Submission to Australian Law Reform Commission on Elder Abuse

I would like to submit my response to the Australian Law Reform Commission Elder Abuse Discussion Paper 83

Opening statement

The prevention of abuse of the elderly will not be fully realised while the focus is purely on legal sanctions and education around how to identify and report elder abuse.

National Plan Proposal 2-1

I support the development of a National Plan to address elder abuse. However, I believe an understanding of ageism, and issues of respect for older people in Australian society, should underpin any such plan. The voices of older people, and caregivers, need to be heard and be respected in matters pertaining to decisions that may impact on them.

There is an identified need for expansion in awareness and understanding of not only what constitutes abuse against older people, but also what ageism and mutual respect look like in practice. Development of protective factors against abuse, such as positive self-image, sense of identity, self-efficacy, self-respect, coping skills, a sense of personal control, resilience, assertive communication, conscious ageing, a sense of belonging, recognition of benevolent ageism, respectful relationships, life long learning, and what respectful behaviours look like, needs to be adequately addressed both in the community and in aged care facilities.

The current focus on education around taking precautions to address financial abuse, and for aged care staff to recognise and report abuse, is undeniably important. However, aged care training appears to focus on doing ”to” and “for” residents and community clients, rather than including strategies designed to develop older people’s capacity, and to understand what they see as important for their wellbeing. Unfortunately there also appears to be too little recognition of individual risk factors that may predispose an older person to abuse, and how to address these.

Inclusive Development

Preventative measures need to involve older people themselves as well as their caregivers. Older people are not a homogeneous group. They are as different as any other age group in society, with life-long differences in intellect, competence, and need for independence. Although generally appreciative of support, they want to maintain as much control as possible.

In my professional experience as a Social Worker with older people receiving community care, and in various residential aged care facilities on the mid-north coast of NSW, I have come to understand that many older people experience feelings of grief and sadness due to the ongoing loss of many aspects of their lives as they engage with the Aged Care system. Older people are aware that many, if not most, of these losses cannot be recovered.

Consequently, for many older people, maintaining relationships, together with a continuing sense of independence, and the maintenance of individual choice, become very important. Therefore, unless the voices of older people are included and respected in any proposed protocols or interventions to address issues of abuse, no matter how well intentioned, the consequence may inadvertently result in further abuse.

Older people are aware of being vulnerable to abuse, although it may not be named as such. Abuse may be experienced in feelings of disrespect, and as a consequence of spoken and unspoken expressions of ageism. Older people are unlikely to complain, as many are unsure of their rights, and are uneasy about “making waves”, due to apprehension over possible humiliation or retaliation if they speak up or complain within care situations, particularly residential aged care.

Aged Care Training

During my work with older people and aged care staff, I have been cognisant of attitudes and expressions of ageism and unrecognised abuse of the elderly. Much of this was unconscious, casual, and often accepted as normal, even amongst committed and caring aged care workers. Professional development on these issues was minimal, and in one instance, appalling.

Communication, transparency, and good relationships with staff, are vital for resident wellbeing and prevention of abuse. To engender a sense of hope, there needs to be a level of control and independence over choice, for example about food, who to eat with or where to eat.

In individual and group sessions in residential aged care, residents identified the following as some of the issues they see as important: wanting their concerns and feelings taken seriously, mutual Respect, staff having time to engage with residents; what are the ‘rules’ about showing care for other residents and looking after each other? ‘Privacy’ and the need to know, for example, anxiety over ‘empty chair’ at meals and not being told what has happened to others; what are their rights?

Additionally, inclusion in decisions that affect them, respect as an individual rather than ‘old person’, and continued interaction with others such as friends or younger people. Some residents need to help and show caring for others in the facility to support feeling useful and less dependent and to maintain a sense of ongoing identity.

Addressing ageism and abuse

To a large extent, I have developed both professional development sessions for aged care staff and individual and group discussions and interventions with older people, on Mutual Respect and the prevention of abuse. The aim has been to address issues of ageism, to support the concept of mutual respect among the staff and between residents and staff, and to develop identified protective factors against abuse for both older people and staff.

Both aged care residents and staff have engaged in these sessions with enthusiasm. Aged care workers have also indicated that they would welcome further professional development that addressed these issues, in particular, how to manage conflicts that arise between the rights of residents and what the aged care standards require.

Online abuse prevention professional development and training packages for Community Home Care and Residential Aged Care staff cannot adequately address attitudes and behaviour that may encourage ageism and elder abuse. The development of personalised, face-to-face, small group programs are necessary to consider the complexities that lead to inadvertent disrespectful and abusive behaviours.

In regard to Residential Aged Care facilities, in particular, I consider the employment of qualified Social Workers would be invaluable in the provision of practical and emotional support for residents and staff to develop a culture of mutual respect that would underpin abuse prevention protocols. Social Workers have training and understanding to act as both a resident advocate and provide staff support and education balance responsibilities with resident rights and preferences.

Collaboration

Collaboration between carers and other staff supports a person focus, and genuine collaboration between staff and residents can reduce the negative impacts of moving into and living in residential care.

Although this submission is on my own behalf, I consider it essential to acknowledge that my understanding of ageism and prevention of elder abuse, have been informed by Respect for Seniors Project developed by St Ives Uniting Church under the auspices of UnitingCare Ageing.

The aim of the project is to promote attitudinal and behaviour change through the development of a culture of respect, in order to prevent abuse. The underlying strategy of the project takes a two-tiered approach to the prevention of elder abuse. Community awareness education is based on Community Conversations sessions, in conjunction with the elder abuse prevention resource kit “As Life Goes On”, which includes a DVD of scenarios designed to promote discussion about potential abusive situations in everyday life.

More targeted programs for older people and others involved in care for the elderly, Toward Respect Together, are designed to promote quality of life for older people through the development of protective factors against existing and potential abuse.

Seniors Rights Victoria is one organisation that uses some of the Respect for Seniors project resources in their community education programs. Research papers, mutual respect concept, resource kit, and reports are available online at [www.respectforseniors.org](http://www.respectforseniors.org).

From my experience in working with older people I consider that a purely legal approach to the prevention of elder abuse would be insufficient. Promotion and financing of community projects and programs that raise awareness of ageism, abuse, promote mutual respect between generations, and develop protective factors against abuse potential or actual abuse would support a more inclusive and respectful Australian society and help to prevent elder abuse.