AAWAA AFFILIATION OF AUSTRALIAN WOMEN'S ADVOCACY ALLIANCES

Report to the 81st Session of the UN General Assembly
Violence Against Older Women
Submission to the Special Rapporteur on Violence Against Women and Girls
10 April 2026

AAWAA is a peak body for an affiliation of independent feminist organisations from across Australia united in protecting and advancing the sex-based protections and rights of women and girls. We have previously communicated with the CEDAW Committee, the Commission on the Status of Women, the Human Rights Council, the UN Independent Expert on Sexual Orientation and Gender Identity, and the Commission on the Status of Women, as well as the Special Rapporteur on Violence Against Women and Girls.

Noting that CEDAW General Recommendation No. 27 recognises that discrimination against women in all areas of our lives throughout our lifespan has a severe and compounded impact on women in old age, we document Australia's failure to meet its obligations under that Recommendation across five domains: economic violence, physical and sexual violence, institutional violence, perpetrator invisibility, and legislative and policy gaps.[1]

1. OLDER WOMEN: ECONOMIC MARGINALISATION AS BOTH VIOLENCE AND VULNERABILITY

The economic conditions in which older women arrive at old age are not incidental to our experience of violence: they are both a direct product of lifelong structural disadvantage and the primary mechanism by which other forms of violence are enabled, concealed, and sustained. Women who are financially dependent, housing-insecure, or reliant on a partner or family member for care face compounded barriers to disclosure and exit that do not apply to younger women or to men of the same age.

In Australia, women retire with approximately 25% less superannuation than men, with a median gap of $51,000 at ages 60–64. Women aged 60 and over face a poverty rate of 25%, rising to over 36% by age 80, and nearly 60% of renters aged in their sixties live below the poverty line. Women aged 60–64 are significantly less likely than men to have any superannuation at all. First Nations women retire approximately six years earlier than non-First Nations Australian-born women. These figures are not aberrations: they are the cumulative product of lower lifetime wages, interrupted employment for unpaid care, and a superannuation system structured around continuous full-time employment. Women are

[1] General Recommendation No. 27 on Older Women and Protection of Their Human Rights, CEDAW Committee (2010).

three times more likely than men to carry primary caregiving demands and to retire on average 2.4 years earlier.[2]

The practical consequence is that the financial dependence, housing insecurity, and care reliance that older women disproportionately carry are precisely the conditions that make financial abuse profitable for perpetrators, that trap women in violent domestic situations, and that make the administrative failures described below land harder on women than on men.

2. FORMS AND MANIFESTATIONS OF VIOLENCE

Violence against older women in Australia takes economic, physical, sexual, psychological, and institutional forms, often in combination. Particular attention must be paid to the ways in which Australia's policy and legal architecture either fails to prevent that violence or actively produces the conditions for it.

Economic violence

Economic violence against older women operates at three levels: structural homelessness and poverty, interpersonal financial abuse, and harm inflicted by the state's own administrative failures. At each level, the sex of the typical victim and the typical perpetrator is obscured: by gender-neutral policy language, by the absence of data, and by institutional systems that do not distinguish between older men and older women in their design or their accountability frameworks.

Older women are the fastest-growing group experiencing homelessness in Australia, with a 31% increase between 2011 and 2016 according to ABS census data. Demand for homelessness services among women aged 55–74 increased by 55% in the decade to 2018, and a recent report estimates that 405,000 older women are at risk of homelessness without urgent policy reform. No state or territory has a dedicated housing strategy for older women.[3] The Australian Government's own National Plan to End Violence Against Women and Children 2022–2032 identifies older women as the fastest-growing group at risk of homelessness, yet contains no dedicated housing strategy or funding stream for this cohort.[4]

Financial abuse is among the most prevalent forms of elder abuse in Australia, with only 30% of victims seeking help or advice from anyone. In New South Wales, financial exploitation is the single most reported allegation to the Ageing and Disability Commission: 1,022 cases in 2024–25, alongside 614 cases of misuse of an Enduring Power of Attorney. Perpetrators are predominantly male: 65% of financial elder abuse is committed by men,

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[2] See Economic security in retirement: How life events affect older Australian women, Super Members Council (2025), pp. 6, 9, 18, 26; Looming crisis for older Australian women who will retire into poverty if no urgent action taken, new report finds, ABC News (2025); There's still a gender gap in retirement, Pursuit by the University of Melbourne (2025).

