

2 March 2022

The Committee Manager
Legislative Assembly Legal and Social Issues Committee
Parliament House, Spring Street
EAST MELBOURNE VIC 3002

By email: oldervictoriansinquiry@parliament.vic.gov.au

Inquiry into Support for Older Victorians from Migrant and Refugee Backgrounds

Submission from Financial Counselling Victoria in response to letter dated 2 February 2022

Executive Summary

Financial Counselling Victoria (FCVic) welcomes the opportunity to make a submission to the Inquiry into Support for Older Victorians from Migrant and Refugee Backgrounds.

Financial counselling is a regulated profession providing free, confidential and independent advice and advocacy for people experiencing financial hardship, regardless of their visa status.

FCVic is the peak body and professional association for financial counsellors in Victoria. We have undertaken significant work in recent years developing capacity and community engagement around elder abuse issues, including active engagement with diverse migrant and refugee communities.

Drawing on client experiences, our members' professional observations and FCVic's work with communities, this submission raises several concerns about the adequacy and accessibility of support for older Victorians from migrants and refugee backgrounds, with a focus on financial support and the prevention of financial abuse.

FCVic makes the following recommendations:

1. That the Victorian Government develop a strategy across its health and human service systems, in consultation with the community services sector, to bridge the gaps for all Victorians who cannot access Federal Medicare and social security support due to their visa status.
2. That the Victorian Government supports the development of community-led engagement and awareness programs about financial and consumer rights and practices, and available support services, for older Victorians from migrant and refugee backgrounds. These programs should be designed to reduce the social isolation experienced by participants and provide for networking amongst support services.
3. That the Victorian Government takes meaningful steps to ensure that access to its services and supports does not require access to a smartphone or computer.
4. That the Victorian Government provides funding for financial counsellors to deliver community-based activities to develop financial capability and associated digital literacy.
5. That the Victorian Government implement the use of 'demo accounts' within the Service Victoria app, and other online service portals, to provide a safe space for people to improve their digital literacy skills without any sharing of private information.
6. That the Victorian Government funds the provision of financial counselling as an integrated part of all community health services.
7. That the Victorian Government expands the provision of resources to support multicultural communities, with a focus on financial capability and elder abuse prevention, and improved access pathways to other government services.
8. That the Victorian Government fund scholarships, internships and positions for people from migrant and refugee communities to train and work as financial counsellors supporting their communities.

Introduction

There are more than 300 financial counsellors working in almost 100 locations across the State. Based in non-profit agencies, financial counsellors are often co-located or integrated with other services essential to the health and wellbeing of older Victorians, such as emergency relief, community health, tenancy assistance, and aged care assessment and service provision.

The sector includes financial counsellors who work specifically with people experiencing, or who may be vulnerable to, financial elder abuse. For example, specialist financial counsellors are embedded within the elder abuse response services at the Eastern Community Legal Centre and financial counselling is part of the Victorian Government's Integrated Model of Care.

Financial counsellors are accustomed to working with clients from migrant and refugee communities, and some belong to these communities themselves and work in-language. Translation, interpretation and National Relay services are also available to enable clients to access services.

In recent years, FCVic has undertaken a number of Victorian Government funded projects addressing financial elder abuse. Our work has encompassed:

- professional development and special forums for practitioners, including the establishment of an elder abuse Community of Practice for financial counsellors
- awareness and capacity building in other services working with older Victorians
- community-led awareness raising and connection to supports
- broader community outreach.

In partnership with Australian Multicultural Community Services, we have engaged specifically with migrant and refugee community groups to co-design, develop and deliver community-led education sessions and resources. In partnership with Alfred Health Carer Services and Southern Migrant and Refugee Centre, FCVic is commencing the project 'Standing Strong – Financial Resilience for Older Carers', addressed specifically to meeting the needs of 'hidden' older carers from diverse communities.

Contribution of Financial Counselling

Financial counsellors are professionals governed by a code of ethical practice. They are required to undertake continuing professional development and professional supervision each year to maintain their eligibility to practice. The profession is regulated by the Australian Securities and Investments Commission (ASIC). ASIC requires financial counsellors to work without charging fees, and without conflicts, to maintain professional eligibility.

