Tackling elder abuse in Australia

By Caitlin Evans and Cybele Stockley

The 4th National Elder Abuse Conference, hosted by Seniors Rights Victoria on 23-24 February 2016, has built momentum for a national approach to tackling elder abuse. The Attorney General, Senator the Hon George Brandis QC, announced that there will be a national inquiry into laws and frameworks to safeguard older Australians from elder abuse. Following on from Age Discrimination Commissioner Susan Ryan's calls for national coordination last year, representatives from elder abuse organisations across Australia also agreed at the conference to form a national network to both advocate for and implement new initiatives. There was also a call for World Elder Abuse Awareness Day (WEAAD) on June 15 to go national, rather than efforts being state based.

The Inquiry

The inquiry by the Australian Law Reform Commission (ALRC) is now underway, and certainly a step in the right direction. Seniors Rights Victoria hopes it will recommend:

- improved registration and monitoring of powers of attorney.
- access to alternative dispute resolution and mediation to avoid lengthy and expensive litigation
- encouraging family meetings and documenting arrangements formally when older people consider moving in with family
- initiatives to promote financial literacy and future planning, including by the banking industry;
- addressing Centrelink issues – the Age Pension implications when transferring assets to family members, oversight of carers and nominees, assisting older people who've come to Australia on contributory parent visas.

The scope of the inquiry, however, is simply too narrow as it is confined to a legal framework. Nationally, more needs to be done to raise awareness in the community about the frequency of elder abuse, and more support programs need to be established to aid people who have experienced it. There also needs to be better

training of people who work with older people, a national helpline, and a service which can investigate abuse allegations raised by concerned others. Better data collection is also crucial – a good start would be a national survey on the mistreatment of older Australians to provide data on the prevalence, risk factors and causes of elder abuse.

Seniors Rights Victoria is also concerned that the recommendations of earlier inquiries have not been adopted. The ALRC is considering, for example, the 2007 report of a House of Representatives Committee, 'Older People and the Law' which contains recommendations that were not implemented but are still valid today. While the Government may be tempted to enact new laws, it should first consider existing recommendations and also be wary of taking an overly protectionist/paternalistic approach to older people rather than empowering them to speak and act for themselves.

The Conference

The theme of the 4th National Elder Abuse Conference was Ageism, Rights and Innovations, and ABC's Libbi Gorr was the MC . For older people, ageism is experienced in many forms, but elder abuse is arguably the most devastating. Like other forms of family violence, elder abuse is about one person having control over another. It is defined as any act which causes harm to an older person and is carried out by someone they know and trust, such as a family member or friend. The abuse may be physical, social, financial, psychological or sexual and can include mistreatment and neglect. There is a lack of prevalence studies in Australia, but the World Health Organisation estimates that up to 10 per cent of older people worldwide are affected by elder abuse. The impact on older persons physical, mental, emotional and financial health is dreadful. The impact is also carried by our broader community through the costs of service responses and the losses that emanate from the diminished engagement of victims of elder abuse with society in general.

The conference focused on the rights of older people to live life free from ageism and elder abuse. From preventive programs, to early interventions and later responses, stories were shared about the ways we can observe the rights of older people, which include identifying and meeting the wishes of older people as well as ensuring their

safety. Seniors mediation, for example, was showcased as a way of helping older people resolve family disputes without court proceedings, which most people prefer. Other speakers talked about elder abuse in regional and culturally diverse communities, the invisibility of sexual assault of older people, and innovative strategies for prevention and intervention. Elder abuse as a form of family violence was frequently discussed, as were the challenges of redress in cases of financial abuse and the importance of awareness raising and prevention in that area.

International speakers included Professor Marie Beaulieu from Quebec, who spoke about the province's plan to counter elder abuse. This includes the establishment of the world's first and only elder abuse research chair; creation of a network of regional elder abuse coordinators; a broad public awareness campaign to inform people of the nature of elder abuse; and innovative outreach programs such as police cadet door-knocking of local older populations. Dr Jacqueline Berman from New York spoke about the relationship between elder abuse and mental health, showing how routine screening for depression and anxiety increases rates of diagnosis and treatment and accordingly improves outcomes for people who have experienced elder abuse. Professor Mick Dodson from the Centre for Indigenous Studies at ANU delivered a keynote address condemning the scourge of men's violence towards women of all ages, and children, and asserting that culture or a history of oppression is no excuse.

Photos from the conference, and links to the program and various speeches may be found on www.seniorsrights.org.au. Older Victorians experiencing elder abuse can get help by calling Seniors Rights Victoria on 1300 368 821 Monday to Friday. Seniors Rights Victoria is a program of COTA Vic and is supported by the Victorian Government.