Did You Know Abuse Could Look Like This?
There’s No Excuse For Abuse

Abuse of Elders and Dependent Adults
FACE IT. IT’S A CRIME.

Linda Starr
World Elder Abuse Awareness Day Conference
Media Exposure of Neglect and Abuse

- ABC  2006 Tuesday 21\textsuperscript{st} February AM
  Sexual Abuse uncovered in Victorian Nursing Home

- ABC  Four Corners Monday 1\textsuperscript{st} June 2009
  End of the Line

- ABC  10\textsuperscript{th} June 2009 Qld health admits mouse mistakes at nursing home
Elder Abuse Defined

• ‘A single or repeated act, or lack of appropriate action, occurring within a relationship where there is an expectation of trust which causes harm or distress to an older person’. (WHO 2002)
Ageing Population in Australia

• Estimates 2025 global population of those over 60 years will be more than double from 542 million in 1995 to 1.2 billion  (United Nations population Division, 2002)

• ABS predict that one in four Australians will be 65 years and over by 2056

• Anticipated that the number of people over 85 years and over will increase from 344,000 in 2007 to somewhere between 1.7 and 3.1 million in 2056  (ABS Media Release 4th Sept)

• Incidence of elder abuse predicted : approx 87,220 in 2007 to 200,000+ in 2037 = 13% increase in 30 years  (Ozanne Elizabeth, 2008)
Elder Abuse & Government Response

• Abuse of vulnerable older people had not been taken seriously by the Commonwealth Government until 2007

• Some individual States/Territories responded with various position statements but not as far as compulsory reporting
Precipitating Event to Government `change of heart’

20\textsuperscript{th} February 2006 publication of allegations that a male staff member of a Victorian nursing home had raped one resident and indecently assaulted three others over a six month period in 2005

All women were in their nineties and all had dementia

The Rape was witnessed by another staff member who did not report this for 2 months
Federal Government Initiatives

• Instigated a number of measures to:
  ‘safeguard older Australians and provide greater access to justice for those who suffered abuse’

• Compulsory Reporting of assaults in residential care from July 2007
Reportable Assaults Defined

- Reportable Assault: broad to capture assaults ranging from deliberate and violent physical attacks on residents to use of physical force.

- Unlawful Sexual Contact: intended to capture any sexual contact without consent that is unlawful under any Commonwealth, State or Territory law.

- Unreasonable use of force: captures assaults ranging from deliberate and violent physical attacks on residents to use of unreasonable force e.g., hitting, punching, or kicking despite whether or not it causes injury.

- NB recognises injury through care – injury alone not conclusive of evidence of unreasonable force or assault.

- 2007-2008 Dept received 925 complaints of abuse under compulsory reporting law

- 200 were alleged sexual assault

- 725 alleged physical assault

- Dept believes police have laid charges against 6 people
Is this enough?

• Unnecessarily draws attention to aged care industry

• Fails to address the much larger more vulnerable population in the community

• Fails to address most frequent forms of abuse and exploitation of the older person
Frequent published citations of elder abuse – in and beyond institutions

Elderly abuse a growing problem

GREG KELTON
STATE EDITOR

MORE than 100,000 elderly people are being abused each year in Australia, but a study group believes the figure could be up to five times higher.

The National Seniors Association has called for the major parties to provide a national awareness campaign to tackle the growing problem of elderly abuse at the coming election.

The association made the call on the International Day of the Older Person yesterday.

Association chief executive Michael O’Neill said estimates ranged from 100,000 elderly Australians were subjected to some form of abuse each year.

He said this could be “the tip of the iceberg” with up to five times as many cases of abuse and neglect going unreported.

“We need an intensive national awareness and education campaign in collaboration with state and territory governments to combat the prevalence of this abuse,” he said.

Elderly abuse ‘will only get worse’

ONE in 25 elderly people is abused by their carer or relatives, with wheelchair-bound people over 75 and dementia sufferers most at risk.

An Australian expert in elder abuse also warned a national conference run by the Victorian Association of Health and Extended Care yesterday that the incidence of abuse of elderly people is only set to increase with the ageing population.

Elder abuse expert and author Gerry Naughton said “perpetual” accounts for more than 90,000 cases of abuse in NSW, Victoria and South Australia each year.

He counted sexual, physical, financial and psychological abuse in the tally.

There are currently two nursing homes in Queensland, three in Victoria and one in SA that have been sanctioned by the Department of Health and Ageing for poor standards.

