



Secretary

Department of Families, Fairness and Housing

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BAC-CO-54159

Kate Sanderson
Coroner's Registrar
Coroners Court of Victoria
By email: cpuresonses@coronerscourt.vic.gov.au

Dear Ms Sanderson

Investigation into the death of CFT (COR 2020 004205)

I refer to your email of 5 March 2025 to the Secretary of the Department of Premier and Cabinet, providing a copy of State Coroner Judge John Cain's Finding without inquest into the death of CFT and recommendations to the Victorian Government.

The department acknowledges the distressing circumstances leading up to the death of CFT, outlined in the Coroner's finding.

I provide the following responses to Recommendations 4 to 10 on behalf of the Victorian Government, as they fall within the remit of the Department of Families Fairness and Housing (the department). I note that the Office of Public Advocate will respond separately to recommendations 1 and 2 and the Department of Justice and Community Safety to recommendation 3.

Recommendation 4: That the Victorian Government implement as a priority, adult safeguarding legislation to establish adult safeguarding functions including but not limited to the assessment and investigation of, and coordination of responses to allegations of abuse, neglect, and exploitation of at-risk adults.

The Coroner's recommendation is under consideration.

The Victorian Government is committed to protecting service users from harm and neglect and to improve the safeguarding framework so that all Victorians with vulnerabilities can live in safety and with dignity. This includes through work to improve the regulation of social services, and through considering and responding to the Royal Commission into Violence, Neglect and Exploitation of People with Disability (Disability Royal Commission) and the NDIS review, as further detailed in the response below.

The Victorian Government's existing safeguarding approach includes a strengthened regulatory framework for social services, which was introduced on 1 July 2024, and the establishment of programs to raise awareness, encourage connectedness in communities and reduce social isolation.

On 1 February 2024, the Victorian Government announced its intent that the powers and functions of the Disability Services Commissioner, Victorian Disability Worker Commission

and the Disability Worker Registrations Board of Victoria will be merged into the Social Services Regulator. It also announced a proposal to establish a new complaints reporting, referral and support mechanism for social services users.

Locating these functions in one entity would simplify oversight of the disability sector and respond to the recommendation of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, to establish a one-stop shop for complaint reporting, referral and support to receive reports of violence, abuse, neglect and exploitation of people with disability.

The Disability Royal Commission made several recommendations relating to safeguarding, regulation and complaints functions. The Victorian Government is working alongside the Commonwealth Government and the other states and territories through the Disability Reform Ministerial Council to consider reform options in response to these recommendations.

Noting these commitments, as these reforms mature, the Victorian Government intends to:

- identify and assess potential regulatory gaps in the adult safeguarding framework
- consider whether existing parts of the framework could play a role in addressing these gaps and risks
- balance considerations of regulatory risk with the need for proportionate action.

The Victorian Government currently has several initiatives in place, including various programs focused on raising awareness, encouraging connectedness in communities, and reducing social isolation.

For example, eight elder abuse prevention networks deliver local action to raise awareness of elder abuse and prevent it from happening using a primary prevention approach. These networks are comprised of community groups, organisations or businesses that work with or provide services to older people.

The Victorian Government also funds:

- Ethnic Communities' Council of Victoria, to raise awareness of elder abuse in multicultural communities.
- Seniors Rights Victoria to deliver a statewide elder abuse helpline and community legal centre for older people.
- The Orange Door Network, which assesses family violence risk and child wellbeing needs, as well as connecting people to ongoing support such as elder abuse support services.

Recommendation 5: In framing legislation, the Victorian Government reviews the circumstances of CFT's passing and similar cases together with the safeguarding recommendations of the ALRC, the OPA and the DRC.

The Coroner's recommendation is under consideration.

The Victorian Government notes the Coroner's detailed Finding and recommendations and has reviewed the Australian Law Reform Commission's 2017 *Elder Abuse: A National Legal Response*, the 2022 Office of the Public Advocate's report, *Line of Sight: Refocussing Victoria's adult safeguarding laws and practices* and the 2023 *Final Report of the Royal Commission in to into Violence, Abuse, Neglect and Exploitation of People with Disability*.

The Victorian Government notes that these reports express support for specialist and nationally consistent adult safeguarding legislation and agencies with the role of safeguarding and supporting at-risk adults and make several safeguarding recommendations.

