

Our Actions
to prevent the
abuse of older
South Australians
2007

Office for the Ageing
Department for Families and Communities



Government
of South Australia





foreword



The focus of *Our Actions* is to alert the South Australian community to the potential abuse of older people. Abuse is intolerable and we need to take action to prevent it. A key priority is to ensure that older South Australians are protected from all forms of abuse. We value their wellbeing and the contributions they make to our community and will work to ensure that they feel safe, secure and protected in their homes and neighbourhoods. The number of older people in South Australia is growing and we must position ourselves now to ensure that they enjoy a high quality of life.

Complex reasons contribute to the abuse of older people and the reasons older people stay in abusive situations. Barriers exist which may prevent them from reporting abuse and receiving assistance. *Our Actions* provide a unique opportunity to better understand these reasons and to take action to prevent and address abuse in our society, now and in the future.

Older South Australians, like all citizens, have the right to feel safe from harm, abuse and neglect. We will not tolerate the exploitation of vulnerable citizens and will support them to put in place measures to ensure that their wishes about the future are recorded.

For a range of reasons, some older people may not be in a position to make their wishes known and we will ensure that their needs are addressed through advocacy and independent support. For this reason the State Government is reviewing its advance directives, including the Enduring Power of Attorney, Enduring Power of Guardianship, Medical Power of Attorney and the Anticipatory Direction.

Our Actions to Prevent the Abuse of Older South Australians sets out our priorities for action which include: strengthening our laws and reporting mechanisms; improving education and training for professionals; raising awareness in the community; enhancing collaboration between service providers; and investing in research to develop innovative practices.

We are already progressing a number of initiatives to keep South Australians safe. These include *Keeping them Safe* which is focused on the care and protection system for children, the *Women's Safety Strategy* and the *Family Safety Framework*, to coordinate service response for families in which domestic violence may be occurring. *Our Actions* also link closely to key recommendations put forward by the House of Representatives Standing Committee on Legal and Constitutional Affairs in its report, *Older People and the Law*.

Our Actions encourage the community to engage in discussion about abuse of older people and to take action or seek assistance to prevent it from happening. At the same time it encourages us not to stereotype or stigmatise older people. The independence and dignity of older people must be respected.

There is a great deal of goodwill and enthusiasm in the aged care sector to ensure a better understanding and response to the abuse of older people. The State Government is committed to supporting the sector to continue this vital work. In addition, governments, business, the community sector and individuals must find ways to foster respect for older people and to maximise choice, independence and opportunities for all of our citizens.

Above all, we must listen to the voices of our older people and work together to say 'No' to abuse in our society.

Jay Weatherill
Minister for Ageing
November 2007

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introducing *Our Actions*

Improving the safety and wellbeing of older South Australians is a priority of this State Government. *Our Actions* outline what we propose to do to ensure that all older citizens are protected from harm, abuse and neglect, are safe and provided with opportunity and choice in their homes, communities and as customers. Keeping older people safe from abuse, exploitation and violence is an intrinsic part of this government's commitment to social inclusion objectives.

All South Australians have the right to enjoy good physical and mental health in a safe and healthy environment, to enjoy their rights as citizens, and to have the opportunity to make a positive contribution. They also have the right to be respected and supported by their families and the broader community, to have a voice in all decisions that affect them and to achieve their full potential in life.

Older South Australians are critical to the wellbeing of our society. *Our Actions* will ensure that older people are centre-stage as valued citizens and that the wisdom and expertise that they have accumulated are respected. These strategies take into account the diversity of their needs, their changing capacities, and the importance of culture and cultural diversity.

The facts

South Australia now has the oldest population of all states and territories in the country: by 2051 almost 31 per cent of its population will be over 65 and the over 85 population will have increased four fold. There will also be more older people than those under 15 for the first time in history.

Currently, studies in Australia estimate that between 1 and 5 per cent of older people are abused; the figures vary depending on the methods and definitions used. We know, however, that abuse of older people is an under-

researched and hidden problem that occurs across the spectrum of society. It is impossible to provide accurate data on the prevalence and incidence of this abuse as it is often unrecognised, unreported, and hard to detect. In addition, currently there is no central register of statistics to support accurate information.

Complex reasons place older people at risk of abuse. These include: increased isolation from others; the widening gap between generations in the family; family members feeling a duty of care but failing to access outside assistance; and increased marital stress between an older couple when they share a home with others. We also know that abusive and violent behaviour can be passed down through generations and that family or domestic violence can persist into old age.

Dependency of family members on an older person, in particular financial dependency, can also lead to abuse. Carers may experience significant stress, which may pose an added risk for abuse, in particular for an older person suffering from dementia (who may also become abusive toward the carer). Carers or other family members may also have an addiction (gambling, drugs, alcohol) or a mental illness which can add to the risk.

Ageist and racist community attitudes can lead to discrimination, neglect and the marginalisation of older people and

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a lack of respect and concern for their safety, interests, needs, and rights. Language, religious and cultural barriers can restrict knowledge about, or access to, services. Older migrants and refugees may lack access to extended family or communities of support, making them more vulnerable. Aboriginal families and communities are more vulnerable to abuse, particularly financial abuse.

Abuse of older people can come in many forms and may include social isolation or intimidation, emotional or psychological abuse, sexual abuse, financial exploitation, spiritual abuse, physical abuse (threatened or actual) or neglect. There is evidence to suggest that older people may be subjected to different kinds of abuse at the same time, to a lesser or greater degree, and that many members of the community, including older people, do not believe that behaviour is abusive unless it is physical. Abuse often leaves older people living in fear.

