



26 April 2022

Hon Josh Frydenberg MP  
Treasurer of Australia  
Via email: [josh.frydenberg.mp@aph.gov.au](mailto:josh.frydenberg.mp@aph.gov.au)

Dear 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.**

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