Big increase in elderly abuse cases
Older Offenders

- Impact of changes to Statute of Limitations
- 55-59 years 691 M and 52 F
- 60-64 years 382 M and 17 F
- 65 or over 390 M and 9 F
Detection of Elder Abuse

• Unless specifically prepared professionals and lay people are unlikely to identify abuse in all but the most extreme cases – miss clues given by the older person

• too often assumptions are made about the behavioural/physical state of the older person being due to old age or ill health

• situational and psychological barriers to reporting
Barriers

**Victim**
- Lack of capacity need to rely on physical evidence and expert testimony
- Undue influence
- Difficulty in getting to court
- Death before case investigated/prosecuted
- Lack of experts who can support physical evidence and distinguish the difference between accidental injury and abuse

**Reporter**
- Unskilled in looking for sustained patterns and patterned injury
- Inexperience in distinguishing between intentional or accidental injury
- Lack of understanding in identification, collection and preservation of evidence
- Approaches to Documentation
Physical Abuse Indicators

- kicking
- stalking
- hitting
- pinching
- pushing
- delaying access to medical treatment
- physical and chemical restraint
- Forced feeding
- Physical punishment

- Bruises, in particular defensive bruising
- welts, lacerations, rope marks
- fractures
- puncture marks
- burns
- dehydration, malnutrition
- poor personal hygiene
- unattended health problems
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<th>Psychological Indicators</th>
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<td>• Humiliation</td>
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Sexual Abuse Indicators

• Sexual coercion

• sexual harassment

• sexual assault from violent rape to indecent assault

• Gerontophilic Perpetrator (Gerophiles)

• STI’s
  • blood stained under clothing
  • bruising around genital area
  • reports of sexual harassment, assault by the older person
  • unexplained fear, showering, dressing, toileting times
  • Increased behaviour changes
  • Exacerbation of cognitive defects
Neglect

- Failure to provide adequate food, fluids or medical care
- Inappropriate provision of clothing
- Inadequate hygiene facilities
- Failure to prevent physical harm and to provide needed supervision
- Denying the person social contacts
- Can be intentional or unintentional and includes self neglect

Indicators

- Poor well being - pallor
- Dry skin, lips, hair
- Weight loss
- Dirty clothes
- Broken or absent aids (teeth, glasses, hearing aids)
- Skin and mouth sores
Financial Abuse  Indicators

- Misappropriation of funds
- forcing the older person to change their will to benefit specific individuals
- denying them access to their money
- theft
- preventing them from controlling their assets
- diversion of property

- Frequent, expensive gifts from older person to a care giver
- Older persons belongings go missing
- Unpaid bills
- Recent will when older person incapable of making one
- Frequent cheques made out to cash
- Caregivers refusal to spend money on older person
- Clothes and possessions in poor state, need of repair/replacement
Protect elderly from family greed: expert

Jill Pengeley

ELDERLY people are suffering financial abuse at the hands of family members who help themselves to their assets out of a sense of entitlement, an academic says.

Dr Cheryl Tilse told an Adelaide conference yesterday that the community needed to do more to protect seniors. "We need to fiercely maintain their right to make frivolous and imprudent decisions about their own assets... because that's what the rest of us do," she said.

A senior lecturer in the school of social work at the University of Queensland, she has conducted studies on financial abuse of the elderly. She said older people's assets were increasingly being seen as "a valuable resource".

"The fibro shack has suddenly become the million-dollar property," she said.

Dr Tilse said financial abuse could be difficult to identify. Money was a private topic few people talked openly about and investigators would have trouble establishing if an asset had been the subject of a loan, a gift or an expropriation. Financial abuse was defined as illegal or improper use of someone's assets, including withholding funds, failure to repay loans and using possessions without permission.

Elderly people often were unaware of the abuse or were fearful of speaking up in case it damaged relationships.

"We have to work on how to build confidence in older people to manage their assets or to assert themselves in families," Dr Tilse said. She said banks had a role to play in identifying misuse of seniors' accounts before it was too late.

Meanwhile, marking World Elder Abuse Awareness Day, Minister for Aged Care Jay Weatherill launched a booklet to help seniors cope with the issue.
Aged ‘abused by children’

By John Merriman

CHILDREN are more likely to abuse their elderly parents than any other group, latent figures reveal.

Research shows that one in 20 people aged over 65 in Australia who have experienced abuse were mistreated by someone they trusted.

Statistics from the Aged Rights Advocacy Service (ARAS) reveal that in the past financial year more than half of all elder abuse was perpetrated by the victims’ children.

Spouses were found to be responsible for 7 per cent of the cases of abuse and grand-parents 5 per cent. The majority of abuse, 47 per cent, was psychological with financial abuse making up 35 per cent.

This was followed by physical (10 per cent), sexual (4 per cent) and neglect (4 per cent).

The ARAS provided advocacy for 385 abuse cases in 2001-02, an increase of 31 per cent.

As South Australia has the oldest population in any state or territory, the number of abuse cases is expected to continue growing.

ARAS Team Leader

Anna Vallejo said older people were reluctant to report abusive situations. "It may be because they feel a sense of embarrassment for themselves or their families," she said.

