

15 November 2017

Hon. Nicolas (Nick) Pierre Goiran MLC
Shadow Minister for Child Protection;
Prevention of Family and Domestic Violence
Select Committee into Elder Abuse
Parliament House, 4 Harvest Terrace
WEST PERTH WA 6005

Dear Mr Goiran

INQUIRY INTO ELDER ABUSE
By
SELECT COMMITTEE

INTRODUCTION

The Council on the Ageing Western Australia (COTA (WA)) welcomes the opportunity to contribute to the Select Committee's inquiry into elder abuse. All Western Australians have the fundamental right to live dignified lives free from harm.

While age in itself is not an indicator of vulnerability, for some Western Australians ageing can be a time of exploitation, violence and abuse. In our view, State, Local and Commonwealth Governments as well as individuals and the private sector have a shared responsibility to ensure systems and safeguards are established which minimise potential risks and eliminate harm to older people.

Central to this is our belief that elder abuse is fundamentally a human rights issue and therefore we must all work at ensuring that older people remain valued and visible within our community and socially connected to people of all generations. COTA recognises that pervasive ageism is a causal factor in elder abuse and that, combined with the dynamics of power and abuse, can thrive when people become socially isolated and totally dependent on the care provided by a small number of people.

For many older people who are experiencing bullying or abusive behaviour, there is an enormous sense of shame about finding themselves in this situation especially when it is a family member responsible for the harm. Being engaged and connected with a broad cross section of the community creates an opportunity for older people to talk freely with trusted people about the joys in their life as well as the issues concerning them. Being engaged and connected also provides an opportunity for people regularly interacting with older people to notice any changes in outlook, confidence and behaviour which can sometimes be an indicator that an older person is experiencing stresses in their lives.

CURRENT REPORTS AND INITIATIVES

COTA WA fully supports:

- the findings of the ALRC report *Elder Abuse - a National Legal Response* (ALRC Report 131, May 2017) as providing the basis for the legislative requirements of a national elder abuse strategy.
- COTA Australia's submission to the ALRC: *Response to Protecting the Rights of Older Australians from Abuse Inquiry*, (Elder Abuse Discussion Paper 83, COTA Australia March 2017).
- Senator The Hon George Brandis's media announcement on the International Day of Older Persons (*Supporting Older Australians: 1 October 2017*) in which he pledges a range of initiatives to better protect the rights of older Australians.

Some additional issues need to be addressed by the Select Committee, however, in order to safeguard older people against both the threat and the reality of elder abuse. Consequently we support the development of a comprehensive, national, evidence-based framework to include elder abuse prevention, detection and response.

ESTABLISHING THE PARAMETERS OF ELDER ABUSE

Through consultation with key stakeholders, it is essential to develop an encompassing definition of elder abuse to expand the WHO definition which focuses on the abuse that occurs within the relationship of trust. As the population ages it is becoming increasingly apparent that many older people are vulnerable in relation to issues such as being locked out of the housing market, suffering from mental health and substance abuse problems and being prone to financial or other scams. These and other prevailing forces are creating ideal conditions for an escalation in varied iterations of elder abuse.

Additionally, clarification of how elder abuse is conceptualised is essential. For example, is it a sub-set of family violence or does it call for a separate policy and service response?

COLLABORATION BETWEEN STATE AND NATIONAL JURISDICTIONS

It is generally recognised that fragmentation exists between key stakeholders responsible for dealing with elder abuse. Any initiatives involving elder abuse must clearly delineate areas of responsibility not only to avoid duplication but also to ensure that safeguards, processes and procedures are clearly identifiable and clearly aligned to the relevant jurisdiction: state government, local government, private organisation, not for profit sector or commonwealth government.

One way to deal with this complex issue may be to urge COAG to harmonise inconsistent rules and regulations across states and territories through the establishment of a national policy framework. Such a framework would lead to a number of wide-ranging reforms and much-needed clarification of roles and responsibilities.

DATA COLLECTION AND ONGOING RESEARCH

Although much anecdotal evidence exists about elder abuse, there is little systematised data collection and consequently no base-line data exists on issues such as the nature, prevalence and perpetrators of elder abuse. This has ensured that we know very little about the nature of successful interventions and how best to educate the public in general and older people in particular about elder abuse. Addressing this lack of meaningful data is a major initiative in itself and requires close co-operation between all jurisdictions. Only through systematised data collection will the basis be established for meaningful and useful ongoing research in the area and only systematised data collection will enable us to develop and evaluate effective interventions and to target risk factors for abuse including the circumstances that lead to various kinds of elder abuse.

Much more research is also needed into the risks and needs of older LGBTIQ people, indigenous people and those from other diverse cultures.

LEGAL ISSUES

The ALRC paper alluded to above (*Elder Abuse - a National Legal Response* (ALRC Report 131, May 2017) clearly identifies the legal issues associated with elder abuse and consequently COTA WA has no further additions to this comprehensive document. Other organisations, such as the Office of the Australian Information Commissioner, have expressed some considerations about privacy issues with which COTA WA agrees (*Elder Abuse Discussion Paper: submission to the Australian Law Reform Commission, DP 83*)

EDUCATION/GUIDELINES/TRAINING FOR PROFESSIONALS AND THE PUBLIC

An identified gap exists in the knowledge of some people (including professionals) about elder abuse, particularly, but not exclusively in relation to financial planners, doctors, financial institutions (including bank tellers), police, allied health professionals, older people themselves and the public in general. One emerging risk factor is the growth of online financial transactions which seems to be making it easier for older people to be defrauded, especially by those who have access to their accounts. For people participating in the social security system through Centrelink, it would seem that Centrelink staff have an increasing role to play in monitoring and detecting indicators of suspected elder abuse in a service delivery system that is increasingly reliant on online transactions.

CONCLUSION

The Inquiry into Elder Abuse provides an opportunity for WA to take the lead in instigating initiatives to lessen if not eradicate, the incidence of what is largely a hidden scourge. As the population ages, it is essential to develop a rights-based state *and* national strategy to deal with this serious issue. Addressing elder abuse requires a comprehensive and co-ordinated multi-faceted approach involving all key stakeholders, including older people themselves. Consequently it may be appropriate either to await the findings of the Elder Abuse Working Group established by Senator The Hon George Brandis in October 2017 before commencing a WA State initiative or work in tandem with the Working Group to avoid duplication of resources and effort.



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COTA WA fully supports these state and national government initiatives in developing a cohesive strategy to address an increasingly complex and serious issue.

Yours faithfully

A handwritten signature in blue ink, appearing to read "Mark Teale". The signature is fluid and cursive, written over a light blue rectangular background.

Mark Teale
Chief Executive