

**Submission  
No 103**

**INQUIRY INTO INQUIRY INTO ELDER ABUSE IN NEW  
SOUTH WALES**

**Organisation:** Blue Mountains Coalition Against Violence and Abuse  
**Date received:** 12/02/2016

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**NSW Legislative Council**

**General Purpose Standing Committee No. 2**

**Inquiry into Elder Abuse in NSW**

**Submission from Blue Mountains Coalition Against Violence and Abuse**

**Date Lodged: 12 February 2016**

**Blue Mountains Coalition Against Violence and Abuse**

The Blue Mountains Coalition Against Violence and Abuse (CAVA) is auspiced and convened by the Blue Mountains Women's Health and Resource Centre (BMWHRC). CAVA is a Blue Mountains organisation with membership open to agencies and community members, CAVA is comprised of local and regional NGOs and also has representation from Government agencies.

The focus of CAVA is against violence experienced by women and children. CAVA's statement of principles are founded on Human Rights, Feminism, Social Justice and Access and Equity.

CAVA's key objectives are:

- to raise community awareness of domestic and family violence, child protection and sexual assault;
- to provide advocacy and leadership on violence against women and children in the Blue Mountains;
- to promote prevention and build resilience in the Blue Mountains community;
- to maintain an active engaged anti-violence network, that builds service capacity to address domestic and family violence, sexual assault and child protection issues; and
- to provide local opportunities for training and professional development that creates a strong and resilient sector response.

#### **Statement About Elder Abuse**

To live without the fear of violence and abuse is a basic human right.

Older people can be some of the community's most vulnerable and at risk people. Violence and abuse against women is a gendered issue.



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Violence and abuse against older people is not a topic that is discussed. Elder Abuse has the low level of community awareness that Domestic Violence (DV) had years ago. The recent focus of national attention on Domestic Violence means that now DV is raised by political and community leaders, there is significant coverage of DV in the media and DV is discussed and spoken about in public. Cultural attitudes have not however changed significantly and the incidence of DV has not changed markedly over the last 10 years. Community awareness has increased and CAVA views this as a positive step.

Community awareness and understanding of Elder Abuse in Australia is extremely low. This inquiry is helping to raise community awareness and focus attention on Elder Abuse. Elder Abuse is a largely a taboo topic not discussed in the community. This attitude must change.

It is very important that this inquiry put practical recommendations before Government that will help a clearer understanding of the incidence of Elder Abuse and its profile and lead to improving the situation of older people who are being abused.

### **Acknowledgements**

CAVA would like to acknowledge the essential work of the many Elder Abuse specialist services and older peoples advocacy groups that do such important work. CAVA would like to particularly acknowledge Legal Aid NSW, the Women's Legal Service NSW, NSW Elder Abuse Helpline and Resource Centre, the Senior's Rights Service and Alzheimer's NSW.

CAVA would also like to acknowledge the essential work of local organisations, including:

- The Blue Mountains Elder Abuse Collaborative
- The Blue Mountains Community Care Forum
- Nepean Blue Mountains Local Health District (NBMLHD) Aged Care Assessment Team
- NBMLHD Chronic and Complex Team
- Blue Mountains Police
- Department of Family and Community Services including Housing NSW;
- Wentworth Community Housing
- Elizabeth Evatt Community Legal Centre



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**CAVA's Submission:**

**1. The prevalence of abuse**

Elder Abuse is not widely understood and remains a hidden and taboo issue, not spoken about in public. Victims of Elder Abuse are extremely vulnerable. It is widely recognised that Elder Abuse is under reported. Under reporting of Elder Abuse is in part because of the vulnerability of victims, who often have no options and live with or are cared for by close family member, who are often the perpetrator of the the violence and abuse, often the victims will not report the abuse.

In NSW we do not have a clear picture of the nature and extent of Elder Abuse, who is committing the abuse and in what settings.

CAVA recommends that more investigation and research into how reporting and statistics on Elder Abuse can be improved needs to occur.

CAVA recommends that effective reporting systems are put into place so that Elder Abuse can be measured more reliably and so that a more accurate profile of the prevalence and nature of Elder Abuse can be established.

CAVA recommends that an assessment of what strategies are most effective and should be put in place to reduce the incidence of Elder Abuse should be undertaken.

**2. The most common forms of abuse experienced by older persons and the most common relationships or settings in which abuse occurs**

Elder Abuse can take the forms of psychological, physical and sexual abuse, neglect and financial abuse.