[3] See Older women in Australia: Housing insecurity and homelessness, OWN NSW (2020), p. 5, 12; At Risk: 405,000 older women risk homelessness without urgent policy reform, Older Tenants NSW (2025).

[4] Older women face dual risk of domestic violence, Elder Abuse Action Australia (2025), p 39.

with adult sons the single largest perpetrator group. Significantly, around 65% of all ADC reports concerning older people involve women as the subject.[5]

An Australian-specific dimension is the weaponisation of superannuation. Self-managed super funds (SMSFs) are increasingly used as instruments of coercive financial control, with women coerced into joint SMSFs whose assets are then drained or controlled by an abusive partner. Under current superannuation law, including the *Superannuation Industry (Supervision) Act 1993*, death benefits may be paid to a person who has perpetrated domestic violence because eligibility is determined by dependency status, not conduct. A current Australian Treasury consultation acknowledges this gap.[6] The superannuation sector has called for urgent legislative reform so that perpetrators cannot inherit their victims' super, and both the government and the federal Coalition have indicated support in principle for change, but no legislative reform has yet been enacted.[7]

A form of economic harm specific to AAWAA's evidence base, and largely absent from the international literature, is what we term administrative violence. A 2026 Australian National Audit Office performance audit of the age pension found that process deficiencies produced an estimated $5 billion in incorrect payments between July 2021 and June 2024, including $1.33 billion in underpayments to recipients entitled to higher amounts. The timeliness target was not met in a single quarter across the entire audit period; the maximum processing time for a single claim was 1,527 calendar days. Maximum wait times for phone calls to be answered exceeded one hour on 435 days, or 57.3% of all days in the audit period.[8]

Women constitute a clear majority of all age pension recipients. Neither the ANAO audit nor Services Australia reports sex-disaggregated data on payment accuracy, processing times, or service quality. The qualitative evidence gathered in our submission to the ANAO documents patterns of dismissal, intrusive questioning, and repeated documentation demands that women describe consistently but which cannot be measured, monitored, or remedied without sex-disaggregated data.[9]

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[5] For all elder abuse, about 39% seek help – see Elder abuse in Australia: Financial abuse, Australian Institute of Family Studies, Research Snapshot (August 2022); Dashboard Data 2024–25, NSW Ageing and Disability Commission (2024–25).

[6] See Self-managed super funds increasingly being used as a tool of financial abuse, Choice (2025); Superannuation death benefits have been going to domestic violence perpetrators; ABC News (2025); Super sector calls for urgent legal reform to stop abusers getting victims' super, ASFA (2024); Policy priorities, Women in Super; Preventing perpetrators from accessing victims' super death benefits, Treasury.

[7] Super sector calls for urgent legal reform to stop abusers getting victims' super, Super Members Council, ASFA, andWomen in Super (2024); SMC welcomes commitment to eradicate financial abuse from super, Super Members Council (2025); Preventing perpetrators from accessing victims' super death benefits, Australian Treasury consultation (2026).

[8] See Administration of the Age Pension, Auditor-General Report No. 20 of 2025–26, Australian National Audit Office (2026) main report para 8–9 and Table 2.4 Note C; One year on: Age pension audit confirms what women already knew, but we remain invisible, AAWAA (2026); ANAO reveals more than $5 billion in incorrect administration of age pension payments, PS News (2026).

[9] See Age pension audit confirms what women already knew, but we remain invisible, AAWAA (2026); Women's context is the nation's challenge in the administration of the age pension in Australia, AAWAA (2025). cf Women's economic security in retirement, Workplace Gender Equality Agency (2017), p. 4.

Physical, sexual, and psychological violence

The 2021 National Elder Abuse Prevalence Study found that one in six older Australians (15%) living in the community experienced abuse in the preceding 12 months. Women experience slightly higher rates than men (16% vs 14%) and are subject to more serious forms: 100% of spousal sexual abuse reports were made by women, and men are the predominant perpetrators of physical abuse (77%) and sexual abuse (79%).[10]

