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Inquiry into Justice Responses to Sexual Violence

Australian Law Reform Commission

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To the Australian Law Reform Commission

Dementia Australia welcomes the Inquiry into Justice Responses to Sexual Violence and potential for legislative reforms to increase support for people who are victim survivors of sexual violence.

Sexual violence is a serious concern for people living with dementia in both residential care settings and home environments. Prevention measures and effective responses are essential to reduce harm.

People living with dementia experience high rates of sexual violence, with an estimated 50 sexual assaults taking place in residential aged care each week.¹ It is likely that this is underestimated, because many incidents of sexual assault are not reported or investigated. Most victim survivors are women living with dementia.²

The harms to victim survivors of sexual violence in residential aged care include high rates of mortality, injury, delirium, trauma, infection, fear, distress, insomnia, failure to thrive, delays in processing and impaired communication.³

The Royal Commission into Aged Care Quality and Safety described physical and sexual abuse in residential aged care environments as a disgrace and a source of national shame.⁴

¹ Older Persons Advocacy Network, **[Ready to Listen](#)**.

² Dementia Alliance International, 2022, **[The Sexual Assault and Dementia Special Interest Group](#)**.

³ Barrett and Lee, 2022, **[The #ReadyToListen Map Guidelines](#)**.

⁴ Royal Commission into Aged Care Quality and Safety, 2021, **[Final Report Volume 1](#)**.

Evidence given to the Royal Commission included many concerning accounts of sexual assault by staff and other residents in residential aged care.⁵

There are a range of harmful myths about older people and their experiences of sexual violence, particularly people with living with dementia. These myths are barriers to effective responses and need to be addressed. They include that sexual and family violence is less harmful to people living with dementia because of memory loss or lower pain responses.

There are further challenges for people living with dementia who report sexual assault, when responses undermine their credibility due to lack of understanding of dementia or because of ageism.


Dementia Australia urges the Commission to make recommendations which directly address the experiences of people living with dementia, reduce vulnerability, improve support for disclosure of sexual assault, and improve reporting and justice responses.

We support the submission made by the Older Person's Action Network to this Inquiry, which outlines many of the barriers to effective justice responses for older women who are victims of sexual assault. We also commend to you the **#ReadyTo Listen MAP Guidelines**, which outline a considered framework for improving responses to sexual assault in residential aged care.

People living with dementia of all ages deserve to be free of sexual violence and to be provided with supportive justice responses which reduce harm. We urgently need leadership for improved responses and to prevent further sexual violence against people living with dementia.

Thank you for considering these issues.

Sincerely,



Kaele Stokes

Executive Director, Services, Advocacy and Research

⁵ Royal Commission into Aged Care Quality and Safety, 2021, **Final Report Volume 2.**