

QLD Focus

Elder Abuse Prevention Unit Newsletter

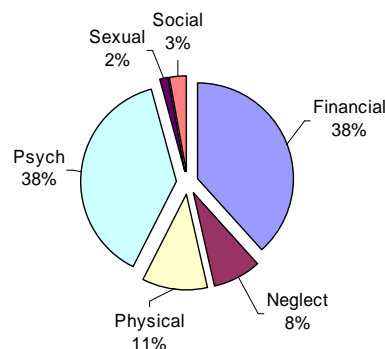
Edition 13
October 2007

EAPU 2006—2007 Annual Report Summary

This year the annual report highlights 10 years of service of the EAPU to Queensland older people and the community. There were 596 unique calls to the Helpline. Unique calls are new cases of elder abuse. Multiple calls are often generated from each unique call as part of the service offered is support for callers who are disempowered or vulnerable by connecting them with appropriate services for their specific needs and situations.

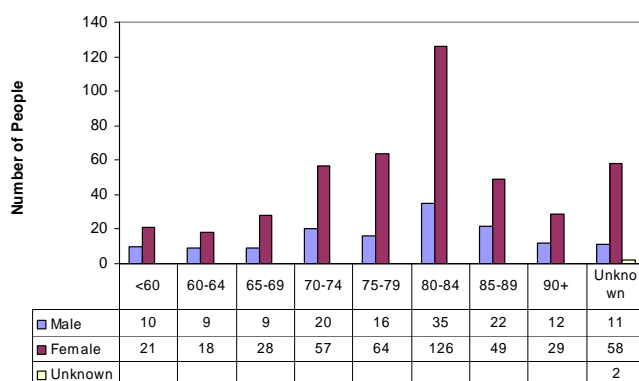
There were a total of 1039 calls made in relation to elder abuse cases. This includes initial calls and follow-up calls to source out supports and link the victim with the appropriate service/s for them.

Financial (38%) and psychological (38%) abuse were the most reported forms of primary abuse experienced by older people. Most elder abuse calls also reported forms of abuse (secondary abuse). Analysis of secondary abuse types showed that financial (N=138) and psychological (N=273) abuse were also the most reported types of secondary abuse.



Primary abuse type experienced by callers to the Helpline

A breakdown of gender indicated that older women (75.5%) are more likely to experience abuse than older men (24.16%) and that males (52.68%) are almost as likely as females (40.1%) to be the abusers.

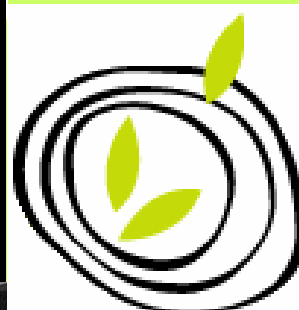


Age and gender of the abused older person.

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**ELDER ABUSE
HELPLINE**

1300 651 192

"Friendship is born at that moment when one person says to another, 'What! You too? I thought I was the only one.'" - **C.S. Lewis**



EAPU 2006-2007 ANNUAL REPORT SUMMARY (cont)

By Domnica Alexa (Project Officer)

Immediate family members (74%) were most often reported as alleged perpetrators of abuse, with sons and daughters making up over 50% of alleged perpetrators.

Relationship	Financial	Neglect	Physical	Psych	Sexual	Social	Grand Total
Son	95	7	21	58		4	185
Daughter	56	15	13	48		7	139
Partner	15	7	15	27	3	1	68
Grandchild	7	2	4	7			20
Friend	17	1	1	5	1		25
Other Relative	12	2	1	14	2		31
Worker	5	5	3	23	2	3	41
Neighbour	4		3	26			33
Other	17	7	4	21	1	1	51
Self		3					3
Grand Total	228	49	65	229	9	16	596

