



# Abuse of Older People: Practical Policies or Moral Panic?

Paul Sadler  
CEO, ACS NSW & ACT

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# Moral panic

- ABC Lateline revelations
  - Reported sexual assault mixed in with dubious allegations of poor practice from disaffected staff
- Pick up by media outlets across Australia
  - Some cases 7+ years old
  - ACT and NSW involved too
- Eloquent (but unrepresentative?) advocate promotes one fix – mandatory reporting
- Ministers put on spot
  - When cautious, criticised for not being tough enough



# Definition of Elder Abuse

- **Elder abuse is any act occurring within a relationship where there is an implication of trust, which results in harm to an older person. Abuse can include physical, sexual, financial, psychological and social abuse and/or neglect.**

*National Healthy Ageing Taskforce, 2001*



# Qualifications on Definition

- Covers a range of actions, from criminal to subtle
- Abuse occurs in the context of a relationship between the abused person and the abuser
- Excludes self mistreatment and self neglect
- Abuser may be a family member, friend, neighbour, paid worker or other person in close contact with the victim
- Crime or assault in the street or at home by strangers, and discrimination in the provision of goods and services, are excluded



# Prevalance

- International research suggests that between 2 and 6% of community living older people are victims of elder abuse
- Australian research suggests that between 1 and 5% of clients of Aged Care Assessment Teams (ACATs) are victims of elder abuse
  - Similar proportions of clients of other community care services
- 1 in 3 nursing homes in US reported for at least one incident of abuse in 1999-2000
  - Included resident-to-resident abuse
  - May reflect differences in care levels and greater reporting of abuse incidents



# Types of Abuse

- Categories of abuse
  - Physical
  - Psychological
  - Sexual
  - Social
  - Financial
  - Neglect
- In ACAT studies psychological abuse and physical abuse were the most commonly identified
- In other Australian studies financial abuse more common
- More than one form of abuse occurred in over half of ACAT study cases



# Gender & Dementia

## Gender

- Most victims women
  - But males victims proportional to numbers of older people
- Most abusers men
  - Especially physical, psychological and sexual abuse
  - Females more likely in cases of financial abuse and neglect

## Dementia

- ACAT studies suggest people with dementia twice as likely as those without dementia to be victims of abuse
- Carers very likely to experience abuse from person with dementia



# Factors Contributing to Abuse

1. *Dependency of the older person*, characterised by the abusive or neglectful behaviour beginning around or after the onset of the person's disability. Often linked to carer stress
2. *Psychopathology in the abuser*, including psychiatric or drug and alcohol problems
3. *Domestic violence*, characterised by a history of violence (usually male to female) predating the onset of any disabilities
4. *Carer abuse*, where a person with dementia abuses their elderly carer
5. *Financial dependency of the abuser on the victim*



# Key Assessment Issue

- A key principle on which any intervention must be planned is the thorough assessment of whether the victim is:
  - a) incapable of making his or her own decision;
  - b) capable of making a decision and wanting to remain in current accommodation; or
  - c) capable of making a decision and wanting to be separated from the abuser
- The pattern of intervention followed will vary depending on this



# Community Intervention Options

- Crisis care
- Community support services
- Respite care
- Counselling
- Treatment of abuser
- Alternative accommodation
- Legal interventions
  - Criminal charges
  - Apprehended Violence Orders
  - Powers of Attorney
  - Guardianship



# Fear of Retribution in Residential Care

- **Reporting barriers**
  - Culture of institutional care
  - Loss of power and self esteem
  - Work environment
  - Inadequate skills of staff
- **Strategies**
  - Promote social support
  - Pro-active quality improvement systems
  - Surveillance equipment
  - Multi-disciplinary, multi-agency cooperative models



# Systemic Responses

## **United States and Canada**

- mandatory reporting legislation with Adult Protective Services established to investigate and intervene in cases of elder abuse

