



Queensland Focus

Edition 45—Christmas Special



UnitingCare Elder Abuse Prevention Unit Holiday Hours of Operation:

- 23 December 2016
Open 9am to 12 noon
- 24 December 2016 until 2 January 2016— Closed
- 3 January 2016—
Reopen 9am to 5pm

Christmas Funnies

Why did the turkey join the band?

Because it had the drumsticks!

Why did Santa's helper see the doctor?

Because he had a low "elf" esteem!

How does Good King Wenceslas like his pizzas?

One that's deep pan, crisp and even!

Service funded by:



Giftgiving—what's the catch?

Elder Abuse Prevention Unit

'Tis the season to be generous. This time of year seems like a perfect opportunity to raise the age old issue of giftgiving. Now, we all love giving and receiving gifts. There is a buzz and anticipation that we experience as we open gifts. There is effort that goes into thinking about the person who will receive each gift. We try to make the gift meaningful and sometimes we even give money or the family home.

Now all this is well and good but Centrelink also has giftgiving rules which are important to note and abide by when giftgiving. The consequences of not keeping within these boundaries can impact on your financial stability.

Centrelink define giftgiving as:

Giftgiving is when you or your partner give away assets or transfer them for less than their market value.

There are a number of issues that impact on giftgiving and how it is assessed which can have an impact on a pension.

1. Consider the amount of money you are giftgiving: giving large amounts the limits are \$10 000 per year and \$30 000 over five years. This is termed the "Allowable giftgiving amount".
2. Deprived income can mean one of two things—either the older person has decided not to accept an increase in their income or they may choose to give away income. This will in fact effect their pension and will have "an indefinite impact" on the amount they are eligible to receive.
3. Giftgiving property is one way to avoid being stung by the "Granny Flat Rules". To do this the older person needs to establish that they have a life interest in property. The murky part comes with defining what each party means by "life interest" and how changes in circumstances (such as the sale of that property) will effect the older person's income.

Make sure you get independent legal advice as this professional will have a duty of care to give you (the gift giver) advice that is pertinent to your situation.

For more information on giftgiving rules contact Centrelink or visit their website: <https://www.humanservices.gov.au/customer/enablers/gifting>

Stay safe and hope you all enjoy this season of kindness and generosity.

Elder Abuse—Discussion Paper Released

Australian Law Reform Commission

The Australian Law Reform Commission (ALRC) today released a Discussion Paper for its Elder Abuse Inquiry, [Elder Abuse \(DP 83\)](#), and is calling for comments and feedback on its law reform proposals.

Elder abuse usually refers to the abuse or neglect of older people by family, friends and carers. Psychological and financial abuse are common types of elder abuse. Psychological abuse includes name calling, bullying and harassment. Financial abuse includes such things as taking an older person's money or belongings, forcing them to sell their home or hand over assets, moving into their home without permission, and incurring bills which the older person is left to pay. Physical assault and neglect are among other disturbing types of elder abuse.

This is the second consultation document for this Inquiry, in which the ALRC has been asked to consider existing Commonwealth laws and frameworks which seek to safeguard and protect older persons from misuse or abuse by formal and informal carers, supporters, representatives and others, and to examine the interaction and relationship of these laws with state and territory laws.

The Discussion Paper includes 43 proposals for law reform. Key proposals have been made concerning powers of investigation for public advocates and public guardians, enduring powers of attorney and enduring guardianship; family agreements, banking, aged care and social security, including:

- An online national register for enduring documents, and tighter witnessing and reporting requirements
- Expanding the role of public advocates and public guardians in responding to elder abuse
- Requiring banks to take reasonable steps to prevent financial abuse
- Allowing tribunals to hear disputes within families about assets-for-care arrangements—providing a low cost and less formal forum for dispute resolution
- For aged care, strengthening the compulsory reporting scheme by providing for independent oversight of complaints of abuse, enhancing employment screening processes, and the introduction of an official visitors scheme
- Support for a national plan with strategies to combat elder abuse beyond legal reforms

ALRC President Professor Rosalind Croucher AM, Commissioner-in-charge of the inquiry, said, “In developing the proposals in this Discussion Paper we have worked to balance the autonomy of older people with providing appropriate protections, respecting the choices that older persons make, but also safeguarding them from abuse. Consultation is at the heart of our processes, and we now call on the community to provide feedback, to build on the evidence base so far established and test these proposals ahead of the Final Report.”

The ALRC invites submissions in response to this Discussion Paper, which is available free of charge on the ALRC website—in html, PDF and as an ebook—at <https://www.alrc.gov.au/publications/elder-abuse-dp83>. Submissions are due to the ALRC by **27 February 2016**.

The ALRC final report will be presented to the Attorney-General in May 2017.

Aged and Disability Advocacy Conference

'Human Rights & Social Justice – Shifting Client Control'

23-24 March 2017

Crowne Plaza, Surfers Paradise Gold Coast

The aged care, disability and guardianship sectors are undergoing significant reform with the promise of increased client choice and control.

With a world-class program of aged care, disability and guardianship leaders, we will challenge, inspire and motivate delegates to consider their role in increasing human rights and social justice through the empowerment of a client cohort who have been historically disempowered.

Confirmed speakers include:

- The Honourable Michael Kirby AC CMG
- Mr Alastair McEwin, Disability Discrimination Commissioner, Australian Human Rights Commission
- Professor Rosalind Croucher AM, President, Australian Law Reform Commission
- Ms Rae Lamb, Aged Care Complaints Commissioner

From : <https://adaaustralia.com.au/events/ada-australia-national-conference/>

Seniors Legal and Support Service (Brisbane) - Christmas Holiday Hours

Closed: 24 December 2016 to 2 January 2017

Reopens: 3 January 2017

Sticky Date Individual Puddings

Ingredients

350g Pitted Dates chopped
2 teaspoons Bi-Carb Soda
200g Brown Sugar
460g Plain Flour
Few Drops Vanilla Essence
600ml Boiling Water
3 teaspoons Baking Powder
120g Butter
300g Chopped Chocolate
2 eggs



Method

Combine Dates, water & Bi-Carb
Cream Butter, Sugar & Vanilla Essence
While mixing add dates to butter
Add eggs
Sift in Flour and Baking Powder
Fold in Chocolate

I use Patty Cake / Muffins Casings to make individual serves. Cook at 180C for 20 mins then 160C for 20mins

Butterscotch Sauce to Serve

240g Butter
430g Brown Sugar
450ml Cream

Melt butter and sugar in heavy base pot
Add cream
Bring to the boil until thickens (Do not leave unattended)

This a great Christmas Dessert. It can be made days ahead, just heat and serve! Serve with the Butterscotch Sauce and Ice Cream or Custard. Enjoy and Merry Christmas.

Recipe by Shele Mutti from Flourish Fresh Food
<https://www.facebook.com/flourishfreshfood/>

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.

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