Many reasons keep older people in abusive situations and provide barriers to reporting. These include: diminished capacity; mental or physical disability; restricted mobility; lack of awareness of what constitutes abuse; lack of knowledge of their rights or resources; isolation or fear of alienation; the need to preserve a relationship; dependency on others; the stigma and shame associated with abuse; literacy and language barriers; religious, generational and cultural barriers; fear of reprisal from the abuser; and a perceived or actual lack of options or access to services.

Financial abuse of older people is currently the most commonly detected form of abuse, followed by psychological abuse, and the two are often intertwined.

Focus for action

In preparing *Our Actions*, we reviewed a wide range of national and international research and surveyed and interviewed a wide range of service providers in the government, non-government and private sectors (see Appendix 1). The advice of our Ministerial Advisory Board on Ageing, the Aged Rights Advocacy Service, Council on the Ageing and our Reference Group has been valuable in shaping our response.

Working collaboratively and cohesively across government is crucial so that efforts to support older people work well together. In particular the Advance Directives Review launched by the government in April 2007 seeks to simplify South Australia's advance directives for health, finances and lifestyle decisions so they will more closely reflect community requirements. Advance directives are one way in which older people can put their wishes in place, or appoint someone they trust to make decisions for them when they can no longer make decisions for themselves.

The Attorney-General has already consulted the public about strengthening protection against financial abuse. *Our Actions* take account of this work and the Advance Directives Review.

Our Actions have five key priority areas to ensure that it is achievable and will make a difference. These are achievable and measurable, positive, evidence based, cross-sectoral and collaborative. They are relevant for different stages of ageing, and will build capacity and address issues related to gender, disability, capacity and cultural diversity. They are sensitive to the needs of Aboriginal people.

We know what needs to be done and *Our Actions* set the direction by focusing on:

- Providing safety and security by strengthening reporting mechanisms and accountability by examining and changing laws and policies to ensure that adequate protection is given to older people at risk of abuse or continuing abuse.
- Implementing strategies for abuse prevention through educating and training professionals and service providers, communities, families, carers, and older people themselves so they are better able to recognise and respond to situations that put older people at risk.
- Raising awareness of older people, the community, and professionals by promoting messages that celebrate ageing, value and respect the contributions of older people, and raise awareness of the extent and nature of the problem of abuse of older people in families and communities.
- Working together to build strong relationships between agencies and professionals to ensure that older people have access to the right services in a timely and efficient manner.
- Supporting research and innovation to develop effective models for prevention by identifying and filling the gaps in research and evaluating new initiatives to inform and guide policies and practices.

Working with others

We will work with the Australian Government to influence those areas where it has lead responsibility, such as residential aged care and Home and Community Care, but *Our Actions* focuses primarily on the community sector. We will work with the Australian Government to raise awareness through

advertising campaigns and with State Government agencies in the community services sector to provide better coordinated and integrated responses.

We will work with the legal, business and financial sectors, and Justices of the Peace (JPs) to enhance their ability to recognise and respond to the financial abuse of older citizens. Local government and non-government agencies also have an important role in providing information, resources, and specific services in this area. Universities, TAFE, and other educational institutions are crucial in research and education.

What happens now?

Initiatives which respond to the abuse of older people such as the annual World Elder Abuse Awareness Day Conference, promotional material such as the booklets *Regaining Your Control* and *Safeguarding your Finances* and *Witnessing Documents*, and information and education sessions for key stakeholders are some of the initiatives already in place. We will continue to develop and strengthen these initiatives as well as introduce new priorities. *Our Actions* has a long-term outlook but it also delivers some immediate gains. It includes kickstart initiatives which are summarised on pages 10 to 12.

The Office for the Ageing in the Department for Families and Communities will oversee the implementation of *Our Actions*. Government agencies are expected to report annually against its five key areas and Office for the Ageing will collect this information to review progress and recommend the next actions to the Minister for Ageing.

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key themes

These are the key themes that emerged from our study which we have addressed.

Safety

Older South Australians, like all citizens, must feel safe and protected from harm, abuse and neglect. We are committed to ensuring that older South Australians are protected from all forms of abuse and will not tolerate the exploitation of vulnerable citizens. *Our Actions* will outline the most effective strategies to prevent abuse.

A positive climate

A climate needs to be created that is 'user friendly' toward older people. This means messages framed in positive, respectful language with an emphasis on celebrating older people's contributions and value to society in order to address ageist attitudes that can exist in the community.

Self determination

Awareness needs to be raised about the issue of abuse of older people and reporting mechanisms need to be strengthened. At the same time the independence and dignity of older people needs to be respected and enhanced to avoid further stereotyping and stigmatising.

Choices and wishes of older people

Strategies to prevent abuse of older people must be modelled on their right to make their own choices. A voice in decisions that affect them is one of the most fundamental rights they have. It is essential that principles for action are dedicated to their interests, needs and wishes and that they are consulted appropriately before action is taken. Where older people are legally able to complete advance directives or appoint someone of their choosing to make decisions for them in case of future incapacity, these mechanisms need to be simple, free and easily accessible.

Some older people may not be in a position to make their wishes known, for reasons related to capacity or competence as a result of illness, dementia, or the ageing process, or to language and cultural beliefs. The rights of these older people should be addressed through advocacy or independent interventions or both.

Upholding the rights of older people

Strategies to uphold the rights of older people to make decisions in their own interests need to be based on an understanding of the rights and decision making capacities of the older person. Service providers are to act within the principles that respect the autonomy, independence and dignity of older people and accord older people all the rights of any adult in our community. Any response to abuse must be based on a strong commitment to the human rights of older people including their prerogative to guide what action is to be taken on their behalf.

