



Elder
Abuse
Prevention
Unit

www.eapu.com.au

Queensland Focus

Edition 32—November 2013

Editorial	1-2
A Charter on the Rights and Responsibilities of Older Queenslanders	2-3
Qld Crime and Misconduct Commission report	4
WEAAD Update	4-
2012-13 Helpline Statistics	5-6
Elder Abuse in the media	7
Events	8

QUICK TIPS:

- Guardians and attorneys should encourage and support a person without capacity to be involved in decision making as much as possible. The National Association of Community Legal Centres has produced a helpful guide for Queensland guardians and attorneys:

[www.naclc.org.au/resources/
NACLC_Guardianship QLD WEB.pdf](http://www.naclc.org.au/resources/NACLC_Guardianship QLD WEB.pdf)

Service funded by:



Queensland
Government

Editorial

Les Jackson, Service Coordinator EAPU

Reflecting back over the year there have been some standout issues impacting on elder abuse. In their first meeting of 2013 the members of Older People Speak Out (OPSO) decided that “Elder Abuse” was going to be one of the key issues for the year and invited EAPU’s assistance. I am aware that OPSO as a group, include a very wide range of issues under the term “Elder Abuse”, including scams; poor conditions at nursing homes; neighbourhood disputes and neighbour bullying; restricted access to grandchildren by vindictive parents; purposely excluding older parents from family events; as well as the Elder Abuse Prevention Unit’s (EAPU) area of expertise in the range of abuse that occurs specifically within a relationship of trust for older people.

Meanwhile, across Australia there is growing interest and conversations around developing elder abuse laws, which became the focus of the second Australian National Conference on Elder Abuse held in Adelaide earlier this year. Arguments were put forward for the introduction of specific laws for abuses of older people particularly by the key note speaker Paul Greenwood, Deputy District Attorney and Head of Elder Abuse Prosecution Unit, San Diego DA’s Office.

Those arguments were brought back to OPSO for inclusion in their elder abuse ‘Speakout’ shortly after the National Conference, and shadowing all this was the shocking story of the death by neglect of an 88 year old woman in Queensland which prompted the Coroner and Qld Police to call for a review of the neglect laws.

In taking all this to the EAPU reference group, the discussion and direction didn’t go where I had personally anticipated. There are influential, heavy hitters sitting around our reference group table with non-government organisations, government agencies, academics, and representatives of senior’s groups all contributing to the discussion which can at times be refreshingly candid. Indeed, on some level, if an older person needs to access a law to

Continued over page.



UnitingCare Community Values Compassion | Respect | Justice | Working Together | Leading through Learning

UnitingCare Community Services Lifeline | Child and Family Care | Counselling | Crisis Support | Disability Support | Social Inclusion

address abuse, then we (i.e. EAPU, the Reference Group members, the community) have failed in what must be considered the primary concern of preventing abuse. With valuable insight and experience the group explored areas such as the unintended consequences of laws (particularly with minorities), further disempowerment of older people when laws take away their decision making and the deterrent effects of laws. The idea of new laws didn't really get traction.

What I took away from the meeting was that although some laws need reviewing to make them work better, the main focus should be on primary prevention. Also since elder abuse has a broad-brush meaning particularly among seniors, there needs to be a wide ranging and coordinated response that will take in all areas of senior safety. The EAPU takes away from every reference group meeting the generosity of open opinion, knowledge shared, combined wisdom and ideas freely expressed which provide solid guidance and support for our practice framework and future planning in the field of elder abuse.

Linked and basically underpinning all this discussion is an initiative by OPSO to develop a Queensland Charter of Rights for older people, which clearly relates to laws that may impact on rights. The OPSO team recognized that the UN initiative for a "Convention on the Rights of Older People" was stuck in the (possibly prophetically titled) "Open Ended Working Group" at the UN and may take a very long time to come into effect. They therefore forged ahead with a Queensland Charter of Rights, undertook wide consultations and produced the document listed on this page. Make no mistake, this is a valid document, as these rights are considered inherent for all older people and the Charter only brings them out into the open - they cannot be given out by governments or any other group or individual, but they can certainly be taken away. My highest praise goes to the OPSO working group because they have not only articulated the *rights* of older people but have also included the *responsibilities* of older people.

In one final step of the process there is a call for letters/emails of support for the Charter so that it can be demonstrated that it has wide spread acceptance – note that although OPSO did the hard yards in producing it, this document is owned by all seniors and their supporters.