In residential aged care, the Royal Commission into Aged Care Quality and Safety heard evidence that there are approximately 50 incidents of unlawful sexual contact per week in facilities nationally. Counsel Assisting explicitly noted that this is an underestimate because assaults by residents with diagnosed cognitive or mental impairments (including dementia) were exempt from mandatory reporting under the then regulatory framework.[11] In resident-to-resident abuse, women constitute the substantial majority of targets while men are significantly overrepresented as aggressors.[12] Reports to the NSW Ageing and Disability Commission about older people increased two-fold (108%) between 2019 and 2024 and continue to rise year-on-year.[13]

For many older women, intimate partner violence in old age is the continuation of long-term abuse, a pattern documented in the Our Watch/Seniors Rights Victoria framework on preventing intimate partner violence against older women. Care dependency compounds this: women who rely on an abusive partner for care, housing, or financial management face the loss of all three upon disclosure. Domestic violence refuges are largely inaccessible to older women and specialist aged care supports are not permitted in crisis accommodation. DFSV Commissioner Micaela Cronin has acknowledged that current family violence services do not adequately meet the needs of older women. The gap between the domestic violence system and the aged care system – each treating the other as responsible – is a known and unaddressed policy failure.[14]

Institutional violence

Australia's Guidelines on the Recognition of Sex and Gender govern Commonwealth entities and, through funding and policy frameworks, effectively require all publicly funded services, including aged care, to recognise sex and gender on the basis of self-identification. The consequence for older women in residential and home care is that they have no enforceable right to refuse intimate personal care from a male-born worker – a gap documented in legal

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[10] National Elder Abuse Prevalence Study: Final report, Australian Institute of Family Studies (2021), pp. 2, 55, 72–73; National Elder Abuse Prevalence Study: Summary report, AIFS (2021); Summarising the evidence — Elder abuse, Respect Victoria (2023), pp. 2–3.

[11] Counsel Assisting explicitly flagged this as an underestimate, because assaults by residents with dementia were excluded from mandatory reporting. Aged care royal commission hears there are around 50 sexual assaults a week of residents nationally, ABC News (2020).

[12] See Aged care royal commission hears there are around 50 sexual assaults a week, ABC News (2020); Prevalence and nature of resident-to-resident abuse in residential aged care, AJA (2019), Table 2.

[13] See We're overdue to address domestic and family violence of older people, NSW Ageing and Disability Commission (2025); Feedback on the Proposed Retirement Villages Regulation 2025, NSW ADC (2025), p. 2.

[14] See Preventing intimate partner violence against older women SRV (2022); Older women face dual risk of domestic violence, Elder Abuse Action Australia (2025); Guardian article highlights the dual risk of domestic violence and homelessness for older women, EAAA, (2025).

analysis of the current framework, and one that falls most heavily on women who are survivors of sexual violence.[15]

The *Aged Care Act* (commenced 1 November 2025) contains a dignity and privacy standard (Standard 1.2.4) affirming residents' choice in receiving intimate personal care, and a diversity standard (Standard 1.1.3) affirming the right to gender expression. The Act provides no mechanism to resolve the conflict between these two standards where a female resident objects to care from a male-born worker, and contains no explicit sex-based protections or rights to female-only intimate care. The majority of residential aged care residents are women.[16]

3. PERPETRATOR INVISIBILITY

A precondition for accountability is visibility. Where the sex of perpetrators is absent from policy language, government communications, and administrative datasets, neither prevention nor prosecution can be sex-informed. In Australia, that absence is not incidental – it is produced by deliberate linguistic choices and by data systems that are either inadequate or actively corrupted.

Language

An ANROWS study of 4,516 Australian media items found that 59.8% of incident-based reporting on violence against women contained no information about the perpetrator, a pattern in which "a man killed a woman" becomes "a woman died" that has been extensively documented. It is not a pattern confined to media: the Department of the Prime Minister and Cabinet's August 2024 guidance document on gender-based violence contains no language addressed to perpetrators.[17]

Government and sector communications have also adopted formulations that obscure the sex-based pattern of perpetration: 'people who use violence' implies a symmetry between male and female perpetration that the data does not support, and 'elder abuse' names neither the sex of the typical victim nor the sex of the typical perpetrator. The Australian Human Rights Commission has noted that older women must not be overlooked in the national response to gendered violence. Researchers working in this field have been direct: using gender-neutral language in relation to domestic violence is not a progressive choice –

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[15] See Australian Government, Guidelines on the Recognition of Sex and Gender, Attorney-General's Department; How Australian law pushes vulnerable women towards hiring male carers, Quillette (2024); Public Consultation on Exposure draft - Aged Care Bill 2023, AHRC.

