



Elder Abuse Prevention Unit

www.eapu.com.au

Queensland Focus

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WEAAD Photo Competition Winner

It is our delight to recognise the winner of the 2018 WEAAD (World Elder Abuse Awareness Day) Photo Competition. Each year in June, the EAPU runs the “**Precisely Purple Photo Competition**”. The colour purple represents support for people experiencing elder abuse and denotes wisdom, dignity, independence and creativity. The photo competition winner this year was selected with the help of **COTA Queensland** — **thankyou!** And the winner was...

Congratulations to Nick De Rozairo!



Above: Winning entry from **Nick De Rozairo** of Bamaga, North Queensland

2019 Elder Abuse Conference

The 6th National Elder Abuse conference will be hosted by QLD's own Caxton Legal Centre in partnership with ADA Australia.

So be sure to save the date:

- July 22 - 23rd, 2019.

It will be held at Brisbane's convention and exhibition centre. If you would like to register your interest email:

info@neac2019.com.au

Stay tuned for more details on keynote speakers!

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Elder abuse and legislative change: what's on the horizon?

The Guardianship and Administration and Other Legislation Bill and the Royal Commission into Aged Care Quality and Safety

The Guardianship and Administration and Other Legislation Bill

Late 2017 Queensland's Attorney-General, Yvette D'Ath, introduced the *Guardianship and Administration and Other Legislation Amendment Bill*. When the election was called, this Bill unfortunately lapsed but was subsequently reintroduced to parliament earlier this year, with its progress still pending. The media statement about its reintroduction on Feb 15, 2018 stated that the Bill intended to:

- Improve the financial remedies available to adults whose administrators, guardians or attorneys have failed to comply with their duties under guardianship legislation
- Create a new criminal offence prohibiting any reprisals against whistleblowers who disclose information in the guardianship context
- Introduce a statutory exception to ademption to stop gifts of specific property or items in wills from failing – that is, if a property is sold or disposed of before a person's death, the intended beneficiary will still benefit from the residual estate
- Allow QCAT to appoint an administrator to exercise financial decision-making powers on behalf of a missing person
- Strengthen the eligibility requirements for an attorney under an enduring power of attorney, so that they must have capacity for a matter and must not have been a paid carer for the principal (the adult) in the previous three years; and
- Clarify the capacity needed for an adult to execute an advance health directive or an enduring power of attorney

Source: media statement, "Palaszczuk Government re-commits to reform agenda"

Currently the Bill is yet to be passed into legislation. The Elder Abuse Prevention Unit will continue to follow the progress of the Bill and provide updates as they emerge. Any enquiries regarding this Bill can be directed to the office of the Honourable Yvette D'Ath. P. (07) 3719 7400 E. attorney@ministerial.qld.gov.au

Royal Commission into Aged Care Quality and Safety

Legislative change often follows from a Royal Commission and this time it is in regards to the quality and safety of aged care. In his media release announcing the royal commission, Scott Morrison PM stated that one Aged Care service had been closed per month since the publicly revealed tragedy at the Oakden nursing home, with many other aged care services currently under sanctions to improve care standards.

The Prime Minister's media statement explained that the Royal Commission should help with, "*putting in place clear requirements for better standards and providing the resources and powers to police those standards.*"

On the 9th of October Morrison announced the terms of reference, guided by more than 5000 submissions. The commissioners appointed were Honourable Justice Joseph McGrath and Ms Lynelle Briggs AO. Two deadlines were set for the Royal Commission—an interim report by Oct. 31 2019 and final report by Apr. 30 2020. If you would like to view the terms of reference you can view them on the Royal Commission website: <https://agedcare.royalcommission.gov.au/Pages/Terms-of-reference.aspx>.