In closing and as the year also comes to an end, on behalf of the EAPU team, thank you for

your ongoing support to EAPU and our wishes to you all for the very best of seasons greetings, a Merry Christmas and a Happy New Year.

I would encourage everyone to read this Charter and provide support by contacting OPSO - opso.qld@gmail.com.

A Charter on the Rights and Responsibilities of Older Queenslanders (Older People Speak Out)

Document dated November 5, 2013

Independence

Older Queenslanders have the right to:

- Live their lives free of discrimination on the grounds of age, gender, sexual preference, race, ethnicity, religion, beliefs, disability, health or socio-economic condition.
- Access adequate food, water, shelter, clothing, affordable transport and health care through the provision of income, family and community support, and information to support self-help.
- The opportunity to work or to have access to other income-generating opportunities and to participate in determining when and at what pace withdrawal from the labour force takes place.
- Access appropriate educational and training programmes including low-cost, relevant training in new technologies.
- Live in environments that are sustainable, safe and adaptable to personal preferences and changing capacities.

Participation in the community

Older Queenslanders have the right to:

- Exercise choice to remain integrated in society and share their knowledge and skills with younger generations.
- Be heard, consulted and listened to by all levels of Government on any matter

Continued over page.

affecting their welfare, dignity or quality of life.

- Continue to seek and develop opportunities for service to the community, to be engaged and involved in movements or associations, and to serve as volunteers in positions appropriate to their interests and capabilities.
- Advice and support, including financial support as necessary when family breakdown requires grandparents to take responsibility for the full-time care of their grandchildren, and when grandparents are denied a meaningful relationship with their grandchildren without justification which may constitute Child Abuse and Elder Abuse under Queensland law.

Care of Older Queenslanders

Older Queenslanders have the right to:

- Access family and community care, support and protection. Community support mechanisms, including intergenerational contact, that can be adapted to suit individual needs are fundamental to preventing and/or alleviating social isolation and for maintaining the independence and health of older Queenslanders.
- Access appropriate health care to maintain or restore an optimum level of physical, mental, social and emotional well-being and to prevent or delay the onset of illness.
- Access social, legal services and advocacy to enhance autonomy, safety and care.
- To make decisions about their care and the quality of their lives.
- Appropriate levels of residential aged care providing protection, rehabilitation and social and mental stimulation in a humane and safe environment.
- Enjoy human rights and fundamental freedoms when residing in any shelter, care or treatment facility, including full respect for their needs, dignity, beliefs, and privacy.
- Access appropriate services including disability support and interpreter services as required by those with cultural and linguistic difficulties.

Dignity and Respect

Older Queenslanders have the right to:

- Live their lives without fear and develop their talents within the law
- Access the educational, cultural, spiritual and recreational resources of society.
- Live with dignity and security and free from physical, emotional and/or sexual abuse and financial exploitation.
- Be valued and respected as individuals by all members of the Queensland community.

Responsibilities

This Charter recognises that while older Queenslanders have specific rights, they also have responsibilities which balance the needs of the individual against the needs of the community as a whole.

Older Queenslanders will:

- Take responsibility for their own actions as much as their capacity and capabilities permit.
- Respect the rights and needs of others, recognising that the exercising of their individual rights does not affect others' individual rights.
- Respect the rights of all in the community to live and work in an environment free from harassment and abuse.
- Care for his or her own health and well-being, as far as he or she is capable.
- Provide information about their relevant medical history and current state of health when necessary.

For more information, provide feedback, or to express support for the Charter on the Rights and Responsibilities of Older Queenslanders please contact Tony Townsend at OPSO.

Email: opso@zipworld.com.au

Qld Crime and Misconduct Commission report on older victims of homicide

Ceallaigh Spike, Project Officer (Research) EAPU

The Queensland Crime and Misconduct Commission (CMC) recently released a Research and Issues edition on homicide of older people. The CMC looked at Australian data on homicides with victims aged 70 or over, and that occurred between 1 July 2001 and 30 June 2010. The CMC found that 22% of the 162 cases were parricide (the killing of one's parent/s), 20% were homicides committed by strangers, 19% were homicides by friends and acquaintances, 15% were intimate-partner homicide, and 10% by other family. As EAPU finds that most elder abuse is perpetrated by adult children or other family, the CMC's examination of these homicides was of particular interest to the unit.

