

Office of Senior Victorians

**Victorian Government Elder Abuse Prevention
Strategic Implementation Plan 2006–09**

August 2007

Contents

1. VISION	2
2. PRINCIPLES	2
3. INTRODUCTION	2
4. NATURE OF ELDER ABUSE	3
5. DEFINITION	3
6. PREVALENCE	4
7. CURRENT VICTORIAN RESPONSES TO ELDER ABUSE	5
8. A FRAMEWORK FOR PREVENTING AND RESPONDING TO ELDER ABUSE.	5
9. KEY RESULT AREAS	6
9.1 Increasing community awareness, support and information for older people in need of assistance.	6
9.2 Supporting communities to promote an environment where older people feel safe and confident and social isolation is addressed	8
9.3 Building the capability of professional groups to prevent and respond to situations of abuse	8
9.4 Improving the effectiveness of service responses	10

1. Vision

This implementation plan aims to achieve a community where older Victorians are able to live in dignity and security and be free of exploitation, abuse or neglect.

2. Principles

The key principles underpinning this implementation plan are:

Competence: All adults are considered competent of making informed decisions unless demonstrated otherwise.

Self determination: With appropriate information and support individuals are to be encouraged to make their own decisions.

Appropriate protection: Where necessary the person should be offered a certain level of protection, based upon an assessment of their capacity to make an informed decision. In cases where the person is deemed not capable of making an informed decision their wishes should be taken into account.

Best interests: The interests of the older person's safety and well-being are paramount and even when they are unable to make all decisions themselves, their views should be taken into account.

Importance of relationships: Any responses to allegations of abuse should be respectful of the existing relationships that are considered important by the older person.

Collaborative responses: Effective prevention and response requires a collaborative approach which recognises the complexity of the issue and the skills and experience of appropriate services.

Community Responsibility: The most effective response is achieved when agencies work collaboratively and in partnership with the community.

3. Introduction

The Victorian Government's overall approach to the prevention of elder abuse reflects its commitment to the United Nations Principles for Older Persons, which uphold and support human rights of self-determination, dignity and the right to live in safety. The approach is also consistent with the Toronto Declaration on the Global Prevention of Elder Abuse (2002), which advocates for the involvement of multiple sectors of society if elder abuse is to be prevented.

The Victorian Government's vision for Victoria in 2010, *Growing Victoria Together*, identifies a reduction in family violence and a greater awareness of rights as key goals within a broader aim to build *friendly, confident and safe communities*.

The Victorian Government's position paper, *Challenges in Addressing Disadvantage in Victoria*, outlines the nature, extent and distribution of disadvantage in Victoria. The paper identifies barriers that prevent individual participation in social and economic life, including abuse.

To achieve the Government's vision of caring, safe Victorian communities, several key commitments were made which relate specifically to the abuse of older persons:

- helping older Victorians to stay independent;
- responding to family violence more effectively;
- improving access to justice;

- building stronger communities;
- developing better ways of working at a local and regional level.

In March 2005 the Hon Gavin Jennings, Minister for Senior Victorians, established the Elder Abuse Prevention Project (EAPP) to publicly consult and report on current prevention and response arrangements to elder abuse in Victoria. The Report of the Elder Abuse Prevention Project, *Strengthening Victoria's Response to Elder Abuse* made eleven recommendations on issues including community awareness, community capacity building, and building the capacity of professionals to respond to situations of suspected abuse.

The Victorian Government's 2006 report, *Supporting the Safety and Dignity of Senior Victorians*, supported all eleven recommendations of the EAPP.

Through the budget commitments announced in June 2006 as part of the Government's social policy action plan, *A Fairer Victoria*, \$5.9 million was allocated to protect older Victorians from abuse. The response to elder abuse will be achieved through community education, strengthening the service response to instances of abuse, and the establishment of specialist legal and advocacy services tailored to older peoples' complex needs.

The special needs of people from Culturally and Linguistically Diverse (CALD) and Indigenous backgrounds will also be considered by this strategy.

