

State of the Nation

Topics to be covered today:

- ALRC Report 131- Overview of Inquiries/Reports - Oakden Legacy
- What is happening in other jurisdictions to address elder abuse
- The National Plan
- Elder Abuse Community Led Strategies for Change
- OPAN
- Elder Abuse Action Australia (EAAA)
- The future

Last year I had a dream..

The screenshot shows a web browser window displaying the Australian Law Reform Commission's website. The page title is "Elder Abuse—A National Legal Response (ALRC Report 131)". The page is dated "Published on 14 June 2017" and filed under "Age Guardianship".

The main content area features a table of contents with the following items:

- > [Terms of Reference](#)
- > [Participants](#)
- > [Recommendations](#)
- > [1. Executive Summary](#)
- > [2. Concepts and Context](#)
- > [3. A National Plan to Combat Elder Abuse](#)
- > [4. Aged Care](#)
- > [5. Enduring Appointments](#)
- > [6. Family Agreements](#)
- > [7. Superannuation](#)
- > [8. Wills](#)
- > [9. Banking](#)
- > [10. Guardianship and Financial Administration](#)
- > [11. Health and National Disability Insurance Scheme](#)

The report's purpose is described as: "The ALRC was asked to consider Commonwealth laws and legal frameworks and how they might better protect older persons from misuse or abuse, and safeguard their autonomy." The report includes 43 recommendations for law reform, with the overall effect being to safeguard older people from abuse and support their choices and wishes through:

- improved responses to elder abuse in residential aged care;
- enhanced employment screening of care workers;
- greater scrutiny regarding the use of restrictive practices in aged care;
- building trust and confidence in enduring documents as important advanced planning tools;
- protecting older people when 'assets for care' arrangements go wrong;
- banks and financial institutions protecting vulnerable customers from abuse;
- better succession planning across the self-managed superannuation sector.

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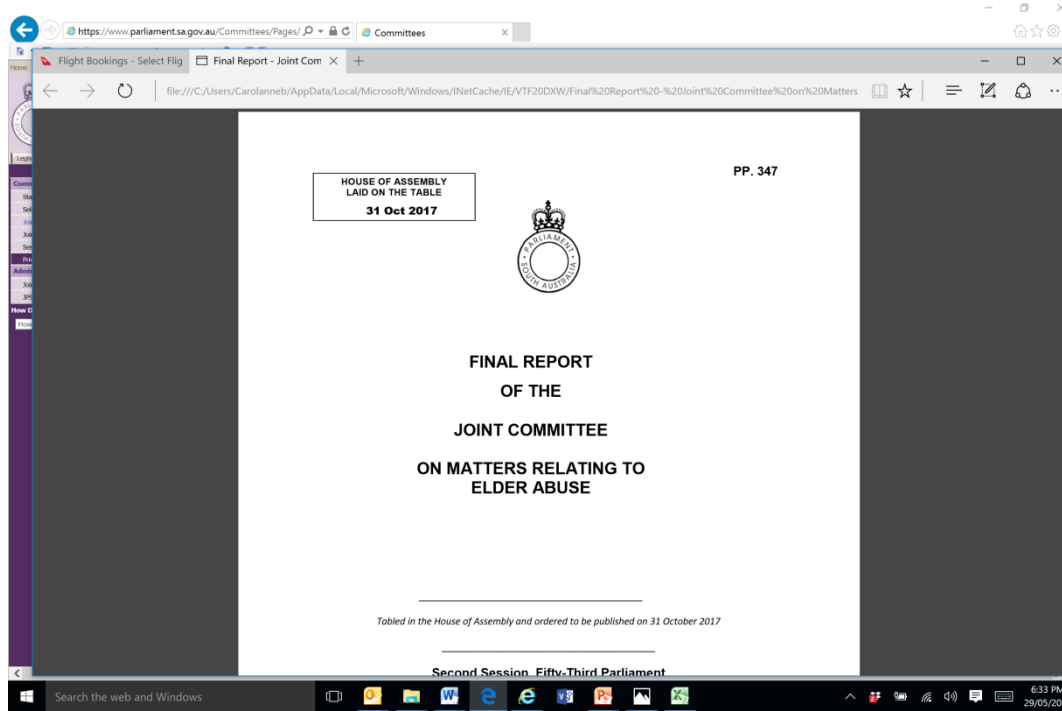
Oakden Legacy