The CMC found that sons were the most likely parricide perpetrators, accounting for 86% of offenders (31 of 36 offenders). Half the parricide offenders had an intellectual disability or mental illness and 25% had a prior criminal record. Examination of motive found that 42% of homicides were as a result of domestic argument and the CMC noted that researchers in a US study determined that arguments about living arrangements, money and property were significant contributing factors to domestic altercations resulting in parricide. The CMC also noted that

although half of the perpetrators had a mental illness or intellectual disability only two of the deaths were related to delusional motives.

Like parricide, homicide by other family members were more likely to be perpetrated by males, in the Australian data 81% of offenders were male (13 of 16 offenders). One third of offenders had a mental illness or intellectual disability, and the most common motive domestic argument, which was closely followed by drugs/money.

The CMC noted particular challenges for investigators of homicides of older people. Notably, assumptions of death by natural causes or that a death is a result of self-neglect impairs an investigator's ability to examine crime scenes, and results in incomplete medical examinations and failures to conduct autopsies. The CMC recommends training to aid the identification of possible homicide victims for medical professionals, as well as ensuring that investigators share intelligence or evidence with examiners and pathologists to ensure that forensic techniques are employed where required.

The complete report can be found here:

www.cmc.qld.gov.au/research-and-publications/publications/research/vulnerable-victims-homicide-of-older-people.pdf/view

World Elder Abuse Awareness Day update

Natasha Love, Trainer EAPU

Elder Abuse Helpline - anyone can make the call
call 1300 651 192

World Elder Abuse June
Awareness Day 15

Since the wonderful success of our WEAAD events, leading up to and including June 15, we have already started meeting, planning and raising awareness for next June's WEAAD events! Part of the awareness raising for WEAAD includes mentioning the event as an endnote to the training and awareness sessions I have been conducting. Service providers, students, older persons groups and the like have enjoyed seeing photos from the WEAAD flash mob. We have also encouraged workers and students to 'like' us on Facebook and 'follow' us on Twitter so they can plan and share their events and ideas for WEAAD with the EAPU.

In addition, I have been meeting with the wonderful Susie Webster from IRT Bracken Ridge

every 8 weeks to brainstorm, flesh out and eventually plan our next flash mob for June 15, 2014. At this stage the flash mob will include residents from IRT Bracken Ridge, Caloundra and Buderim and will involve music, dancing and umbrellas! We also have a potential special guest performance that will join the flash mob in Queen Street mall. Other suggestions that have been discussed include a 'purple' treasure hunt around Brisbane and inviting schools to participate in WEAAD.

If you have any wonderful ideas or would like to join the WEAAD focus group please feel free to contact us through the Helpline—1300 651 192.

2012– 2013 Helpline Statistics

Ceallaigh Spike, Project Officer (Research)

Overall, there were 990 abuse notifications, 1070 victims and 1117 abusers recorded by Helpline staff for the 2012-13 financial year. However, for Helpline data analysis, EAPU has adopted a research definition of 'relationship of trust' which is limited to family, close friends and informal carers. Workers, neighbours and acquaintances may commit professional misconduct, bullying or fraud, but it is not considered 'elder abuse' for research purposes. The Helpline responds to non-relationship of trust calls, and records the same level of detail, but relationship of trust and non-trust relationships are now analysed separately.

Abuse relationships disclosed to the Helpline were:

85%
Elder **15%**
Non-trust

Elder Abuse:

1027
abuse
relationships
897
victims
957
perpetrators

Non-trust Abuse:

177
abuse
relationships
167
victims
153
perpetrators

*The Elderline database under certain circumstances permits victim or perpetrator records to be created without being linked to an abuse relationship. As a result the sum of victims and perpetrators above does not exactly match the overall totals.