The following plan outlines the Victorian Government's strategy to support the safety and dignity of older Victorians.

4. Nature of elder abuse

The abuse of older people is a complex problem. While it can occur in institutional care, such as aged care residential services or hospitals, it is more likely to occur in the community. As such it has often been referred to as a hidden problem. Elder abuse may be under-recognised and under-reported due to lack of community awareness and stigmatisation.

5. Definition

The term 'elder abuse' has been adopted from the United States where it was first used in the 1980s to describe family violence situations involving older people. The term is still used in most countries. A broadly endorsed definition is that of the World Health Organization, endorsed by the United Nations:

A single or repeated act, or lack of appropriate action occurring within any relationship where there is an expectation of trust, which causes harm or distress to an older person.

The Australian Network for the Prevention of Elder Abuse (ANPEA) adopts a very similar definition, which underpinned the EAPP consultation:

Any act occurring within a relationship where there is an implication of trust, which results in harm to an older person. Abuse may be physical, sexual, financial, psychological, social and/or neglect. (ANPEA, 1999).

Some jurisdictions have adopted alternative terms such as 'the abuse of older people' or 'the abuse and neglect of older adults'. This is due to concerns that the term 'elder abuse' may attach a stigma to an older person who has suffered abuse, and that 'elder' may focus only on the 'oldest of the old'. Another consideration is that the term 'elder' has specific meaning in some ethnic and religious communities, such as Australia's Indigenous communities (Spencer, 1995). It is not intended that the term 'elder' take on any stigma or culture-specific meaning in this implementation plan document.

Elder abuse is typically carried out by someone close to an older person, with whom they have a relationship implying trust. This can be a family member such as spouses, adult

children, grandchildren, siblings, other family members, friends or carers and may be perpetrated as a result of ignorance, negligence or deliberate intent.

Factors that may contribute to the occurrence of elder abuse are:

- long-standing patterns of physical or emotional abuse within a family;
- stressful situations such as changes in living arrangements and personal relationships, occurring when the care needs of an older person increase because of growing frailty; or
- personal characteristics of the 'abuser', such as substance abuse or financial dependency.

Elder abuse can also be the result of the deliberate actions of people with predatory intent.

Some forms of abuse are criminal acts, for example physical and sexual abuse. Others, such as some forms of financial misappropriation, may not reach the level of criminality but may require redress through administration or civil proceedings. The range of acts or omissions which constitute abuse can be thought of as a continuum. At one end, harm results from a poor understanding of an older person's needs; at the other, harm results from aggression and serious physical assault.

A comparison of research conducted in the 1990s and more recently reveals a growing rate of reporting of financial abuse, in contrast to an earlier emphasis on physical and emotional abuse. Reports now indicate that financial abuse forms 50 per cent of all abuse perpetrated against older people. Financial abuse may occur concurrently with other forms of abuse.

Relationships outside of family and friendship networks which result in abuse, are not generally defined as elder abuse. The trust placed in financial planners and accountants, for example, is open to abuse which would be classed as professional misconduct and possibly criminal activity. There are specific processes which apply to the regulation of professionals which can be applied to these situations. Victimisation and criminal acts by strangers are also excluded from the definition of elder abuse and are more appropriately classified as criminal activity.

6. Prevalence

Much of the problem of elder abuse is hidden and there are difficulties in documenting its full extent. Anecdotal reports made during the EAPP's consultation phase suggested increased awareness of the existence of elder abuse. Yet because of the difficulties in identifying some forms of abuse, we do not have a reliable picture of the extent of elder abuse in the Victorian community. Funding for research and standardisation of data collection categories across agencies is needed to enhance the evidence base.

