21. Housing for the Aged Action Group

Organisation: Housing for the Aged Action Group

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**Anna and John were referred to the Home at Last Service in early March 2013, by Senior Rights Victoria, who was assisting them with legal issues around the foreclosure of their house mortgage. They were re-housed in long term social housing in mid April 2013.**

Anna and John a couple in their late 60’s, moved to Australia from Macedonia in the early 60’s  and settled in the western suburbs where they raised their only son.. Within a number of years of arriving in Australia they purchased a house and managed to pay off the mortgage by the time they retired from work in their early 60’s.

 Anna and John offered to assist their son with his small business by taking a mortgage out on their home. However, the business failed and their home was repossessed by the bank.  The locks were changed on the property and they were not able to access their belongings. With no close friends in Australia and their extended family living overseas; Anna and John had no option but to sleep in their car outside their son’s house.  Their son and daughter-in-law were renting a 2 bedroom unit and with one room for them and one room for their children. A few days later Anna and John received the news that their former home had been damaged  by a fire  and most of their possessions had been burnt or were smoke and water damaged.

Anna and John contacted Seniors Rights Legal Clinic (SRLC) for assistance with gaining access to their former home and for assistance with dealing with the bank.  Anna and John were referred to the Home at Last (HAL) program in March by their lawyer at SRLC.  Anna and John were both receiving the Aged Pension and with no assets were eligible for assistance from both the HAL & ACHA Program. An ACHA outreach housing support worker contacted Anna and John and arranged to visit them at their son’s house. The interview and subsequent visits were conducted in the garage of their son’s house such was the extent of their relationship breakdown. The worker discussed housing options with Anna and John and explained the different types of housing that they were eligible for.

The worker assisted Anna and John to complete a Homeless with Support Public Housing application (SEG 1) and an application for Social Housing through Community Housing Limited. John advised the worker that his wife Anna hadn’t been eating because of the stress of their situation and she had several anxiety attacks that had resulted in hospital admission.  Both John and Anna were extremely distressed about their situation and this was impacting on their health.

Due to their deteriorating health the worker was in daily contact with Anna and John and was providing updates to their lawyer at SRLC and their hospital social worker. The worker was also doing an extensive search of all housing providers on possible property vacancies. The worker was contacted by Community Housing Limited (CHL) property manager and advised that there was a vacancy at one of their western suburbs sites.  The worker arranged the appointment with CHL and provided transport to the meeting for Anna and John.  After an interview, and assessment to check their eligibility, Anna and John were offered a social housing property. They were so happy and relieved and joyful to get the good news. They were jumping around with joy.

The worker contacted the SRLC lawyer to arrange access to client’s former home and the worker arranged for removalist to remove belongings which were salvageable. A representative from the bank unlocked the house and allowed access. Anna and John were charged $400.00 for the first two hours and $88.00 for every ½ hour after that. The fee was added to their mortgage debt. Given the cost of being in the house two HAL workers assisted Anna and John to pack crockery and other items which were then loaded directly onto the removalist truck.

The ACHA service provided funds for Anna and John’s first two weeks rent, cost of removalist and for purchase of white goods. The worker applied for the bond to be paid by the Office of Housing and arranged for utilities to be connected at the new property. The worker provided Anna and John with contact details of agency’s that provide material aid including second hand furniture and no interest loan schemes.

The worker remained in touch with the couple for the month following their move to ensure they had settled in and required no further assistance or referrals. The property is located close to their son and his family and they are all hopeful of their relationship rebuilding. The property is close to shops and public transport.

**Family Violence Case Study**

Tun Yoong is a current client of the Home at Last service and has given permission for us to tell her story. Tun has also recently given an interview to ABC TV as she believes it is vital for Government to know what is happening to some older people, and why funding housing services is essential.

Tun is 74 year old non English speaking Malaysian woman. Tun has one daughter who has been living in Australia for a number of decades. In 2007 Tun’s daughter sponsored her to Australia as Tun had no other family in Malaysia and had become very lonely. The sponsorship arrangement meant Tun had to live with her daughter and almost from the beginning started to experience family violence. First off it was a lot of yelling and financial deprivation, but in recent years the daughter’s behaviour had become violent and included a lot of hitting, punching and pushing Tun over.

 Tun reports she was treated like a domestic slave and no matter what she did in terms of cooking and cleaning of the house nothing made her daughter happy and she would often strike out because she felt Tun was not a good housekeeper for her.

Tun was very afraid of her daughter but felt trapped as she had no English,  had no income of her own, she had no friends to turn to for help and had limited geographical knowledge of Melbourne to escape.   The event that led Tun to leave her daughter’s home occurred in late November 2014 and resulted in Tun acquiring a stab wound, broken finger, dislocated shoulder and hair ripped out in clumps from her scalp.

Tun was treated for her injuries at the Royal Melbourne Hospital where medical staff reported the incident to the police. The police attended the hospital and later took a statement with the assistance of an interpreter; they also made a referral into Seniors Rights Victoria (SRV) to her assist with legal issues.  SRV has assisted Tun to take out a restraining order on her daughter and with police presence assisted her to get her belongings from her daughter’s home. In early December a hospital social worker co-ordinated Tun’s discharge to the Safe Steps Family Violence Centre who in turn organised her stay in a refuge.

