registry coordinators. With this in mind, I would like to respectfully acknowledge the presence here today, and also the tireless work, of Local Commissioner Doris Poonkamelya and Cara Marks, the Local Registry Coordinator for Aurukun.

Commissioner Doris has dedicated 29 years of her life to working as a senior health worker for Queensland Health, retiring in 2009. From 2016 to 2020 she served as a councillor for the Aurukun Shire Council and is a founding member of the Aurukun Community Justice group. In 2015 Commissioner Doris was awarded the Medal of the Order of Australia for services to her community. She has been a local commissioner since the inception of the act in 2008. Commissioner Doris brings with her today both her professional experience and the experience of her peers, family and clients who are experiencing elder abuse.

Cara Marks is our Local Registry Coordinator for Aurukun. Cara has been travelling to Aurukun every second week for the last 2½ years supporting the local commissioners and working intensively with clients at conference and in their homes, and supporting them to access services. Cara and Commissioner Doris work together on the ground in Aurukun and have been leading the FRC's work supporting older people and particularly those affected by abuse.

The FRC works every day with the primary focus of supporting clients in community to be empowered to speak for themselves. The FRC's model of voluntary income management is a practical tool for empowerment that could be offered to elders across the state. We are in the privileged position of working alongside these remarkable elders and our appearance before the committee today is to elevate their voices to this important forum.

**CHAIR:** Thank you very much for your opening statement. We will now go to questions. Your submission that you made to the hearing—and thank you so much for providing such a fulsome submission—speaks about financial abuse and 'humbugging'. It is a term that is not necessarily in the common vernacular across the state. For the benefit of the parliament and the community, could you tell us what humbugging is and how this problem can be addressed and what role the FRC and the elders in the community are playing in challenging it?

**Ms Banks:** From a more technical perspective, humbugging refers to the unwanted coercion of money from older people with no intention of repaying it. As we noted in the submission, there are complexities with cultural and familial obligations and the importance of a sharing culture that make it quite difficult to determine the line between what is abuse and what is sharing. Humbugging certainly has a negative connotation. Cara or Commissioner, do you have anything else to add?

**Ms Marks:** We see that elders have almost an obligation to their family. Even if they do not have the money they will find the money. They are terribly loyal to their family. They feel that they must support them, even if they know it is not the right thing to do or if it is going to leave them short. We see it in forms of taking food, taking money and, Camille is right, with no intention of ever having the capacity to return what they have borrowed or taken. That is probably the best way to put it. Do you agree, Commissioner?

**Ms Poonkamelya:** People know how to use internet to take from an elderly person, especially the Bendigo Bank. They took all of his money away. They do not buy food from the shop; they take it for gambling. That is the worst one.

**CHAIR:** That digital literacy or the knowledge of how to use the internet becomes a way of manipulation?

**Ms Poonkamelya:** Yes.

**Ms McMILLAN:** I similarly acknowledge Commissioner Doris, who is a very dear friend of mine and someone whom I respect immensely. I acknowledge you as one of our First Nations elders and owners. Commissioner Doris, it is lovely to see you again. In your opinion, do you think humbugging is getting worse in light of the cost-of-living scenario that we have? Has that impacted the elders in Aurukun and how they are being manipulated?

**Ms Poonkamelya:** Yes. Sometimes they leave them without money and no food on the table to feed themselves. I did put myself on the SmartCard. I am on 90 per cent.

**Ms McMILLAN:** Was that so you could better manage your money?

**Ms Poonkamelya:** Yes. I manage my money in my passbook account at Bendigo Bank. Then I have that SmartCard. My age pension goes on to the SmartCard.

**Ms McMILLAN:** That helps you manage your family better?

**Ms Poonkamelya:** Yes. That is what I am doing: I am hiding my passbook account and my SmartCard where no-one can find my card.

**Miss DOOLAN:** I want to start by thanking you all for coming all this way to share your insights and also for the work that you do in our Indigenous communities. My question is around education and awareness programs. What would that look like for First Nation communities from your point of view?

**Ms Poonkamelya:** Sometimes kids could be at home. It is about violence in the community. Sometimes kids do not go to school. We tell them to send them to the school because school is not even a violent place. It is a quiet place that children can go to. Sometimes Cara and I go out and put them in the car. It is the safest place to take them, to the school. That is what we do.

**Miss DOOLAN:** What about in terms of elder abuse education and awareness in particular?

**Ms Marks:** We do not see a lot of awareness in community, although the police and detectives have been to our aged-care facility and have spoken to elders about what elder abuse actually is. A lot of elders do not actually acknowledge that these things are happening to them because it is so normal. It is what they know. We do not get a lot of information other than that in community and it is not spoken about. Families will not challenge other family members for the behaviour. There is a great lack of understanding of what is actually happening. I think it is more prevalent than we know. We have intel on the ground. We have local commissioners who have that intel locally. I think the numbers are much worse than we know, but there is not a lot of education in community.

**Ms Banks:** From our recommendation in the submission, it really has to be tailored. It has to be very culturally appropriate with a deep understanding of the issues—humbugging and elder abuse being normalised. It has to be delivered in person. I know that there is a lot of online content around elder abuse, but it is just not practical in remote communities. We also recommend the utilisation of existing and trusted infrastructure such as the FRC health services to provide awareness and educational support.

**Ms BOURNE:** Commissioner, it is a privilege to meet you today. Thank you so much for making the trip here. Your submission notes that for the systemic problems that are experienced by those perpetrating the abuse there is no quick fix, but how can governments better support communities and their elders?

**Ms Banks:** As we note, the family members perpetrating the abuse are often driven by addiction, desperation and poverty. So, along with supporting elders, there needs to be the appropriate services in community to support those committing the abuse as well. I do not know if it

would be remiss to say that there are significant service gaps in our remote communities—youth mental health, youth services, domestic violence perpetrator programs, just to name a few. As we say, we need a cohesive and linked service system to provide the necessary support that is appropriately funded. We see that the FRC can have a role in that because we have the backing of the FRC Act to share information and because we have that trusted base of the local commissioners and local coordinators in community.

**Ms Poonkamelya:** We have got the Chivaree centre for elderly persons. They get meals—breakfast and lunch. Sometimes they have a shower. I asked one of the nurses who works at the Chivaree centre, 'What about keeping him for the day? If you have a bed there, you can keep him and give him medication to take. When you finish at four or five o'clock, then you take him home.' That is what I told her or him. We get a weekend pack, then I have to go to my job too. Every Friday we get a weekend pack. Weekends and Monday to Friday we get Meals on Wheels from the Chivaree centre. There are two nurses working—male and female—at the Chivaree centre to look after the elderly. Sometimes we go and visit them.

**Ms McMILLAN:** You mentioned that gambling was the biggest issue.

**Ms Poonkamelya:** Yes, it is the biggest issue at Aurukun.

**Ms McMILLAN:** In Aurukun is it internet-based gambling?

**Ms Poonkamelya:** It is a card.

**Ms Marks:** On their phone.

**Ms McMILLAN:** Using their phone?

**Ms Poonkamelya:** On their phone. I do not know how to gamble.

**Ms McMILLAN:** No. Is there anything that government could be doing to support our young generations in remote communities in relation to their gambling habits?

**Ms Poonkamelya:** Yes. Sometimes kids do not go to school. They are just looking at the phone, doing something. It could be gambling or whatever.

**Ms McMILLAN:** How does the government address that?

**Ms Poonkamelya:** I do not know if the government can do it.

**Mr DAMETTO:** Commissioner Doris, thank you very much for coming along with Ms Marks and Ms Banks. To have you come all the way down from Aurukun really shows how important this inquiry is. The committee appreciates that. You spoke earlier about the SmartCard and sanctioning some of the income and having that income protection. Are there any other tools that you think that the state government could be working on with the FRC to help reduce the effects of elder abuse in remote and Indigenous communities like Aurukun?