Financial counsellors work within a social justice framework, using a strengths-based approach to empower their clients to make decisions about their financial situation. In addition to counselling skills, financial counsellors have an extensive knowledge of areas of law and policy including consumer credit law, debt enforcement practices, the bankruptcy regime, industry hardship policies and government concession frameworks.

FCVic supports financial counsellors by providing training and professional development. It also sets the standards for the profession in Victoria and participates with other state peak bodies in the process of establishing national standards.

FCVic also provides a voice for Victorian financial counsellors and their clients, advocating at the system level for change to better support vulnerable people. This includes advocacy for law reform, policy improvements, better responses by industry and government to financial hardship, and stronger consumer protections and better regulation of the use of credit by banks, utilities and telecommunications companies. Our networks and working groups offer financial counsellors access to peer support and systemic advocacy opportunities.

Challenges Faced by Older Victorians from Migrant and Refugee Communities

All older Victorians are vulnerable to, and sadly may experience, financial elder abuse regardless of their cultural background. Commonly reported drivers include ageism and gender inequality, and these are reinforced by factors such as poor health, social isolation, reliance on others for support with daily living, and family conflict. However, for older Victorians from migrant and refugee communities the risk of financial elder abuse may be increased.

We endorse the points raised in this regard by Peninsula Community Legal Centre's submission to this Inquiry. Specifically, in relation to financial elder abuse, we would raise the following points – many of them reflecting the unique disadvantages and barriers faced by older people from migrant and refugee communities:

1. Parent Visas

In June 2021 to mark World Elder Abuse Awareness Day, FCVic held a special forum for financial counsellors on parent visas. Attendees heard from an expert panel including:

- Mr Don Susantha Katugampala – Fairfield’s Lawyers
- Mr Henry Sherrell – Grattan Institute
- Dr Santosh Kumar – Northern Region Indian Seniors Association (Vic) Inc
- Dr Medha Gunawardana – Australian Multicultural Community Services

Australia’s parent visa system is intended to enable families to reunite and support each other. There are several different types of visas, each with its own waiting times, costs and conditions. Each of our panellists took a fresh position building a deep, rich and multi-faceted appreciation of the vexed issues raised by the parent visa system.

The parent visa system is complex and introduces many vulnerabilities for both the migrating parents and their receiving families. Commitments are costly, time-limited and with attendant restrictions. They lead families into arrangements that are inflexible to changed circumstances and preferences.

Recommendation 1: That the Victorian Government develop a strategy across its health and human service systems, in consultation with the community services sector, to bridge the gaps for all Victorians who cannot access Federal Medicare and social security support due to their visa status.

We also endorse the recommendations made in [Social Security Rights Victoria’s submission to this Inquiry](#) in relation to Victorian Government funding.

2. Cultural differences and rights

Some of the accepted norms governing Australian society differ from those of other cultures. These differences were raised during FCVic’s special forum on parent visas and the co-design sessions conducted by FCVic as part of our [Money Talks for Better Ageing](#) project.

For example:

- Receiving families (sponsoring migrant parents) may have spent many years in education and work as part of Australian society. Their migrant parents have not, which may lead to asymmetry in understanding about the Australian system – in turn, creating a power imbalance.
- Some practices that are accepted in Australia, for example, the role of written documents or placing trust in official documents, may be novel to people from other cultures. For example, FCVic has heard community members say, “We would never put an arrangement of this kind in writing”, in response to the suggestion that a written agreement should reflect what is agreed from the start in relation to a

parent's money being used to buy a house for the whole family to live in together. This lack of understanding may exacerbate power imbalances.

- The restrictions attached to various visa arrangements can undermine older migrants' awareness of their rights as Victorian residents. For example, lack of access to some government supports may engender a sense that all forms of support are inaccessible, even those that protect basic human rights.
- The inter-dependency fostered by visa arrangements, cultural and language barriers, can create further vulnerabilities through living arrangements, social isolation and lack of access to independent, confidential support and advice.
- The fees and bonds attached to some visas can create an additional sense of pressure and threat, adding to the points above.

FCVic's community-led awareness sessions have enabled older people from similar cultural backgrounds to discuss these challenges and develop a shared appreciation of what is acceptable and how to navigate difficulties. We believe that such community-led awareness building fosters individual confidence and collective support.