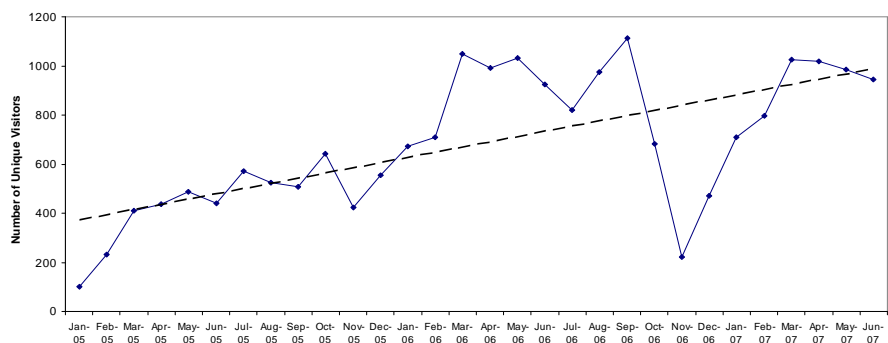
Relationship of the alleged abuser to the abused person for each primary abuse type.

Abuse was predominantly reported by the older person (26%), who was seeking support and information about addressing the abusive situation, or a worker (25%), who had either witnessed, suspected or was advised by the older person of abuse.

The EAPU also provides free training and awareness raising sessions. Training sessions are targeted at service providers, tertiary students and volunteers, while awareness sessions focus on disseminating information to older people and their families. 51 Awareness sessions were given throughout Queensland to 1115 people. 95 training sessions were held this year, 66 of which were in the South East corner of Queensland.

Promotional activities include holding or participating in forums, expos, media releases and interviews. There were 8 newspaper interviews, 2 radio interviews and 2 television segments (both with Chanel 9's Sunday Program in September and October 2006), as well as 11 senior's expos.

The EAPU website is also a very rich source of information about elder abuse, which is updated regularly. There was a 12% increase in the number of people accessing the website for information in the past year.



For a copy of the 2006-2007 EAPU Annual Report please contact the EAPU on 1300 651 192 (callers outside of Queensland please call 07 3250 1955) or visit the website: www.eapu.com.au.



From the Editor:

Domnica Alexa (domnica.alex@lccq.org.au)

As the year has gone by I have had the opportunity to reflect on some of the issues faced by older people, in particular those experiencing abuse and major trauma in their lives. It is one thing to have the literature tell you what is happening or what is meant to happen during each season in one's life and a totally different matter to be the one experiencing the trauma. Issues such as loneliness and uncertainty that have a strong impact on how one is able to cope with loss and trauma at any age, are compounded by aging issues as one progresses with in years.

This quarter we sadly bid farewell to Claudia. She is an enthusiastic advocate for the rights of older people to live free from abuse. Her energy is going to be greatly missed and her passion for older peoples' rights has been greatly valued. Thanks Claudia and good luck, no doubt we'll be seeing you somewhere around the bend.

We also welcome Rosey Marwick to the Helpline. Rosey is a wonderful, caring addition to the EAPU. Her background is as a Lifeline Telephone Counsellor for many years and is currently studying for her Masters in Counselling at QUT. Welcome aboard, Rosey!!

Pialba Hosts State Conference for Pensioners League

Media contacts: Stirling Hinchliffe 0418 983 654; Andrew McNamara 4124 1386

Hundreds of Queensland pensioners and superannuants have gathered at Pialba this week for the 59th Australian Pensioners and Superannuants' League state conference.

Stirling Hinchliffe, Parliamentary Secretary to Seniors Minister Warren Pitt, said the conference was an important event, not only for members of the Australian Pensioners and Superannuants' League but also for seniors throughout the state.

Mr Hinchliffe will officially open the conference today on Mr Pitt's behalf.

"During the next three days, the conference will discuss a range of issues, from the positive portrayal of seniors through to addressing elder abuse," Mr Hinchliffe said.

"The Queensland Government cannot and will not tolerate elder abuse in any way, shape or form.

"That is why the Department of Communities recently provided funding of \$1.9 million to pilot five new services providing free access to advice and assistance for seniors.