**Ms Marks:** I personally would like to see it as a trigger that we receive—that is, that we get a trigger notice that there has been some form of elder abuse and we can then interact with the powers that we have. I do not know whether that is pushing the envelope, Camille, but it is really important that our elders are protected as they are the ones who will hand over to the next generation, but it is slowly being eroded away. Some elders ask us to say to their families that we put them on the card to protect them even further so that their family does not know that they volunteered.

**Ms Poonkamelya:** Sometimes young people are way worse. I tell Cara to drive to the person who is waving at us and wants to say, 'Can you put me on VIM?' That is what they said, so we took papers with us in the car.

**Mr DAMETTO:** Yes, so they can be signed up on the spot?

**Ms Poonkamelya:** We get them to sign the papers. Some want 60 per cent or 75 per cent or 90 per cent.

**Mr DAMETTO:** Yes. That is very good.

**Ms Poonkamelya:** I am on 90 per cent. I do not see my cash in my hand.

**Mr DAMETTO:** You do not need it.

**Ms Marks:** Hand in hand with that we need better supports around supporting people who do go on the card. We are in community as often as we can be, but the supports are not there. There are no banks in communities. I have tried to call and help elders and as soon as the bank person hears another voice they hang up. That is good to protect an elder, but if the services are not available or not open then they have no access to money, so there needs to be better financial support in communities.

**Ms Banks:** I think for most of our communities, in terms of specialised elder financial assistance, there may be a visiting service maybe once a month. We do have the O-Hub in four of the five communities that provide wonderful general financial support but, if they are closed or the staff are not there, there is really no support in community.

**Mr DAMETTO:** That is right, especially no face-to-face support.

**Ms Banks:** That is right.

**Ms Poonkamelya:** Sometimes the O-Hub is not open. Sometimes I have to ring Cara to help me if it is not open. It is closed all the time. People are wondering.

**CHAIR:** Commissioner and the team from the Family Responsibilities Commission, thank you so much for your time today. Thank you for coming and joining us. Thank you for being so honest in sharing the challenges that are being faced by your communities, because only as we face these challenges head-on are we going to develop interventions and solutions together to work on them. I appreciate your submission and the number of recommendations you made for the consideration of the committee and the parliament. Thank you so much.

**DAWES, Mr Andrew, Community Justice Coordinator, Lamberr Wungarch Justice Group**

**CHAIR:** I now welcome Mr Andrew Dawes. I know that you have travelled a long way to be here. Would you like to provide some oral commentary and then members may have some questions for you either based on your statement or the submission that you have provided to the committee?

**Mr Dawes:** Yes. Thanks, Chair. We would like to thank the traditional owners of the Cairns region for inviting us here today and for having this opportunity to discuss some of the issues that surround the treatment of elderly people within the Normanton community. We are a remote regional community in the Gulf of Carpentaria. We are not a discrete community as some others are. We have many different cultural groups that make up the Normanton Indigenous community. That can sometimes be helpful or not. We are looking forward to working with the committee in relation to anything that we can do going forward to assist elderly people within our community. Thanks for the opportunity, Chair.

**CHAIR:** Thank you very much. In your submission you mentioned the high importance around respect and the role that that has in terms of the cultural significance of elders in the community. Do you believe that there are existing mechanisms within community that could be strengthened or supported to help deal with some of the scourge that is elder abuse?

**Mr Dawes:** Yes, certainly. I was going to be here with an elder today—perhaps two—but due to sorry business and a death in our community it was a toss-up. I was talking to the secretariat about whether I should come or not and they said I should come.

**CHAIR:** Definitely.

**Mr Dawes:** For clarification, I am not an Indigenous person and do not recognise myself as such, but I have had the opportunity to live and work with Indigenous Australians for the better part of my life. The significance or, I suppose, the erosion of Indigenous respect within the community is a many faceted thing. It is not just indicative of one failing within that culture. Whether it is alcohol or mental health or poverty or food insecurity or housing, these all extend to the outcome that we see, and I think our submission says that.

Abuse of elderly people within the community and the erosion of their traditional roles has been exacerbated and worked upon for many generations and that has got us to here. I do not know how we put that back together as a society or a community, and I am not prepared to put that forward. All I can say is that, if it does not work, as the aunties were saying here before, if it does not take into account the local communities and their mores and what it takes for them to reach that solution, then there is no point. It will be another imposed outcome. It will not have any traction and nor will it seek the desired outcomes.

I was very close to a culture when I worked in the military, and certainly after I left the military I spent five years in a remote Indigenous community Pitjantjatjara, which is on the APY Lands. They have a concept there called ngapartji ngapartji, which is, 'You learn something from me; I learn something from you. We learn together and we walk together and we share our knowledge.' That is what I think I would like to see the government do—that is, a ngarpajie ngarpajie sort of thing, for want of a better phrase. They say, 'I can learn some of your stuff, you learn some of my stuff, and together we'll reach a compromise to what that looks like.' As for a silver bullet, I am at a loss to think of what that might look like, certainly for our community where we have Lardil, Tagalaka, Gkuthaarn, Kurtijar and Kukatj from all up the cape all within our community. That in itself lends special challenges to dealing with groups—family groups and skin groups—within those communities.

**Ms McMILLAN:** Thank you, Mr Dawes, for being with us today. Whilst you do not identify as a First Nations person, I thank you immensely as a non-Indigenous person for what you do to support our First Nations peoples. That is very important and I acknowledge the work that you do. How do we better integrate those traditional practices that you spoke about with the interventions that are available from either local or state government? How do we better integrate those two models of intervention or models of support for our elders?

**Mr Dawes:** I answer to an Indigenous board and Indigenous elders attend court, which is our primary function as the Lamberr Wungarch Justice Group. It is a catch-all. I am not sure. We would have to go back. One of the elderly ladies made me promise to offer and extend to the committee an opportunity to come out and talk with them directly at any point if you would like to pursue that, because that is, in effect, what Indigenous communities want. They want to be seen, to be heard and to be taken care of. That is different for a Kuku Yalanji person from up in the cape or a Gkuthaarn person or a Pitjantjatjara person. They all have different belief systems and different cultures.



I think what the community and my elders wanted me to put forward is that you listen and that you come out. That is respectful and that is a genuine attempt to reach them. A lot of elderly people and young people have been exposed to a system that has not valued them—that may have changed now—and that is a difficult perception to shake. We talk and talk but then nothing happens. That is what they see as the biggest thing. If you come out and listen then we can tell you. That might be different from community to community. That is where this colonising system falls down. We have a government for everybody. Indigenous people do not see that. They say, 'You have a government for you.' The AEC sees it. The vast majority of Indigenous and remote Australia voted yes for the Voice to Parliament. Rightly or wrongly, it did not happen. It was never going to happen. They say, 'We say these things and we want you to listen, but then in the end nothing changes.'

I do not know how you do it, but it starts with a dialogue, and you can figure out what that might look like. Is that giving more autonomy to Indigenous agencies on the ground? I have only lived there for 10 years and have been doing the job for seven. I am not au fait with everything at all in that community. However, I am trusted and that is a start. Without trust, there is nothing. That is just like any work. If I do not trust you, why am I going to retraumatise myself by articulating what has happened to me later on? It is a permanent thing. It has taken us 200 years to get to this point. It is such an issue—whether it is children in custody or whatever it happens to be. It is not specifically an Australian thing either. This goes on in Canada, New Zealand and South America. All First Nations people are over-represented in the prison system and under-represented in health outcomes. Fifty is elderly for an Indigenous person, not 65. There are all of these things.

It is wonderful that we are talking about it, but what is the end result? What can we, as Queenslanders, do to try to address it? I think that starts at the local level. That is something that maybe has been a bit recalcitrant. I have certainly had discussions with DJAG in relation to what my role or what our outreach services should and should not look like. I am asked, 'Why are you doing this? Why are you doing that?' I say, 'Because it gets people through the door and we can contact them. They trust us and then we build the relationship.'

