



AUSTRALIAN LAW REFORM COMMISSION INTO ELDER ABUSE

ISSUES PAPER SUBMISSION BY: AGED RIGHTS ADVOCACY SERVICE INC.

AUGUST 2016

The Aged Right Advocacy Service Inc (ARAS) welcomes the opportunity to provide a submission in response to the Issues Paper published by the Australian Law Reform Commission(ALRC) inquiry into elder abuse. ARAS understands that there will be a further opportunity for submissions post the ALRC releasing a discussion paper later this year. ARAS also endorses the submission by Older Person's Advocacy Network (OPAN).

ARAS is a not for profit organization community based organization providing advocacy support across South Australia and has been operating since 1990. It is an independent, rights based organization that aims to promote and protect the rights and wellbeing of older people through the provisions of information, education, support and representation.

ARAS offers a free statewide and confidential advocacy service to older people with the following programs offered:

- Residential Aged Care Advocacy
- Community Care & Home Support Advocacy
- Aboriginal Advocacy Program
- Abuse Prevention Program
- Elder Abuse Prevention Phone Line (Trial)
- Retirement Villages Advocacy
- WEAAD Community Activities and Conference.

ARAS is predominantly funded by the Australian Government as well as the Office for the Ageing, SA Health.

The above programs support older people or their representatives to exercise their rights and/or access their entitlements in residential aged care, home and community care and retirement villages.

Additionally ARAS has significant experience in supporting older people who are experiencing or at risk of experiencing elder abuse with the Abuse Prevention Program and a recent addition to ARAS being the elder abuse prevention phone line trial which commenced in late 2015.

ARAS understands that the Commission is particularly interested in evidence of elder abuse. ARAS has reviewed our data for the last ten years from the 1st of July 2006 to the 30th of June 2016 in terms of advocacy support (cases) for older people experiencing elder abuse . The report generated the following results:

Over this time period there were a total of 5401 requests for advocacy assistance associated with elder abuse.

- These requests were categorised under the following types based on what had been reported to the advocate by the older person, a friend/family member or a service provider. These numbers factor into consideration that in many cases the older person in question had been experiencing multiple forms of abuse simultaneously. In this respect there is some overlap(e.g. in many cases on financial abuse the older person is also experiencing some form of psychological abuse:
 - Physical Abuse: 809 (14.98%)
 - Financial Abuse: 2828 (52.36%) Out of this total there were 555(19.63%) that involved abuse by the Power of Attorney
 - Social Abuse: 572 (10.59%)
 - Psychological: 4065 (75.26%)
 - Neglect: 653 (12.09%)
 - Sexual: 40 (0.75%)
- In 1422 of these cases(26.33%) it was either alleged or specifically identified that the perpetrator of the abuse was the older persons adult daughter.
- In 1568 of these cases(29.03%) it was either alleged or specifically identified that the perpetrator of the abuse was the older persons adult son.
- In 553 of these cases(10.24%) the older person was identified as living in a residential care facility at the time of contact.
- A total of 472 cases(8.74%) involved a person that was identified as being from CALD background.
- A total of 90 cases(1.66%) involved a person that identified as being either Aboriginal or a Torres Strait Islander.
- A total of 506 cases(9.37%) involved a person that was identified as having some degree of cognitive impairment or dementia.

Our data also indicates that the advocacy support for elder abuse started to increase from 2012 and is currently in excess of 700 cases per year.

The above data provides a snap shot of ARAS data and excludes the elder abuse prevention phone line trial data. It is important to note that the data reflects only cases where older people have sought advocacy support from ARAS and there is potentially many other organizations that may have data that could contribute to understanding the potential scope of this complex social issue.

ARAS has provided a question specific response to the ALRC questions in the attachment 1. ARAS looks forward to being able to comment on the subsequent discussion paper by the ALRC.

For further information or clarification on any part of this submission please contact:
Carolanne Barkla Chief Executive

carolanneb@agedrights.asn.au PH: 08 82325377 / M: 0439206184.