

Inquiry into Elder Abuse in Queensland

Submission No:	112
Submitted by:	Queensland Indigenous Family Violence Legal Service
Publication:	Making the submission and your name public
Attachments:	See attachment
Submitter Comments:	



14 April 2025

Committee Secretary
Education, Arts and Communities Committee
Parliament House
George Street
BRISBANE QLD 4000
By Email: EACC@parliament.qld.gov.au

QIFVLS Submission – Inquiry into Elder Abuse in Queensland

Dear Committee Secretary,

The Queensland Indigenous Family Violence Legal Service (QIFVLS) welcomes the opportunity to provide a submission in relation to the Inquiry into Elder Abuse in Queensland.

Our submission is made from the standpoint of an Aboriginal and Torres Strait Islander Community Controlled Organisation (ACCO) and Family Violence Prevention Legal Service (FVPLS), dedicated to ensuring that families and households are safe from domestic and family violence and sexual violence.

Regrettably, we are in the position of seeing the impacts of Elder Abuse from the perspective of domestic and family violence matters involving Aboriginal and Torres Strait Islander Elders and their relatives, including adult children and grandchildren.

From the observations of our staff on the frontline, we see our clients, respected Elders in their communities, navigating a difficult path – how to care for their adult children and grandchildren whilst also managing their own spiritual and emotional wellbeing and mental and physical health.

In many cases, we have seen domestic violence in the form of economic abuse or coercion as adult children and grandchildren seek financial assistance to survive. In other cases, we hear stories of Elders having their adult children and/or grandchildren take money or use their bank/credit cards without permission.

This raises a dilemma:

1. Our elderly clients are greatly reluctant to take action via police assistance due to their well understood fears regarding the treatment and overrepresentation of Aboriginal and Torres Strait Islander peoples in the justice system.
2. The assistance we can provide at QIFVLS may at times fall outside the scope of non-physical forms of domestic violence. This is particularly so in cases of theft with no evidence of physical or non-physical acts of violence.
3. In rural and remote communities in particular, difficulties around access to services and geographical barriers can prevent effective remedies for Elders, particularly where the Elders reside in same housing as their children who are perpetrating acts of violence (including non-physical acts of violence) against them.

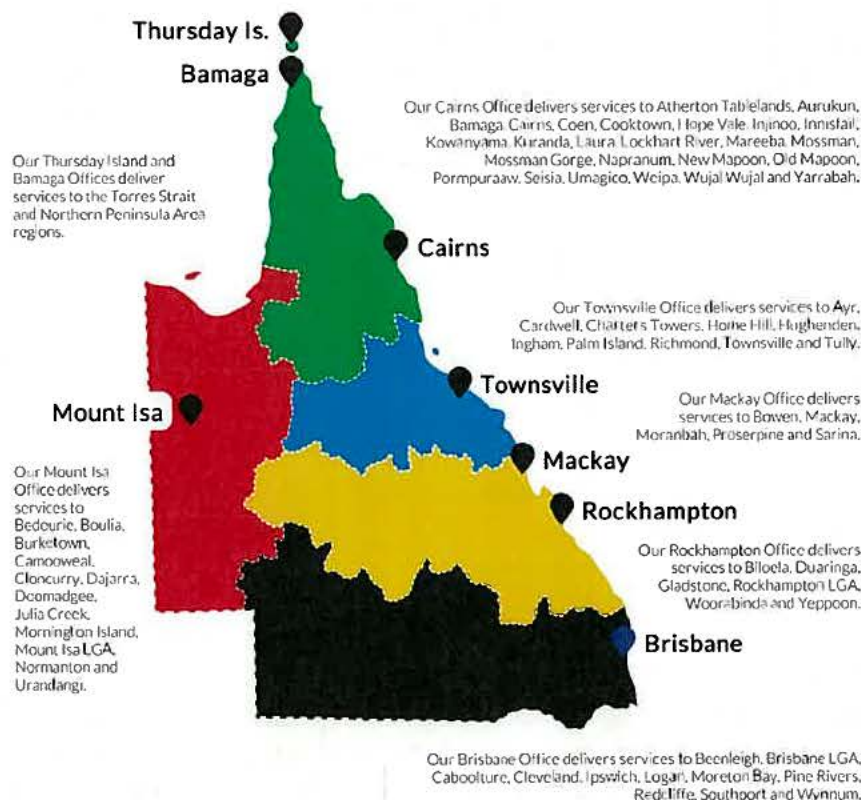


The thrust of our submission is that the Committee should prioritise efforts to coordinate services in a whole-of-system approach. Secondly, in the spirit of the priority reforms to the [National Agreement on Closing The Gap](#) (the National Agreement), Priority Reforms 1, 2 and 3, we need to see place-based solutions and the empowerment of local communities to coordinate service delivery.