**Miss DOOLAN:** My question is around the demographics of the people you work with. Do you find that elder abuse impacts elderly women more or elderly males?

**Mr Dawes:** Elderly women. We also fund the ladies shelter HOPE house in Normanton. We had circuit court on Monday. I do not have the numbers offhand, but around 50 per cent of our court list is domestic violence—it will be either criminal or civil in relation to that—or police protection notices. There were around 290 conditions of service done for people seen by HOPE house. Roughly about 60 per cent of those were elderly ladies within Normanton over a three-month period in our DJAG reporting.

There is currently no service in Normanton for men who might be suffering. There is a men's group that runs once every week on a Monday night for two hours which is, I would argue, perfunctory. When we were having our justice group conference down here, I believe they were trialling a men's domestic violence course in prison. They were trialling it. That seems pure lunacy to me that it is not a permanent thing. For anybody who comes through with domestic violence they should have to undertake some form of course or counselling to assist with that. It is vastly women. Men, certainly, but they would be an outlier in our community.

**Ms BOURNE:** Mr Dawes, further to what you were saying earlier about Indigenous people feeling they are not being listened to, your submission talks about a lack of critical services and trust in services. How do you think that we can build that trust?

**Mr Dawes:** I am not sure. I have relatable stories where extremely vulnerable Indigenous ladies were not allowed into the aged-care facility because they drank—not to excess but because they were not allowed to drink there. That was a year ago. That has recently changed. I have stories of an elderly person, not an Indigenous person, who fell over, suffered a stroke, was sent to Mount Isa and was not allowed to have his phone because he wanted to return to Normanton. They did not deem him competent. He had to get a legal service across there to get his phone back so he could come home. They are still trying to get this person on competency. He is perfectly competent. That is the sort of thing. I think it is just because they cannot support him in the community.

The Central Hotel is now closed, but there were three buses that would take you to and from the various pubs—the Albion, the Purple and the Central—and deliver grog to your door, yet we do not have a bus that can go around and pick up elderly people. We are talking about the card—

**CHAIR:** You mean the SmartCard?

**Mr Dawes:** The SmartCard, yes. If you have no form of transport, you have to give that to one of your family members to go to the store. They are going to have all the details on that card. If you do not have public transport to get there, if you do not have a car or if you do not have data on your phone—this is the precarious position that elderly people find themselves in in our community. Where that was once a real strength in a culture, where we looked after our elderly people, it is now an issue because Indigenous people are caught in this half world.

The card is wonderful, but if you cannot go to the store to get it yourself and are not facilitated to do that, the exploitation is still there. How do we address that? In terms of how do we address that, as I said, it is multifaceted and it is not one single outlier. We are dealing with elderly abuse here, from our community's perspective, but it is in a chain of a lot of other failings within our community that get us to that point. Much like in law, where we see the people who come to court, there is a whole series of failings before you get to court where the police are involved and say, 'Hey, this is unacceptable.' They say, 'I'm trying to do this. I'm trying to get help for my alcoholism,' or whatever it is, but it is not there. It becomes so egregious that the state then becomes involved, and that is where we see them.

**Mr DAMETTO:** Mr Dawes, I think everyone here will concur we appreciate you coming all the way down from Normanton. It is a long drive and we are happy to have you in Cairns.

**Mr Dawes:** I know I now need a new windscreen.

**Mr DAMETTO:** There is always something that happens when you drive in the Territory.

**Mr Dawes:** No good turn goes unpunished.

**Mr DAMETTO:** Hopefully it is not a tyre on the way home!

**Mr Dawes:** Thanks for that. Touch wood!

**Mr DAMETTO:** I know that drive well. I picked up on something you said earlier around the committee perhaps putting recommendations together and then government comes back with what could be an imposed outcome. I am of the belief—and you may be the same—that in some of these cases the change needs to come from within the community.

**Mr Dawes:** Of course it does.

**Mr DAMETTO:** Instead of changing the culture, how do we return back to culture? How can government help remote Indigenous communities like Normanton to return to a state of culture where we are respecting our old people?

**Mr Dawes:** That is it. I am unsure what that might look like from a legislative perspective, but it is about empowering organisations on the ground. The Katter party, in relation to blue cards, wanted submissions about local justice groups having the ability to inform the decision in relation to a blue card. That was put before the parliament. It was a great idea, but it was not upheld. The kids are self-selecting anyway. They are out at night. I see them at 10 o'clock at night. I know where they are going. Those people do not have a blue card, but the kids go there because they know it is safe. We would have been able to inform their elders from the justice group or whatever they are. We had a case of a person from 20 years ago who served his sentence and was an outstanding member of the community but still could not get a blue card until we went to the minister to overturn the no notice.

That is it. You have to give it back to the local community and trust in them, and trust that they are going to do it for the right reasons. That is a start, but it inspires that trust. 'I trust you. You can do this. I am certain you can do this.' However, it takes faith and it is not something that will happen overnight. This is a long-term proposition for anybody engaged in this at a local level.

We have a TAFE up there. It is never used. We are currently trying to get a program where we can make headstones for people, because it is enormously expensive. People can work off their community service hours. We spoke to North and West Remote Health about getting a bigger freezer for the morgue in the new hospital, because returning bodies to country takes a lot of time. No, we cannot get a bigger freezer. It is only 40 grand difference because it holds bodies at minus-20 degrees, not minus-5 degrees. There are people going to funerals without a viewing. They have been there so long, waiting for the money to return the body to country, that it is not fit for viewing. Then people are missing out on the cultural things all because they will not spring 40 grand for a bigger freezer in the new hospital.

We have a house next door to us. For 10 years it has been vacant. It is owned by community services—a federal department. It is a four-bedroom house left vacant. We have approached various ministers, trying to get it for a men's group or a families' group. It is vacant. It could be used as a

place for victims of elderly abuse or somewhere for the Cairns Community Legal Centre to come up to. They have been trying to come up in relation to elder abuse recently. If a Rex plane breaks down or it floods, they do not come. That is it.

**Mr KRAUSE:** You were here when the local commissioner from Aurukun was speaking and we were hearing about the elder abuse in terms of money being siphoned out of accounts into gambling.

**Mr Dawes:** Yes, certainly.

**Mr KRAUSE:** Is there a similar sort of situation occurring in some parts of Normanton?

**Mr Dawes:** Exactly. Yes, certainly. We used to hang onto people's cards. This is when I first started the job seven years ago. The elder people would come—I am non-Indigenous, so I would be seen, rightly or wrongly, as an arbiter. I did my law degree and am a justice of the peace. We used to have a series of cards for elderly people. We would take them shopping—me or a volunteer. They would say, 'Oh, we need money for ...,' priced at whatever it is. They would say, 'No, go and see Andrew at the Justice Group, or go and see Maureen Douglas at the Justice Group. Go and see them.' They would say, 'Oh, no ...' because we will tell them no.

**Mr KRAUSE:** There are a lot of issues with that. Gambling is for recognised addiction.

**Mr Dawes:** Gambling online, yes. The Purple Pub has 15 poker machines. That just rips money out of the community like nobody's business. As I said before, there is a bus that will take you down there and take you home, but we do not have a bus to pick up people to go shopping. There is money in it. It would be interesting to review the books at some stage.

**Mr KRAUSE:** Do you think that elder financial abuse might be an extension of dependence on social security in the community?

**Mr Dawes:** Of course it is. You do not get enough money to live on there, so people pool their money. There will be three or four generations of people living in a house. That breeds its own issues surrounding that. I like my sisters, but I do not want to live with them.