[16] See Strengthened Aged Care Quality Standards, Aged Care Quality and Safety Commission (2025); People using aged care, AIHW Gen (accessed 2026); Consumer dignity and choice, Aged Care Quality and Safety Commission.

[17] Media representations of violence against women and their children: Final report, ANROWS (2016); Naming the "invisible perpetrator": a big step forward for media coverage of violence against women, The Conversation (2016); Sector Speak Part 2: The history and future of the language of violence, Jane Gilmore, Substack (2025);Gender-based violence in Australia at a glance, Department of the Prime Minister and Cabinet (2024); Summarising the evidence — Elder abuse, Respect Victoria (2021); Ending gender-based violence: do not overlook older women and women with disability, Australian Human Rights Commission (2024); "Calling for gender neutral language to be used in relation to domestic violence and abuse is *not* progressive …" (LinkedIn post), Emma Katz (2025).

it is a regressive one that shrouds the gendered nature of these crimes and silences the truth about who is harming whom.[18]

For older women, perpetrator-absent language intersects with the cultural assumption that older women are post-risk for sexual violence, a barrier to disclosure documented in NSW's *Hear Our Voices* project.[19] Where neither victim nor perpetrator is visible as a subject of governance, neither detection nor accountability is possible.

Data

Sex self-identification laws enacted across multiple Australian jurisdictions since 2018 permit individuals to change the sex marker on their birth certificates and other identity documents on the basis of self-declaration, with no historic sex marker retained. ABS crime statistics show a sharp increase in the rate of 'female' offenders for sexual assault and related offences in 2020–21, from a low base, a rise that feminist researchers have linked to the reclassification of offences committed by male-born individuals who have changed their legal sex marker. The evidentiary foundation for policy on violence against women is being corrupted at the point of collection.[20]

Across the systems most directly affecting older women, sex-disaggregated data is absent or incomplete. The ANAO age pension audit contains no sex analysis of recipients or payment outcomes. The ACQSC annual complaints review is not disaggregated by the sex of the complainant or of the older person receiving care. The National Elder Abuse Prevalence Study covers only community-dwelling older people and explicitly excludes residential aged care, health settings and other institutions. There is no comprehensive, sex-disaggregated national dataset for elder abuse.[21]

CEDAW General Recommendation No. 9 on statistical data and General Recommendation No. 27 both require states to collect and use sex-disaggregated data. Australia is in breach of these obligations across the domains most relevant to older women's safety.[22]

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[18] See Ending gender-based violence: do not overlook older women and women with disability, Australian Human Rights Commission (2024); National Elder Abuse Prevalence Study: Summary report, Australian Institute of Family Studies (2021); Calling for gender neutral language to be… (LinkedIn post), Dr Emma Katz (2025).

[19] "Hear our Voices" — Supporting reporting of sexual abuse of older people, NSW Department of Communities and Justice (2026).

[20] See Recorded Crime – Offenders, Australian Bureau of Statistics (latest release); Violence against women: Accurate use of key statistics, ANROWS (updated 2025 from Insights 05/2018); CSW Communication: Patterned and specific violations of women's human rights in Australia, Affiliation of Australian Women's Advocacy Alliances et al. (2025); Critical analysis of women's rights claims made by the Australian Government in Australia's fourth UPR draft national report, feminist coalition including AAWAA (2025).

[21] See Administration of the Age Pension, Auditor-General Report No. 20 2025–26, Australian National Audit Office (2026); Complaints about aged care services – Insights for providers (July 2022 – June 2023), Aged Care Quality and Safety Commission (2023); National Elder Abuse Prevalence Study: Final report, Australian Institute of Family Studies (2021); Summarising the evidence – Elder abuse, Respect Victoria (2023).

[22] See General Recommendation No. 9 on Statistical Data Concerning the Situation of Women,CEDAW Committee, (1989); General Recommendation No. 27 on Older Women and Protection of Their Human Rights, CEDAW Committee (2010).

4. LEGISLATIVE AND POLICY GAPS

Australia's legal framework contains several significant gaps that leave older women without the protection to which they are entitled under international human rights law, including CEDAW GR27.