Older people who are at risk of or who have experienced abuse may require varying support depending on the nature of the abuse, their level of independence, their health status and their capacity to make informed decisions. Every adult is presumed capable of making decisions about personal care, health care, legal matters or their own financial affairs, business or assets until the contrary is demonstrated through assessment. Procedures will be in place and where the older person has lost mental capacity, there is an established service response to meet their needs.

Organisations and service providers delivering services to older people need to be equipped with information that clearly maps out the rights, responsibilities, actions, and follow-up procedures for reporting abuse on the behalf of an older person, particularly in those situations where the service provider does not have the explicit consent of the older person to act on their behalf.

Shared understanding

Social constructions of ageing and of what constitutes ‘abuse’ influence the way the community, older people and service providers perceive and understand what is happening in abusive relationships and therefore the way they respond. It is important to develop a shared understanding of what constitutes the abuse of an older person. It is also important to point out that our research and *Our Actions* do not address the issue of institutional abuse.

Our survey findings indicated that the most common definition of the term ‘elder abuse’ currently used in South Australia includes various forms of abuse:

“Any act occurring within a relationship where there is an implication of trust, which results in harm to the older person. Abuse can be physical, sexual, financial, psychological, social and can include neglect.”

The vast majority of respondents, however, supported the need for a broader understanding of abuse to include abuse occurring in relationships where there is an imbalance of power and control. This is central to definitions of domestic or family violence and is often linked to gender. Abuse can also involve an act or failure to act in cases of neglect.

Abuse comes in many forms—some subtle and hard to detect and some extreme—so our shared definition and understanding of abuse needs to be broad and our strategies to prevent abuse must be varied and flexible. We need to ensure that information is provided in user friendly and accessible language and through culturally respectful messages.

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Volunteers and carers are a valuable community resource and play a critical role in maintaining the wellbeing of older people.

Diverse needs

Culture, location, gender, age, sexuality and class have been identified as critical influences on how older people and others perceive, understand, experience and respond to abuse and they also have implications for prevention. Effective prevention strategies must be sensitive to and address the diversity of contexts, cultures and individual experiences. The prevention of abuse of older Aboriginal South Australians is not just about providing additional resources; it is also about providing services that are culturally appropriate, consultative and inclusive. The Council of Aboriginal Elders South Australia will be centrally involved and consulted about all aspects of *Our Actions*.

We know that entrenched disadvantage and social exclusion have profoundly affected the life expectancy of Aboriginal people across Australia. Sensitive language needs to be used in order to restore dignity and respect to older people in Aboriginal communities.

Currently one in five South Australians aged 65 years and over was born in non-English speaking countries and this state has the oldest population with a language other than English. People from multicultural backgrounds who are separated from their extended families and who are marginalised due to difficulties with language and English literacy are at risk of abuse and need individualised services that encourage choice and independence and ensure that they maintain links with their communities.

Accessibility and inclusion are key issues for older South Australians with mental or physical disabilities and, working with the Australian Government, we will adapt policies, practices and services to meet the individual needs of people who are ageing and at risk of abuse, and the needs of their ageing carers.

Building on current services

There are already many government and non-government services in the aged care industry that have a great deal of goodwill and enthusiasm to understand and respond to the abuse of older people, given the appropriate training and protocols to do so. The quality of current service provision could be significantly enhanced by increasing efforts towards inter-agency collaboration and integration of services, both within and outside the sector, as well as through the development of collaborative partnerships between services and older people.

Volunteers and carers are a valuable community resource and play a critical role in maintaining the wellbeing of older people. Their health and wellbeing are also important in preventing abuse of older people and they need adequate resources and support to maintain their caring role.

Older people and their families and carers should only have to tell their story once. Through the development of collaborative partnerships between services and older people, we will be able to assist a range of services to put more consistent, robust and transparent systems in place to enable them to streamline their screening, assessment and referral processes. This will also help them to develop and support case management models and protocols that ensure older people at risk of abuse receive seamless and streamlined service delivery.

priority actions

Our Actions to prevent the abuse of older South Australians

1. **Providing safety and security:**
by strengthening reporting mechanisms and accountability
2. **Implementing strategies for prevention:**
through education and training
3. **Raising awareness:**
of older people, the community and professionals
4. **Working together:**
to build strong relationships
5. **Supporting research and innovation:**
to develop effective prevention models

summary of kickstart initiatives

ACTION	AIM	LEAD AGENCY
1 Safety and security by strengthening reporting mechanisms and accountability	We will reduce barriers to older people's access to the law by: <ol style="list-style-type: none"> 1. Working together with the Advance Directives Review Committee to ensure the development of a simple set of guidelines for advance directives and supporting the implementation of changes in the law. 	Office for the Ageing, Legal Services Commission, Attorney-General's Department
	<ol style="list-style-type: none"> 2. Investigating and recommending changes to address the barriers to older people's access to the law and legal services. 	Office for the Ageing
	<ol style="list-style-type: none"> 3. Contributing to state legislation, via discussion and position papers, to ensure explicit reference is made to older people experiencing abuse or at risk of abuse including those with diminished capacity. 	Office for the Ageing, Aged Rights Advocacy Service, Alliance for the Prevention of Elder Abuse, Legal Services Commission
	<ol style="list-style-type: none"> 4. Promoting the use of protective conditions for financial powers of attorney and their advantages for older people. 	Office of the Public Advocate, Legal Services Commission, Aged Rights Advocacy Service
	<ol style="list-style-type: none"> 5. Working with SA Police Family Violence Investigation Service to develop ways of enhancing its capacity to respond to the abuse of older people. 	SA Police
2 Education and training	We will implement strategies for the prevention of abuse through education and training by: <ol style="list-style-type: none"> 1. Developing education and training tools for workers through discipline-specific and training curricula. 	Department of Further Education, Employment, Science and Technology
	<ol style="list-style-type: none"> 2. Requiring all Home and Community Care agencies to incorporate training requirements in their service agreements using a 'train the trainer' approach. 	Office for the Ageing
	<ol style="list-style-type: none"> 3. Collaborating with Australian Network Alliance for the Prevention of Elder Abuse to support the development of a centralised National Clearing House to store and disseminate reports, articles, books and research papers relating to the abuse of older people. 	Alliance for the Prevention of Elder Abuse
	<ol style="list-style-type: none"> 4. Working with The Office of the Public Advocate and the Aged Rights Advocacy Service to deliver free workshops to educate older people and their families about relevant legislation and advance directives (after the Advance Directives Review recommendations are implemented). 	Office of the Public Advocate, Alliance for the Prevention of Elder Abuse, Aged Rights Advocacy Service

