

FINAL TRANSCRIPT

LEGISLATIVE ASSEMBLY LEGAL AND SOCIAL ISSUES COMMITTEE

Inquiry into Support for Older Victorians from Migrant and Refugee Backgrounds

Geelong—Wednesday, 30 March 2022

MEMBERS

Ms Natalie Suleyman—Chair

Mr Brad Battin—Deputy Chair

Mr Neil Angus

Ms Christine Couzens

Ms Emma Kealy

Ms Michaela Settle

Mr Meng Heang Tak

WITNESS

Ms Alexandria Jones, Community Development Manager, Barwon Community Legal Service.

The CHAIR: Thank you for being here at the public hearing for the Legislative Assembly Legal and Social Issues Committee's Inquiry into support for older Victorians from migrant and refugee backgrounds.

I acknowledge the Traditional Owners of the land on which we are meeting here today. I pay my respects to their Elders both past and present and the Aboriginal Elders of other communities who may be here today. I welcome here Alexandria Jones, Community Development Manager for Barwon Community Legal Service.

My name is Natalie Suleyman. I am the Member for St Albans. To my left of course is Christine Couzens MP, the Member for Geelong—I am sure you know Christine—and to my right is Meng Heang Tak MP, the Member for Clarinda.

At this point all mobile phones should be turned to silent. All evidence taken at this hearing is protected by parliamentary privilege, which means that if you say anything within this forum it is protected, but if you go outside and say things that are defamatory and so on, including on social media or other platforms, this privilege may not protect you.

All evidence given today is also being recorded by Hansard. You will receive a copy of the transcript after the hearing. You will have an opportunity to check that transcript. Once it is approved it will then be placed on the Committee's public website, and that will be an opportunity for everybody to read today's proceedings.

I now invite you to make a brief statement, which will be then followed by some questions from Committee members. Thank you.

Ms JONES: Thank you. As mentioned, my name is Alexandria. I am from Barwon Community Legal Service, but I am also here as a representative from the Barwon Elder Abuse Primary Prevention Network, so we will be talking about issues that are both access to justice issues but also looking at it from a primary prevention of elder abuse perspective.

Barwon Community Legal Service is the free legal help for people living in the Barwon region, which includes Greater Geelong, Colac Otway, Bellarine and Surf Coast communities. Often we are the only option for some people living in regional communities to access free legal assistance who are not able to access the metro-based specialist services like Seniors Rights Victoria, for example, or online virtual services.

We are a generalist civil law practice, so we help across a wide range of civil law areas, but what we are finding is a big increase in family violence, and family violence intervention orders in particular, in Geelong and Colac Magistrates' Courts. We practise in elder abuse and elder law as well as helping older people on a whole range of other civil law problems like problems with social security and accessing Disability Support Pension, fines, infringements, consumer law, credit, debt and family law.

In terms of how we work, we partner with community, because we do acknowledge that particularly older people and CALD communities experience particular barriers to accessing justice, so we co-locate our lawyers within non-legal organisations like Cultura, for example, where we base our lawyer there one day a week to work alongside the case workers to receive referrals. So that is a really important model that we use and operate with in community.

We do lots of community legal education and community development as well. That is a key part of what we do, that awareness raising and working alongside in particular CALD communities. So examples of that include: we were involved in the orientation program for newly arrived communities run by Cultura, explaining how the Australian legal system works, what a CLC is, how to get free legal help. We also partner with Cultura in primary prevention, on the Safer and Stronger Communities project, for example, which worked with Karen, Karenni and Hazara communities co-designing together with community leaders prevention activities that are designed to work in those particular contexts.

In terms of the Barwon Elder Abuse Primary Prevention Network we, BCLS, have convened that since 2019. It is funded by the Department of Families, Fairness and Housing, and what we have found really in the pandemic is there has been a real struggle for organisations to engage in primary prevention. People have been redeployed into COVID response and have had to prioritise frontline services, but we have maintained a core group of

organisations throughout the last two years. They include the City of Greater Geelong, Dementia Australia, Cultura, Better Place Australia, Orange Door, Barwon Health, amongst others, just to give you examples.

In terms of key challenges and issues that we see, we know Geelong and Colac Otway have an ageing population disproportionate to metro Melbourne, so this is a growing issue. So as a legal service in particular we are conscious of how we are providing access to justice particularly for older people and CALD communities. We received funding for a recent research project that really was an opportunity for us to invest in understanding what these barriers might be, and we are going to use the findings to support advocacy and funding for co-located services and health justice partnerships, particularly for older people experiencing family violence.