According to studies conducted in other Australian States, there are indications that elder abuse affects up to 5 per cent of older people (Boldy et al., 2002, Australian Society for Geriatric Medicine, 2003). As with other similar social problems such as child abuse, it is likely that elder abuse is significantly under reported. Research indicates that the years from 75 to 85 are the time when abuse is most likely to occur (Teaster 2002). Currently, there are 337,403 people aged 75 years and above in Victoria. This number is expected to grow by almost 50 per cent in the next 15 years, to 502,834 by 2021.

Anticipated growth in the numbers of older Victorians who will be subject to abuse is driven by three factors:

- increasing numbers of older people,
- increasing longevity; and
- increasing numbers of older people with dementia.

Older people are not a homogenous group, and cultural factors influence the way in which some forms of abuse are viewed. As the proportion of cultural and linguistic diversity will increase amongst the older community, these factors are increasingly important to take into account in designing responses to elder abuse. Culturally specific strategies should address such differences, with the involvement of relevant communities.

7. Current Victorian responses to elder abuse

The Victorian Government's approach to elder abuse prevention is a combination of service responses and legal interventions which serve to protect the independence, dignity and safety of senior Victorians. These include support from health and community service agencies, criminal and civil justice remedies and complaint and compliance mechanisms, and are outlined in more detail in the EAPP report.

Legislative arrangements and service responses in Victoria provide for an 'integrated' approach to responding to elder abuse. They recognise the right of older people who have capacity to determine their own course of action. Where required, access to information and practical assistance is available to support their needs to deal with situations of abuse. Such support aims to assist older people to regain their independence and control of their lives. This support also extends to legislative protections available for older people who lack mental capacity.

8. A framework for preventing and responding to elder abuse

The framework for preventing and responding to elder abuse outlined in the Report of the Elder Abuse Prevention Project forms the basis of this strategic implementation plan. The report highlighted the need for clear policy development and leadership from government on the issue. As lead agency the Department of Victorian Communities through the Office of Senior Victorians has responsibility for coordinating a whole of government response to the issue. Key strategies will be implemented through a whole of government approach and the outcomes will represent a strengthened response to elder abuse in the Victorian community.

9. Key result areas

9.1 Increasing community awareness, support and information for older people in need of assistance.

Elder abuse is an issue which challenges views about the nature of families and the status of seniors in our community. Significant community awareness-raising has already occurred regarding the abuse of children, violence against women and domestic violence. Work now needs to occur in relation to the abuse of older people in order to promote a community which supports older people to live with dignity and in safety. This work needs to recognise that both victim and perpetrator may not be aware that what is occurring is abuse. Education strategies need to focus on changing attitudes and behaviours.

For a strategy to be deemed effective, it must empower older people experiencing abuse, by providing them with information about their rights and their options for services and supports.

Ongoing comprehensive, targeted strategies, which reinforce the unacceptability of all forms of abuse, are vital to effective community awareness-raising. These strategies need to provide appropriate information and present practical assistance to older people, families, the community and those professionals who may have a role in safeguarding against abuse.

Resources must be made available to address some older people's experience of abuse and neglect by their own family members. Where this abuse is the result of ignorance, information and education can intervene to alert family members and other carers as to what behaviours are inappropriate or in fact criminal.

In developing an elder abuse prevention education and awareness campaign, there must be recognition of cultural diversity, Indigenous issues and the needs of older gay and lesbian people in our community. Consultation with these and other groups will need to occur.

As this strategy marks the first major effort to educate the community on this issue it will be important to collect baseline data to evaluate the outcomes. There is also a need for greater levels of support and information for older people in need of assistance. The EAPP identified the need for a state wide service to be established to provide information, assistance and support to older people.