ACTION	AIM	LEAD AGENCY
<p>2 Education and training</p>	<p>5. Continuing to resource and build on forums conducted by Aged Rights Advocacy Service to provide information on ageing issues including abuse.</p>	<p>Aged Rights Advocacy Service</p>
	<p>6. Continuing to fund Aged Rights Advocacy Service to provide the community and all key stakeholders with information and education about the abuse of older people.</p>	<p>Aged Rights Advocacy Service</p>
	<p>7. Working with Centrelink to explore ways of detecting older Aboriginal people at risk of financial abuse and implement strategies which will prevent financial abuse.</p>	<p>Office for the Ageing, Council of Aboriginal Elders SA</p>
<p>3 Raising awareness</p>	<p>We will develop and implement a comprehensive statewide, ongoing program to promote a positive, healthy image of ageing and recognise and support carers by:</p> <p>1. Building on or linking into existing Australian Government media strategies.</p>	<p>Alliance for the Prevention of Elder Abuse</p>
	<p>2. Promoting the inclusion of a healthy and positive image of older people in all State Government planning documents.</p>	<p>Office for the Ageing</p>
	<p>3. Promoting to older people, carers, families and service providers the services currently available, providing information and advice on issues affecting them.</p>	<p>Office for the Ageing, Aged Rights Advocacy Service</p>
<p>4 Working together to build strong relationships</p>	<p>We will work together to build strong relationships by:</p> <p>1. Supporting the further development of interagency and interdisciplinary regional networks to strengthen their capacity and knowledge to promote prevention strategies and to respond appropriately to older people experiencing or at risk of abuse.</p>	<p>Office for the Ageing, Alliance for the Prevention of Elder Abuse</p>
	<p>2. Identifying and addressing barriers relating to privacy, confidentiality and information sharing across services for the ageing by developing a ‘collaborative practice’ protocol so that responses are consistent and coordinated.</p>	<p>Alliance for the Prevention of Elder Abuse</p>
	<p>3. Providing funding for a project officer to implement <i>Our Actions</i>.</p>	<p>Office for the Ageing</p>

ACTION	AIM	LEAD AGENCY
5 Supporting research and innovation	We will research to identify and understand the issues of the abuse of older people in more detail by: <ol style="list-style-type: none"> 1. Supporting research to develop models of early intervention and prevention that can be implemented to mitigate the abuse of older people including those with incapacity or dementia. 	Office for the Ageing, Department for Families and Communities, Universities
	<ol style="list-style-type: none"> 2. Encouraging and supporting research into Aboriginal issues undertaken by researchers using Aboriginal knowledge and expertise. 	Office for the Ageing, Department for Families and Communities, Universities, Council of Aboriginal Elders SA
	<ol style="list-style-type: none"> 3. Researching and reporting on the positive experiences of older people who retain power and control to inform prevention strategies. 	Office for the Ageing, Department for Families and Communities, Universities
	<ol style="list-style-type: none"> 4. Collecting relevant data and information for integration into current repositories such as Australian Bureau of Statistics, Australian Institute of Family Studies, Australian Government Department of Health and Ageing. 	Alliance for the Prevention of Elder Abuse, Council on the Ageing, Aged Rights Advocacy Service

1. providing safety and security by strengthening reporting mechanisms and accountability

Our priority is to provide safety and security for older people in our community and safeguard their rights by strengthening our policies, legislation and reporting mechanisms for abuse, ensuring that they are visible, and making systems robust, effective, accessible, culturally relevant and safe to use.

Painting the picture

In order to contribute fully to our society, older South Australians need to have confidence in the protective measures they take to support their private arrangements, so the legal system plays a key role in any response to the abuse of older people. The law is already significantly involved in both preventive and reactive responses but the relevant policies and legislation will need to be reviewed to ensure that older people are included and protected from harm. Robust policies, legislation and reporting mechanisms are necessary to prevent the abuse of older South Australians who are intimidated or fearful; particularly those whose decision-making capacity is compromised by mental, physical or neurological illness.

A number of themes emerged strongly in consultations. Firstly, while Enduring Powers of Attorney are useful in providing some safeguards for older people, there was almost universal criticism that it is currently too easy for multiple documents to exist. Revocation processes are not reliable, creating an environment for abuse and promoting confusion for those in the private sector (for example, businesses and financial institutions) attempting to contract or otherwise deal with an Enduring Powers of Attorney. Moreover, discussions with the Guardianship Board and the Public Advocate indicate that Enduring Powers of Attorneys are executed by people

lacking the necessary legal capacity to do so. Justices of the Peace, solicitors and other official witnesses (for example, police officers) need to be able to provide more effective checks and balances. Older people and their families typically use Justices of the Peace to witness their Enduring Powers of Attorneys and other advance directives but witness provisions for Enduring Powers of Attorneys are not consistent.