In particular, for CALD communities and older people, what we found in our research was that there was a real lack of resources in language and that there were also particular cultural barriers that made it really hard for older people from migrant and refugee backgrounds to seek assistance for family violence in particular. Our data showed that we were only reaching 10% of older people with potential legal need in the Barwon region. That really shows you the scale of unmet legal need, and I think when you put in CALD communities and older people from migrant backgrounds who already experience issues of lack of reporting and knowledge barriers around legal services, then that is a big scale of legal need in our region. As a network we have really identified a lack of resources for elder abuse prevention in language in some of the more emerging languages in our region—so Karen, Karenni, Dari, Swahili—so we are working with Cultura to produce some actual resources in audio visual format. That is really in recognition that a lot of groups have literacy issues and written resources are just not appropriate. I think we also need to think about not just what information we are communicating but how older people from migrant and refugee backgrounds are accessing information and who they are turning to, so we are really concentrating on those networks and working with bilingual support workers to not only translate but distribute through existing networks as well.

In our region we see social isolation as a major issue and risk factor for elder abuse. Our research found in Greater Geelong one in four older people who are aged 65 and above live alone. I think that is a really stark statistic, and it puts a whole cohort in particular at risk. We have a real lack of public transport and some real issues in the Bellarine and also Geelong, some real black spots, and that would impact older people's mobility as well. And in Colac Otway, more rural communities, there is a lack of infrastructure, which really impacts an older person's ability to stay in their own home. Particularly people from migrant and refugee backgrounds, we see instances of older people moving to more regional communities to be closer to their adult children for example, but that can then place them at risk by relying on that adult child, who might also be perpetrating elder abuse. We know adult children are the predominant perpetrators of elder abuse as well.

In terms of digital literacy, we have seen issues with local bank branches closing, and that has been a real risk factor identified by the network, particularly in smaller communities with a lack of in-person banking services. At the legal service the main type of elder abuse we see is financial abuse, so that can be a real risk factor as well.

Underlying all of this—and I am sure you have heard it from other evidence as well from organisations—the main driver of elder abuse is ageism and age discrimination. It is the most accepted form of discrimination we have here in our community, and I think for migrant and refugee older people there is also an intersectional approach that needs to be taken looking at the other forms of discrimination that people face, around racism. So we really need to invest in research to understand what works to really shift those societal attitudes.

Finally, I guess the fact is that we cannot really shift community attitudes and offer solutions to these challenges without long-term investment and funding and leadership, and I think that has been a huge challenge in primary prevention work for elder abuse in our region. At the moment our network is funded till August. We are unsure of funding beyond that, and we are already a community legal centre who has piecemeal funding and struggles to meet legal demand. So I think from that perspective it can be a real challenge for focusing on primary prevention. I might leave it there.

The CHAIR: Thank you so much. I will open it up to questions. Christine, will you start the questions? Thank you.

Ms COUZENS: Thanks so much for your time today. I know the valuable work that the Barwon Community Legal Service does, so thank you to everyone there for their work. You covered off quite a bit of what I wanted to ask about, but in terms of the resources required, what do you see as being the priority areas? You talked about addressing the age discrimination issues, and particularly for CALD communities. What do you see as being the key areas that need resourcing—and I know the funding issues—in terms of that particular group?

Ms JONES: I think in that particular group and in a regional or rural context place-based co-located services are really important, and I think funding models where you are integrating or support services are working together is a really important model. We have got lots of evidence to suggest health-justice partnerships, for example, are best practice, and we know that identifies and addresses a lot of these barriers.

Ms COUZENS: So are you placed out at Diversitat, or are people coming to you?

Ms JONES: So during COVID it has been really challenging. We are trying to be there in person one day a week, but again we are just using our generalist funding for that. It is not a significantly funded program. We are really wanting to put more resources there if we can. I think it also requires the skilling up of non-legal workers—so, for example, bilingual support workers—to be the legal issue spotters, and it would be creating legal health checks in language. Also in the elder abuse prevention space there are a lot of good examples of bicultural education that is happening in language and skilling up community leaders to do that education as well, so I think resourcing like that is needed.

Ms COUZENS: Yes. So that was one of my other points around workforce. I mean, we have heard evidence this morning around the need to have multicultural communities given the opportunity to skill up and go into training, whether it be aged care or otherwise, but they would have those language skills within their own community as well. Do you see that as being an important factor? And are there other areas within that skills and training sort of level that need more work, do you think?

Ms JONES: In terms of the support workers and the bilingual support workers?

Ms COUZENS: Yes.

Ms JONES: Definitely an important part—and in our service model with other priority community groups that is a huge part of what we do. We are working directly with those community workers to help them better support their clients with legal issues and connect them to legal services earlier. I think part of it is also the legal literacy around how the Australian justice system works, for example. That is a really key building block, and we are just designing an online training for community workers that includes that piece of information that a lot of people do not necessarily understand or might miss, particularly in migrant and newly arrived communities who are coming from a very different justice system. So I think that piece of the puzzle is a really important one.