While the term 'elder abuse' often refers to abuse within familial or other relationships of trust, some older people experience abuse and mistreatment from workers within the aged care system. In some circumstances the level of care provided to older people can be greatly substandard within settings that are vastly understaffed. The diminishment of the human rights of older people entering the aged care system has also remained an ongoing point of discussion. The Australian Ageing Agenda (AAA) also wrote recently that currently, 43% of aged care facilities run at a loss suggesting that financial strain is also a contributing factor to compliance failure in aged care. We would encourage all to voice their experiences and concerns.

Data Teaser: EAPU Year in Review 2017-2018

The EAPUs release of its annual Year In Review is nearing, with our resident data guru crunching the numbers for the past few months. This report outlines elder abuse data, which has been a key source for understanding patterns of elder abuse and associated risk factors. This year the EAPU has also implemented a new database system which will enable the EAPU to better capture data in line with the fields ever evolving understanding of elder abuse and its many variations.

Given that aged care has been topical in recent months, we decided that we would publish a very small sneak peek of the report, EAPU Year In Review, focusing on abuse that occurs within consumer or social relationships. Examples of social relationships include interactions with neighbours, acquaintances and strangers, whereas consumer relationships are primarily underpinned by a contractual arrangement, such as the exchanges that occur between a service provider and an older person.

The differences between abuse related to aged care services and abuse in other consumer relationships is of interest as abuse in aged care services is prima facie a consumer issue due to the contractual nature of the relationship. There has been considerable debate as to whether abuse at the hands of aged care services and their workers constitutes a “trust relationship” under the definition of elder abuse and as such, should be examined using the same lens as elder abuse that occurs in close/intimate relationships. A comparison of the patterns of abuse between abuse related to aged care services and abuse in close/intimate relationships showed striking differences and suggests that these may be two separate constructs (see figure below) with different causes and motivations. However, these results do need to be interpreted with caution due to the small sample size in the aged care services group.

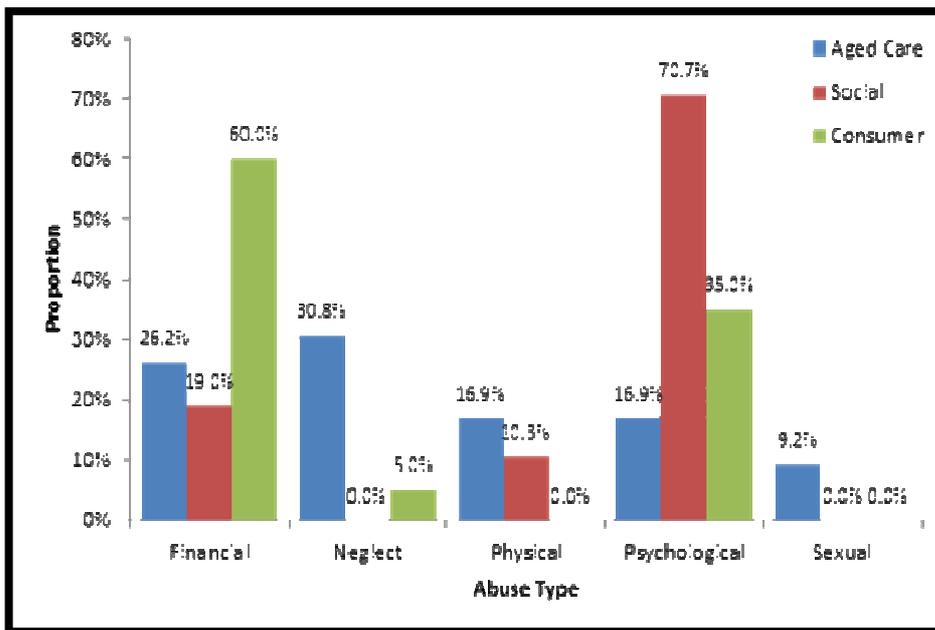


Table 41.
Primary Abuse Types in Aged Care Services (N=65) and Close/Intimate Relationships (N=2,199).