"The Seniors Legal and Support Services are being delivered by established community legal services as one-year pilot programs in Brisbane, Hervey Bay, Cairns, Townsville and Toowoomba."

Member for Hervey Bay Andrew McNamara, who also spoke at the conference, said the Queensland Government acknowledged that elder abuse was a serious issue and that there were other high need areas across the state.

"It's important to realise that the pilot program in five centres is just the first step in the development of a statewide response to address elder abuse," he said.

"Elder abuse and financial exploitation are issues of growing concern to all of us because they can have serious consequences for the health and wellbeing of older Queenslanders."

Seniors and their families can also seek support via the Elder Abuse Prevention Unit, which operates a confidential statewide telephone helpline on 1300 651 192.

Striking The Balance

Tim Feely

Deputy Director Client Services

Public Trustee of Queensland

Elder Abuse, especially the incidence of financial abuse, is increasingly a major focus of government, aged care providers, and professionals who operate in the area as the predicted ageing of the population becomes a reality. Concerns as to the estimated value of assets held by this population sector and the need to have assets to meet future accommodation, health and lifestyle issues, the financial management of such assets by substitute decision makers needs also to be a part of that focus.

Recent Queensland research in this area has concluded:

“Suspected financial abuse was identified in about 26%... of the Tribunal cases sampled. It was noted that financial abuse could occur inadvertently from lack of proper asset management practices as well as intentionally..... Financial abuse happened irrespective of gender, age, type of impaired capacity, marital status and location (community/care facility) of the older person with impaired capacity. Having access to the older persons’ assets, not access to the older person was of primary importance for financial abuse to occur. Close family, particularly adult children, were the predominant abusers. Formal arrangements to manage assets such as the Enduring Power of Attorney did not protect the older person from financial abuse and in fact, was the means used to perpetrate the financial abuse in some of the financial abuse cases.”

(See: Anne-Louise McCawley BA (Hons), LLB, BScWK *“Financial abuse and older people with impaired capacity: A secondary analysis of Tribunal Files”* Thesis. University of Qld, School of Social Work and Applied Sciences 2006).

The front line, in this increasing problem of elder abuse, has to be the formally appointed financial decision maker, the Attorney under an Enduring Power of Attorney or Administrator by determination of the Guardianship and Administration Tribunal.

Just as important, the community has to have some understanding of the role and responsibilities of the substituted decision maker before they take the step to put legal arrangements in place for the time when they are unable to make a financial decision.

To accept the appointment as a manager of a persons’ financial affairs, whether by Enduring Power of Attorney or the Guardianship and Administration Tribunal, means that a person has accepted the responsibility to meet certain legal, financial and personal obligations to the person on whose behalf they have accepted such appointment.

It also means that the person has been appointed to manage assets of a person, who has been deemed to have a decision making disability, for the latter’s benefit. The person has to intervene in the person’s decision making process as to the best use of those assets.

You are being held responsible to actively manage the assets to an acceptable financial standard within proper and prudent financial and legal principles, whilst being required to meet the expectations and financial needs of the person, with impaired decision making, which may conflict with such standards.

The above may be a self evident proposition but it is here that the question of balance comes in. Balance is achieved between proper financial management and the person with impaired capability’s expectations, wants and needs, and the expectations of the person’s support group, be it family, carers or professional.

The legislation recognises the concept of balance in decision making.

There is a responsibility to make any decisions in accordance with the *General Principles of Decision Making*, as set out in the *Powers of Attorney Act 1998* and the *Guardianship and Administration Act 2000*.

(continues page 5)

Striking The Balance (cont.)

The General Principles reinforce, in legislation, the pivot of any decision making is the person on whose behalf the decision is being made. It affirms that decision making must encourage self reliance, supporting participation in community life, maintain and take into account the person's existing supportive relationships, and the person has the right to be a valued member of society.

General Principle 7 – Maximum participation, minimal limitations and substituted judgement – in summary states that any decision making must be done in a way that is least restrictive of the persons' rights. What is sometimes overlooked is that the Principle also states that making a decision must also be done in such a way consistent with the person's care and protection.