At the moment, most advance directives are completed by older people wanting arrangements to be in place for the time when they may not be able to manage their affairs. When older people become unable to look after themselves, someone has to make decisions about their health and living arrangements, but families don't always agree about what these arrangements should be. If an agent has already been appointed through an advance directive these decisions can be more easily made. Professionals need to know who is responsible for making them. If, for example, the family house needs to be sold to pay for nursing home care, banks will require a signed form. Matters are simpler if older people have already appointed someone to make these decisions before problems arise.

The Advance Directives Review, launched in April 2007, is currently examining these issues. In addition, the Attorney-General's Department is considering changes to the legislation relating to Enduring Powers of Attorney.

Together, these processes are expected to strengthen protection for those appointing others to make financial, health and lifestyle decisions for them when they may not be able to speak for themselves, or their capacity to manage their own affairs is diminished.

Secondly, measures need to be taken that will enhance the current layer of protection for older South Australians who lack the capacity to make their own choices and who experience abuse. The survey and consultations highlighted the lack of reporting mechanisms relating to abuse of older people who lack capacity.

Thirdly, for many older people, access to legal services is constrained by factors that are beyond their control. The

existing legal system is not well equipped to meet the legal needs of older people who often have complex needs which may require low cost solutions that are targeted and delivered in a specific way. Barriers to the legal system reflect a complex array of issues that affect older people. These include not only the nature of the legal system itself but a range of personal factors, such as health, mobility, capacity and social networks. Older people have specific needs in relation to the delivery of legal services because they generally access information and services in a particular way, relying on informal sources of information and established contacts including service providers, families and other intermediaries.

Making it happen

Our goal is to have a coherent set of laws, policies, practices and procedures to enable older South Australians and the wider community to use protective measures such as legislation and advance directives with confidence. In addition, *Our Actions* reiterate an older person's right to self-determination. Where their ability to make informed decisions is compromised, however, the government will create a safety net to protect their rights.

ACTION	AIM
<p>1 Develop preventative measures in relation to the abuse or misuse of advance directives in line with the recommendations of the Advance Directives Review</p>	<p>We will:</p> <ul style="list-style-type: none"> • support and, where appropriate, implement the findings and recommendations of the Advanced Directives Review launched by the government in April 2007 • support the development and implementation of a monitored centralised system to overcome the problem of multiple documents and ensure that up-to-date advance directives are accessible when needed • support amendments to the Powers of Attorney and Agency Act 1984 to ensure increased protection from abuse relating to financial powers of attorney • support the implementation of the Advanced Directive Review's findings and recommendations for protecting people's finances from abuse including: <ul style="list-style-type: none"> - promoting the use of conditions in advance directives to make them more specific to an individual's circumstances and addressing concerns about privacy for financial institutions - negotiating with financial sector peak bodies to standardise best practice including policies for financial institutions for recognising and responding to abuse - investigating opportunities (in partnership with the Public Trustee) to broaden the scope of enduring powers of attorney for Aboriginal communities.

ACTION	AIM
<p>2 Improve the reporting and investigative processes relating to the suspected abuse of older people</p>	<p>We will:</p> <ul style="list-style-type: none"> • review the Guardianship and Administration Act 1993, and recommend changes to include reporting and investigating provisions for cases of suspected abuse where incapacity is involved • work with the SA Police Family Violence Investigation Service to enhance its capacity to respond to the abuse of older people.
<p>3 Review, analyse and suggest changes to relevant federal and state laws</p>	<p>We will:</p> <ul style="list-style-type: none"> • consult with the Attorney-General’s Department to establish processes to review laws and reporting mechanisms in relation to the abuse of older people including: <ul style="list-style-type: none"> - convening a forum which includes the relevant peak bodies (including Alliance for the Prevention of Elder Abuse, Aged Rights Advocacy Service, Council on the Ageing, Alzheimer’s Australia SA) and relevant financial and legal organisations to discuss issues associated with the law and reporting mechanisms and formulate recommendations for change - providing a report on the adequacy of current federal legislative regimes in addressing the legal needs of older Australians at risk of abuse to the Standing Committee on Legal and Constitutional Affairs, House of Representatives, and the Australian Law Reform Commission - exploring legal issues related to older people who lack capacity and clarifying where abuse is a criminal offence - proposing changes to relevant state legislation, via discussion papers, to ensure that explicit reference is made to older people by developing: <ul style="list-style-type: none"> - complaints procedures for older people - clear inter-agency reporting mechanisms that incorporate the relevant legislation and obligations including pathways for action, protection and support for the abused person.
<p>4 Building the capacity of the South Australia Police to respond appropriately to the abuse of older people</p>	<p>We will:</p> <ul style="list-style-type: none"> • work with the Family Violence Investigation section within the South Australia Police to enhance their capacity to deal with the abuse of older people, recognising the links between domestic violence and abuse of older people.



2. implementing strategies for education and training

Our priority is to have a workforce that is trained and educated to recognise and respond to situations that put older South Australians at risk of abuse.

Painting the picture

For prevention to be effective it is important that education about the abuse of older people takes a whole of government, whole of community approach so that professionals working with older people and their families can recognise the risks and the signs of abuse and know how to respond appropriately to prevent it from happening.

Local public education initiatives are needed to help older people, family, friends, neighbours and significant others in communities to recognise abuse, deal with it and prevent it continuing. Service providers (including doctors, carers, household help, police, clergy, financial advisers, Justices of the Peace) also need education to assist them to identify

potentially abusive situations; to establish or adhere to appropriate protocols; to respond effectively and make appropriate referrals.

In order to safeguard the rights of older people, another important area needs to be addressed through education. There is general lack of knowledge about relevant legislation and advance directives, their powers, and how to obtain or complete these documents. There is general ignorance about the responsibility of those witnessing documents (solicitors and Justices of the Peace) to verify the older person's understanding and willingness to execute the documents, and an ignorance of their role and responsibilities on the part of the appointed agents.