**Mr KRAUSE:** But the attitudes that go with it?

**Mr Dawes:** Everybody effectively pools their money. When it is cheaper to buy ice than beer, your kids are going to do that. They are going to be putting the hard word on you for price. In regards to the cost, it is cheaper to buy your groceries at Karumba at the IGA than it is in Normanton. There has just been a new supermarket opened up in Normanton. It is effectively the closest thing we have to a supermarket, but it is cheaper to drive to Karumba. That is a 140-kilometre round trip. You have people precariously balanced in relation to their economic matters. It is just not going to work. Kids are not going to school. There is too much noise at night. They are living in a house with, say—well, for most people, it would be nothing to have 10 people in one house that is designed with three bedrooms.

**CHAIR:** Sir, I am very grateful for your time. I am acknowledging that we have gone over time.

**Mr Dawes:** Sorry about that.

**CHAIR:** No. The quality of the submission, as well as obviously the benefit for the committee from hearing from the experiences of communities, is incredibly important to us. Thank you so much for your time today.

**Mr Dawes:** Thank you for the opportunity.

**LUDWICK, Mr Ian, Apunipima Cape York Health Council**

**CHAIR:** I now welcome the representative from the Cape York Health Council, Mr Ian Ludwick. The formula for today is that we are inviting you to make a statement on behalf of your group, after which the committee may have a couple of questions for you in regard to the space and the work you are doing. We welcome you to offer any remarks you have in terms of elder abuse and the impact it is having on your community.

**Mr Ludwick:** Thank you very much. I have not prepared anything formally. I am just speaking from experience. My name is Ian Ludwick. I am the regional workforce training coordinator for the Elder Care Support program. That is a new program by the trusted Indigenous facilitators. It has now morphed into the ECS program. I look after Cape York, as well as Bamaga, Palm Island, Mount Isa and Mareeba. They are all part of our catchment area. My role involves supporting the Elder Care Support teams that are in those areas I just mentioned—Bamaga, Mount Isa and those areas. They have a team there. We look at what the deficits are, where the gaps are in those communities in relation to elder care and My Aged Care, and what sort of service providers are available. Basically, in a nutshell, that is my role.

Elder abuse is something that we know exists in all our communities. It is pretty much out there. It is very overt. There is nothing covert about what occurs to these elders. It is really well known, yet it does not get addressed. We hear all these stories and we see it. I have experienced it myself. Just last year, there were a couple of grandsons up in Cape York who mentally beat down their elders to gain the guns so that they can come down here and sell them for ice. They locked the gun case so that the elders did not know they had taken the guns and did not return them. The way we found out is that the Queensland Police called us and said, 'Do you have all your guns because one of them just surfaced in a home invasion in Gordonvale?' We were like, 'How the hell did this happen?'

I got to the bottom of it and I found out that the two grandsons had manipulated this. I said to the elders, 'You don't give those things to them.' They said, 'Look, they just harassed and harassed and harassed.' It was like they were at the point where they just said, 'Take the guns and go shooting.' That is where family comes into the equation. I would say that almost 100 per cent of financial elder abuse or elder abuse generally is perpetrated by family members.

Like I said, there are a lot of different examples throughout the cape—grandparents are looking after grandchildren but the mother or the father gets the Centrelink payments but does not live in the community to raise their kids. When you start to look at it like that, that is the way that elders get some peace and a little bit of quiet and the knowledge that the grandchild is being looked after. They are willing to forgo that financial gain just so their grandchild has a better chance. The elders will take a lot. They will miss out on just about everything.

**CHAIR:** Thank you very much, sir. I know that what you are providing us is a very clear insight into the challenges that are being faced by your communities. It is replicated in communities across Queensland. Hence, the desire of the Queensland parliament and all the parties—and a bipartisan committee is here today—to work on this scourge.

You spoke, using different language, around the shame and stigma attached to elder abuse. Are there things that exist within First Nations communities that you believe can be strengthened or utilised to help break down the shame and stigma around identifying elder abuse that will allow support services to better identify it, support them and then ultimately, hopefully, resolve some of the issues that communities are facing?

**Mr Ludwick:** I think it is about having awareness that what has been happening to you all of those years is a form of elder abuse. They probably define it as 'I'm just doing the grandparent thing. This is what the grandparent has to do.' It is about awareness for the elders. They can facilitate this abuse as much as anyone, knowingly or unknowingly. Most of the time it is unknowingly.

I have had conversations with elders all around the cape, and they say the same thing: 'I have to give them a hand. I have to help them out. I have to do this,' or, 'He does take money from my key card but he does the shopping for me.' There is the catch. 'Can you go and get me some bread and some Panadol and some milk?' 'Can I get \$10 out of it?' 'Yes, okay then.' Every time they go shopping there is the catch. Then the elder will say, 'That is the only person who can help.' They see it as help even though it is a loss. They are held to ransom by the young fellas, by our own people, saying, 'If you want me to do this, give me your PIN number and I can help you.' Sometimes that is the only way. If we do not have service providers in our communities or our councils cannot provide that person to mow the lawn or provide a meal like Meals on Wheels, our old people have learnt to adapt to trade off a lot of their privileges to just survive.

**Ms McMILLAN:** Mr Ludwick, to what extent is elder abuse reflective of the broader issues that First Nations peoples face in Queensland?

**Mr Ludwick:** That is a good question. It is a symptom of what we face every day in communities—the economy, or lack thereof, in our communities, pathways for empowerment for our people, and access to education and proper health care. We do not have rehabilitation centres. We are lumped with an alcohol management plan that blankets the cape, but our closest rehabilitation centre is Shanty Creek at Mareeba, or Gindaja at Yarrabah, or Flaggy at Cooktown. The rest of the cape is left wanting for these sorts of services.

Our residential aged-care homes are not fit for purpose. If you have dementia, that place cannot look after you. You have to go to Cairns. You have to go to Kooyong. You have to go to Julatten. A couple of weeks after we move our elders out they die and then we have to bring them back. We just spent so much money to take them there to get some help and then they die because they were taken off country. Then there is the trouble of bringing them back and burying them. The symptoms of elder abuse stem from that lack of help for a lot of them and no facilities.

Rio Tinto and all these big mining companies dig up the elders' lands but they do not even provide them with a decent facility. If you go and look at the WCCCA, which is the Western Cape Communities Co-Existence Agreement, building at Evans Landing in Weipa, it has more glass than Notre Dame. That place is a palace for the executives, but where is the palace for the elders up there? There is nothing.

**Miss DOOLAN:** My question is around whether people in our remote Indigenous communities actually know where to find help if they are experiencing elder abuse or do they let you know through your conversations with them because there is no-one to talk to really?

**Mr Ludwick:** Yes. Our elder care coordinator in Bamaga gets help from the uncles. She gets them to come and get these young fellas who are outside the elders' place playing music and drinking and everything. No-one is going to help them. Kitty knows where to go. She will go and get the uncles and drive down here, and they will scatter them: 'Piss off from here. Don't you fellas come here drinking.' That is how we have to deal with it.

I used to be a Queensland police officer, believe it or not, back in the nineties. When we came out we did not know how to write DV statements. Domestic violence back in the nineties was foreign to us. We were not taught about that sort of thing. There was a lady named Trish here in Cairns and she would assist us in putting together DV statements. Back then the police were like, 'Yeah, we know it happened but we don't know how to take this forward.' The Queensland police got some really good support from the community to address those statements so they could win in court and the lady could get a DV order granted.

Is that something that the Queensland police need help with now—knowing how to write an AVO statement for an elder, how to transfer skills of writing DV statements to writing elder abuse statements that make it clear? We cannot go blaming the cops all the time because, as a former police officer—

**Miss DOOLAN:** I think it would be difficult if it were a carer, for example. They cannot take out a DV order because they are not actually related. With a family member like a sibling or—

**Mr Ludwick:** Yes, when you ask what avenues are available, it is usually family.

**Miss DOOLAN:** It is, isn't it?

**Mr Ludwick:** I know here in Cairns a family got together and they jailed their brother because they found out he was stealing from their mother. It was like, 'There is no family love here now. We're going to teach you a lesson. We're going to put you in jail.' That was a good message, I think, to the broader community at the time.