If this necessity for balance is not understood or is deliberately ignored by the decision maker, it can mean that the decision maker is making decisions without regard to objective criteria but subjective to the decision maker. It follows that the spectre of financial abuse, especially inadvertent abuse, is heightened.

Inadvertent, or indirect, abuse is often overlooked in elder abuse forums. Indirect abuse can often take the form of retention of assets, such as the family home or other investments, when the person with an impaired capacity would benefit or enhance their lifestyle (a higher standard of care for example or better quality nursing home) if those assets were sold. It may also take the form of restricting expenditure on behalf of the person or combining bank accounts.

A better understanding of the standards required in decision making and an understanding of the balance between individual valorisation and protection is required.

QADA's New Legal Team for Guardianship Matters is Up and Running

By Simon Brown (Queensland Aged and Disability Advocacy)

In March, Simon Brown was appointed as QADA's new Legal Development Officer. Simon's background is a mixture of social work and law. After briefly delving into the teaching profession Simon undertook graduate studies in Social Work and Social Policy at the University of Queensland. This led to numerous appointments as a Social Worker in Central Queensland, the Royal Brisbane Hospital, Caboolture and Redcliffe Hospital.

Furthering his education Simon commenced studying for his Juris Doctor degree in 2001. Upon graduating in 2004, he briefly worked as a corporate lawyer in Brisbane. The lack of direct client contact (and the fact that he had to wear a suit each day) saw Simon move into teaching social policy, law and statutory practice at the University of Queensland. During this period Simon's research centred upon Guardianship and Administrative law.

Simon's role at QADA is to establish the new Legal Division. This will see QADA able to assist and represent clients (who may have concerns in relation to their legal capacity) through the Guardianship and Administration Tribunal process.

David Gardiner joined the team in mid October. David has had a distinguished career at the Queensland Bar and has been appointed to the dual role of Senior Advocate/Principal Lawyer for QADA.

The commencement of the new Legal Division will no doubt add to the professional reputation of QADA. Like all QADA services the Legal Division will operate on a Statewide basis.

For further information please contact Queensland Aged and Disability Advocacy on 1800 818 338.

Seniors Enquiry Line and Grandparents Queensland: Telephone Information, Referral and Support for Grandparents Raising Grandchildren

Seniors Enquiry Line is now a central telephone contact point for the provision of information to grandparents and referral to local support, counselling and other services. In October and November 2006 Seniors Enquiry Line undertook a state-wide consultation process to determine the information and referral needs of grandparents raising grandchildren. A total of 125 grandparents and service providers participated in focus groups held in Rockhampton, Cairns, Mackay, Toowoomba, Mt Isa, Townsville, Hervey Bay, Brisbane and on the Sunshine and Gold Coasts.

The grandparents who participated in the consultation process identified that their lives and those of the children they are caring for, often involve multiple challenges that can leave grandparents overwhelmed about where to go for information and support. The difficulty in accessing reliable information was frustrating and for many grandparents this increased their feelings of despair and impinged on their ability to cope. They used a range of strategies to seek information including ringing local services, looking through the phone book for an appropriate information service, contacting local members of parliament, phoning government departments and talking to their general practitioners or schools. Many expressed that they had found out information accidentally or because they had remained determined to source the services and information they needed.

Grandparent's information and referral needs were identified, documented and collated under key themes. Consultation participants identified a range of topics as pertinent to the information and referral needs of grandparents raising grandchildren. These included, finances, housing and accommodation, child development, parenting, grandparent support groups, social and leisure activities, counselling and support services, legal issues, Department of Child Safety issues, transport, respite, education, health and child care.

Specific information and referral needs were identified under each of the above headings. The detailed report 'The Information Needs of Grandparents Raising Grandchildren in Queensland 2007' can be obtained from Seniors Enquiry Line.