The new Aged Care Act Standards and the *Guidelines on the Recognition of Sex and Gender* together leave older women in publicly funded aged care with no enforceable right to refuse intimate personal care from a male worker, contrary to Australia's obligations to ensure older women's dignity, privacy, and safety.[23] No Australian law requires sex-disaggregated data collection in age pension administration, elder abuse reporting, aged care quality monitoring, or housing and homelessness services, and sex self-ID laws are actively corrupting existing datasets.[24]

The National Plan to End Violence Against Women and Children 2022–2032 does not designate older women as a distinct priority group, contains no dedicated funding stream for specialist older women's services, and does not address the gap between the domestic and family violence system and the aged care system. That gap has no legislative or comprehensive policy solution: aged care supports are not permitted in crisis accommodation, forcing some older women to remain in unsafe situations simply to receive necessary care, and as DFSV Commissioner Cronin has acknowledged, current government family violence services do not adequately meet the needs of older Australians, including older women.[25]

The Superannuation Act permits death benefits to reach perpetrators of domestic violence and contains no prohibition on the use of SMSFs as instruments of financial coercion. Reform has been called for and committed to, but not legislated.[26]

5. RECOMMENDATIONS

AAWAA calls on the Special Rapporteur to recommend that member states, with specific reference to Australia

1. Name male perpetrators in government communications and policy. Government safe messaging, policy documents, and official communications on violence against women should identify male perpetrators as the acting subject. Sex-neutral formulations – including 'people who use violence' and 'elder abuse' – should be

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[23] See Strengthened Aged Care Quality Standards, ACQSC, (2025); How Australian law pushes vulnerable women towards hiring male carers, Quillette (2024).

[24] Administration of the age pension, Auditor-General report, ANAO (2025–26); National Elder Abuse Prevalence Study: Final report, AIFS (2021); Complaints about aged care – 2023–24 in review, Aged Care Quality and Safety Commission (2024); CSW Communication: Patterned and specific violations of women's human rights in Australia, AAWAA et al. (2025); Critical analysis of women's rights claims made by the Australian Government in Australia's fourth UPR draft national report, feminist coalition including AAWAA (2025).

[25] National Plan to End Violence Against Women and Children 2022–2032, Australian Government, (2022); Older women face dual risk of domestic violence, Elder Abuse, Action Australia (2025); Guardian article highlights the dual risk of domestic violence and homelessness for older women, EAAA (2025).

[26] See Superannuation death benefits have been going to domestic violence perpetrators; ABC News (2025); Super sector calls for urgent legal reform to stop abusers getting victims' super; ASFA (2024); SMC welcomes commitment to eradicate financial abuse from super, SMC (2025).

replaced with language that reflects the evidence on perpetrator sex, and the implementation of existing media reporting guidelines should be monitored and enforced.

2. Mandate sex-disaggregated data collection. States should be required to collect, retain, and report sex-disaggregated data in age pension and social security administration, aged care quality monitoring, elder abuse reporting, and housing and homelessness services. Self-identification policies that corrupt sex-based administrative records should be prohibited, and elder abuse prevalence studies should be extended to residential and institutional settings.
3. Establish a statutory right to female-only intimate care. States should legislate an unconditional right for older women in publicly funded aged care and home care settings to receive intimate personal care from female workers. The *Aged Care Act 2025* Standards should be amended to resolve the conflict between the dignity and diversity standards in favour of sex-based protections and rights.
4. Designate older women as a priority cohort in male violence against women plans. National action plans should name older women as a distinct priority group with dedicated funding streams, specialist service pathways, and perpetrator accountability mechanisms suited to the contexts of aged care, financial dependence, and long-term intimate male partner violence – in which older women most commonly experience violence. The National Plan 2022–2032 should be amended accordingly.
5. Establish mandated coordination between domestic violence and aged care systems. Domestic violence services and aged care services should be required to develop and fund coordinated referral and response protocols for older women experiencing violence, so that no older woman falls between the two systems.

CLOSING

Across the domains examined in this submission – pension administration, elder abuse, residential aged care, homelessness, and law – Australia's failure to protect older women is produced and sustained by the same set of conditions: male perpetrators erased from the language of policy; sex-disaggregated data absent, discretionary, or corrupted; and systems that address 'older Australians' as a sex-neutral population. CEDAW General Recommendation No. 27 provides the applicable framework. The Special Rapporteur's report is an opportunity to require member states to meet obligations they have accepted but not discharged.