9.1 Objective

A community which is aware of the nature of elder abuse, that it is unacceptable and is aware of preventative measures that can be taken and options available to address the abuse.		
Strategy	Performance indicators	Responsibility
Develop a three year communications strategy based on sound research into the most effective way to raise awareness and improve community responses to situations of alleged abuse	Improved understanding of elder abuse	Office of Senior Victorians (OSV) for the development of the strategy with advice from DHS and Victoria Police (VicPol)
Undertake a range of community education strategies consistent with the communications strategy	Each strategy achieves its objectives and outcomes within an identified timeframe	Various Departments and organisations as identified in the communication strategy
Develop a community education service with identified role and purpose	Establish an Older Persons Legal Service (Note: this has been tendered as an Elder Abuse Prevention Community Education and Older Persons Legal Centre)	OSV
As part of the establishment of a community education service develop a telephone advice line	Advice service that provides timely, accurate and appropriate information in a sensitive way	Elder Abuse Prevention Community Education and Older Persons Legal Service
Establish an Older Persons Legal Service (Note: this has been tendered as an Elder Abuse Prevention Community Education and Older Persons Legal Centre)	Performance indicators for legal service to be specified by VLA (Victoria Legal Aid)	VLA
Ministerial Advisory Council of Senior Victorians may contribute to community awareness activities	Advice provided as required	Chair of MACSV
Promote awareness by conducting an event each year for World Elder Abuse Prevention Awareness Day	Feedback at the end of each forum as to its effectiveness	Initially OSV and then the Elder Abuse Prevention Community Education and Older Persons Legal Centre

9.2 Supporting communities to promote an environment where older people feel safe and confident and social isolation is addressed

The extent of isolation of older people can be a key risk factor of elder abuse. In some cases, isolation is used by abusers as a strategy to control and dominate an older person's life. Communities that are well-connected and inclusive of older people provide a protective factor which can reduce the abuse and neglect of older people. Sustained efforts to increase participation and partnerships to achieve common objectives in local settings can strengthen communities. These and other initiatives directed at promoting inclusion and participation of older people can reduce the circumstances that give rise to social isolation.

9.2 Objective

A community where older Victorians feel safe and confident and are included into the broader fabric of the community		
Strategy	Performance indicators	Responsibility
That the community education service actively work with older people and their representative groups to improve their knowledge of options and resources available	That older people are involved in the management and operation of the community education service	Elder Abuse Prevention Community Education and Older Persons Legal Centre
That older people be provided with access to financial literacy programs to improve their capacity to manage their finances. This should be informed by an assessment of how older people currently obtain information about financial management	That financial literacy programs are developed.	OSV
Work with the finance sector to develop products which may assist older people to be more confident in the management of their financial affairs	That product/s are piloted by a bank which seeks to assist older Victorians to manage their funds more easily	OSV
Ensure existing and new initiatives targeting social isolation consider the needs of older persons as part of their approach	Community strengthening initiatives specifically target older people	OSV

9.3 Building the capability of professional groups to prevent and respond to situations of abuse

A central task of strengthening current approaches to preventing elder abuse is to enhance the capacity of services and professionals to identify and respond to situations of alleged abuse. The EAPP report outlined the range of existing services responses. This implementation plan focuses on additional areas where responses need to be either strengthened or established.

Health and community service workers may face the challenge, when dealing with mistreated older people, of balancing the need to promote the autonomy of the older person with their own professional duty of care. One example is the dilemma professionals face when a competent adult who is being mistreated or neglected chooses not to change their situation despite the assistance offered. As competent adults with full legal rights, an older person's right to choose must be respected.

9.3 Objective

Professionals are able to respond effectively to situations of abuse. This includes health, aged and community care services as well as justice and finance.		
Strategy	Performance indicators	Responsibility
Establish an Older Persons Legal Service (Note: this has been tendered as an Elder Abuse Prevention Community Education and Older Persons Legal Centre)	Professionals more confident in responding to situations of alleged abuse	OSV and VLA
Develop a three year professional education strategy to be informed by an understanding of the existing levels of education provided on this issue to a range of professionals	Professionals are more confident in identifying and responding to cases of elder abuse	OSV in consultation with DHS
Consider links with existing work in the Family Violence area to ensure that elder abuse is included	Approach to family violence considers the issue of elder abuse	OSV in consultation with the family violence coordination units in Department for Victorian Communities (DVC) and Department for Human Services (DHS)
Improve the response of the finance sector through an education strategy. This education process needs to consider a range of issues including how unpaid carers can support the person they are caring for with their financial transactions	That finance sector staff are aware of and confident in assessing and responding to situations of elder abuse	OSV in collaboration with relevant banking industry partners

