



26 April 2022

Dr Jim Chalmers MP  
Shadow Treasurer  
Via email: [jim.chalmers.mp@aph.gov.au](mailto:jim.chalmers.mp@aph.gov.au)

Dear Shadow Treasurer,

For decades, the private funeral insurance company 'Youpla' (also known as ACBF) has aggressively sold poor value funeral plans to First Nations peoples.

Now this company has collapsed, leaving thousands of people unable to access funeral plans they had paid for to cover the cost of grieving loved ones through Sorry Business.

Funerals and Sorry Business play a special cultural role in First Nations communities. Youpla sought to deliberately exploit communities through loopholes in financial laws and consumer protections. Successive governments and regulators have been on notice of this misconduct and the regulatory gaps that facilitated it for nearly three decades and did nothing to prevent it.

Over ten thousand First Nations People have lost access to a product they have paid for, and we must act.

**We call on the Federal Government to urgently support First Nations People who have been affected by the collapse of funeral insurer Youpla, and to ensure this can't happen again.**

**This is one of the worst financial scandals we've ever seen.** The Youpla (ACBF) funeral fund has caused direct harms to First Nations communities by:

- Misleading policyholders into believing they were dealing with an Aboriginal owned or controlled organisation, run for the benefit of First Nations People.
- Aggressively selling expensive and poor value funeral plans (including via door to door sales tactics), and actively selling policies to children and young people.

- Charging unfair premiums, including higher costs for medical conditions that are most common amongst First Nations communities and even refusing to pay claims after suicides.
- Purposefully evolving its business model to avoid regulation.

**The Financial Services Royal Commission exposed Youpla (ACBF) for systematic misleading and deceptive conduct.** In 2018, the Commission investigated the company — but this wasn't the first time the company has been taken to task. Youpla has been subject to complaints by First Nations People and consumer advocates for decades as well as regulatory action from ASIC including in the courts, but it was not enough to stop the poor practices continuing. The harm created by Youpla is squarely a result of an inadequate regulatory framework. The harm created by Youpla should never have been allowed to continue.

**People are hurting now.** More than ten thousand First Nations People have lost funeral coverage for their families, many after decades of paying premiums. As the company has gone into liquidation, these payments cannot be recovered.

Community organisations and financial counsellors have been inundated with hundreds of calls a day from people who are deeply distressed, betrayed and humiliated. People have paid for funeral cover to ensure their families can carry out Sorry Business and grieve together — not to be left with the challenges of intergenerational debt and hardship.

**Youpla shouldn't have been allowed to sell these funeral policies. Now the worst has happened, we must make this right.**

If elected, your Government has the opportunity to right this wrong and stop further harm by stepping up to support the First Nations People affected by this company's appalling failures.

Signed,

Mob Strong Debt Help  
Financial Counselling Australia  
Broome CIRCLE

Indigenous Consumer Assistance  
Consumer Action Law Centre  
CHOICE

Aboriginal Legal Service WA  
 ACT Council of Social Service (ACTCOSS)  
 Albury Wodonga Aboriginal Health Service  
 Anglicare Australia  
 Anglicare Northern Territory  
 Anglicare Victoria  
 Australian Council of Social Services  
 Australian Institute of Superannuation Trustees  
 Australian Services Union - Victorian and  
 Tasmanian Authorities and Services Branch  
 Bara Barang NSW  
 Ballarat & Grampians Community Legal Service  
 Bush Money Mob  
 Cairns Community Legal Centre  
 Caloundra Community Centre  
 Care Inc Financial Counselling Service  
 Care Goondiwindi  
 Central Australian Women's Legal Service  
 Centre for Women's Economic Safety  
 City of Cockburn Financial Counselling Service  
 Community Legal Centres Australia  
 Community Legal Centre Tasmania  
 Consumer Credit Legal Service (WA)  
 Consumers Federation of Australia  
 Cooktown District Community Centre  
 Council to Homeless Persons  
 Darwin Community Legal Service  
 Disability Advocacy Victoria  
 Djarindjin Aboriginal Corporation  
 EACH  
 Eastern Community Legal Centre  
 Elizabeth Morgan House Aboriginal Women's  
 Service  
 FamilyCare  
 Federation of Community Legal Centres Vic Inc  
 Finance Sector Union  
 Financial Counselling Network  
 Financial Counseling Victoria Inc.  
 Financial Counsellors Association of NSW  
 Financial Counsellors of Western Australia  
 Financial Rights Legal Centre  
 Fitzroy Legal Service  
 Flat Out  
 Foothills Information & Referral Service  
 Foundation for Young australians  
 Good Shepherd  
 Gosnells Community Legal Centre  
 Gurriny Yealamucka Health Service Aboriginal  
 Corporation  
 HK Training & Consultancy  
 Hobart Community Legal Service  
 Homelessness Australia  
 Hume Riverina Community Legal Service  
 Illawarra Legal Centre  
 Indigenous Peoples' Organisation-Australia  
 Industry Super Australia  
 Inner Melbourne Community Legal  
 JobWatch  
 Juno  
 Justice Connect  
 Katherine Women's Information and Legal  
 Service  
 Kempsey Neighbourhood Centre  
 Kimberley Community Legal Services  
 Kinchela Boys Home Aboriginal Corporation  
 Law and Advocacy Centre for Women  
 Madjulla Incorporated  
 Martuwarra Fitzroy River Council  
 Maurice Blackburn Lawyers  
 Melbourne City Mission  
 Mental Health Legal Centre  
 National Seniors Australia  
 National Legal Aid  
 Ngunga Group Womens Aboriginal Corporation  
 Northern Community Legal Centre  
 Northern Territory Council of Social Services  
 (NTCOSS)  
 North Queensland Combined Women's Services  
 North Queensland Women's Legal Service  
 NSW Aboriginal Land Council  
 New South Wales Council of Social Service  
 (NCOSS)  
 Peninsula Community Legal Centre  
 Picabeen Community Association  
 Port Douglas Community Service Network  
 Public Interest Advocacy Centre  
 Queensland Consumers Association  
 Redfern Legal Centre  
 Refugee Legal  
 Regional Alliance West  
 Renters And Housing Union  
 Rights Information and Advocacy Center  
 Rural West  
 Shelter Housing Action Cairns Association  
 Shoalcoast Community Legal Centre

South Australian Council of Social Service  
South Australian Financial Counsellors  
Association  
South East Community Links  
Southport Community Legal Service  
St Vincent de Paul Society National Council  
Super Consumers Australia  
Tasmanian Council of Social Service (TasCOSS)  
Tenants' Union of NSW  
Tenants Victoria  
Tender Funerals Australia  
The Nintirri Centre  
Top End Women's Legal Service  
Uniting Church in Australia, Synod of Victoria  
and Tasmania  
Uniting Vic.Tas

Uniting WA  
Victorian Aboriginal Community Controlled  
Health Organisation  
Victorian Aboriginal Legal Service  
Victorian Council of Social Service (VCOSS)  
Western Australian Council of Social Service  
(WACOSS)  
West Heidelberg Community Legal  
WEstjustice  
Women's Legal Services Australia  
Women's Legal Service NSW  
Women's Legal Service (SA)  
Women's Legal Service Victoria  
Wuchopperen Health Service Limited  
YFS  
YouthLaw