**Ms BOURNE:** It is terrible to hear some of the stories that you raise. If there is anything that you could say to this committee to see change in your community—and I know it is very broad and that is a large statement to make—what would you recommend?

**Mr Ludwick:** Some sort of tool—maybe legislation or something—that can give us some teeth. We would really like some sort of instrument or tool that we can use to protect them. Maybe that comes through the court system in conjunction with the community. We would like some sort of instrument or tool that we could wield a bit—something like that.

**Mr DAMETTO:** We have talked a lot about the styles of elder abuse—everything from financial right through to emotional abuse. How much of the abuse you have seen out there is actually physical?

**Mr Ludwick:** There are some granddaughters going to court in Cooktown in the next few months for assaulting their 80-something-year-old grandmother. They robbed her, so the granddaughters are facing an armed robbery charge. I would say it is maybe 70-30—30 per cent would be physical assaults. I have heard young fellas threaten suicide: 'If you don't give me your key card, I'm going to hang myself.' There was an elder woman who was abused by her husband or her boyfriend and she put him in jail on DV charges. Then his family came over to her and said, 'You put him in jail, so you better start giving us some money now.' It is really horrible. That does not make sense. She is trying to escape this DV situation but then she has this other elder abuse situation.

**Mr DAMETTO:** She is dealing with the whole family.

**Mr Ludwick:** It becomes really complicated, yes.

**CHAIR:** Thank you for your time today. We really appreciate the opportunity to hear from you.

**Mr Ludwick:** Thank you very much.

**CHAIR:** We will next invite Mr Gavin Paddock to come forward. Is Gavin here today? No. Our next representative is Ms Bonny Bauer.

**BAUER, Ms Bonny, Private capacity**

**CHAIR:** Ladies and gentlemen, obviously we have heard from some organisations today in regard to the larger picture and systematic challenges. We will now hear from some individuals who will be providing personal case studies. I am conscious of the fact that this not only can lead to challenging conversations but also can bring up some raw emotions.

We do have information available through Lynda, our secretariat, in regard to support services that are around. We recognise that when we deal with such challenging topics there are things that can be either triggers or a cause for concern for people. We would like to remind everyone, as you hear these personal accounts, recognising that there are rules and expectations around what language can be used, that if this causes any distress or triggers something for you there are support services available for you to reach out to and help you. They are available through Lynda, who can provide that information. We want to make sure that, just as we are challenging and taking on this scourge, we do not want to create further burdens. We do not want anyone to be harmed in the process. I think that is really important. This is about helping, not harming along the way.

Thank you very much, Ms Bauer, for your time today. We have provided roughly 10 minutes if you would like to share your story, recognising the limitations around what can be said and what cannot be said. If the committee has any questions—normally with the personal stories we pull back on the questions a little bit because we recognise—

**Ms Bauer:** There are no secrets here.

**CHAIR:** Thank you very much for being willing to share your story.

**Ms Bauer:** Firstly, I would like to thank the committee for coming to North Queensland. I think one of the biggest battles you will ever have is that people generally have no understanding of the structure of government—that there are these facilities and that there are even three tiers of government in council, state and federal. That is indicated by the lack of people here. They do not know how these facilities work.

I will give a brief background and I also disclose that, with my trauma at the moment, it will probably be a scattergun approach. I used to live in your world. I was the last child of a cane cutter. He grew up in the Depression and could not read or write. That led me into what my career was and my belief of being an advocate and helping those who are far worse off. Sadly, growing up in North Queensland, those avenues were not here, so I went to Darwin.

While I might sound like a complete wreck now, previously I was a PA to the former leader of the opposition; I was a research assistant to the chief minister's office of women's affairs; and I was an Aboriginal liaison. There were other things I did such as high-level research. I moved back to Queensland at the time of Fitzgerald and the moonlight state. Let me tell you that the moonlight state never ended—the police just went underground. My complaint today is mainly in regard to the police because, when we speak about elder abuse, how on earth are you going to put a spotlight on it when the only people who can provide an avenue for justice is the police? While it may be different in a city, I can assure that you there are cliques rurally and regionally.

On my return to Queensland, before I had difficulty with the police, I was employed by senators from all different parties as a research assistant. My last work was actually for Bob Katter on a federal research matter. Sadly, that coincided with Dr Watson reporting a local detective to the CJC for bashing my disabled son. My life ended at that point. Little did I know that she had reported this detective to the CJC and little did I know that that report went back to the station immediately. I have lived through 10 years of 'You opened your mouth. You will cop the consequences.' I now know what a POI is. A POI is a person of interest—that meant I was pulled over repeatedly. I now know what a VOI is. It is a vehicle of interest. I did not open my mouth at that point; it was my son's tutor who reported this detective. That gets me to where I am right now.

Generally, knowing my background, a policy is just a framework; it has no teeth. When we talk about elder abuse, most people think elder abuse occurs in an aged-care home. It is far more insidious. Your policies protect people who have the facilities for reporting it. When it comes to a family situation, you are left with the rural and regional police who may or may not dislike you.

I am very grateful in this matter that the magistrate who eventually gave me the DV order was magistrate Simon Young, who had actually overseen the Hannah Clarke matters. I did not fit into the DV system. The woman who had repeatedly threatened, using a telecommunications device, to come and kill me, while police repeatedly refused to breach her, actually drove three hours in company—it was premeditated and a breach—crossing my fence on a rural property with three adult children to

strangle me repeatedly in front of my two screaming granddaughters. I take my hat off to Magistrate Young because it was only seeing the extent of my injuries from the medical report that the DV order was granted.

Under the existing domestic violence legislation, this is not a familial relationship. This woman has never had anything to do with my grandchildren. It is not a familial relationship. Her daughter would be my daughter-in-law but the alternate grandmother, who specifically told everyone she was trying to do this and had used telecommunications to do this, is not a familial relationship under DV legislation. I do not mean to do Magistrate Young in. I do not know if he did anything wrong, but thank God he gave me that DV order. It has not stopped, though, because now she has used her family. I am now the subject of privileged information that is still going on—let me step back.

After being strangled and assaulted by this woman, who they all knew was going to do it, within 10 minutes of getting to the DV centre and they called an ambulance, a detective arrived and said, 'We will not be doing anything about this. There are extenuating circumstances.' There are no extenuating circumstances for a woman to drive three hours to attack me and you ignore it and she comes back and does exactly that a week later. I am sidestepping.

I escalated that to the regional Cairns police and demanded an appointment with him. I got no response but I did get a phone call from a detective whose words were, 'I have been told I have to justify our decision.' There is no decision to be justified because you have done no investigation. When did I get that call? On the same day, 1 October, the Queensland police put out a major statement saying, 'All seniors deserve to feel safe in their home.' I am now 63. When I was first attacked by them, I was not old enough.

I am completely trapped on my property. In the last week these people have now given part of this information and highly defamatory allegations that are not true to an influencer with 90,000 members and two million views. I am being vilified on TikTok. As an elder, I do not even know how to get a TikTok account to be able to report it. I am too scared to go to Innisfail now for my specialist appointments. You have no idea what happens when you have a police system in a rural area that has decided 'You opened your mouth. You will cop the consequences'. There will be a day—and I am not a hypochondriac—when you hear that Bonny Bauer died. It will not be because I suicided and it will not be because my family members killed me.

Do you know the irony of all this? Eight weeks after being assaulted—I was still peeing out blood, I could not move and I had been bedridden for some time—this person breached their QCAT guardianship and has actually taken a DV order out on me. I am now facing that in Townsville, eight weeks after they have actually strangled me. There is no penalty for perjury.