- **ALRC 131 Report Elder Abuse**
- **SA Joint Committee – Elder Abuse**
- **Carnell Paterson Report**
- **Senate Committee**
- **ICAC Report into Oakden**
- **House of Representatives Committee**
- **SA Elder Abuse Response Discussion Paper Consultation**
- **SA Election Commitments**

Carnell Paterson Review



SA Parliamentary Committee Report



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ICAC Report

The screenshot shows a web browser displaying a Yahoo! News article. The browser's address bar shows the URL: <https://au.news.yahoo.com/video/watch/39351725/fci...>. The page features the Yahoo! News logo and navigation tabs for News, TV, Finance, Sport, Lifestyle, Entertainment, Travel, Weather, and All. The main content area displays a video player with a thumbnail image of a report cover titled "OAKDEN A SHAMEFUL CHAPTER IN SOUTH AUSTRALIA'S HISTORY" by Mike Smithson. Below the video player, the article headline reads "ICAC finds 'culture of coverups, incompetence and untruths' in Oakden report". A short paragraph below the headline states: "The Oakden Aged Care scandal has been officially slammed by ICAC's top investigator as a shameful chapter in South Australia's history." The page also includes social media sharing options (Facebook, Twitter, Email) and a "LATEST" section at the bottom. The Windows taskbar at the bottom shows the time as 10:30 AM on 5/03/2018.

YAHOO! NEWS LATEST NATIONAL WORLD SUNRISE SUNDAY NIGHT VIDEO MORE FOLLOW

OAKDEN
A SHAMEFUL CHAPTER IN
SOUTH AUSTRALIA'S HISTORY
A REPORT BY
MIKE SMITHSON
REPORTING

ICAC finds 'culture of coverups, incompetence and untruths' in Oakden report

The Oakden Aged Care scandal has been officially slammed by ICAC's top investigator as a shameful chapter in South Australia's history.

SHARE

LATEST

10:30 AM
5/03/2018

Federal Government Responses

- **Unannounced visits**
- **Aged Care Quality & Safety Commission**
- **Serious Incident Response Scheme**
- **Clinical Advisor**
- **Mental Health package**
- **Aged Care Workforce Taskforce**

State government responses

- **Accepted all recommendations in the Groves (Oakden) Report**
- **Closed down Makk & McLeay Units (Oakden)**
- **Committed to legislative reform**

But what about the elder abuse in the community?