About QIFVLS

The Queensland Indigenous Family Violence Legal Services Aboriginal Corporation (QIFVLS) is a Family Violence Prevention Legal Service (FVPLS) and an Aboriginal and Torres Strait Islander Community Controlled Organisation (ACCO) that fills a recognised gap in access to culturally appropriate legal and wraparound support services for Aboriginal and Torres Strait Islander victim-survivors of family and domestic violence and sexual assault.

QIFVLS is primarily an outreach service. As can be seen from the map below, we operate out of eight offices across Queensland, delivering services to over 90 communities, from the urban south-eastern corner of the state, out west to communities surrounding Mount Isa, reaching the Northern Territory border, and north to the outer islands of the Torres Strait, neighbouring Papua New Guinea. Our services extend from domestic and family violence to family law; child protection; sexual assault and Victims Assist Queensland (VAQ) applications.





A key focus of our service delivery at QIFVLS lies in our dedication to achieving the priority reforms and socio-economic targets outlined in the [National Agreement on Closing The Gap](#) (the National Agreement), particularly Target 13 (ensuring families and households are safe and that domestic and family violence against Aboriginal and Torres Strait Islander women and children is reduced by at least 50% by 2031 as we progress towards 0).

QIFVLS provides legal assistance and legal case work representation in the following areas —

- Domestic and family violence.
- Child protection.
- Family law.
- Victim Assist Queensland (VAQ) compensation applications.
- Minor assistance in blue card matters.

Through the observations and experiences of our frontline staff, we witness family violence as a cornerstone or intersection that links an Aboriginal and Torres Strait Islander person's connection to the child protection system, the youth justice system, adult criminal justice system, housing and/or homelessness, health and the family law system.

In contrast to siloed government responses, QIFVLS consistently advocates for uniform, holistic, culturally safe and consistent strategies that will improve responses in the family violence, policing and criminal justice, child protection system, housing and corrective services. This approach aligns with achieving reductions in the Justice targets (primarily Targets 10 & 11 read with Targets 12 and 13) of the National Agreement on Closing the Gap as well as meeting the overarching objectives of the 4 priority reform areas.

Summary of recommendations

We recommend the Committee consider the following:

- The Committee should consider that domestic violence experienced by Elders in Aboriginal and Torres Strait Islander communities is nuanced and inextricably interwoven with a variety of cross-cutting issues including gaps in services, barriers to access, and family and kin responsibilities to adult children and grandchildren.
- Instances of domestic and family violence may be underreported as Elders are reluctant to make a complaint and expose their adult children and/or grandchildren to the courts/criminal justice system and the child protection system.
- There is a gap in service delivery, and this is exacerbated by Queensland's vast geography.
- A coordinated whole-of-system approach that empowers and prioritises place-based self-determined responses are a blueprint to effectively addressing Elder Abuse in communities.
- To address Priority Reform 3 of the National Agreement on Closing the Gap, the Committee consider championing local ACCOs providing community-specific cultural induction for all government and non-government agency support workers who travel to provide services in regional, rural and remote communities.



Incidents of domestic and family violence

QIFVLS receives requests for assistance in circumstances where there has been domestic and family violence (DFV) against an elderly family member.

The DFV experienced by our elderly clients can be in the form of coercion and pressure for financial assistance. This can be a form of abuse, playing on the sensitivities and sentimentalities of elderly relatives. In other cases, we are consulted when younger members have stolen or taken credit cards belonging to their elders without permission.

We observed this type of behaviours play out in some communities especially after the 'Stolen Wages' case and successful applicants receive compensation.

A further observation we wish to make is that there can sometimes be a reluctance to report elder abuse of this nature due to historic mistrust of government agencies, not just the Queensland Police Service (QPS). To that end, cultural safety training for police and other government agencies needs to look at the unique aspects of elder abuse in Aboriginal and Torres Strait Islander communities. This cultural safety training should be delivered by ACCOs who have the external expertise and knowledge to successfully deliver this training.

Conflicting loyalties

Closely allied to incidents of DFV is the concern of conflicting loyalties and a reluctance to pursue or report acts of DFV or theft against younger relatives. From our vantage point, we see that reporting elder abuse has some similarities to the dilemma Aboriginal and Torres Strait Islander families experience with reporting domestic and family violence. Where we have seen a reluctance in younger women to report DFV due to flow-on negative impacts with housing and removal of children, an Elder who reports their adult child or grandchildren must balance their fears around youth detention, incarceration and the overrepresentation of Aboriginal and Torres Strait Islander peoples in the criminal justice system and child protection system. This must all be weighed against their fierce love and innate desire to protect their family.

We also wish to highlight that the strain placed on Elders in looking after family members is having dire consequences especially where they themselves also have health complaints, some of a serious nature. Sometimes due to the limited supply of housing in communities, family members are co-habiting and an elderly victim will be reluctant to make a complaint of DFV as they are reliant on the family member for care responsibilities.

