ELDER ABUSE INFORMATION & REFERRAL PATHWAY
FOR COMMUNITY WORKERS IN QUEENSLAND

Elder Abuse Prevention Unit

INFORMATION ON ELDER ABUSE

ELDER ABUSE

Elder abuse is any act occurring within a relationship where there is an implication of trust, which results in harm to an older person.

Abuse can be **physical, sexual, financial, psychological, social and or neglect**.

(Definition by the Australian Network for the Prevention of Elder Abuse 1999).

RISK FACTORS

- Dependency
- Family conflict
- Isolation
- Physical health
- Mental health
- Impaired capacity
- Carer stress
- Addictions
- Language and cultural barriers

RIGHTS OF OLDER PEOPLE

Every adult has a right to self determination.
United Nation's Principles for Older Persons include the rights for:

- Independence
- Participation
- Care
- Self-fulfillment
- Dignity

ASSESSMENT GUIDELINES

Consider:

- Capacity
- Consent
- Type and prevalence of abuse
- Health & functional status
- Relationship to abuser
- Existing supports
- Other services involved

PRINCIPLES OF INTERVENTION

- Client safety is paramount
- Self-determination Vs Duty of care
- Culturally sensitive
- Client focused
- Holistic approach
- Consider all options including legal/police
- Confidentiality to be respected but not a barrier to action

RESPONDING TO ELDER ABUSE
NOTE: REGARDLESS OF CLIENT COMPETENCY OR CONSENT, THERE MAY BE FURTHER REQUIREMENTS UNDER THE AGED CARE ACT (SEE OVER)

EMERGENCY - LIFE THREATENING SITUATION
No Consent Required

- **Police, ambulance, hospital called as appropriate**
- **Liaise with emergency service**
- **Safety addressed / Emergency resolved**
- **Return to "Competent" or "Not Competent" Pathway as appropriate**

COMPETENT

- Is interpreter or Cultural Advisor required
- Discuss situation and options with client
- Assess risk, existing support etc.
- Document
- Request clients consent to provide further assistance

CONSENT

- Document client's consent
- Explore intervention/s and safety
- Implement intervention/s e.g.:
  - Make referrals
  - Arrange assistance
  - Advocate as required

NO CONSENT

- Document client's non consent
- Provide referral phone numbers
- Safety information provided
- Consider whether duty of care is met

FOLLOW UP AS REQUIRED

NOT COMPETENT

- Is interpreter or Cultural Advisor required
- Discuss situation and options with client
- Assess risk, existing support etc.
- Document
- Determine who can provide consent
- Include client in decisions if practical

CONSENT

- Document client's consent and or attorney's
- Explore safety and interventions
- Implement interventions e.g.:
  - Make referrals
  - Arrange assistance
  - Advocate as required
- If Attorney is abuser refer to Office of Adult Guardian or GAAT

NO CONSENT

- Document client's and or attorney's non consent
- Refer to Office of Adult Guardian or GAAT
- Consider whether duty of care is met

FOLLOW UP AS REQUIRED

FREQUENTLY USED PHONE NUMBERS - STATEWIDE SERVICES

EMERGENCY

POLICE

AMBULANCE

HOSPITAL

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Elder Abuse Prevention Unit	**1300 651 192**	*Mon to Fri 9am-5pm*
Office of the Adult Guardian	1300 653 187	
Guardianship & Administration Tribunal	1800 177 581	
Qld Aged & Disability Advocacy	1800 818 338	
Commonwealth Carelink Centre's	1800 052 222	
DVconnect Womensline (24hr)	1800 811 811	
DVconnect Mensline (24hr)	1800 600 636	
Mental Health Information Service	1800 674 200	
Lifeline Telephone Counselling (24hr)	13 11 14	
Public Trustee	1300 651 591	
Seniors Enquiry Line and Grandparent's Info Line	1300 135 500	
Dementia Helpline (24hr)	1800 100 500	
Translating and Interpreting Service (24hr)	131 450	
Aged Care Complaints Investigation Scheme	1800 550 552	

Lifeline Community Care Queensland Brisbane

Elder Abuse Prevention Unit

Funded by Queensland Government Department of Communities

IMPORTANT INFORMATION

ELDER ABUSE PREVENTION UNIT (EAPU)
First Point of Call to explore elder abuse situations.