Recommendation 2: That the Victorian Government supports the development of community-led engagement and awareness programs about financial and consumer rights and practices, and available support services, for older Victorians from migrant and refugee backgrounds. These programs should be designed to reduce the social isolation experienced by participants and provide for networking amongst support services.

3. Financial literacy and skills

Our consultations with older Victorians from various migrant and refugee communities have highlighted gaps in understanding about Australia's financial system and related consumer protections. FcVic's community-led workshops have often elicited comments such as: "I wasn't aware of the support available from financial counsellors". The barriers faced by all older Victorians when they attempt to navigate and manage their finances are amplified for older people from migrant and refugee communities, who face language barriers and find the systems they are dealing with unfamiliar.

Banking and money management introduce significant points of vulnerability for older Victorians. When someone cannot undertake their own money management it is all too easy for a person to help them, and then help themselves to some of the money. Similarly, if someone does not understand the significance of a written document, let alone what it says, they may sign it without appreciating the consequences.

Online banking and services may be particularly challenging and, in addition to the 'person helping' situation above, can expose older people to additional risk from unconscionable

conduct and scams. FCVic is aware of some scams that have targeted specific cultural communities.

Recommendation 3: That the Victorian Government takes meaningful steps to ensure that access to its services and supports does not require access to a smartphone or computer.

Recommendation 4: That the Victorian Government provides funding for financial counsellors to deliver community-based activities to develop financial capability and associated digital literacy.

Recommendation 5: That the Victorian Government implement the use of ‘demo accounts’ within the Service Victoria app, and other online service portals, to provide a safe space for people to improve their digital literacy skills without any sharing of private information.

4. Access to support

As described above, while all older Victorians are susceptible to financial elder abuse, older Victorians from migrant and refugee backgrounds experience additional challenges. Financial counsellors can provide free, confidential and independent support and advocacy, regardless of visa status and with access to interpreter services where necessary. They have specific skills and training related to working with older people, including family violence and elder abuse, supported decision-making and trauma-informed practice. They are networked to other service systems and practised in co-working and the making of referrals.

Financial counsellors can provide information and advocacy to older Victorians, tailored to their individual circumstances. A fundamental tenet of financial counselling is a focus on person-centred practice within a framework of empowerment. This places the person at the centre of the engagement, with control over the process and decisions. In many situations, this takes the form of providing people with advice about their rights and entitlements, so that they can make informed choices about their financial situation.

However, the additional vulnerabilities faced by older Victorians from migrant and refugee backgrounds make it harder for them to access financial counselling services. While lack of awareness about the services available might be addressed by community-led activities as described above, accessing services may still be difficult due to the older person’s increased dependence on others for assistance and their reticence related to language barriers and trust in organisations.

As evidenced by the Victorian Government’s Integrated Model of Care and the Eastern Community Legal Centre’s partnership with Eastern Health (ELSA), medical settings can be vital points of connection for older people experiencing elder abuse. These settings may be the only places where older people feel safe to discuss their situation as they may be able to speak without the perpetrator of their abuse being present. Financial counsellors are integrated within both of these initiatives and are able to provide an important complement to the social workers and legal teams available.

A financial counsellor who is engaged in this integrated model tells of being “snuck in the back door” of the local community health centre in order to speak confidentially with a client without the knowledge of their perpetrator, and thus protected from the potential risks and repercussions of speaking out about their abuse.

However, these schemes are pilot and limited in scale. A more broad-scale integration of financial counselling into community health would enable better cooperation between practitioners, as well as greater awareness and consequently, earlier detection of elder abuse. Financial counselling is currently available at just 10 of the 81 community health services state-wide.

Recommendation 6: That the Victorian Government funds the provision of financial counselling as an integrated part of all community health services.

CASE STUDY: FINANCIAL ELDER ABUSE

This has been provided by a financial counsellor working within a community health service.

In June 2021 I had one of our nurses approach me about a client she had concerns with, and did not know who to talk to about. The client, aged 73, was palliative and had little grasp on English, being an Italian immigrant who lived on her own with no known relatives.

When the nurse arrived to give care at the client’s home, she found the client very upset and found it hard to understand her issues due to the language barrier.

Once the client was able to communicate in a clearer manner, she told the nurse that her neighbour, who also acted as her de facto carer, had told her she needed to sign over her home as he had worked so hard helping her over the years and believe he should be rewarded if she wanted ongoing support from him. The client did not understand her rights and thought she may need to do this to keep him helping her as there was no one else.