## **UK**

- multi-agency protocols, Protection of Vulnerable Adults pre-employment screening and licensing for all residential and community care staff

## **New Zealand, ACT, Queensland & South Australia**

- funded specialist telephone information and education services to assist in dealing with cases of abuse

## **Other Australian states**

- developed protocols or intersectoral cooperation models



# NSW Inter-Agency Protocol

- Following extensive consultation, the NSW Advisory Committee on Abuse of Older People produced an Inter-Agency Protocol in 1995
- Identifies agency responsibilities in 5 areas :
  - Identification** - recognising a case of abuse (*All services*)
  - Assessment** - assessing the nature and extent of abuse (*ACATs, GPs, EDs, Police, Mental Health, DV services*)
  - Case Management** - monitoring the situation of abuse and arranging appropriate services (*ACATs, COPs, community nurses, etc*)
  - Other Interventions** - provision of health, welfare and accommodation services (*HACC, GPs, etc*)
  - Legal Intervention** - where appropriate, taking legal action (*Police, Guardianship Tribunal, courts, DV services*)



# NSW Inter-Agency Protocol

- Two procedural protocols relating to:
  1. *Financial abuse*
  2. *Physical, psychological and sexual abuse, and neglect*
- Special responses were outlined in cases of abuse involving
  - People with dementia
  - People from non-English speaking backgrounds
  - Aboriginal and Torres Strait Islander people
  - People living in remote and isolated areas
- NSW Government has commenced review of Inter-Agency Protocol
  - Following lobbying by ACS



# Related Developments

- **Strengthening of Guardianship / Power of Attorney**
  - Improved NSW Guardianship and Powers of Attorney legislation
- **ACAT Role**
  - NSW Health review
  - Enhanced case management responsibility
- ***The Way Forward***
  - Development and trial of Australian Community Care Needs Assessment and carer assessment and eligibility tools
  - Changes to comprehensive assessment



# Mandatory Reporting?

- Only adopted in North America
- Rejected by Australian government committees
- Arguments for
  - Ensures cases come to public attention
  - Puts issue on social agenda / may attract funding
  - Provides clear procedures
- Arguments against
  - Removes autonomy of older people
  - Most cases already known to service providers
  - Most reports from non-mandated sources
  - Problem is not finding cases, but doing something about them
  - Administratively costly and bureaucratic



# ACSA's Suggestions

- Immediate reporting of criminal activity to the police
- Policies and procedures
- Staff training
- Elder abuse prevention units
- Staff screening
- Strengthening legal protection
- Review Complaints Resolution Scheme
- Research and data collection
- Accreditation improvements
- Address fear of retribution
- Community care assessment reforms



# Federal Minister's Response

- Aged Care Advisory Committee meetings 14 March, 12 May
- Met with State Ministers for Ageing 10 April
- Announced actions
  - Uniform system of police checks for workers
  - Increase in unannounced spot checks
  - Review of Complaints Resolution Scheme
  - Training on abuse and complaints
- Split views on mandatory reporting
  - But reporting of staff-initiated physical or sexual abuse will be required (to whom?)



# Conclusion

- Abuse is real, and needs to be taken seriously
- Over-reacting due to moral panics won't help
  - Simplistic solutions won't help either!
- Let's have an informed debate
  - Facts not assertions
  - Considered action
- Today is the start!



# Resources

- [www.agedcare.org.au](http://www.agedcare.org.au)
  - ACSA position paper and background paper
- [www.dadhc.nsw.gov.au](http://www.dadhc.nsw.gov.au)
  - Inter-Agency Protocol
  - *Abuse of Older People: The hidden problem* (pamphlets in 17 community languages)
  - Copies of Advisory Committee research papers and reports
- Qld Elder Abuse Prevention Unit
  - [www.eapu.com.au](http://www.eapu.com.au)
- SA Aged Rights Service
  - [www.sa.agedrights.asn.au](http://www.sa.agedrights.asn.au)