2012

\$ 3,864,122.00

2013

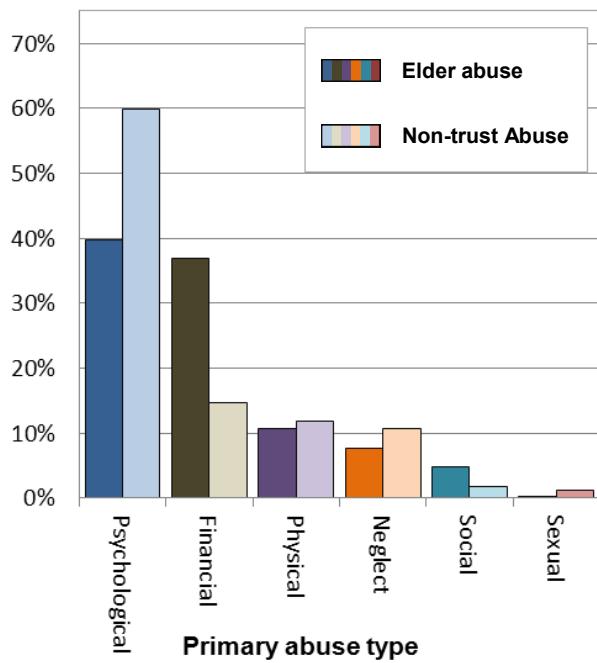
\$ 38,777,110.00

For the 2012-13 financial year, Helpline workers began recording estimate values of homes misappropriated by abusers. Where callers did not know the value of the property, the average house price for the area was recorded. Average values were derived from REIQ data. This has contributed to the large increase in the recorded loss incurred by victims.

Primary abuse type

While many older people experience multiple types of abuse in an abuse situation, the primary abuse type is the form that is most prominent for the caller. For elder abuse relationships psychological and financial abuse were roughly even as a primary abuse type, but for non-trust relationships, psychological abuse was the most common form of abuse.

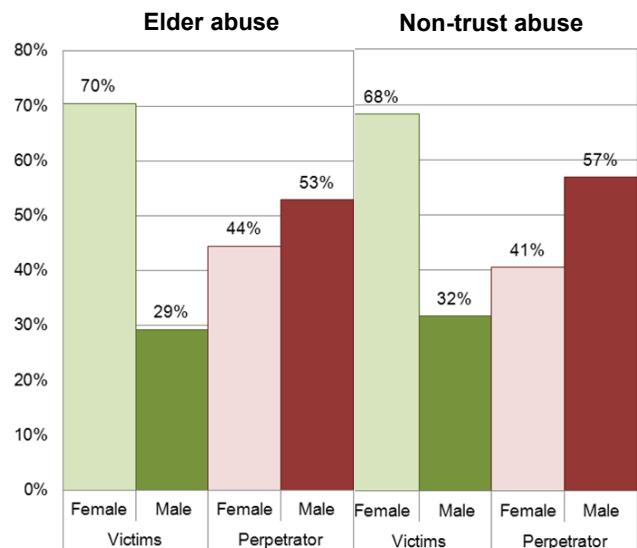
Proportion of primary abuse types for elder abuse relationships and non-trust abuse.



Gender

Gender differences between victims of elder abuse and non-trust abuse were not found. For perpetrators, non-trust abusers were slightly more likely to be male than elder abuse perpetrators.

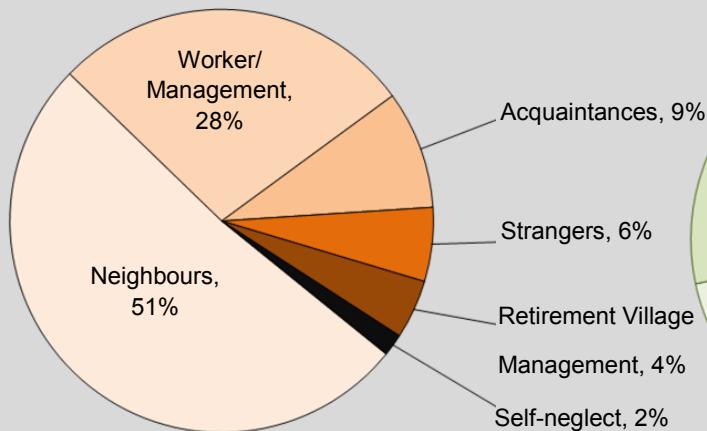
Gender differences between abuse victims and perpetrators.



