



Queensland Focus

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ROCK THE BOAT



A Human Rights Act for Queensland

There were a lot of big headlines that emerged in late February, so the fact that Queensland made the historic step of passing its Human Rights Bill might have flown under your radar. Behind the scenes, Community Legal Centres QLD have [hosted training](#) aimed at front-line workers focusing on how the new laws can be used as an advocacy tool for clients and communities.

What is currently known as the Anti-discrimination Commission Queensland (ADCQ) will transform into the “Human Rights Commission”. The new Human Rights Commission will take relevant complaints, which will allow complainants to seek mediation or remedy. The Act in its current form does not allow for criminal proceedings or for a person to sue for compensation (though people may still do so under current existing laws). The bill that was passed has provisions to protect 23 human rights, such as freedom of expression and the right to privacy. Others include the protection from torture and degrading treatment and freedom from forced work.

In 2018 ADCQ stated that “Queensland desperately needs the cultural reform that would come from a Human Rights Act”. A better awareness and culture around human rights is an often claimed benefit of the Human Rights Acts previously created in the ACT and Victoria. One such facilitator of this in QLD, will be that the new Act will allow a Supreme court judge to issue a ‘Declaration of Incompatibility’ to Parliament. This is essentially a mechanism to advise Parliament when a new law may cause a breach of a particular human right(s). Although a judge can not prevent that law from being enacted, it will mean that Parliament may need to consider human rights within its processes.

The EAPU welcomes the new Act for QLD. If you would like to read more about the features and key benefits of having a Human Rights Act, there is a wonderful discussion paper, authored by “[Human Rights Act For Queensland](#)”, which can be found [here](#)!

The 2019 National Elder Abuse Conference

22nd & 23rd July

ROCK THE BOAT

If you haven't yet registered for the 2019 [National Elder Abuse Conference](#), you'll need to do so before the 29th of March in order to secure the early-bird pricing. The program has just been released and can be found [here](#)!

The conference will bring together keynote speakers from across the nation and the world. Here is the lowdown.

Day 1

Day 1 of the conference has a strong focus on **human rights**, which comes at an exciting time as QLD has very recently passed its Human Rights Bill on Feb 27. After the opening ceremonies, ABC's Virginia Trioli will host a 'fireside chat' with international speaker Bethany Brown on the topic of human rights and host a panel discussion about human rights in aged care and dementia services. This is followed by a number of concurrent sessions exploring the theme of, 'human rights and human diversity — facing the challenges'. The afternoon will focus on the role of media in exposing elder abuse and include a session entitled 'artists in residence'. No doubt these sessions will explore the complexities of providing elder abuse interventions amongst competing human rights and ethical considerations, safety issues and existing legal and service frameworks.

Day 2

Day 2 will gather speakers around the topics of elder law, justice & legal/ informal safeguards. It will open with a personal story to help guide the day's discussion before International speaker Paul Greenwood steps up to speak about his experiences as a district attorney for elder abuse cases in San Diego. Concurrent sessions will explore the theme of "hope for safeguarding action in Australia's diverse landscape". As late afternoon approaches and the conference nears its end, a panel session will debate the "ins-and-outs" of a contemporary and collaborative response to elder abuse. The last session is yet to be confirmed — so we'll have to stay tuned for the final details!

Can't make it?

For those interstate, in regional areas or simply stuck in the office, you may still be able to help "Rock the Boat". At this stage conference planning is still underway but keep an eye on the website for conference content that may become available.

This event is hosted by [ADA Australia](#) and [Caxton Legal Centre](#).

It is supported by the Australian and Queensland Governments.

If you had any general enquiries, they can be directed toward:

- e: info@neac2019.com.au
- p: 1300 878 815.

Register here: <https://nectarcc.eventsair.com/neac2019/delegate/Site/Register>

Subscribe to updates here: <https://neac2019.com.au/>

Program: <https://nectarcc.eventsair.com/QuickEventWebsitePortal/neac2019/program/Agenda>

Elder Abuse special edition of the British Journal of Social Work

Taking a peek at social work research

Recently, one of the most respected social work journals — The British Journal of Social Work — published a special edition on the topic of elder abuse. Social work certainly is not the only profession that engages with elder abuse, but is very much positioned to add to the elder abuse knowledge base — particularly in regards to direct work/ practice with older people. Social workers in QLD work alongside lawyers within the QLD's Seniors Legal and Support Services, and engage with seniors throughout the Queensland's Health and Hospital systems, domestic and family violence services and can even be included within a Home Care Package. Let's take a peek at what has been added to the elder abuse research base.