Most abuse of older people is by a close family member. Data suggests that most Elder Abuse is committed by children. Domestic Violence is of course an issue for older women.



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Elder Abuse can take the form of fraud, abuse of enduring power of attorney, loss of dwelling or property. CAVA recommends that there are cheaper and simpler ways to resolve these disputes.

“With regard to Domestic Violence, the Women’s Domestic Violence Court Advocacy Scheme (WDVCAS) reports a growing number of clients who are older women. Older women experiencing Domestic Violence are often reluctant to seek formal help because of the fear of getting their child or children into trouble. WDVCASs noted that it is often only when Police are called to an older woman’s home that the victim is able to connect with support services”. (Legal Aid NSW)

CAVA recommends that effective reporting systems are put into place so that Elder Abuse can be measured more reliably and so that a more accurate profile of the prevalence and nature of Elder Abuse can be established.

### **3. The types of Government and community support services sought by, or on behalf of victims of elder abuse**

It is extremely important that older people experiencing Elder Abuse and people wanting to report abuse, have access to police and legal services that protect older people who are vulnerable and at risk. Safe and affordable accommodation, information and referrals, support services and counselling are essential elements of an effective strategy to reduce Elder Abuse. The Elder Abuse Helpline is good first contact service for people who are experiencing violence and abuse.

There are a diverse range of services that are essential to an effective Elder Abuse strategy, these include the:

- Nepean Blue Mountains Local Health District (NBMLHD) Aged Care Assessment Team
- NBMLHD Chronic and Complex Team
- Blue Mountains Police
- Department of Family and Community Services including Housing NSW;
- Wentworth Community Housing
- Elizabeth Evatt Community Legal Centre

CAVA recommends that these range of essential services are adequately funded.



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CAVA also recommends that there is training in Elder Abuse for all organisations providing services for older people. CAVA also recommends that training should be mandatory in organisations that deal with older people most at risk of abuse, including: police, aged care services and health services.

#### **4. The adequacy of the powers of the NSW Police to respond to allegations of elder abuse**

CAVA has formed the view that the NSW Police have sufficient powers to respond to allegations of Elder Abuse. (Women's Legal Services NSW)

CAVA recommends that Police should have further training in Elder Abuse.

CAVA also recommends that the NSW Police establish specialist vulnerable people support officers, similar to Domestic Violence Liaison Officers. These officers would have a special focus and training in working with vulnerable people, including older people and especially older women experiencing violence and abuse. NSW Police specialist officers would improve the effectiveness of the response to violence and abuse experienced by older women.

#### **5. Identifying any constraints to elder abuse being reported and best practice strategies to address such constraints**

The perpetrator of Elder Abuse is most often a close family member who often lives with and often cares for the older person, the partner, ex-partner or child. Perpetrators can be paid carers of the older person. The older person often lives with the family member and is extremely vulnerable and most likely not to report the violence or abuse, because of the fear and having no other option.

There are great difficulties accessing affordable and safe housing. This leaves the older person especially extremely vulnerable and extremely unlikely to report the violence and abuse, because the older person has most often nowhere to go.

Elder Abuse is not widely understood and remains a hidden and taboo problem not spoken about in public. Victims of Elder Abuse are extremely vulnerable. It is widely recognised that Elder Abuse is under reported.

CAVA recommends that Elder Abuse reporting is improved.



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**6. Identifying any strength based initiatives which empower to better protect themselves from risks and abuse as they age**

The most effective way to assist older people experiencing violence and abuse, including Domestic Violence, is to protect the older persons' safety and human rights, to provide legal options, social support responses and most importantly where appropriate access to safe and affordable housing.

**7. The effectiveness of NSW laws, policies, services and strategies**

CAVA's view is that the Crimes (Domestic and Personal Violence) Act has sufficient powers to respond to allegations of Elder Abuse. And that the Act's broad definition of "domestic relationship" should be retained. (Women's Legal Services NSW)

**8. The possible development of long term systems and proactive measures to respond to Elder Abuse**

The importance of effective reporting mechanisms. A clear picture of the incidence, extent and nature of Elder Abuse.

Appropriate and effective options for older people experiencing violence and abuse

Increased community awareness of Elder Abuse and the breaking down of the taboo in speaking about and acknowledge

**9. Other Issues**

CAVA recognises the vulnerable position of people living in residential care and nursing homes and the protection that must be given to people living in residential care and nursing homes.



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