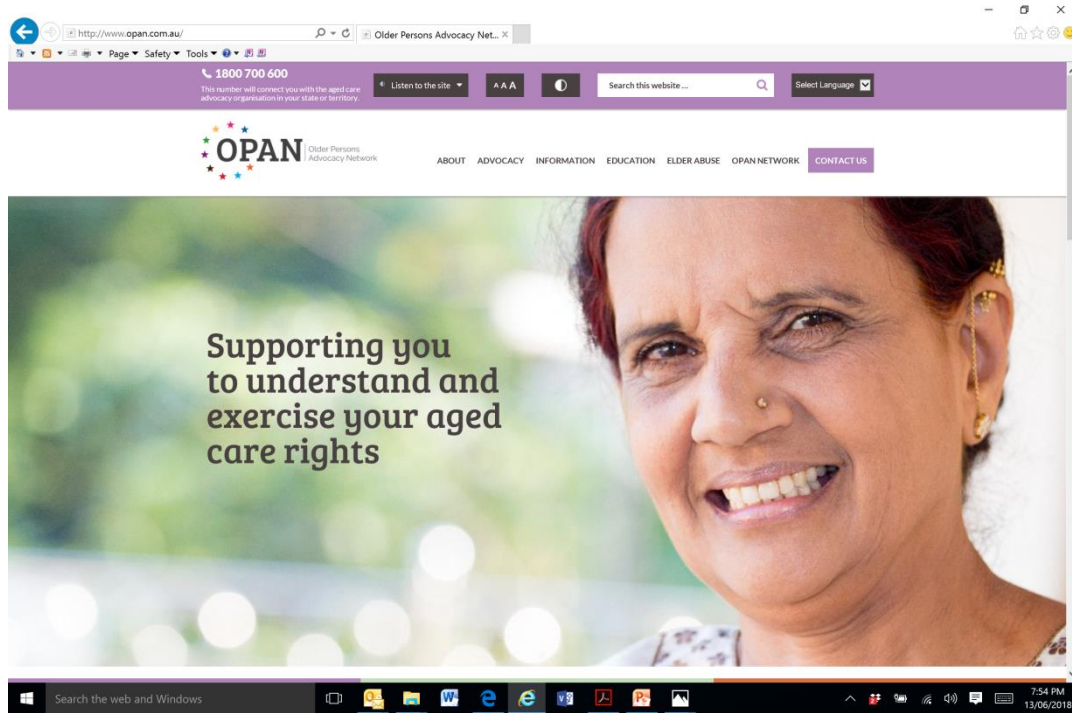
The National Plan

- **20 February 2018 – Cth A/General announced:**
 - **Council of A/G agreed to develop National Plan**
 - **Expecting to see consultation in July/August 2018**
 - **A draft will be presented to the Council by end of 2018**

Abuse of Older People: A Community Response

The screenshot shows a web browser window with the URL seniorsrightsservice.org.au/community-response. The page features a teal header with the Seniors Rights Service logo and navigation links for 'ABOUT', 'SERVICES', 'RESOURCES', and 'CONTACT'. A main banner area contains the text 'LAUNCH OF ABUSE OF OLDER PEOPLE: A COMMUNITY RESPONSE FINAL REPORT' next to a circular portrait of an elderly woman. Below this, a section titled 'COMMUNITY OUTCOME FROM THE 5TH NATIONAL ELDER ABUSE CONFERENCE TOGETHER MAKING CHANGE' includes a 'DOWNLOAD PDF HERE' button and contact information for Seniors Rights service on 02 9281 3600. At the bottom, a 'LIVE WEBCAST' section is partially visible. The Windows taskbar at the bottom shows the date as 10/06/2018 and the time as 2:54 PM.

OPAN



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EAAA

WEAAD - Seniors Rights Ser EAAA Launch - Seniors x +

seniorsrightservice.org.au/eaaa-launch

Seniors Rights Service

Legal • Advocacy • Education 1800 424 079

EAAA
Elder Abuse Action Australia

Will be formally launched 14th June, 10am AEST

**YOU ARE INVITED TO
THE FORMAL LAUNCH OF
ELDER ABUSE ACTION AUSTRALIA (EAAA)
LIVE WEBCAST**

Elder Abuse Action Australia is a growing network of organisations and individuals that work in elder abuse prevention and support services around Australia.

LIVE WEBCAST

Search the web and Windows

3:38 PM
14/06/2018

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Alliance for the Prevention of Elder Abuse (APEA)

- **Legal Services Commission**
- **SAPOL**
- **Office of the Public Advocate**
- **Public Trustee**
- **Aged Rights Advocacy Service**

Bankers calling for urgent financial protections

The screenshot shows a web browser displaying an ABC News article. The article title is "Bankers call for urgent financial protections to prevent abuse of elderly Australians". The byline reads "By political reporters Matthew Doran and Anna Hindersson". The article text discusses the Australian Banking Association's call for a national register of enduring powers of attorney to protect vulnerable elderly people from financial abuse. A photo of Anna Bligh is included. On the right side, there is a "TOP STORIES" section with various news items.

