

28th May 2025

Bruce Paterson
Director
Department of Justice
Office of Strategic Legislation and Policy

Via email: haveyoursay@justice.tas.gov.au

Consultation: Family Violence (Miscellaneous Reforms) Bill 2025

Dear Bruce,

Thank you for the opportunity to provide a brief submission on the *Family Violence (Miscellaneous Reforms) Bill 2025*.

Our response to the Bill has been guided by our organisational mission, which is to challenge ageism and promote the rights, interests and value of all Tasmanians as they age. In preparing our response we also participated in the online stakeholder forum on the Bill on Monday 26th May.

Purpose of the Bill amendments

COTA Tasmania welcomes the reforms to address immediate priority issues for improving the justice system response to family violence through amendments to the *Family Violence Act 2004* (Tas) that enable increased power to review, vary or revoke a Police Family Violence Order (PFVO), and to extend the period for laying charges against those breaching a PFVO or Family Violence Order (FVO) or interim FVO from 6 months to 12 months. We also support the amendment to the *Victims of Crime Act 1976* (Tas) to enable improved confidentiality provisions that safeguard privacy and the administration of justice.

While we understand that the purposes of these reforms are to improve the safety of victim-survivors of family violence; ensure accountability of perpetrators of family violence; and increase accountability and responsiveness within the justice system, we believe that these amendments do not equitably address the fact that Tasmania has the highest ageing demographic of all states and territories. This is critically important around elder abuse prevention and response, particularly in relation to improving the justice system response to family violence.

Tasmania is the only state that does not have provisions in its primary family violence legislation for people experiencing violence outside of spouse or intimate partner violence. We know through our community prevention programs, advocacy, and facilitation of the Lifelong Respect Community of Practice (which includes our referral partners Advocacy Tasmania, Tasmanian Legal Aid Senior Assist, and Relationships Australia Tasmania Elder Relationship Service) that the incidents of abuse of older adults are increasing and

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Her Excellency the Honourable Barbara Baker AC,
Governor of Tasmania

intensifying. Advocacy Tasmania, funded by the Tasmanian Government to operate the Tasmanian Elder Abuse Helpline, has seen rising demand over the past 12 months with calls to the service between 2023 to 2024 increasing from 354¹ to 492².

Through COTA Tasmania's community awareness prevention program delivered together with our Older Voices for Change Lived Experience Advocates, we often hear accounts from individuals and communities across Tasmania (including King and Flinders Island) of complex abuses in families where it is family members who are the people causing the most harm. This local evidence supports the research from the National Elder Abuse Prevalence Study that determined only 10.4% of any form of abuse (physical, psychological, financial and/or sexual, and/or neglect) was partner/spouse perpetrated, compared to over 40% by sons, daughters and other family members (including in-laws).³

Broader reforms to the Family Violence Act

COTA Tasmania believes that we have an obligation as a community to listen more closely to older people and address their concerns and the impacts of their experiences. We need to prioritise their needs and ensure that appropriate supports and legal frameworks are in place to both prevent and address elder abuse, now and in the future. Without this, we are ignoring a key cohort in our community that deserve to have their rights and interests respected and protected.

We look forward to viewing the Department of Justice discussion paper on the broader reforms to the Family Violence Act, which we understand will be released towards the end of June or July 2025. We are keen to offer our input into this discussion paper on the broader reforms. While we support the priority miscellaneous reforms outlined in the amendment Bill, we reiterate that they do not go far enough in terms of maximising outcomes for older people, i.e. ensuring they are equitably safeguarded in family/caregiver relationships and improving their access to protection options within the justice system.



Brigid Wilkinson

CEO

COTA Tasmania

¹ Advocacy Tasmania Annual Report 2022-2023. See: [Annual-Report-2022-2023.pdf](#)

² Advocacy Tasmania Annual Report 2023-2024. See: [2023-24-Annual-Report-27-Sept-2024.pdf](#)

³ [National Elder Abuse Prevalence Study: Final Report | Australian Institute of Family Studies](#)