Making it happen

ACTION	AIM
<p>1 Develop and promote discipline-specific education and training</p>	<p>We will:</p> <ul style="list-style-type: none"> • identify existing education and training programs and their target groups to ensure they link with resources and programs in relation to the abuse of older people • further develop educational resources in a range of languages • ensure that education and training of professionals and service providers occurs prior to the implementation of community awareness raising or community education strategies to ensure that they are in a position to respond appropriately • initiate discussions with education and training providers in TAFE, Alliance for the Prevention of Elder Abuse and Aged Rights Advocacy Service to: <ul style="list-style-type: none"> - establish and promote minimum standards in the establishment of formal curricula - advocate for the theory and practice of case management in courses and programs • engage older people in the design and review of education and training packages • build the risk indicators of abuse for all key service providers into existing statewide, evidence-based training • provide one-off statewide training for targeted key service providers working with older people with a focus on the detection and prevention of abuse

ACTION	AIM
<p>1 Develop and promote discipline-specific education and training</p>	<ul style="list-style-type: none"> develop a workforce strategy for all service providers to include annual discipline-specific training that is mandatory, addresses continuing education needs and includes risk indicators of abuse.
<p>2 Ensure that older people, their families and professionals are informed and educated about relevant legislation including advance directives</p>	<p>We will:</p> <ul style="list-style-type: none"> support the Advance Directives Review recommendations for implementation build on existing material or develop booklets, pamphlets and checklists that outline key points to consider when signing or witnessing advance directives.
<p>3 Develop, implement and disseminate relevant information, education and training</p>	<p>We will:</p> <ul style="list-style-type: none"> consult with community leaders, the Multicultural Communities Council, the Migrant Resource Centre and Multicultural Aged Care to determine appropriate strategies for each specific community develop an information package informing older people, carers and family members about risk factors of financial abuse encourage educational initiatives in schools to teach young people to respect and care for older people in their communities promote the development of books, television advertisements, brochures and posters that educate people about what constitutes abuse build on Alliance for the Prevention of Elder Abuse’s current role to continue its work with banks and to produce a website and consumer products increase resources to use culturally and linguistically diverse people to train providers (including Home and Community Care employees) on an annual basis in cultural issues specific to their communities and in dealing with abuse, using a ‘train the trainer’ model.
<p>4 Develop appropriate education and training strategies to safeguard older Aboriginal people</p>	<p>We will:</p> <ul style="list-style-type: none"> consult with the Council of Aboriginal Elders SA about community education and training needs and develop strategies for Aboriginal workers and providers working with older Aboriginal people work within existing Home and Community Care networks to develop knowledge and skills to manage allegations and develop early intervention strategies support Aboriginal workers to provide specific education on advance directives to Aboriginal communities.
<p>5 Evaluate the effectiveness of training and education packages for the prevention of abuse of older people</p>	<p>We will:</p> <ul style="list-style-type: none"> establish education and training standards evaluate training programs in terms of their cost effectiveness, content, cultural relevance, processes used and educational outcomes.



3. raising awareness of older people, the community and professionals

Our priority is to raise awareness of older people, the community and professionals so that we have a common understanding and can respond to the issue of the abuse of older people together.

Painting the picture

Abuse of older people is not acceptable. Older South Australians, like all citizens, must feel safe from harm, abuse and neglect as this is essential to their wellbeing. This will be the strong and consistent message across all awareness campaigns in South Australian communities, whether they are urban or rural, government, business, culturally and linguistically diverse or Aboriginal. Raising awareness will help everyone (including older people) understand the nature of abuse, the risk factors contributing to it, the rights of older people, and ways to prevent abuse from happening.

Awareness-raising campaigns will promote older people as equal citizens of South Australia and will portray positive messages aimed at supporting healthy ageing and reducing the risk factors for abuse. Messages will celebrate older people and be user friendly; they will not scare or stigmatise

people or be alarmist. They will have a preventative, rights focused approach and will promote positive slogans. Advance directives can assist with this.

The issues facing Aboriginal communities in this context are complex and compounded by historical experiences for at least two generations of older people. While Aboriginal communities strongly support the need to open up the dialogue about abuse of their older people, they also urge caution in the way messages are delivered. They stress the importance of respect for their culture and the need to impart information in culturally sensitive language through Aboriginal networks, media and communities.

Similarly, paying attention to the language and cultural needs of people from culturally and linguistically diverse backgrounds is an important message from their communities.

Making it happen

ACTION	AIM
<p>1 Design, implement and disseminate a statewide, comprehensive awareness-raising program that creates a positive healthy image of ageing while sharing information on abuse, rights and prevention</p>	<p>We will:</p> <ul style="list-style-type: none"> • research community awareness-raising initiatives that can be tailored to the South Australian context • in consultation with older people, develop a range of media campaigns to raise awareness statewide, including risks, rights, prevention, information and assistance in relation to all forms of abuse • ensure that awareness campaigns acknowledge the roles of carers and support their efforts • draw from experience in the domestic violence field to inform campaigns and to incorporate factors relating to gender, power and control • further support Alliance for the Prevention of Elder Abuse to lead awareness-raising campaigns and messages including the development of information packs, pamphlets, posters and other resources • continue to promote and support the statewide service response by Aged Rights Advocacy Service including the telephone helpline • explore methods of disseminating information statewide through the non-government sector, Centrelink, banks, libraries, hospitals, doctors' waiting rooms, campaigns, launches and rural field days • explore the possibility of displaying material on South Australian products such as shopping dockets, shopping trolleys, milk containers, and other food boxes • work with Multicultural Communities Council, multicultural agencies and Council of Aboriginal Elders to determine the most appropriate methods of information dissemination • continue to engage and consult with older people and Aged Rights Advocacy Service to plan forums, conferences and activities including the World Elder Abuse Awareness days • encourage and support state-based organisations to participate in national initiatives.