Abuse Type	Aged	Close/
Financial	17	1,107
Neglect	20	205
Physical	11	177
Psychological	11	631
Sexual	6	10
Social	0	69
Total	65	2,199

“There has been considerable debate as to whether abuse at the hands of aged care services and their workers constitutes a “trust relationship” under the definition of elder abuse and as such, should be examined using the same lens as elder abuse that occurs in close/intimate relationships. A comparison of the patterns of abuse between abuse related to aged care services and abuse in close/intimate relationships showed striking differences and suggests that these may be two separate constructs”

Elder Abuse program updates

The logo for Relationships Australia, featuring the text "Relationships Australia" in a white, cursive font on a dark blue rectangular background.

Elder Abuse Prevention & Support Service

Source: Relationships Australia

On the 1st of June 2018, Relationships Australia Queensland launched the Elder Abuse Prevention and Support Service (EAPSS) in five locations – the Gold Coast, Sunshine Coast, Mackay, Rockhampton and Gladstone.

The free service is designed for Queenslanders who are at risk of, or experiencing elder abuse, and are at least 60 years old (or 50 years old for Aboriginal and Torres Strait Islander People).

For each client, EAPSS provides case management and information, advice and referrals to improve health, well-being, social connection and safety. If needed, confidential legal advice can be provided through partnerships with Community Legal Centres.

If you, or someone you know, may be at risk of elder abuse please call 1300 063 232.

ADA Australia: Elder Abuse Advocacy Service trial extended!

Source: ADA Australia

Late last year, the Hon. Ken Wyatt MP announced \$1 million of funding to support the Older Persons Advocacy Network's (OPAN) elder abuse prevention activities. With this funding, ADA Australia established a Elder Abuse Prevention Trial Project. The trial ended in June, however ADA Australia has been pleased to announce that the valuable information, education and advocacy support provided throughout the trial will continue to be funded in 2018/19 and 2019/20 focusing on Brisbane, Ipswich, Logan, Moreton and Redlands Council areas.

ADA Australia's new Elder Abuse Advocacy Service provides information and individual advocacy support for older people living in residential care who are experiencing or at risk of elder abuse. Our advocates help people to protect their rights and be heard in cases of potential or actual elder abuse. This may include help with understanding your rights, negotiating with formal or informal decision makers and deciding on an agreed action plan to reduce a person's distress.

Eligible clients for this Elder Abuse advocacy service are adults over 65 years who are:

- residing in residential aged care; and
- experiencing or at risk of experiencing abuse from their formal (Enduring Powers of Attorney) or informal decision makers, carers or friends.

P. 1800 818 338



Elder abuse in the media

August:

[Reducing elder abuse means first stopping ageism](#) — The Mercury — 1 Aug 2018

[\\$2 million for elder abuse prevention and advocacy](#) — Community Care Review — 8 Aug 2018

[‘It’s callous’: Whistleblower accuses Perth aged care workers of elder abuse](#) — WA Today — 20 Aug 2018

September:



[Man charged with elder abuse](#) — 9 News — 5 Sep 2018

[AMA position statement targets elder abuse](#) — Community Care Review — 7 Sep 2018

[Police recruit Wollongong cabbies to keep watch for hidden elder abuse](#) — Illawarra Mercury — 11 Sep 2018

[Elder abuse: Many people committing financial abuse unintentionally, MP says](#) — ABC News — 13 Sep 2018

[Seniors advocates: Government approach to elder abuse ‘too little, too late’](#) — WA Today — 15 Sep 2018

[Australia’s elder abuse scandal ‘beyond belief’](#) — BBC News — 17 Sep 2018

[Aged care facilities fail crucial benchmark](#) — Townsville Bulletin — 17 Sep 2018

[How greedy children are cashing in on dementia](#) — The Courier Mail — 20 Sep 2018