Ms Vallejo said that in some cases abuse victims had sold their houses to escape their attacker.

Daughter almost got away with everything

Ms X, who turns 65 next month, nearly lost most of her life savings to her daughter and son-in-law.

Only after a three-year battle ending in the Supreme Court last year did she manage to retain freehold title of the house where she has lived for 26 years.

Nevertheless, she still lost $50,000 to her daughter, who was meant to give the money to her brother living overseas. She has no contact with her daughter since the ordeal but remains close to her four other children who helped expose their sibling's betrayal.

"They don't want to have anything to do with her," said the woman, who declined to be identified.

Ms X said that while she was in poor health, she was miseducated about changes to her land title, effectively guaranteeing her daughter future ownership of the prized family home.

Aged Rights Advocacy Service senior advocate Jane Northey, who was contacted by one of the woman's concerned daughters, helped engage a lawyer and spent about 100 hours with the woman during the legal struggle.

"If it wasn't for you I wouldn't be here," the woman said to Ms Northey. "I had no idea how to go about things."

Car theft a $1

CAR theft has been found to be a hefty financial and emotional burden for Australian households, a new study has found.

The independent survey by the Insurance Australia Group has found the average bill from car theft is more than $1700.

The figures include the cost of excess insurance, time lost from work and the replacement of personal possessions.

The State Government Insurance Commission, having seen the survey, has called for action, with Russell saying: "There a national laud for our community to get in touch."
Families ripping off aged to buy drink and drugs

CRAIG GILDESTON

The State Government has been forced to take charge of the finances of more older South Australians whose savings were taken from them by friends or family members.

Public Advocate John Harley has found elderly people living in severe poverty despite their children spending their money on drugs and alcohol.

"It's tragic," he said.

He said his staff had been angered by people who did not want to give their parents aged pensions or their carer entitlements.

"They're often drug addicts or alcoholics who are severely neglecting their elderly parents but they know if we remove them, they lose their own cash flow," he said.

Mr Harley revealed his office had uncovered "horrible cases" of abuse and neglect in the past year and had been forced to call in police.

He said his office was "overwhelmed" by a 50 per cent increase in new guardianships, up from 113 to 171, and finished the year with 430 active cases, up from 398.

Mr Harley described the year as the "busiest and most stressful" since his office was established in 1996. The average case load of the office's 15 staff was about 60.

That was about twice the national average. The Public Advocate was an independent statutory official accountable only to Parliament, he said.

Mr Harley was required to make "life decisions" on behalf of individuals when the Guardianship Board of SA deemed that there was no one else suitable to speak for or negotiate on behalf of people with a mental incapacity at risk of abuse, exploitation or neglect, including self-neglect.

Dementia accounted for 49 per cent of his clients, mental illness 33 per cent, intellectual impairment 22 per cent and brain damage 16 per cent.

Mr Harley described as "very depressing" the circumstances of some elderly people caught in family disputes over money.

"We have discovered some elderly people having their money ripped off them, but, sadly, they put up with it because the offender may be the only person who ever visits them," he said.

Action taken by his office had resulted in settlements with some families in what he termed "an emotionally-charged environment."

"It has become extremely difficult in some cases to negotiate good outcomes," he said.

Some elderly people had been discovered "locked in their houses" deprived of personal freedom and contact with the outside world.

Elder abuse — figures put families in the firing line

Looking forward

Elder abuse — physical, financial, emotional — is growing in the population. This newly discovered and understood problem compromises the quality of life for many victimised people.

In December, 1995, in submissions to the Senate Community Affairs Committee, the Australian Council of Social Service said the incidence of abuse of older people was frightening.

"While statistics on the incidence of abuse are not available, it is estimated that in 1994 of the 8.5 million Australians over 65, nearly 3 per cent, or 265,000 people, were victims of abuse."

The report noted that abuse was often hidden and that 50 per cent of the 72 per cent of people known to have been abused had never told anyone about it.

False or exaggerated claims are often made about the elderly person's mental capacity. For example, a relative may claim that the person is physically or mentally incapable of managing his or her own affairs.

Mr Phillips says APS can only deal with situations in which the elderly person is physically or mentally incapable of managing his or her own affairs.

Regaini control

Accounts receivable is a system developed by the Elder Rights Advisory Centre in collaboration with the Australian Institute of Management. It has been designed to help people manage their financial affairs.

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Future Directions

• Move to decrease institutional aged care and promote community based care

• Legislation needs to be more specific and broader

• Reform should not be limited to aged care facilities

• Focus on community wide education, intervention and prevention
ELDER ABUSE AND NEGLECT

Education and Raising Awareness of indictors to identify abuse of the older person is vital to ensure that these older people experience their right to live a decent and secure life in their golden years.
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