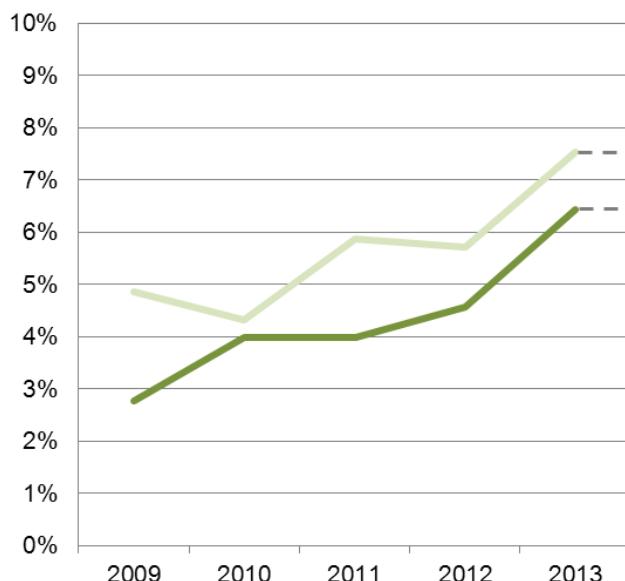
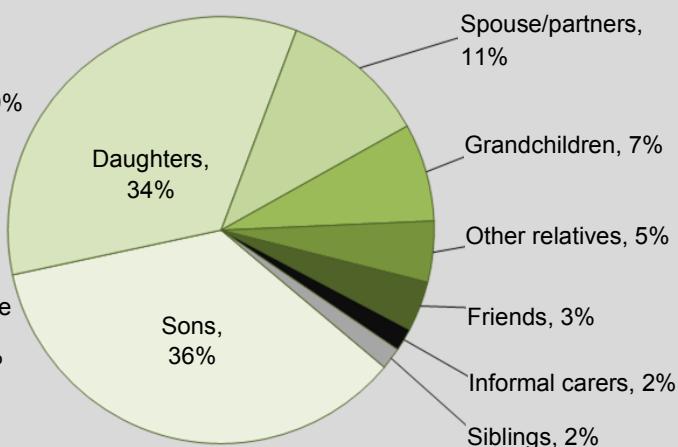
Relationship Types

For elder abuse relationships, sons and daughters were about equal as perpetrators, accounting for 70% of all elder abuse relationships combined. For non-trust relationships, half were neighbour relationships, with worker misconduct or systemic abuse accounting for a further quarter of non-trust relationships.

Non-trust abuse: relationship category between victims and perpetrators



Elder abuse: relationships category between perpetrators to victims



Proportion of all abusers/abuse relationships for the period 01/07/2008 to 30/6/2013

Abusers aged 30 or less

Abuse relationships perpetrated by grandchildren

Age

Amongst victims, the age distribution was similar for both elder abuse and non-trust abuse cases. The largest age bracket was the 80-84 years for both groups. Due to a high number (62%) of unknown ages amongst perpetrators of non-trust abuse it is not possible compare age groups for perpetrators. Generally however, although the 50-54 year age bracket is still the largest group of perpetrators, there is a trend of increasing numbers of young abusers emerging.

Five years ago abusers under the age of 30 represented 4.87% of all perpetrators, this has increased by half to 7.52% in the 2012-13 financial year. This figure is consistent for anecdotal reports from Helpline workers that there are increasing calls regarding grandchildren as perpetrators. This observation is supported by the data; 5 years ago 2.78% of all abusers were grandchildren, in 2013 this had over doubled to 6.42%.

Research Reminder:

Norma's Project - preventing the sexual assault of older women

Norma's Project is calling for older women, family members and service providers to participate in confidential interviews or an online survey about what makes older women vulnerable to sexual assault. The researchers from La Trobe University, the National Ageing Research Institute and the University of Melbourne have received over 70 interviews and surveys and hope more people will share their stories and views. You can participate by contacting Dr Catherine Barrett:

phone: (03) 9479 8702
email: c.barrett@latrobe.edu.au
website: normasproject.org.au

Elder abuse in the media



Australian Media

Fraud charge for woman accused of hiding mother's death, ABC News 25 Oct 13
<http://www.abc.net.au/news/2013-10-25/fraud-charge-for-woman-accused-of-hiding-mother27s-death/5045598>

Elderly folk accept rorts to maintain family ties, Sydney Morning Herald 20 Oct 13
<http://www.smh.com.au/national/elderly-folk-accept-rorts-to-maintain-family-ties-20131019-2vtje.html>

'Cruel' son paid drug debt with bedridden father's funeral money, The Age 24 Sept 13
<http://www.abc.net.au/news/2012-09-21/elder-strategy/4273964>

Silent crime wave targets older Australians, SBS 26 Aug 13
<http://www.sbs.com.au/news/article/2013/06/24/silent-crime-wave-targets-older-australians>