Through public hearings in areas such as Cherbourg, Thursday Island, Cairns and Townsville, the Committee will hear that the demands placed on Elders – grandparents looking after their adult children and/or grandchildren, including dealings with Child Safety, Health, Education, attending court in some cases – takes an enormous mental, emotional, spiritual and physical toll. This is a silent factor affecting the health of our Elders. When we as an organisation talk of the intersecting factors we see among our clients – health, mental health, disability, substance addiction and low economic participation, and incarceration – this is what we are referring to in the form of the flow-on effects.

Gaps in services

In our various submissions, we always wish to highlight the unique make-up and dispersal of Queensland's population. In the 2021 census, almost 40% of Queensland's Aboriginal and



Torres Strait Islander population lived in outer regional to very remote areas. This is in contrast to 14.5% of non-Indigenous peoples in Queensland who lived in outer regional to very remote areas.¹ This is relevant when various leaders from Aboriginal and Torres Strait Islander communities around Queensland speak of the gaps and fragmentation in service delivery. Effective service delivery does not reflect in what is being received by communities. This is something we hear from our clients. The gaps in services have consequences which inevitably lead to elder abuse in communities.

Health and dispersing effective medication on country is an important factor, as is education around taking the right medication. The Cape York Health Summit, held in Cairns in November 2024 heard of incidents where elderly relatives mistakenly provided younger relatives with their own medication, not fully understanding that prescribed medicines are tailored to the individual.

Housing is also a significant factor that needs to be addressed from an Aboriginal and Torres Strait Islander perspective. This is relevant in circumstances where there may be overcrowding and incidents of DFV are occurring within the household.

Online technology, especially in remote and rural communities, presents barriers which may lead to DFV and elder abuse. This can be seen in the process of applying for Centrelink or other government assistance online.

In this instance, the roadblocks precluding a smooth online application process for Centrelink or other government assistance may require the act of driving to a physical office. But what happens where the applicant is in a rural and remote area and there is either no transport or fuel is at an exorbitant rate. As of 17 March 2025, unleaded fuel in Bamaga was \$2.80/L while unleaded fuel on Thursday Island was \$2.55/L. Such pricing in mainstream Queensland communities would be so unacceptable that surely action would be taken to rectify this. It is also wholly unacceptable in predominantly Aboriginal and Torres Strait Islander communities. This nevertheless highlights the barriers, gaps and disadvantages in service delivery.

Our lawyers have experienced and heard from clients discussing difficulties that families face with applying for Centrelink assistance – this may mean that an Elder is covering adult relatives with financial support from their own Centrelink payments. Alternatively, we are asked for assistance where adult children and grandchildren are stealing money from their elder relatives without permission.

Need for a coordinated system

We maintain our advocacy for a coordinated system acknowledging implicitly the intersecting issues facing communities and the drivers that lead to elder abuse. In line with the priority reforms to the National Agreement, we would like to see funding of local ACCOs whom the community can trust.

Priority Reform 3 – Transformation of mainstream institutions - is a key plank in the National Agreement. One way to address Priority Reform 3 is through community-specific cultural

¹ Australian Bureau of Statistics 2021, Census of Population and Housing - Counts of Aboriginal and Torres Strait Islander Australians, ABS, viewed 15 February 2024, <<https://www.abs.gov.au/statistics/people/aboriginal-and-torres-strait-islander-peoples/census-population-and-housing-counts-aboriginal-and-torres-strait-islander-australians/latest-release>>



induction for all government and non-government agency support workers who travel to provide services in regional, rural and remote communities. We would be delighted if the Committee would champion the possibilities of funding for local ACCOs to provide community-specific induction to new government and non-government support workers. This can be seen as similar to the process when a person starts a new job, and they have 1-2 weeks induction. In this instance however, we advocate for examining the feasibility of ACCOs providing that community-specific cultural induction.

Listen to communities about what works best

For a coordinated system to work, each community must be treated uniquely and must be empowered to lead in developing solutions. This speaks to Priority Reform 1 of the National Agreement. In Queensland, we have 77 traditional owner groups and 17 discrete communities. The benefit of the Committee holding public hearings in different communities will reinforce that we cannot make the mistake of treating Aboriginal and Torres Strait Islander peoples as a monolith. Each community has its own unique challenges and rhythms.

While this submission is broad, we believe the Committee must hear directly from communities and on that point, we commend the Committee hearings in regional areas – especially noting Queensland's widely dispersed population.

Conclusion

We are thankful for the Committee's consideration of our submission and trust that our viewpoint as both an Aboriginal and Torres Strait Islander Community Controlled Organisation and Family Violence Prevention Legal Service is appreciated.

If you would like to discuss our feedback further, please do not hesitate to contact me at [REDACTED]

Yours faithfully

Queensland Indigenous Family Violence Legal Service

[REDACTED]
Thelma Schwartz

Principal Legal Officer