Establish a clearing house through which information on approaches to elder abuse can be collected and disseminated	Professionals and other are able to access current information on the issue and effective responses. Consider possible links with existing clearing houses such as the Australian Domestic Violence and Australian Centre for the study of Sexual Assault clearinghouses	OSV
Promote research into prevalence and nature of elder abuse at both a local and a national level	Improved understanding of the nature of the problem and effective responses, through effective partnering with universities and other relevant organisations	OSV
Collection of data by the community education service	That the community education service has clearly identified data it will collect in a way which is consistent with similar services in other State and territories	Elder Abuse Prevention Community Education and Older Persons Legal Centre

9.4 Improving the effectiveness of service responses

The EAPP report identified the need to strengthen collaboration and integration across services. Many peak organisations have expressed willingness to work with government to strengthen both existing mechanisms and develop new cooperative arrangements. Case workers expressed the view that where referrals were made to other agencies, feedback was important to strengthen the network and support the health and community care staff involved in cases. Cross-agency collaboration that provides coordinated leadership across services and enables the sharing of resources, as well as tracking of outcomes, are all components of a successful response. This has been demonstrated in the context of coordinated models responding to family violence.

The fundamental components for the development of an effective integrated response model are already in existence. Many agencies have policies and procedures for dealing with elder abuse and a number of agencies have formal protocols. The positive effect of peer network discussions has been demonstrated through the EAPP consultation. One finding of the consultation was that agencies and stakeholders agree that policy and program development needs to be evolutionary, building on the strengths of the current system. The updating of the Department of Human Services (DHS) guide for funded services *With Respect to Age*, together with an information strategy for its dissemination across the sector, is a clear and identifiable area for improvement.

Cooperative network arrangements need to be extended to integrate the resources of private providers. Private services should have access to the updated DHS guide for funded service providers. This will assist the development of policies, procedures and protocols to promote greater linkages with the primary care sector.

Throughout the consultation, agencies expressed interest in the development of shared principles and procedures for responding to elder abuse, whilst still enabling local flexibility and timely responsiveness. These should be based on:

- key definitions of types of abuse;
- shared principles that respect the autonomy and dignity of older people;
- clear steps to undertake in gathering and substantiating information;
- clarity about formal processes regarding assessment of the older person's competency;
- discussion of roles and responsibilities: for example social workers and nurses working collaboratively with clients and family members towards responsible and client-acceptable outcomes.

Key elements of intra- and inter-agency policies and procedures include:

- role of mediation and case conferencing;
- strengthening support to address carer stress;
- measures to ensure staff safety, including when accessing clients' homes;
- consideration of improving multicultural responses, including access to translators;
- importance of respecting the choices of a competent client; and
- feedback on the outcomes of cases.

9.4 Objective

Services respond in a coordinated and effective way to situations of abuse		
Strategy	Performance indicators	Responsibility
Revise the DHS guide <i>With Respect to Age</i> and provide information sessions for workers in funded agencies	Human service organisations have clear and consistent policies, practices and protocols which staff actively use when responding to situations of alleged abuse	DHS
Investigate the most effective way local area networks can promote a coordinated and consistent response to situations of abuse. This may include use of existing networks such as primary care partnerships and family violence networks	Several networks are piloted and evaluated to establish their effectiveness in terms of identifying and responding to cases of abuse	OSV and DHS
Revised section on responding to incidents of elder abuse included in the revised Victoria Police Code of Practice for the Investigation of Family Violence	Consistent approach by police to elder abuse situations	Victoria Police
Explore the possibility of establishing a code of practice for the finance sector	Agreement to establish Code of Practice Code of Practice drafted	OSV in negotiation with the Federal Government