In response to the consultations Seniors Enquiry Line has:

- developed a Grandparents Information website which includes a state-wide searchable database of services for grandparents and children www.grandparentsqld.com.au
- collated a wide range of fact sheets, both government and non-government resources and information that can be posted to grandparents on request
- advertised Grandparents Information in the White Pages state-wide
- developed a promotional brochure for distribution to services in Queensland.
- trained staff about issues that are faced by grandparent's raising grandchildren.
- produced a quarterly newsletter for grandparents raising grandchildren which is available via the website, email and post)
- maintained a reference group of key service providers and representatives of grandparent support groups state-wide to inform Grandparents Information and the Time for Grandparents Program.

For further information, brochures or to receive the newsletter please contact Seniors Enquiry Line and Grandparents Information Monday to Friday, 9am to 5pm on 1300 135 500



Research Roundup

by Rose Marwick (EAPU)

Elder Financial Abuse: An Evaluation Framework and Supporting Evidence.

Kemp, B. & Mosqueda, L. (2005) Journal of American Geriatric Society. 53; 1123—1127.

The authors are exploring how to set up an effective reliable framework for identifying and assessing cases of financial abuse in the U.S. According to them, for every case of reported elder financial abuse, there may be four or five that are not reported, maybe more. They discuss the rapidly increasing elder populations and claim that financial abuse occurs in 33% of all reported cases of abuse.

Some of the reasons they give for the prevalence of financial abuse in the US are the increase in size of the elder population, the disproportionate amount of wealth held by the elderly, their increasing vulnerability (dementia etc) and an increase in the amount of scams that target the elderly.

Kemp and Mosqueda's aim in this article therefore is to 'present data on the reliability and validity of a framework for helping to evaluate the presence of elder financial abuse.'

They acknowledge that health professionals are often on the front line for identifying abuse but may not have the expertise on financial matters and the abuse may be difficult to identify, often cloaked in secrecy and with nothing in writing.

Their method was to scan the literature on elder abuse for any similarities in cases (they noted that in many cases there had been no formal evaluation by an expert in geriatrics), then consult with ten professionals with expertise in cases of elder financial abuse who came up with eight common elements found in such cases. The findings were moderately conclusive-the ten professionals were in broad agreement about the elements of elder abuse and the framework was considered to be valid.

Kemp and Mosqueda recommend that geriatricians become more involved in evaluating financial abuse and understanding the legal implications. Overall they felt that this study was a step in the right direction towards establishing reliable guidelines for the evaluation of financial elder abuse.

Elder Abuse at End of Life

Jayawardena, K. M. & Liao, S. (2006) Journal of Palliative Medicine, 9 (1); 127—134

The writers of this article see the need for a multi-disciplinary approach to elder abuse in the palliative care patients they see, and suggest it be coordinated by the doctor in charge.

They discuss the prevalence of elder abuse in the USA and the under-reporting, and state that a palliative care team, which of course is multi-disciplinary, is in a good position to observe the signs of abuse.

Many abused elderly people are isolated from society and their medical support team may be the only outsiders to visit.

Jayawardena and Liao recognize the typical types of elder abuse but focus on neglect and self neglect as the most commonly observed type, followed by financial abuse. They go to great lengths to account for carer stress and the potential difficulties of removing the abused older person from what may be their only support system.

They acknowledge that elder abuse is often extremely complex and difficult to handle, and that changes can't be made quickly.

The crux of this article is that multidisciplinary medical teams are ideally placed to pick up on signs of elder abuse, and, furthermore, have an ethical and legal responsibility to do so, but still need to be specifically trained.

"The power of accurate observation is frequently called cynicism by those who don't have it."

George Bernard Shaw (1856-1950)

Research Roundup (cont.)

by Rose Marwick (EAPU)

Addressing Elder Abuse: Western Australian case Study.

Boldy, D., Horner, B., Crouchley, K. & Davey, M. (2005) Australasian Journal on Aging. 24 (1); 3—7

In this article the authors are exploring the prevalence of elder abuse in Western Australia based on a questionnaire which was mailed out to over 1000 organisations and a group of 129 GP's. The response rates were variable ranging from 20.9% for the GP's to 68% for adult day centre staff with an average of only 29.7% in total.