Home at Last accepted Tun as an outreach client and completed a Segment 1 public housing application form and commenced discussion with various Office of Housing Area Offices re. the waiting times for over 55’s. Seg 1 waiting lists, and possible vacancies. The service also contacted two Housing Associations about forthcoming vacancies and lodged applications forms with them as well. We also commenced work on securing a Centrelink payment for her, the application was made on the basis that her sponsorship arrangement had broken down.

Tun signed up for her new public housing property in an area that her daughter does not frequent.. Her new home is in a well serviced area in terms of transport, shops and support services. The unit is spacious and airy and like the majority of over 55’s stock has all the modifications she needs to be able to ‘Age in Place’. Tun will move into her new home this week with assistance from Home at Last, including the purchase of essential furniture and household items and referrals into support services she will need.

Tun is over the moon with happiness of finally having a home of her own and is looking forward to peace and enjoyment of life in these her later years.

Case study: Elder Abuse - Physical, financial, psychological, social and verbal abuse of older person

Bob’s  Story:

Bob (not his real name) lives in the family home, with his daughter, grandchildren and great-grandchildren. In a house that he formally owned  but transferred title to his daughter and didn’t receive any funds for this.

Bob is 89 years old and a world war two veteran. Bob’s family members are abusive towards him. They often scream and swear at him. Bob has put a padlock on his bedroom door as family members enter his bedroom and steal items including money. On pension day they pressure Bob to hand over his pension money.

Bob’s grandson sometimes hits him and has attempted to strangle Bob.

Bob is very distressed and often  cries and also he has bad dreams about his war experiences. He feels isolated and he can’t invite his friends to the house or have relatives stay from overseas.

Question 4

Services currently collecting data on family violence and elder abuse however it is not collected in a central place.

Question 5

Centrelink currently needs confirmation from the adult children who are sponsoring their parents on contributory parent visas in order to break the assurance of support and to allow the older person to receive special benefit.  This effectively means that the "perpetrators"  are being asked to confirm an untenable living situation.  Centrelink should accept the evidence of support organisations, rather than the family, when breaking assurances of support.

There is opportunity for Centrelink social workers to identify and respond to elder abuse, however, they need consistent training and referral pathways (which are often state-based)

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Question 7

Question 8

Question 9

Centrelink currently needs confirmation from the adult children who are sponsoring their parents on contributory parent visas in order to break the assurance of support and to allow the older person to receive special benefit.  This effectively means that the "perpetrators"  are being asked to confirm an untenable living situation. Centrelink should not be contacting the assurer of support unless the older person is safe. Centrelink should accept the evidence of support organisations, rather than the family, when breaking assurances of support.  Once they are eligble for special benefit they are also eligible for public and social housing, providing they are within the asset limit.

The special benefit should be raised to the same amount as the Aged Care Pension and should be available for anyone experiencing family conflict or elder abuse, and the debt should be waived in these instances

For more information see:<http://www.oldertenants.org.au/sites/default/files/docs/eccv-haag_preventing_homelessness_report.pdf>

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Consumer directed care models rely on the notion of choice, which is not always clear cut when an older person is relying upon adult children to navigate the system.  If an adult child has access to the "package" they can control which services come into the home.  This raises multiple issues

- for CALD communities where langugage barriers and lack of access to services mean that there is really no choice in providers - this may mean adult children have more decision making power, may be relied upon to interpret (especially if the cost of interpreters is taken out of the package) and navigate the service system

- if an in-home worker suspects elder abuse, and they are effectively being paid by the adult children prepetrators, the reporting pathway is not clear

- adult children may block services, especially if they have a vested interest in having no one seeing what is going on in the home

 - the open market of home care providers means that there is no consistency in training on recognising and responding to elder abuse

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From HAAG's Access to Justice submission available here:<http://www.oldertenants.org.au/sites/default/files/docs/haag_access_to_justice_submission.pdf>

The majority of HAAG members who have used ADR processes feel they do not provide appropriate resolution due to the lack of enforceability of agreements.Generally HAAG members had poor experiences with processes such as negotiation, mediation and conciliation. Negotiation is seen to be difficult by older residents, especiallyto undertake on their own,because the person they are usually trying to negotiate with is the one they have the problem with. Having someone negotiate on their behalf, such as an advocate, is beneficial for older people but  some people have noted that advocates do not always underst and the issue and therefore cannot negotiate successfully. Alternatively some advocates do not communicate or consult with the resident and therefore may accept an inappropriate outcome or resolution on their behalf. Mediation is often viewed as a waste of time due to the need for both parties to be willing to resolve the issue. If the matter could not be resolved by negotiation it is unlikely that it will be resolved by media tion. There is also a lack of enforcement with any agreement made during mediation. HAAG members have stated that even where it appears an agreement,is reached there is noone to contact if the other party does not honourthat agreement. It canbe time consuming without meaningful outcomes

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Other comments?

Trust, time,involvement in decision making enables older people to feel more confident about taking action. The willingness to be referred into legal services can then be successful as older people feel they have the support they need in case something were to go wrong. The most important element for older people is support, to feel as though someone will stand by them and assist them through their issue. Older people also want services that are easy to access and engage with. Few organisations are able to take the time that older people need to work through a legal issue. This can deter people from wanting to be referred, and in some instances older residents have specifically asked that HAAG act as their primary support. Although there are some organisations that are appropriate often resources, eligibility criteria and inability to provide outreach services can hinder access for older people.