I would like to touch on some of the things that other people have raised. There is no funding for DV for men. Every facility has funding for women. These women have perjured themselves and lied after attacking me and also lined up three other adults to come as I escaped. Trust me, men do get abused by these people and none of the funding is there for DV counselling for men. It is all targeted for women.

Someone touched on correctional services. Let me tell you about Lotus. Lotus's DV counsellor was a policeman who got transferred over two years ago. There is nothing there. There is nothing. I did live in your world where I believed the structures were there. Until it happens to you, I can assure you, they are not. They are policies with no teeth.

When we talk about one of the things that face elders, we can insidiously domesticate it by calling it 'unhoused'. We have a whole range of women who are now unhoused and where does it start? It starts with our local councils who are giving away 100 per cent DAs for developers who are kicking these women out of their long-term rentals. We have local councils who have made the rates so high with no oversight that, for people on a pension, their entire pension covers their rates.

I could continue. I am best answering questions. When you talk about community, though, in respect of some of those issues regarding the Indigenous, you have councils who have filled their top staff with suits from other councils, got rid of field staff and are selling off every single community asset that we actually cooked sausages for, so how are you going to have community? All of your volunteers, all of your aged people, now have to raise money to keep the community asset that the council is selling off to fill the black holes.

Because of TikTok—in the last four days I have not known where to go—I have been called a grifter and a criminal, I have faced multiple gun charges and I am a leach on society. I have been paid to lecture overseas. I have been hired by politicians to do research—and this is my life now. My 10 minutes are up. I should apologise for the mind pictures. Normally I do not share because the



horror of what I am telling you will not be cognisant in your own brain because you do not know what you do know—until it happens. Then you realise you know that you do not know so you go looking, and I am grateful you have gone looking.

**CHAIR:** We appreciate you taking the time for something that not only is so raw—

**Ms Bauer:** I am going to be pulled over all the way back to Tully now. My vehicle is targeted—‘You opened your mouth.’ If I request a meeting with the head of Cairns police as to why there was no investigation—how can you say within 10 minutes of me turning up covered in blood and my grandchildren screaming, ‘We won’t be doing anything here’? I apologise for giving you mind pictures you did not deserve.

**CHAIR:** Not at all.

**Ms Bauer:** But you cannot deal with elder abuse until you deal with the fact that rural and regional police stations—there are things I know I wish I never knew. When you get bad marks against you in Rocky or Fortitude Valley, guess where you are sent? Innisfail and Tully.

**CHAIR:** We will take your submission and know that your evidence will appear in *Hansard*. We thank you for the information you have provided. I would encourage you to stick around. Once we have finished with our session today, if we have the opportunity, we would really like to have a chat to you offline.

**Ms Bauer:** It is a federal offence to use a telecommunication device to threaten, harass and intimidate. They are related to half of Innisfail.

**CHAIR:** Thank you very much, Ms Bauer. Our next speaker today is Mrs Michelle Lam. I give a reminder, once again, that, as we are dealing with confronting and very raw things, if anyone is triggered we do have information available in terms of support services that are available in the local community.

**LAM, Mrs Michelle, Private capacity**

**CHAIR:** Mrs Lam, we have provided you with 10 minutes. I invite you to make a statement, after which there is the provision for questions. Alternatively, you may have content that you wish to get through.

**Mrs Lam:** I understand parliamentary privilege. My name is Michelle Lam. I come here personally, as well as professionally. My profession is a social worker. I have worked with government for 13 years in multiple areas. My speciality is geriatrics. I came today because I have a story to tell you. I have worked with thousands and thousands of elderly people. I have seen hundreds and hundreds of instances of elder abuse by families and institutions, but I will give you a story today that broke me. I will share it with you and I want questions.

In my capacity—I am not going to name who I work for: I am actually on WorkCover at the moment trying to recover and this is part of my process—I met a lady. I am a social worker, you understand. I do QCAT applications. I take people's rights away. I have done the best job I possibly ever can and that is why I am broken. This lady, 84 years old, was in a nursing home. She spent 231 days in six different hospitals here in northern Queensland. She fractured her hip and ended up in hospital. She fractured it again in hospital. For 231 days she was in hospital. They took her capacity away and said that she had dementia. I will also say that I have worked on statewide work groups for dementia. I am a professional and an expert in my field of geriatrics. I need to be very mindful here. I was told I could lose my job.

For 231 days this lady was in hospital. They finally took her capacity away and said that she did not have capacity to make decisions anymore. She was a ward of QCAT. The application was done. She was given guardianship by the Office of the Public Guardian and then the Public Trustee. She owned three units. She was a very wealthy lady with no family. These are the people I am talking about today: I am talking about people with no family, with no-one. They are the forgotten ones. It is okay to be abused by family members but, by golly, when you have no-one to talk to—that is when you get abused. That has been my experience for over a decade now. These are the people who no-one listens to, especially when they say they have dementia.

She was in a nursing home. She was put in there in May 2000. I got a referral to go see her because of her behaviours in January, so six or seven months she was in the nursing home with no personal belongings, no clothes, no toothbrush. You name it, she had nothing in her possession from her home. She had not seen her home for over a year. I went to see this lady. They said that she had dementia. She had behavioural difficulties. She was screaming out for someone to listen to her. That is all she wanted when I first met her. 'No-one is listening to me. No-one is taking any notice.' I have everything because I do not trust my employers.

I saw this lady. She had dementia, definitely. I know the degrees of dementia. I know the processes. I know the end stage in dementia. I am not a silly human being. She was moderate but she had behavioural concerns because no-one was listening to her. Okay, I put in and I tell the residential aged-care facility that this lady needs to be moved, she needs to have her weight taken, she needs some medical attention. I went through and did all of that. Four months later she died. I watched that lady die of neglect. I watched her lose weight. I requested the nursing home to take weights. They said she would not comply. She would not agree. She could walk when I first met her. She could not walk. She lost an incredible amount of weight. I did everything in my power—I tried so hard—to get people to listen to me. The Public Guardian said it was not their issue: they just signed the papers so she could get accommodation. The Public Trustee never saw this woman the whole time she was in the residential aged-care facility. Please do not get me wrong: this is not the first time. This is the one that broke me.

The Public Trustee never even saw her. All they cared about was paying for the fees for the residential aged-care facility. The residential aged-care facility do not have the responsibility to go and buy her clothes, to buy her personal items, to buy her beautiful soap, to buy her anything like that. She had no friends or family to go and get her personal belongings. I walked into a room that was sterile and that had nothing in it and this woman was saying, 'Help me. Help me. Help me.' She died of a strangulated hiatus hernia that was not treated. I did everything in my power.

When I went to my employer and said, 'Can I do a coronial inquiry because this cannot continue?' they said it would mean my job. I had a choice. I had a choice. I suck it up. Four months later I tried to commit suicide. I am now on WorkCover. I am okay. I have good therapy. But this is the last one. This is the one that broke me. This is not the only one. A gentleman goes to hospital. Social workers, my people, decide that he cannot go home because he has—sorry, let me remember. I get upset and I cannot remember. I am sorry. I am shaking.

**CHAIR:** We all understand.

**Ms Lam:** He had pancreatic cancer which we all know only gives you a few months to live. They took his rights away. They said he did not have the capacity to make decisions around his lifestyle. Dear God: his house was just around the corner from me. They put him in residential aged care. They took his phone away. I saw him: 'I just want to go home. I want to see my home.' He died three months later.

I am a social worker. I know the system. I know. I see it all the time. I have worked with it. My sleepless nights, my nightmares, my trauma, my PTSD—I have gone over this multiple, multiple, multiple times. We get elder abuse from families. Sometimes, for our elderly people, that is the only way that they are recognised. Our elderly people, our older people, are forgotten. They are vulnerable. They are not even noticed. They are irrelevant.