Volume 48, Issue 4 of the Journal contains 13 articles, an editorial and a number of book reviews. A full list of the articles can be found [here](#). I will attempt to tease out just a couple of them here.

Intersectional stigma and late-life intimate-partner and sexual violence: how social workers can bolster safety and healing for older survivors

A lot of big words and hyphenations there, but essentially this article explores the compounding impacts of combined age and gender bias. It looks at this in terms of current social attitudes, as well as material and policy-driven barriers that increase the vulnerability of older women and can act as barriers to support. After exploring the socio-economic landscape in which older women (who have experienced intimate-partner violence and/or

sexual violence) seek help, the article ultimately culminates in describing the implications this has for direct practice. It lists a number ways in which front-line workers may be able to 'increase the efficacy' of services for older people. This article was selected as the editor's choice and is worth a read!

Alleged financial abuse of those under an enduring power of attorney: An exploratory study

This article addresses a gap in research that exists, in regards to financial abuse where a person abuses their position of trust under a valid Enduring Power of Attorney (EPA). Whether it be in the media, a conference presentation or a team discussion, people love to explore case studies. This study takes case file notes of 100 older people who sought help during/ after being a victim of financial abuse in such a case — even more relevant — it was an Australian based study.

It is an exploratory study that gives light to the nature of the complexities that exist for vulnerable elders and stakeholders such as family, professionals and service providers. It looks at issues relating to victim access to justice, victim challenges to reporting abuse and resolution/ remedy of such financial abuse. In it's discussion, the article considers best-practice principles in managing relevant cases.



Quick Tips:

- Some articles in the journal are free to access, for example, the first article listed here as well as the editorial.
- Some articles can be accessed for free by searching for them in "Google Scholar". Look on the right of your search for a pdf link.

Taking a peek at social work research...

Gaining access to possibly abused or neglected adults in England: practice perspectives from social workers and service-user representatives

If you've read some elder abuse case studies, or encountered a few of your own, it is very likely the following scenario will be familiar: You are alerted to potential concerns of abuse/ neglect of an older person living at home, but a third party blocks family members and/or services from having access to/ engaging with the older person.

This UK based article reports on interviews with social workers and service-user representatives on the wide range of current practices used in dealing with such cases. These include both 'soft' and more legal approaches, as well as what may need to be considered in terms of developing guidelines for appropriate multi-agency responses.

Domestic abuse and elder abuse in Wales: a tale of two initiatives

It was not too long ago that the Australian Law Reform Commission initiated a review into 'Protecting the Rights of Older Australians from Abuse'. Reforming legal frameworks related to elder abuse is a recurrent theme in the field and learning from international experiences in the area is of key importance.

This article specifically, looks into how two key legislative changes in Wales have performed over time. The two Acts referred to are the Social

Services and Well-being (Wales) Act 2014 and the Violence against Women, Domestic Abuse and Sexual violence (Wales) Act 2015. It evaluates the legislative changes in terms of their ability to promote collaborative and integrated responses among agencies responding to elder abuse.

Family group conferences: an opportunity to re-frame responses to the abuse of older people?

Services offering 'family meetings' or mediation have been a useful alternative for older people and their families seeking an elder abuse response. Various services in Queensland have trialled these models and/or continue to offer this type of response. Family group conferences may represent another variation that focusses on coordinating family support and action.

The article explores the concept of adult-safeguarding through the model of 'family group conferences'. More info regarding the UK's Care Act 2014 and safeguarding adults can be found [here](#). Family Group Conferences have been used in other family settings in the UK and transposing this model to adult safeguarding will require some adjusting to fit into a new setting. This article analyses expert opinions on its effective implementation in the safeguarding adult space.

A full list of articles can be found through the following link:

<https://academic.oup.com/bjsw/issue/48/4>

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. 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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Elder abuse in the media



December:

[NSW Government introduces ageing and disability commissioner to 'stamp out' abuse](#): ABC NEWS (15 Dec 2018)

[How enduring power of attorney documents enable children to rip off the elderly](#): ABC NEWS (16 Dec 2018)

January:

[CGT granny flat crackdown planned in bid to prevent evasion and elder abuse](#): Financial Review (4 Jan 2019)

[Aged care home resident strapped to chair for total of 14 hours in one day](#): ABC NEWS (15 Jan 2019)

February:

[Banks are enabling economic abuse: here's how they could be stopping it](#): The Conversation (1 Feb 2019)

[OPINION: Older Australians let down by the big banks](#): The Advocate (8 Feb 2019)

[Morrison promises \\$78 million for combating domestic violence](#): The Conversation (11 Feb 2019)

[The Royal Commission into Aged Care Quality and Safety explained](#): ABC NEWS (11 Feb 2019)