Subject to the passage of legislation, the Social Services Regulator's remit will expand to include the functions and powers of the Disability Services Commissioner, Victorian Disability Worker Commission and the Disability Worker Registration Board of Victoria, and a new complaints function. The Victorian Government will consider the above reports as part of identifying and considering any remaining regulatory gaps in the adult safeguarding framework on implementation of these reforms.

Recommendation 6: That any new adult safeguarding agencies be adequately funded by the Victorian Government to function in an effective manner.

The Coroner's recommendation is under consideration.

Any funding requirements arising from actions to increase adult safeguarding in Victoria would need to be considered as part of the annual state budget process.

Recommendation 7: That the Victorian Government, when establishing a new safeguarding agency, should ensure that the agency works cooperatively with other service providers to facilitate the timely provision of, or changes to, the support services provided to at-risk adults.

The Coroner's recommendation is under consideration.

The Victorian Government recognises that co-ordination and co-regulation by oversight bodies is critical to effective safeguarding and aims to facilitate this through the design of effective and efficient regulatory frameworks and regulatory practice.

As noted above, the Victorian Government aims to consolidate the number of regulators and oversight agencies. As a consolidated social services oversight body, the Social Services Regulator would be able to provide a consistent regulatory approach to, and oversight of, all social service providers. This will support cooperation between service providers and the Social Services Regulator to support at-risk adults accessing registered social services.

The Victorian Government funds more than 1300 organisations to deliver health and community services, including family violence and state-funded disability services. The

obligations of funded service providers are outlined in Service Agreements and in contracts between the funding department and the service provider.

Under the Agreement, funded organisations are expected to be active players in the local community services industry, including by sharing knowledge with each other, operating cooperatively and participating in sector capability building and reform initiatives.

Recommendation 8: That the Victorian Government introduce legislation to permit an adult safeguarding agency to receive and share information in a timely manner, including information about neglect, with police, healthcare entities, government departments, the Office of the Public Advocate and any other agencies involved.

The Coroner's recommendation is under consideration.

The Victorian Government recognises that information sharing provisions are essential to an effective adult safeguarding framework.

A range of regulators and oversight bodies in Victoria have broad information sharing powers to facilitate an effective regulatory approach.

For example, there are broad information sharing powers under the *Social Services Regulation Act 2021*, which enable the Social Services Regulator to disclose certain information to another relevant agency if it is reasonably satisfied that the information is reasonably required to perform a function of the relevant agency that relates to safe social services delivery or the protection of service users.

Appropriate information sharing mechanisms would also be implemented to support the complaints function in the expanded Social Services Regulator.

Recommendation 9: That the Victorian Government implement the recommendation of the Office of the Public Advocate, namely, to build the capacity of mainstream service providers to be able to identify and respond to the abuse of at-risk adults.

The Coroner's recommendation is under consideration.

The Victorian Government acknowledges the importance of building service provider capacity. The Victorian Government is currently developing the Elder Abuse Capability Development Program, which will build the capability of specialist family violence practitioners to appropriately identify and respond to elder abuse across intake, assessment and case management workforces.

It is expected the program will provide tailored learning options for family violence practitioners with Family Violence Multi-Agency Risk Assessment and Management (MARAM) responsibility. This will support participants to understand the risk factors, nature and dynamics of elder abuse, identify presentations of older people experiencing elder abuse and provide an appropriate response, and develop greater awareness of referral pathways and opportunities for cross sector collaboration.

Recommendation 10: That the Victorian Government make funding available for regular community awareness, media engagement and education campaigns about any new adult safeguarding function, as suggested by the Disability Royal Commission.

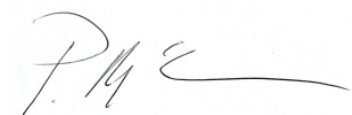
The Coroner's recommendation is under consideration.

The Victorian Government recognises that any changes to the safeguarding system would need to be accompanied by a community awareness campaign and notes that any funding requirements arising from actions to increase adult safeguarding in Victoria would need to be considered as part of the budget process.

The Victorian Government agrees with the Coroner that the community must have a clear understanding of the rights of older people and how to protect those rights. This includes knowing the signs of elder abuse and where to go for advice and support.

I trust this information assists and would like to again thank the Coroner for his comprehensive investigation into the death of CFT.

Yours sincerely



Peta McCammon

Secretary
02/06/2025

Cc:

Jeremy Moule;
Secretary, Department of Premier and
Cabinet

Kate Houghton
Secretary, Department of Justice and
Community Safety