I have worked for Child Safety. I have a solution but do we have a government that is prepared to do that solution? We actually need the legislation and the judicial powers to be able to do for our elderly what we do for our children. We do not need more on the ground; we need people like me who will go and ask for the financial reports and that will have police do what they do. I have worked in mental health. It is simple. You have the blueprints there. We need an older people's support agency. We have a child protection agency. We need an older person's protection agency. We need to have caseworkers—older people case managers—like I was as a CSO, to be able to go there and hold nursing homes to account and to say to the Public Guardian, 'Are you doing your job? Have you seen this person? Do they have personal expenditure? Have you given them clothes?' I am sick to death of hearing the buck-passing from one person to another to another to another saying, 'Oh, but they should be doing it.' No, they do not do it! The Public Guardian does not do it. God knows I have taken people's rights away, but I have followed up and I have made sure. This lady was lost and she died alone. I am so tired of it.

I am happy to have been given this privilege today. I am so proud that I can be the voice for the voiceless because they are the ones who do not have family, the LGBTIQ, the immigrants, the women. The stories I have to tell they would kill you. I have a woman who was married to a person for 35 years who is now sitting in a hospital and they are taking her rights away. She was an accountant for a trillion years. Her husband died—sorry for the overbearing language—and they have been trying so hard to get her into residential aged care. She is a multimillionaire but she has lost her capacity. She does not have capacity. Capacity is not global.

The minute that someone says, 'They have dementia', they figure that they cannot make decisions. They can. They can make decisions. It kills me. This nearly killed me. I am okay. I just want you to know that I am okay but the experiences that I have had! We have the ability. We just need to have people who are willing to do the hard yards. It is going to cost millions and millions and millions of dollars; I get that. I will quite happily put my hand up and volunteer but we have the blueprint. We have people who look after our most vulnerable young people. We just need dedicated people to look after our elderly and we do not have it. Police do not know what to do. The Elder Abuse Helpline is a toothless tiger. I have rung them and they have said, 'We can't do to anything.' ADA cannot do anything. They are all separate.

**CHAIR:** Mrs Lam, I am so grateful for the work that you have done as an advocate and for providing a voice for those who have not had a voice and who have been let down. I only hope that those who need it have the opportunity to have someone like you.

I know that the work that we do here, the work that we are trying to espouse, is to ensure that the elderly in our community are never put in a situation where these things happen again. We know that there is no one silver bullet. I think we have heard very clearly today that in every community the circumstances look slightly different, but know that we have been looking at and hearing from experts around capacity and ensuring that we are empowering the elderly so that they, throughout their life, get to continue to make decisions and so they actually have authority of what their wishes are and, even once they get to a place where their capacity may no longer be as strong as it once was, their wishes are still held.

Earlier today, we had the Public Advocate in the room with us. He has spoken in his submission around the desire to see a new agency created not only to provide for the early submission of wishes but also to then actually have an agency to back that up. Thank you so much for your time today.

**Mrs Lam:** Thank you for your time.

**WILSON, Ms Melanie, Principal Solicitor, Cairns Community Legal Centre**

**CHAIR:** Welcome, Melanie. Thank you for your attendance. I know you have been listening very intently to all the submissions today. You have roughly five minutes and then we will ask some questions, which I think will be beneficial for the committee.

**Ms Wilson:** I thank the committee and you, Chair, for allowing me the opportunity to speak because I am very cognisant of the fact that, on behalf of the organisation, I did not provide a written submission. The Cairns Community Legal Centre is a pro bono organisation providing free legal services in the Cairns and Far North Queensland region. As part of that, we provide the Seniors Legal and Social Support Service based in Cairns and also up in the cape and Torres Strait.

With that context in mind, I do not want to take up too much time because I am aware so many organisations have provided very detailed and targeted submissions on similar issues that we would speak about, but I did want to provide some specific or targeted thoughts drawn from our own organisation's experiences, relating to capacity and capability to intervene and respond to elder abuse and also in relation to the community education discussion that a lot of people have been having in relation to raising awareness. Briefly, it is a huge issue and certainly it is for us personally as an organisation. I would add that I am the Principal Solicitor there, so my focus is on the legal practice, but through the SLASS, or the Seniors Legal and Support Service, we provide a multidisciplinary approach to elder abuse that incorporates social work support in addition to legal support.

We do have an issue with finding and recruiting solicitors and social workers who are appropriately and adequately trained in relation to elder abuse related issues because it is a very broad area, as you all know. It involves everything from property disputes to complex issues of equity. If we are talking about legal concepts, it is financial abuse, it is debt recovery, it is contract—it is a bit of everything. In a nutshell, it is very difficult to find lawyers who have that experience and also social workers who have worked with older people in the community, especially in Cairns. A lot of the experience is in child safety and working with young people but not so much with people who already have that on-the-ground experience with older people.

Building on from that is the fact that the complex matters that we do come across invariably require support from pro bono legal assistance when matters are unable to be resolved at an earlier informal stage. That involves things like Supreme Court litigation and complex property matters. It is a complex area, as you know. If there is some sort of targeted training or specialist courses or collaboration that can be undertaken with the QLS or something of that nature, I think it would be very helpful to grow experience and awareness in the space.

The other thing I wanted to raise was in relation to early intervention measures. I know Relationships Australia Queensland have provided some great submissions in relation to the older persons' mediation services and how that is working in the South-East Queensland context. If we are talking about Cairns and rural and remote areas, there really need to be some services available here, particularly culturally appropriate services available here and in rural and remote areas, that provide a similar service, an in-person service of course. I know that is a very common thing that people are raising as well when you talk about rural and remote areas. It is all very well to offer remote telephone-based services, but for these sorts of matters to attain results you need in-person, on-the-ground, face-to-face service provision. I would hone in on the point of culturally safe mediation and culturally safe dispute resolution because, as we all know, the specific circumstances of some cultural disputes do require specific treatment.

I would also raise whether the creation of something similar to the high-risk team model used in domestic and family violence legislation, or subject matters, could be appropriated for something to do with elder abuse purely for the benefit of information sharing between relevant agencies—police, health and legal assistance services. That could be coordinated by a high-risk team. Again—and I think the FRC mentioned it as well—it would lead to the ability to trigger the appropriate agencies becoming aware of when there is an issue and the appropriate people being mobilised to act and coordinate when those issues arise.

I will not touch on greater accessibility of services in remote and regional areas. I think everyone is speaking about that to death, and you have had plenty of opportunities to ask questions. In relation to those advance care planning documents—enduring powers of attorney, wills and advance health directives—having services that are actually equipped to execute, witness and put into effect those sorts of documents in rural and remote areas in particular would make a huge difference to prevention and safeguarding.

Lastly, I will just speak to the community awareness and community education piece. A large part of what we try to do with our Seniors Legal and Support Service, especially in the cape and Torres Strait, is build awareness about elder abuse, humbugging and scams—all of those sorts of Cairns

things—within community. As, I think, the FRC and other people have mentioned, that sort of cultural awareness raising needs to be done from a co-designed and culturally appropriate standpoint. While we are doing our best, we are a pretty small team. We have very few resources and we cannot be out in community in person as often as we would like. I just reiterate: there does need to be that targeted, relevant and in-person provision of education and awareness raising where it can be done.

An interesting approach has been taken in South Australia by an agency called ARAS. They are focusing on intergenerational community awareness raising in relation to elder abuse. They are going into schools, working with principals and working with youth-based community organisations to build awareness and educate about what elder abuse is from an early age. It is something that we as an organisation are certainly looking at doing with a co-designed focus moving forward. I am very aware of the time that I have to speak today, so I will leave it there. I am open to any questions, if you have them.