Bankers call for urgent financial protections to prevent abuse of elderly Australians

By political reporters Matthew Doran and Anna Hindersson
Updated Fri at 10:36am

The nation's bankers are calling on the states and territories to urgently improve measures to prevent financial abuse of vulnerable, elderly Australians.

Federal, state and territory attorneys-general are meeting in Perth today to discuss a range of measures, including bolstering the nation's protections against elder abuse.

One of the key proposals is for a national register of enduring powers of attorney, so staff in organisations such as banks can check their validity.

Enduring powers of attorney are legal authorisations that give permission to an elderly person's relative, friend, or carer to act on their behalf, including withdrawing or transferring money.

The Australian Law Reform Commission (ALRC) called for a national register to be created in late 2016, and money was set aside in this year's federal budget to establish the scheme.

The Australian Banking Association (ABA) said such a register would greatly benefit staff in bank branches across the nation.

"Banking staff are often right at the frontline of this terrible problem, it's bank staff who see unusual withdrawals from accounts, that see older people being pressured in branches to sign documents and make withdrawals for somebody else," ABA chief executive Anna Bligh said.

Staff have told me stories about very large withdrawals going out of an old person's account being used for gambling and overseas holidays when they know that person is in fact in a nursing home, confined to

PHOTO: Australian Banking Association chief executive Anna Bligh says states and territories need to fast-track changes. (ABC News: Nick Hargarty)

RELATED STORY: The silent epidemic of elder abuse in our suburbs

RELATED STORY: Powers of attorney giving greedy kids 'a licence to steal' from elders

RELATED STORY: Elder abuse report 'a once in a lifetime' opportunity

TOP STORIES

- **SPORT** Crawford far too good for Horn in TCO win to claim welterweight title
- **Barnaby Joyce** films confrontation with photographer outside church
- **'Very dishonest and weak'**: Trump refuses to endorse G7 communique
- **'He was dead and there was a gun laying with him'** ❗
- **ANALYSIS** Botch's answer to Steve Jobs fooled everyone. How?
- **Hopes the 'Trump-Kim summit** will stem the tide of North Korean ghost ships washing ashore in Japan
- **Duke and Duchess of Sussex** join Queen Elizabeth's birthday celebrations
- **New 'Paris and London'** technology set to hit Sydney train network
- **Former Fleetwood Mac guitarist** Danny Kinnes dies aged 68
- **'SPOT' AFL** live: Brisbane welcomes Essendon to the Galbra
- **Opinion:** What the US 'gay wedding cake' case means for Australia
- **From 'out' to 'in'**: 'Wild peeing' on the nose as authorities crack down in Paris
- **SPORT NRL live:** Sharks host the Tigers, Storm face Broncos
- **'We are in danger'** Family refuses to leave home at risk of washing away
- **'If you need this, it's yours'**: 10yo boy's idea to help Hobart's homeless
- **How murderers remake Johnny Cash** and changed his fortunes
- **After the boom**, where are Australia's new mining engineers?

Adult Safeguarding

- **ALRC Recommendation**
- **Must balance autonomy and protection**
- **Must ensure that there is a response to concern about abuse**
- **Must ensure that based on human rights principles– Will & preference of older person at every stage of intervention**
- **Must ensure Non government sector involved**
- **Ensure access to independent Advocacy Services**
- **SACAT review and redress**

Future 18/19

- **17/18 Future**
- **A National Plan**
- **Scoping study**
- **Collaboration – multijurisdictional, multidisciplinary, co designed with older people...**
- **Balancing autonomy and safety**
- **Prevention Strategies**
- **Then Action.....**
- **Adult Safeguarding Legislation**
- **Backed by support services with real resources**
- **Aged Care Reform**
- **National Register for Powers of Attorney**
- **EAAA flourishes ensuring the voice of older people is heard**
- **Sign off of the National Planthen Action**

Call to Action

- **There is no excuse not to act nationally NOW against elder abuse.**
- **Elder Abuse – within families, the wider community, or in any care setting is unacceptable**

Thank you

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ARAS

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