The authors define elder abuse and acknowledge that it often goes unreported because of loyalty and fear of possible consequences. They specify two risk factors identified by the survey respondents –'the dependency of the victims upon their abusers and an inability to make decisions and voice needs, as a result of dementia, poor self image and/ or feelings of burden.' The complexity of elder abuse issues is emphasized.

Interestingly the authors detail referrals commonly made by agencies and organisations; the ACAT assessment was the most common, followed by counselling, information, advocacy and mediation. Respite care, surprisingly, was barely mentioned, although a separate study conducted among community nurses in NSW identified respite care as the single most common service deficit for family members.

The authors recommend that society still needs to understand why elder abuse occurs, and what the most cost effective interventions are. They also point out a need for more centralized protocols for dealing with elder abuse as only a small number of the organisations surveyed have any formal data on elder abuse, or written protocols.

Elder abuse and neglect: social problems revealed from 15 autopsy cases.

Akaza, K., Bubai, Y., Tsujinaka, M., Nakamura, I., Nagai, A., Tsukata, Y. & Ohya, I. (2003) Legal Medicine. 5; 7—14.

The authors state that reported cases of elder abuse in Japan are extremely rare yet they list 15 brief cases of obvious elder abuse discovered on review of autopsy reports. They discuss definitions and risk factors and state their belief that 'abuse is more strongly correlated with the financial and emotional dependence of the caregiver on the older victim.'

As in several other discussion papers the authors point to the professional care giver as being in an ideal position to enquire into and evaluate elder abuse. Because of the prevailing culture in Japan of showing respect towards elders, elder abuse is not generally considered to be an issue, but the authors believe that it is a major hidden social problem. They call for a nationwide survey into elder abuse to raise awareness and create new laws.

Older People and Credit Card Fraud

Temple, J. (2007). Trends and Issues—Australian Institute of Criminology. No. 343.

This article traces the increase in credit card fraud among the elderly as the ageing population expands.

It looks at some of the reasons why the elderly are targeted and reports that only a small amount of cases are actually reported to the police, with financial institutions not necessarily passing in information.

"Money couldn't buy you friends, but you get a better class of enemy."

- Spike Milligan

Media Overview



Adult Abuse more "Likely at Home" http://news.bbc.co.uk/2/hi/uk_new_s/wales/south_east/6902594.stm	BBC News	17 Jul 07
Guidelines released on dealing with elder abuse http://www.radionz.co.nz/news/latest/200708011730/guidelines_released_on_dealing_with_elder_abuse	Radio New Zealand News	1 Aug 07
Greypower doubts elder abuse guidelines will be effective http://www.radionz.co.nz/news/latest/200708020620/greypower_doubts_elder_abuse_guidelines_will_be_effective	Radio New Zealand	2 Aug 07
Oregon Bankers Association announces "Elder Financial Abuse Prevention Kit" http://www.oregonlive.com/news/argus/index.ssf?/base/news/118616172487390.xml&coll=6#continue	The Hillsboro Argus	3 Aug 07
Elder Abuse Center Stage http://www.lancashireeveningtelegraph.co.uk/display.var.1610093.0.elder_abuse_centre_stage.php	Lancashire Telegraph	10 Aug 07
Senator Kohl aims to fight elder abuse http://wkbt.com/Global/story.asp?S=6917024	WKBT La Crosse	10 Aug 07
Financial abuse of the elderly http://www.communitycare.co.uk/Articles/2007/08/29/105616/financial-abuse-of-the-elderly.html	Communitycare.co.uk	27 Aug 07
Age discrimination in mental health services for the elderly http://www.communitycare.co.uk/Articles/2007/08/29/105618/age-discrimination-in-mental-health-services-for-the-elderly.html	Communitycare.co.uk	29 Aug 07
Nurses fear "elder abuse error" http://news.bbc.co.uk/1/hi/health/6966713.stm	BBC News	29 Aug 07
NMC: Half of nurses reluctant to report elderly abuse in care http://www.politics.co.uk/press-releases/opinion-former-index/health/nmc-half-nurses-reluctant-report-elderly-abuse-in-care-\$477776.htm	Politics.co.uk	30 Aug 07
Look On The Bright Side Of "Later Life" http://www.spiked-online.com/index.php?/site/article/3811/	Spiked	10 Sep 07
The National Seniors Council Holds Meeting On Elder Abuse http://www.marketwire.com/mw/release.do?id=770262	Marketwire	17 Sep 07
Elder Abuse: More Common Than You Might Think http://www.healthandage.com/public/news-home/12063/Elder-Abuse-More-Common-Than-You-Might-Think.html	Health and Age	18 Sep 07
Watch For Financial Abuse of Seniors http://www.courierpostonline.com/apps/pbcs.dll/article?AID=/20070918/NEWS01/70918028/1004/living	Courier Post	18 Sep 07
Financial Training Call http://www.news.com.au/couriermail/story/0,23739,22453795-953,00.html	Courier Mail	21 Sep 07
State follows nationwide movement to stop elder abuse http://www.semissourian.com/story/1279120.html	Southeast Missourian	24 Sep 07