The client had no friends or relatives, and owned the home outright worth approximately \$350,000. Her husband had passed away 20 years prior. She had her own thoughts on what she would like to do with the home on her passing, including charities that had supported her since her husband died, but felt helpless on how to make everything align.

After calls to other services for advice, we hatched a plan to have the nurse say she was taking the client to a specialist appointment and, once out of the home, we had the client taken to a solicitor with an interpreter to discuss her will. The client did in the end leave a small amount of money to the neighbour for his help in the past.

Sadly, the client passed away late 2021.

5. Capacity building

In recent years, FCVic has developed practice-specific tools and approaches to raise awareness of the support offered by financial counselling among other service providers and the broader community. For example, our webinar '*Financial Vulnerability in Older Victorians*' has been delivered on around 40 occasions, reaching more than 400 people who work routinely with older Victorians. It introduces workers in other services to the role financial vulnerability plays, not only in increasing an older person's susceptibility to elder abuse but also in indicating that elder abuse may be occurring. It explains how a worker might identify the 'red flags' of vulnerability and assist the older person to access financial counselling support. These webinars have received an enthusiastic response, as those working with older Victorians are grateful to understand how they can assist their clients while maintaining appropriate boundaries regarding their financial affairs.

While these webinars have also been delivered to people working with older Victorians from migrant and refugee backgrounds, via the Ethnic Communities Council of Victoria and Australian Multicultural Community Services, they are not specific to these communities; specific resources have been developed for working with community members directly. In partnership with [Australian Multicultural Community Services](#) and Seniors Rights Victoria, the Money Talks for Better Ageing program developed two videos and a factsheet for use in community-led awareness raising and discussion. [These materials have been translated into 13 community languages.](#)

FCVic has also developed a tool, 'My Financial Health Check', intended to normalise the process of a 'financial checkup' as a way to engage with a financial counsellor. Once engaged, the financial counsellor has the opportunity to gently explore and listen to the older person's situation. Should there be the potential for, or current, financial elder abuse, the financial counsellor can help the person to understand the options available to them. As part of our project 'Standing Strong – Financial Resilience for Older Carers' we plan to translate the 'My Financial Health Check' tool into multiple community languages to increase access to older 'hidden' carers from migrant and refugee communities

Our work is demonstrating the potential for greater outreach to communities. It is complemented by professional development sessions for financial counsellors.

In relation to language, non-English speakers may be reliant on others (including family members) for translation. In some circumstances, this enables abusers to retain power or exploit the situation. A financial counsellor has provided the following example: "When police attend elder abuse call outs where the adult child does the interpreting, that person can claim that the older person has dementia and therefore can't be relied up on and is violent. In this situation, the younger person who is perpetrating the abuse retains their power by interpreting for their relative."

Financial counsellors have access to independent interpreting services and understand the importance of hearing directly from their client without potential for interference by others. However, language is not the only barrier. Cultural understanding is also important. In speaking with an older person who may be stressed and experiencing doubts about their cognitive capacity, it is important to remove as many barriers to communication as possible.

Some financial counsellors belong to migrant and refugee communities themselves and are able to work in-language and understand their clients' context and background. Ideally, the cultural diversity of financial counsellors would reflect the diversity in the vulnerable population they work to assist. We are keen to encourage more people from migrant and refugee communities to train and work as financial counsellors.

These activities have been developed and delivered with short-term project funding and have identified the value of capacity building as an essential part of supporting older Victorians from migrant and refugee backgrounds, and preventing potential elder abuse.

Recommendation 7: That the Victorian Government expands the provision of resources to support multicultural communities, with a focus on financial capability and elder abuse prevention, and improved access pathways to other government services.

Recommendation 8: That the Victorian Government fund scholarships, internships and positions for people from migrant and refugee communities to train and work as financial counsellors supporting their communities.

Thank you for the opportunity to make a submission to the Inquiry into Support for Older Victorians from Migrant and Refugee Backgrounds. We welcome the opportunity to speak to the Committee.

Please contact Georgia Robenstone on (03) 9663 2000 or grobenstone@fcvic.org.au if you have any questions.

Yours Sincerely,



Dr Sandy Ross
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