**CHAIR:** Thank you very much, Ms Wilson. Are there any questions in particular that the committee would like to ask?

**Ms McMILLAN:** I just have a comment. Ms Wilson, thank you immensely for those suggestions and recommendations. I thought they were really very practical. As the previous submitter suggested, we do have a blueprint in some other areas—for example, in child safety and DV, as you mentioned. Thank you for your advice, suggestions and recommendations.

**Ms Wilson:** Thank you.

**Mr DAMETTO:** Thank you very much, Ms Wilson, for coming along this morning. Even though you were not prepared, I think you are very well versed in what you have spoken to the committee about today. My question is in regard to having a standalone offence for elder abuse or perhaps creating new aggravated offences for the ways elders are being abused. Is that something you think you could see merit in as a legislative tool?

**Ms Wilson:** This is going to be a very diplomatic response. It would depend on how it is drafted. I think that there is the potential scope to use coercive control legislation and things like that. It depends how far you go with it. If you want it to include things like neglect in addition to physical abuse or financial abuse, a bit of work will need to be done to look at what that scope might involve. As a general response, yes. If it is likely to engender some sort of deterrence by it being there—if we look at, I suppose, how DV offences are working and the aggravating circumstances that DV adds to particular offences—I think there is certainly scope to apply that there as well.

**CHAIR:** Thank you very much for your time today, Ms Wilson.

**Ms Wilson:** Thank you.

**LAVERTY, Mr Lance, Private capacity**

**CHAIR:** Thank you very much, Mr Lavery, for joining us today and for giving us some of your time.

**Mr Lavery:** Thank you, ladies and gentlemen, for the chance to have a chat. I am not prepared, so it is going to be a bit ad hoc. I am going to share some things with you. The first thing I notice when I look around the room is that this hearing is about elder abuse and I am probably the oldest person in the room. I have been retired 20 years. Where are all the old people? They did not get the information because they do not know how to use a mobile phone or a computer. That is the first thing.

I want to give you a bit of history of my life and that of my beautiful wife, Jan. I am ex-Navy. In 1969, I saw 80 men go down on a ship and die. I reckon it had some effect. Anyway, I got through that and, after I was discharged, I started working at Cairns Hospital. I ended up as a senior manager there. In 1995, I saw a very good friend of mine get her head blown off and I was this far away from her. I found out later that there is a thing called PTSD. As a result of that, I hit the wall and I tried to commit suicide. I did it twice. I came out the other side. I could not get any help because the rules for Queensland Health at the time were that, if you had an issue and you thought you needed help, you could get free help, but if something happened and you had not told them then you were not entitled to get it. Luckily my boss managed to get the government to give me some psychiatric help up at the Tablelands.

Along the way, as I grew up in life, my wife of 40 years passed away. I was on my own from 2013. Some years later, this lady from Western Australia popped up on the scene. Do not ask me how. She had lost her hubby after 40 years. We got together. After we got married, her daughter and her granddaughter managed to get together with a young fellow over in Perth and I said, 'Come over to Cairns and live with me for two years. You can save up some money and buy a house.' They squandered the money away—absolutely squandered it. In the end, because of the abuse this lady was getting, I said to them on Anzac Day a few years ago, 'You can go.' She is not allowed to see her granddaughter anymore. She has been totally cut off. We know they are in Cairns, but she cannot see her granddaughter.

About 3½ years ago, my second eldest son was acknowledged as being a chronic alcoholic who had tried to self-harm. My daughter is a paramedic and a physician's assistant, so she has some good medical knowledge. She said, 'I'll take my brother in and I'll look after him. I'll get him off the grog. I'll get him on the straight and narrow again.' Some months after that, my grandson was murdered—her son, Declan. You may have heard of Declan's Law in the Northern Territory. That was my grandson. My daughter went through hell, so did my granddaughter. She sat in that courtroom in Darwin and watched him die 10 times on video with sound. It affected her greatly. She already had some issues mentally, nothing severe. You would not get to be a physician's assistant if you were a severe case.

Some months ago I got an email from her saying, 'I've reached burnout—carer's burnout. You have to take your son back.' I am 12 months off being 80. I have health problems, the same as my wife. Yes, we live in a big five-bedroom house, but we cannot manage him 24 hours a day that she says he needs. All sorts of threats have been made. With my mental health and all of this rubbish from my history, it is a bit of pressure on me. There is more on this lady because she has to deal with me.

Trying to access any assistance is so convoluted. It is ridiculous. I rang the seniors helpline and I was told, 'You have to ring them.' When you ring them, they say, 'No, we can't help you. You have to ring them.' Six times! How stupid. How ridiculous. Here is a person yelling out for help who has tried to commit suicide a couple of times and they cannot get any help. Have you ever tried to get on to Aged Care and get help from them? It has been 15 months! We still have not got it, not that that is part of your brief. If I ring DVA, it takes one phone call to get help. How hard is it to get something in place—a one-stop shop—in Queensland so that if you wanted some help you could just ring a phone number and get some help face to face, just like we are now? It is just so important.

I cannot say any more. I am getting really worked up. I think you have the picture. Us old people need help. We are the walking dead. There is nobody there to help us. Please try to find a solution. Thanks for hearing me.

**CHAIR:** Thank you very much, Mr Lavery. Ladies and gentlemen, for the benefit of all of you here, I am going to provide some notes we have taken generally from the elder abuse inquiry to date. It will be reflective of some of the things that you have said in the session here in Cairns, as well as some of the things we have heard from elsewhere, to guide the challenges that we know we are Cairns

facing across the state. Ultimately, the committee's role is to look at how we can protect but also respect our seniors. We know that that looks different in different communities but it is also challenged in different ways in different communities.

We have heard of isolation. We have heard of violence. We have heard of financial vulnerability and manipulation occurring both in the highest of socio-economic statuses as well as some of the lowest of socio-economic statuses. We have heard of challenges related to services, challenges related to individual families and even challenges with government. We have heard of data collection points with different agencies. We have heard of the need for education, with education looking different in terms of the digital divide as well as the changing media landscape and the lack of newspapers. We have heard about the need for language and how language changes over generations. When it comes to young children, we talk about having safe relationships. When we reach middle age, we talk around domestic violence. Then we get to an age where we identify it as elder abuse. Really, we are talking about the same thing: about having respect and boundaries in our relationships.

We have talked about the role of the tyranny of distance and recognise that from Hope Vale to the Gold Coast to Cherbourg to Hervey Bay—in every community that tyranny of distance affects agency and affects access in different ways. We have talked about and heard the need for localised supports to help meet the needs not only of a community but of individuals that exist within communities. We know that in the smallest of communities, once an agency or a service is no longer seen as an advocate or a friend but, rather, as the challenge itself, that creates an isolation which causes further challenges. We have looked at specific laws and we have heard very strongly about the SmartCard and the role of voluntary income management. We have looked at the nationalised framework. We have seen examples from the ACT and other states in regard to what they are doing.

What I want you to know is that this committee is taking all of those things on board. We will spend some further time this year—we will be reporting back to the Queensland parliament by December—to provide a range of recommendations for the Crisafulli government and Amanda Camm, as the Minister for Families, Seniors and Disability Services, to consider how we better protect and respect our seniors. The shame and the stigma that you have expressed today, the abuse that you have expressed today, not only breaks all of our hearts but tells us that it is not the expectation of the communities we want for Queensland, and I know they are not the communities that any of us want to live in. Our communities want better and we are going to work towards achieving that.

Thank you very much for your time. With that I would like to acknowledge Peter, Bonnie and Lynda, our secretariat staff, who have joined us here and have provided their time. I thank everyone who has spoken and been in attendance today. I know we have had some confronting conversations, but that is the nature of the beast we are taking on. This is not one of the ones you walk away from feeling cheery but, rather, knowing that working together we are going to be able to make a difference. Thank you very much. I officially close this hearing of the inquiry.

**The committee adjourned at 11.30 am.**