Upcoming Events

7th Annual Aging and Law Conference

11-13 October 2007
Doubletree Hotel, Arlington, VA, USA
Website: www.aarp.org/nltp

Prevention of Elder Abuse in CALD Communities Task-force Annual Forum

18 October 2007
Brisbane
PH: 3250 1968
Email: eapu@lccq.org.au

8th Asia/Oceania AAG Regional congress of Gerontology

22—25 October 2007
Beijing, China
Email: aog2007@sino-meetings.com or
congress2007@pintree.com
Website: www.aog2007.org

2007 Adult Protective Services Conference

6—9 November 2007
Holiday Inn, San Antonio, Texas, USA
Email: APSConference@dfps.state.tx.us
Website: http://www.dfps.state.tx.us/Adult_Protection/Adult_Protective_Services_Conference/default.asp

Queensland Community Care Conference

8-9 November 2007
Radisson Resort, Gold Coast
PH: 07 3725 5555
Email: taniaw@acqi.org.au

Diverse and Inclusive Practice:

Redrawing the Boundaries

8-9 November 2007
Novotel Brighton Beach, Brighton-Le-Sands, NSW
PH: 02 9385 2990
Email: clearinghouse@unsw.edu.au
Website: <http://www.adfvc.unsw.edu.au>

60th Annual Scientific Meeting of the Gerontological Society of America

15-19 November 2007
San Francisco, USA
Website: www.geron.org

40th Annual AAG National Conference 2007

21-23 November 2007
Hilton Adelaide, South Australia
Website: <http://www.aag.asn.au/conferences/conference2007.htm>

Skills Mix and Workforce Development

22 - 23 November 2007
Melbourne
PH: 02 4960 8576
Email: change.champions@bigpond.com
Website: www.changechampions.com.au

World Psychiatric Association

International Congress 2007

"Working Together for Mental Health"
28 November—2 December 2007
Melbourne
Email: wpa2007melbourne@meetingplanners.com.au
Website: www.wpa2007melbourne.com

National Victim Assistance Academy

9-14 December 2007
Conference Centre at the maritime Institute, Baltimore USA
Website: <http://www.geron.org/>

DATE CLAIMERS:

Carers Week	16 - 22 Oct
International Day of People with a Disability	3 Dec
International Migrants Day	18 Dec

EAPU hopes you have enjoyed the 3rd edition of "Queensland Focus" for 2007. If you wish to become an online recipient please email the EAPU to join the mailing list.

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Editors Note: Opinions expressed in this edition "Queensland Focus", do not necessarily reflect those of The Elder Abuse Prevention Unit (EAPU). Articles in this newsletter may be used with the permission of the contributing author.



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