Greedy relatives ripping off retirees as Human Rights Commission issues guide on how to protect against fraud, Herald Sun 30 Jul 13
<http://www.brokernews.com.au/news/breaking-news/older-clients-and-financial-abuse-are-brokers-enabling-the-perps-176344.aspx>

Murder hearing told of scuffle but no punches before father's death, ABC News 30 Jul 13
<http://www.drphil.com/shows/show/1949>

The Queensland Law Society is calling for tough new regulations for EPAs after many cases of financial abuse, Courier Mail 14 Jul 13
<http://www.couriermail.com.au/news/queensland/the-queensland-law-society-is-calling-for-tough-new-regulations-for-epas-after-many-cases-of-financial-abuse/story-fnihsrf2-1226678858666>

Enduring Power of Attorney being used to steal life savings of vulnerable Queenslanders, Courier Mail 4 Jul 13
<http://www.couriermail.com.au/news/queensland/enduring-power-of-attorney-being-used-to-steal-life-savings-of-vulnerable-queenslanders/story-fnihsrf2-1226673768366>

Be aware of elder abuse, DPS News 21 Jun 13
<http://www.agedcareguide.com.au/news.asp?newsid=8471>

Older clients and financial abuse: Are brokers enabling the perps?, Australian Broker Online 17 Jun 13
<http://www.brokernews.com.au/news/breaking-news/older-clients-and-financial-abuse-are-brokers-enabling-the-perps-176344.aspx>

Elder abuse a growing form of family violence in Qld homes, Sunshine Coast Daily 15 Jun 13
<http://www.sunshinecoastdaily.com.au/news/elder-abuse-growing-form-family-violence/1907963/>

The mistreatment of older people: is it time to legislate against abuse?, The Conversation 7 Jun 13
<http://theconversation.com/the-mistreatment-of-older-people-is-it-time-to-legislate-against-abuse-14922>

Elder abuse statistics worry Minister, ABC News 5 Jun 13
<http://www.abc.net.au/news/2013-06-05/elder-abuse-statistics-worry-minister/4735800>

Warning to elderly on financial abuse, Brisbane Times 5 Jun 13
<http://www.brisbanetimes.com.au/victoria/warning-to-elderly-on-financial-abuse-20130831-2sxps.html>

International Media

Cynthia Thoresen, Australian Woman Neglected By Daughter, Left With Untreated Broken Leg For Weeks, Huffington Post 20 Oct 13

Walk a mile in her shoes



We want you!

Join the Brisbane Domestic Violence Service in raising awareness on White Ribbon Day. EAPU will be there!

The Walking in Her Shoes event is a playful opportunity for men to raise attention to the serious cases and effects of domestic and family violence within Brisbane. There is an old saying “you can’t really understand another persons experience until you’ve walked in their shoes.” The walking in her shoes event asks men to literally undertake an obstacle course in women’s shoes. This is no easy task, however it does promise to be a lot of fun and importantly to get the community talking about domestic and family violence.

This event coincides with White Ribbon Day the world’s largest male-led movement to end men’s violence against women. With at least one woman killed every week in Australia by their former or current partners, raising awareness of domestic and family violence is vital. This event aims to foster and encourage male leadership in the prevention of violence against women, based on the understanding that most men are not violent.

Entry to this event is free; where possible we ask that participants provide their own shoes. Participants will be asked to enter as teams of four to complete a small obstacle course. Winners will be judged on not only the time it takes to complete the course but the ability to do so with grace and ease. The winners of the competition will receive a fun prize.

Men will also be encouraged to take the White Ribbon Day oath promising to assist in ending domestic and family violence.

More information and Registration forms for the event will be available in early November. Check the Brisbane Domestic Violence Service’s website www.bdvs.org.au closer to the date for details or contact us on bdvs@micahprojects.org.au and we will email you with information as it becomes available.

**Reddacliffe Place – Brisbane CBD
Monday 25th November 2013
11.00am**

Disclaimer:

Editor's 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. This publication is a guide only and should not substitute independent legal advice.

For more information please contact:

Elder Abuse Prevention Unit
PO Box 2376
CHERMSIDE CENTRAL QLD 4032
Phone: (07) 3867 2525
HELPLINE: 1300 651 192
Email: eapu@uccommunity.org.au
www.eapu.com.au



© Elder Abuse Prevention Unit 2012