Ms COUZENS: And in terms of the collaboration you talked about—you know, the Orange Door, Diversitat, the City of Greater Geelong, all of those—is there a sharing of those resources within that collaborative group?

Ms JONES: Our integrated partnerships are largely funded by us, so we are the co-located service that is resourcing the lawyer who is providing that service, and I think moving towards a more sustainable model it would be co-funded. And I think we have got a particular health-justice partnership with Barwon Health in the University Hospital that really could be adapted to look at older people, particularly from migrant and refugee backgrounds, but again there are the challenges with resourcing and getting models like that sustainably funded.

Ms COUZENS: Okay. Thank you.

The CHAIR: Heang.

Mr TAK: Yes. I just have one question. What are the key challenges in terms of reaching out or an education platform for elder abuse as part of prevention?

Ms JONES: So the key kind of engagement challenges?

Mr TAK: That is right, yes.

Ms JONES: This is such a hidden issue, and I think it is a really sensitive to issue to talk about. And particularly in our experience working in the primary prevention of family violence space this has to be done slowly, it has to be done with community and with leaders, and it has to be done in a way that people feel safe. I think that takes time and relationship building, and the Safer and Stronger Communities project is a really good example of that. That took a lot of time. We did it all virtually, which was really surprising to me, but that was a safe space for a lot of the community members and it was able to deal with a lot of the barriers around looking after children, cooking dinner and all of those kinds of obligations community leaders have. So it increased participation in a way, and I think it is really important to acknowledge that work takes time.

Mr TAK: Yes, and probably it is a very difficult issue because the older parent who does not speak much English would rely on the children if that happened.

Ms JONES: That really does make elder abuse such a complex issue, because I think that there is a real reluctance to seek help. I think the recent prevalence study in December by the Australian Institute of Family Studies showed three-quarters of older people who were experiencing elder abuse did not reach out for support. And sometimes, you know, anecdotally we get feedback from older people that the risk is just too much to sever that relationship, particularly if you are in a smaller regional community without a lot of support or existing networks as well, so I think that is definitely what makes elder abuse quite a complex issue to tackle.

Mr TAK: Thank you, Chair. Thank you, Alexandria.

The CHAIR: Just to add to that, how effective do you think campaigns are that are culturally sensitive? Would that make an impact, or is reaching out to community first probably more effective? Which or both, is my question.

Ms JONES: I think both are really important, but again that co-design piece is really key, because I guess we are all experts in our own communities. I think recognising the expertise of culturally and linguistically diverse older people is really important in terms of communication. We are exploring audio visual films and using Telegram as an application to distribute some of this information. WhatsApp groups are really effective to get to communicate to really big numbers of culturally and linguistically diverse people.

But I think something that really is important to emphasise is this is not just an older person issue, this is a whole-of-community issue. We should not just be targeting older people and putting the onus on the older person to reach out for assistance. We should be skilling up community leaders, faith leaders and family members to really recognise those early signs that something is not right and to offer assistance. I think it is one thing to provide information on what your rights are, and it is the choice of the older person to take action. I think that is really important to acknowledge as well.

The CHAIR: Lovely.

Ms COUZENS: Just one more. The issues with access to technology for older CALD communities—do you see a lot of that and the implications of that?

Ms JONES: Yes, we do. Particularly from the legal service perspective we get lots of older people who do not have an email address, or who do not have a mobile phone. We had one instance in our research report that we found of an older person in an aged care setting being refused access to a lawyer, based on capacity. They did not have a mobile phone, so the only way they could contact us was through the health worker, who had an issue with them seeing a lawyer. I think it can be quite difficult—really difficult—and we are really conscious of that. We saw a bit of a dip in our client numbers, particularly from Colac Otway, when we had to offer phone services. So we know that in certain communities you have to be there in person, otherwise you get this postcode injustice, where some people have access to services and some do not.

Ms COUZENS: Apart from being there in person are there any other opportunities in terms of ensuring that older CALD people do have access to technology?

Ms JONES: Yes. I think there can be that digital literacy program approach, and I think libraries play a really great, important part—and neighbourhood houses as well. Particularly in those smaller communities

often the neighbourhood house is the place you go to get access to your COVID vaccination certificate or Services Australia information. I think really resourcing those community hubs is a, really important part of it and skilling them up to be inclusive of older CALD communities is a really important part of it too.

Ms COUZENS: Yes. Great. Thank you.

The CHAIR: That is great. Thank you. Well, there being no further questions, thank you very much for your valuable contribution today and taking the time to be with us and share your evidence. The next step will be that the Committee will table a strong report to the Assembly of the Parliament of Victoria, hopefully before July of this year. If you would like to keep up to date, you can do so via the Committee's website. Again, thank you so much for the valuable work that you do also.

Ms JONES: Thanks for the opportunity.

Ms COUZENS: Thank you.

Mr TAK: Thank you so much.

Witness withdrew.