[Time to get serious about elder abuse](#) — The West Australian — 21 Sep 2018

[Elder abuse: ‘it’s extensive, it’s significant and even worse it’s increasing’](#) — 4BC News Talk — 21 Sep 2018

October:

[‘Elder abuse won’t stop unless compensation laws are changed’](#) — Starts At 60 — 3 Oct 2018

[Require DAAs for chronic meds in aged care: Guild](#) — Australian Journal of Pharmacy — 3 Oct 2018



Research:

[Utilization of formal support services for elder abuse: do informal supports make a difference?](#) — The Gerontologist — 21 Jun 2018

[New research to help measure elder abuse](#) — Australian Institute of Family Studies — 12 Jan 2018

[Detecting and reporting domestic abuse of the elderly: mapping the practical concerns of experienced radiographers](#) — University of Cumbria — 2 Jul 2018

[Identifying forensic injuries of elder abuse](#) — Pathology — 2 Jul 2018

Conference Paper—Supporting Grandparent Carers

The Time for Grandparents Program (TFG) provides telephone support, information and referrals for QLD grandparents who are full-time caring for their grandchildren and who do not receive financial support from the Department of Child Safety, Youth and Women. As part of TFG support to grandparents, the program provides brokerage for grandchildren to participate in sporting and recreational activities and assist with paying for school camps. Grandparents and their grandchildren also attend a Grandfamily Respite Weekend. These weekends give grandparents and grandchildren the opportunity to meet other families who are in similar situations and normalise their caring role. The children have the opportunity to participate in adventure-based activities run by facilitators whilst the grandparents have access to social workers, psychologists, lawyers and a financial counsellor. The camps are provided as either mainstream or cultural camps. The cultural camps are a modified version of the mainstream camps that have been adapted to incorporate cultural practices for Aboriginal and Torres Strait Islander families. These camps are culturally safe, utilise Aboriginal workers and incorporate Aboriginal practices such as Daddiri, yarning circles and campfire stories.

Feedback from grandparents has shown that the camps provide invaluable assistance for them through access to services 'on camp', the opportunity to take a break from the caring role and meeting others facing similar issues. **Grandparents on the program report feeling more socially connected and better able to manage in their**

caring role. Grandparent carers provide an invaluable service in our society but our grandparents have identified additional needs around financial assistance to enable them to raise their grandchildren well and provide for their school and home needs. Counselling for the grandchildren has also been identified as a major concern for many children who have experienced trauma related issues.

A 2013 Senate Enquiry into Grandparents raising Grandchildren and a recent report by the Australian Institute of Family Studies (May 2018) has further highlighted these issues and the need for additional support. **Grandparents who take on the caring role are providing an invaluable service and the cost savings are enormous when compared with the cost of placing these children in out-of-home care. However, more needs to be done to ensure these grandparents are supported to enable them to continue caring for their grandchildren whereby their natural parents cannot provide safe and supportive environments children need.**

Further enquiry about the TFG program and the paper can be directed toward P. 1300 135 500 or grandparentsqld.com.au/contact-us.



Dulcie Bronsch

LINKING SENIORS AND THEIR FAMILIES TO INFORMATION



Seniors Enquiry Line is a Queensland-wide telephone information and referral service which links seniors, their families, friends and carers with information on a wide variety of services throughout Queensland.

The services covered include those relating to retirement, concessions, leisure, accommodation, health, finance, the law, computers, home help, transport and many other areas relevant to Queensland seniors.

Call Seniors Enquiry Line on **1300 135 500** for the cost of a local call, weekdays from 9.00am to 5.00pm or you can visit the website www.seniorenquiryline.com.au.

Disclaimer

Editor's note: opinions expressed in this edition of "Queensland Focus" do not necessarily reflect those of the Elder Abuse Prevention Unit (EAPU) or UnitingCare Queensland. Articles in this newsletter may be used with the permission of the contributing author. This publication is a guide only and should not substitute independent legal advice.

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