4. working together to build strong relationships

Our priority is to establish collaborative partnerships between a range of services, both within and outside the aged care sector, and to encourage effective partnerships between these services, older people and their families, so that service delivery is more effective, accessible and consistent.

Painting the picture

Older South Australians are entitled to a high and consistent standard of service in preventing or overcoming abuse. It is an issue that requires a whole of government and whole of community approach as well as greater and more effective collaboration and integration between the diverse range of services operating within and outside the existing aged care sector. Collaborative partnerships between government, non-government and private services across metropolitan, regional, rural and remote communities are needed. There are a number of important reasons for developing integrated approaches, the most significant of which include:

- the services required to address the issue effectively need to be provided by several different agencies
- two or more agencies working in effective partnership are more likely to achieve positive outcomes than several agencies working alone
- inter-agency collaboration enables individual services to address the multi-faceted nature of social problems more effectively and to make services more accessible and effective
- an integrated service response allows for good practice to move beyond the commitment of individuals to a consistent 'whole of organisation' response

- inter-agency collaboration assists in overcoming the 'lottery' whereby older people and their families are 'lucky' to get a good response from an individual worker or service
- older people and their families are more likely to receive a better standard of service, irrespective of where they happen to first present in the system.

Interest in interagency collaboration and integration in both the government and non-government sectors in health and social services has increased in the last two decades. Growing awareness of overlapping organisational mandates and client needs due to insular, singular and fragmented service approaches has resulted in a move to more holistic service provision. Integrated approaches have been developed and are used in domestic violence, child protection, mental health and community care.

Consequently, there are a number of models of good practice which organisations providing services to older people can draw on in developing effective interagency collaboration. As well as increasing collaboration between the various services and agencies, it is imperative that collaborative partnerships are developed between service providers and families in order to help the early detection of abuse and to promote the safety and wellbeing of older people affected by it.

Inter-agency collaboration is complex and involves a range of interpersonal, inter-professional and inter-organisational dimensions such as:

- effective communication and a spirit of openness
- an agreed definition of abuse and a common philosophy and knowledge of its causes and effects
- the development of new skills and tools to foster new ways of working
- leadership and support from governments, non-government organisations, the private sector and communities

- a capacity for key players to take a leading role in developing and embedding collaborative approaches and models.

Moreover, effective management, leadership and infrastructure are the essential underpinnings in a collaborative model of service delivery. This may encompass building intra and inter-agency networks, developing partnerships and common data collection, referral and response practices.

Making it happen

ACTION	AIM
<p>1 Develop a model of best practice that delivers a collaborative approach to the prevention of the abuse of older people</p>	<p>We will:</p> <ul style="list-style-type: none"> • support Aged Rights Advocacy Service to: <ul style="list-style-type: none"> - facilitate the development of mutual respect among agencies, government and non-government through joint training, memorandums of understanding, protocols, networks and other tools which foster partnerships, mutual respect, common values, cooperation, information sharing and a standardised response - establish standards of practice and principles of intervention that preserve the assumptions and principles outlined in <i>Our Actions</i> - develop and implement a training program for agencies on the principles and practices involved in a collaborative approach - monitor and review the recommendations and initiatives in this publication and report back to Office for the Ageing on a regular basis on the progress of implementation - develop a model of case coordination that facilitates work across professional boundaries and encourages agencies to sponsor and support staff in gaining qualifications in case management.

5. supporting research and innovation to develop effective prevention models

Our priority is to ensure that the lives of older South Australians are the best they can be.

We need first class research to inform and guide the development of innovative policy and practice.

Such research should:

- include the voices of older people
- challenge negative perceptions and stereotypes
- inform culturally sensitive, best practice approaches to the prevention of abuse.

Painting the picture

Governments, community organisations and individuals rely on quality research data to make wise decisions. Abuse of older people is an under-researched area in Australia and it is important that all

initiatives developed for primary, secondary and tertiary prevention are informed by qualitative and evidenced-based research. To encourage this we will build stronger research partnerships between government, universities and the private sector.

Making it happen

It is crucial that research that influences policy, practice and education to optimise and enhance the lives of older South Australians includes the voices of older people themselves and addresses diversity, capacity, service delivery, access, locality, generational change and the implications of the ageing of the population for future planning.

ACTION	AIM
<p>1 Develop and build on research partnerships and linkages between government, universities and the private sector</p>	<p>We will:</p> <ul style="list-style-type: none"> • continue to work with universities and other education bodies to: <ul style="list-style-type: none"> - encourage students to research the prevention of abuse of older people, including workplace-based research in collaboration with key agencies who can provide access to data - develop and disseminate strategies to agencies funded by Office for the Ageing to evaluate service delivery in relation to the abuse of older people - ensure national and international dissemination of research findings through recognised peer reviewed journals and relevant conferences - develop and evaluate an inventory of good practice in the area as part of service delivery for agencies funded by Office for the Ageing - include research findings on the prevention of abuse of older people in the curricula of professionals who will work with older people - encourage national and international research.

