

Submission
No 48

INQUIRY INTO INQUIRY INTO ELDER ABUSE IN NEW SOUTH WALES

Name: Ms Basima Rabie
Date received: 15/11/2015

Partially Confidential

Recommendations:

1. The NSW guardianship systems must be abolished.
2. The Family Court of Australia and Family Laws assume responsibility for the assessment of any situation of conflict and relationships pertaining to our elderly and disabled by culturally, and disability and geriatrically qualified social workers and psychologists and make recommendations to the police and my aged care and other relevant agencies as to the best course of action to serve the best interests of the elderly and/or disabled.
3. That my aged care becomes the key body for the assessment, dissemination and assurance of care provision, and conflict resolution of any issued relating to the elderly living in their homes as elsewhere.
4. That the service, care and protection of the elderly is taken out of the court system altogether.
5. That any person entering the home of an elderly person within 10 years of the elderly person's death cannot inherit any more than that specified in the will prior to the elderly person becoming incapacitated.

6. That any person receiving advantage financial or otherwise from being in the elderly person's home as carer cannot be appointed guardian for that elderly person.
7. That the state police are given full authority to protect the elderly from all forms of abuse in accordance with the World Health Organisation's definition of elderly abuse and with international human rights and the rights of persons with disability conventions.
8. That any violence against the elderly is treated as a criminal offence.
9. That violence laws must criminalise forms of violence other than physical violence.
10. That public servants making decision knowing their adverse consequences must be dealt with under criminal law legislation.
11. That anyone blocking the elderly or disabled access to their loved ones or to medication they choose to take because it is good for them, against their will, must also be dealt with as criminals. Especially if that medication is life enhancing and saving.
12. That a free legal advocacy service is provided to the elderly, disabled in our society as is the case with children.
13. That all carers, whether relatives, private carers or government subsidised carer undergo a working with the vulnerable check to ensure that they have no previous convictions of violence which must exclude them from providing any care to the elderly and/or disabled.
14. That the elderly are very worthy of being provided with the level of protections that our children are provided with as they are as, if not more, vulnerable than children.