[Elder abuse conference aims to drive real change](#): The Senior (14 Feb 2019)

[Queensland Parliament passes updated human rights provisions into law](#): The New Daily (27 Feb 2019)

Research:

From Journals:

- [Elder abuse identification and intervention](#): Handbook on the Neuropsychology of Ageing and Dementia
- [Examining the role of substance abuse in elder mistreatment: results from mistreatment investigations](#): Journal of Interpersonal Violence
- [Violence prevalence and prevention status in China](#): Injury Prevention
- [Developing a comprehensive understanding of elder abuse prevention in immigrant communities: a comparative mixed methods study protocol](#): BMJ Open
- [European council of legal medicine \(ECLM\) guidelines for the examination of suspected elder abuse](#): International Journal of Legal Medicine



The British Journal of Social Work — Special Edition

Elder Abuse and Social Work: Research, Theory and Practice

- Weblink: <https://academic.oup.com/bjsw/issue/48/4>

A 'taste' of media surrounding the Royal Commission in Aged Care Quality & Safety:

Although the term 'elder abuse' commonly refers to abuse within familial relationships, some older people experience abuse, neglect, and/ or mistreatment within the aged care system. The diminishment of the human rights of older people entering the aged care system has remained an ongoing discussion. Here is a 'taste' of the news emerging from the Royal Commission:

[Aged care inquiry told up to 80% of dementia prescribed psychotropic drugs](#): The Guardian (13 Feb 2019)

[Aged care royal commission assault numbers revealed](#): ABC NEWS (18 Feb 2019)

[Aged care royal commission: some would 'rather die' than enter care](#): SBS NEWS (20 Feb 2019)

[What we have heard at the Royal Commission into Aged Care Quality and Safety so far?](#) ABC NEWS (22 Feb 2019)

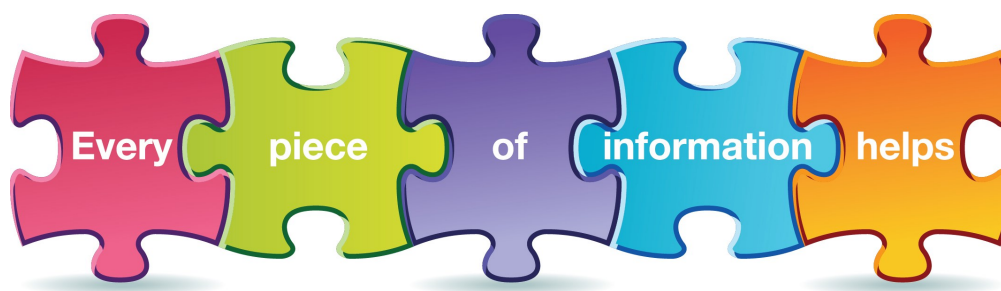
[Aged care royal commission: what have we learned so far?](#) SBS NEWS (23 Feb 2019)

[A statesman uses his last words to address aged care royal commission](#): The Age (23 Feb 2019)

[We must resist the temptation to over-regulate aged care](#): The Financial Review (25 Feb 2019)

Domestic and Family Violence Disability and Elder Abuse Trial

Do You Have the Missing Piece?



South East Region Department of Communities, Disability Services and Seniors and the Queensland Police Service **Gold Coast Police District** are collaborating on a Domestic and Family Violence Disability and Elder Abuse Trial (DEAT). The aim of this trial is to raise community awareness and reporting of domestic and family violence and abuse against people with disability and or older people **by:**

- Building a greater understanding of the current prevalence of DFV involving people with disabilities and older people
- Promoting and increasing awareness of and referral/information pathways
- Facilitating relationships
- Providing information and or access to services for people with disability and or older people

Our intention is to work towards having increased and greater informed vision on environments of violence and harm impacting very vulnerable people in our community.

*Domestic and family violence happens when one person in a relationship uses abuse or violence to maintain power and control over the other person. **The abuse is not always physical, it can be emotional, sexual, financial, social, spiritual, verbal, and psychological or technology based.** Although it commonly occurs as part of intimate partner relationships, domestic and family violence can also involve parents, siblings, extended family members and informal carers.*

Your assistance will help to mobilise the bystander potential of people, agencies and groups across the disability and elder abuse sectors. You are ideally placed to do something to help and can be a part of the solution.

If you see something report it to either:



If the person is in immediate danger: **000**



For non-urgent assistance report directly through established police reporting systems **think Policelink.**
Call 131 444



Or you can report anonymously through **Crime Stoppers 1800 333 000**

For further information you can contact the Department of Communities, Disability Services & Seniors on (07) 56565800.