ACTION	AIM
<p>2 Research the experiences of older people</p>	<p>We will:</p> <ul style="list-style-type: none"> • standardise methods of data collection and investigate the use of online information technology to facilitate the establishment of a central mechanism for collecting and analysing data on the incidence and prevalence of abuse of older people in South Australia • encourage collaborative, participative approaches to research which empower older people by giving them a direct voice in the design of the research approach and in the research process itself • continue to research and analyse the barriers that prevent older people from reporting and overcoming abuse in order to inform strategies for prevention over time • support research on the prevention of abuse of older people in various culturally and linguistically diverse communities in South Australia in consultation with key stakeholders in the communities involved • encourage national, collaborative and intergenerational research which explores the links between child abuse, domestic violence and abuse of older people and challenges the ‘silo’ approaches to research, policy and practice in these fields.
<p>3 Research potential strategies for the prevention of abuse of older people in Aboriginal communities in South Australia</p>	<p>We will:</p> <ul style="list-style-type: none"> • consult with the Council of Aboriginal Elders SA to: <ul style="list-style-type: none"> - support the development of specific research on abuse of older people in Aboriginal communities including: <ul style="list-style-type: none"> - the incidence and nature of abuse - effective and culturally relevant interventions - ways of supporting families and communities to address abuse - ways of engaging communities in conversations about dealing with abuse - develop and evaluate strategies that will assist with the prevention of financial abuse of older people in Aboriginal communities, for example, evaluating the effectiveness of using a limited Power of Attorney and the direct debit card for Aboriginal clients as proposed by the Public Trustee.
<p>4 Develop innovative strategies to prevent the abuse of powers conferred by advance directives</p>	<p>We will:</p> <ul style="list-style-type: none"> • encourage and support action research to evaluate the effectiveness of the voluntary use of family mediation for decision-making where an older person lacks capacity, including ways of ensuring that the interests and needs of the older person are paramount • encourage and support research effective mechanisms and models for ensuring that advance directives are accessible when needed.
<p>5 Evaluate the effectiveness of current service delivery in preventing the abuse of older people</p>	<p>We will:</p> <ul style="list-style-type: none"> • require short and long-term evaluations of government-funded service models and approaches to the prevention of abuse of older people

appendix 1

development of *Our Actions*

Our approach to developing *Our Actions*

Our Actions has been developed and written in collaboration with Office for the Ageing, by researchers from the Hawke Research Institute for Sustainable Societies, University of South Australia: Associate Professor Dale Bagshaw, Dr Sarah Wendt, Dr Lana Zannettino, Mr David Cripps, and Ms Elly Kirk with support from Ms Elizabeth Morgan (consultant).

The researchers used the following methods to develop the outline and content of *Our Actions*:

- an extensive review of national and international literature that will be provided to Office for the Ageing in a separate report
- a state-based online and hard copy survey of 80 questions which was circulated widely by email and drew 73 responses from a range of key organisations: government, non-government and private. Twenty-one surveys were completed by a group in an organisation, seventeen were from rural areas, and two were from across the state. There were both quantitative and qualitative responses to most of the questions and the qualitative responses were analysed using a thematic approach. A comprehensive analysis of the findings will be provided to Office for the Ageing in a separate report
- in-depth consultation interviews with representatives from a wide range of key organisations and associations (such as the Alliance for the Prevention of Elder Abuse), academics and service providers (involving both groups and individuals), including culturally and linguistically diverse

backgrounds and Aboriginal services and communities

- three meetings with the reference group (membership provided below)
- regular meetings with staff from Office for the Ageing
- a meeting with the Ministerial Advisory Board on Ageing.

Underlying principles

A number of principles were identified from the literature review and the survey which guided the development of *Our Actions*, the most important being that the 'best interests' of the older person should be paramount in all relevant legislation, policies, protocols and service delivery.

***Our Actions* will:**

- make the interests, rights, safety and wellbeing of older persons paramount
- respect and celebrate older people's strengths, capacities, dignity and contributions to society as citizens
- uphold older people's rights to make their own informed choices and decisions and ensure that there are safeguards and advocacy in place where older people are unable to make their own decisions
- strengthen family relationships and community supports for older people at risk
- advocate for philosophies of care and commitment across all service organisations that respond to the needs of older people
- respect and address the cultural context in which older people live
- respect confidentiality in accordance with legal obligations, professional ethics and cultural practices

- build the capacity of the community, families, and service providers to identify risk factors and engage in early intervention and prevention strategies whilst preserving the benefits of existing relationships
- develop strategies which can be applied across all government and non-government sectors (for example, social services, law, policing, health, business, finance) and in metropolitan, rural and remote parts of South Australia.

Consultation

The researchers from the University of South Australia consulted broadly in developing *Our Actions* and would like to thank the many individuals, groups and organisations who provided extensive input into the process.

Representatives of a wide range of government, non-government and private organisations and the community sector gave their valuable time to complete the survey and others took time to meet the researchers face-to-face in small groups or as individuals. In particular, peak bodies such as the Aged Rights Advocacy Service, the Alliance for the Prevention of Elder Abuse and the Council on the Ageing provided extensive advice.

The researchers developed a survey and questionnaire for older people but because of time constraints and for ethical reasons, it was decided that older people would be consulted at a later stage. We believe that it is essential that older people's voices are heard and incorporated into the implementation of *Our Actions*.

The researchers consulted closely with members of the reference group who provided invaluable support and advice. In addition, staff from the Office for the Ageing, members of the Ministerial Advisory Board on Ageing and Committee members of the Review of South Australia's Advance Directives, *Planning Ahead: Your Health, Your Money, Your Life*, provided extensive support and feedback on drafts.

Organisations represented in the consultation process are listed below. In addition to these, many other individuals provided their assistance and made a contribution and we offer them our sincere thanks.

- Council on the Ageing
- Aged Rights Advocacy Service
- Ministerial Advisory Board on Ageing
- Aged and Community Services Australia
- Multi Cultural Aged Care
- Legal Services Commission
- Disability SA
- Seniors Information Service
- Alzheimer's Australia SA Inc
- Office for the Ageing
- Yarrow Place
- Office of the Public Advocate
- Office for Women



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