The EAPU is a state-wide service funded by the Dept of Communities and based in the Older Person's Programs of Lifeline Brisbane, services include:

- An information, support and referral **Helpline** for those experiencing or witnessing the abuse of an older person, callers may remain anonymous.
- Free training for service providers with community based clients.
- Free information sessions for community groups
- Attendance and displays at community events, senior's expos etc
- Development, Collection and dissemination of resources and research
- A free Peer Support Network for remote and isolated workers

Contact: 1300 651 192 during business hours (cost of a local call anywhere in Qld), or 07 3250 1836 for mobile/interstate callers (normal charges apply).

Email: eapu@lccq.org.au Website: ***www.eapu.com.au***

CAPACITY

Information from the Guardianship & Administration Act 2000 (Qld)
Capacity, *for a person for a matter, means the person is capable of—*
(a) understanding the nature and effect of decisions about the matter; and
(b) freely and voluntarily making decisions about the matter; and
(c) communicating the decisions in some way.

This legislation also makes statements about the values and rights of all adults under the "General Principles" and "Health Care Principles". The first Principle states that:

"An adult is presumed to have capacity for a matter."

Further information and resources can be found in the Guardianship area on the Justice Dept Website: ***www.justice.qld.gov.au***

DUTY OF CARE

A failure to do what a reasonable person would have done in the circumstances to prevent loss or injury to another person.
The term "Duty of Care" refers to just one element in a negligence action under civil law i.e. being sued for damages caused by negligence. These elements in an elder abuse situation are:

1) Was there a duty of care owed, (a paid or voluntary service provider has a duty to act responsibly to their clients),
2) Was that duty of care breached (did the worker do something e.g. place the senior back with the abuser or provide wrong information, or fail to do something e.g. ignore an abusive situation/not provide information) and
3) Did this action or in-action cause harm to the client (could this harm have been foreseen by a reasonable person).

An information sheet on duty of care can be found in the resources area of the EAPU website: ***www.eapu.com.au***

REPORTING ABUSE UNDER THE AGED CARE ACT (1997)

The Commonwealth Aged Care Act (1997) provides the law covering Australian Government subsidised aged care.

Residential Aged Care setting - Any alleged or suspected assaults (including physical and sexual) must be reported by the aged care provider to police and the Aged Care Complaints Investigation Scheme (ACIS) within 24 hrs, regardless of any internal investigation. All other abuse situations must also be documented by the provider including the action taken. Workers (or anyone) can report directly to ACIS if they are unwilling to talk to the manager or are unhappy with the response by the provider. If in doubt call ACIS on 1800 550 552.

Community Setting - Services delivering CACPs, EACH and EACHD packages also come under the Aged Care Act and any abuse situations must be documented by the provider including the action taken. Workers (or anyone) can report directly to the ACIS if they are unwilling to talk to their manager or unhappy with their agencies' response.

There are some exclusions to reporting and other requirements and protection for notifiers but if in doubt ring ACIS. Further information can also be found at the *Office of Aged Care Quality and Compliance* section of the Dept of Health & Ageing website: ***www.health.gov.au***

USEFUL LOCAL AND OTHER SERVICES	SERVICE DETAILS, CONTACT NAMES, ETC
Aged Care Assessment Team	
Community Legal Service	
Seniors Legal and Support Service (if available)	
Community Health Centre	
Hospital (Social Work)	
Multicultural Service	
Indigenous Service	
Police (DV, Crime Prevention, Volunteers in Police)	

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