

MODULE FOUR

Understanding Elder Abuse

STRENGTHENING OUR
UNDERSTANDING OF
AND RESPONSE
TO ELDER ABUSE



Working with Older Tenants

A TOOL KIT FOR THE NSW COMMUNITY HOUSING INDUSTRY ASSOCIATION

Strengthening our understanding of and response to elder abuse

It is important for community housing providers to understand what elder abuse is so they are able to consider this as part of their tenancy support and management for older tenants. In recent years elder abuse has been increasingly recognised as a form of domestic and family violence. Like other forms of domestic and family violence, elder abuse has a gendered aspect.

WHAT IS ELDER ABUSE?

Elder abuse is any form of violence or mistreatment that causes harm to an older person and occurs within a relationship of trust. Elder abuse can include acts of psychological, financial, physical, social and sexual abuse as well as neglect.

Elder abuse is used as a descriptive umbrella term that encompasses a broad range of behaviours. Elder abuse should be considered in the context of ageism, family violence and conflict, caregiving, gender and sexuality, culture, and any policies or interventions aimed at addressing the mistreatment of older people need to take these factors into consideration.

Elder abuse can be defined as a single, or repeated act, or lack of appropriate action, occurring within any relationship where there is an **expectation of trust** which causes harm or distress to an older person. Elder abuse can take various forms such as physical, psychological or emotional, sexual and financial abuse. It can also be the result of intentional or unintentional neglect.

World Health Organisation (WHO – 2002)

Some older people may describe this type of behaviour as disrespect or mistreatment rather than abuse or violence. Elder abuse can happen in the home or in residential aged care facilities.

Elder abuse most often occurs within the domestic or family setting. It is often intergenerational and perpetrated by an adult child against their parent.¹ It is important to note that elder abuse does not include disputes over consumer rights or criminal acts by strangers.

¹ National Ageing Research Institute in partnership with Seniors Rights Victoria (2015) Profile of elder abuse in Victoria.

Lack of recognition and under-reporting means that the extent of elder abuse is difficult to estimate, but research indicates it is experienced by approximately 2-6 % of older people in Australia².

Elder abuse is a highly complex social problem. The abuse takes many forms, including financial, physical, psychological, social and sexual as well as the more passive form of neglect. It can be deliberate or inadvertent. It is difficult to measure as the type of abuse and setting in which it occurs differ markedly. It is also difficult to know when an intervention to prevent or manage abuse has been successful as this will depend on the type of abuse and the definition of success. A service provider may define success as cessation of abuse but an older person may not regard cessation as successful if it has meant that they have had to move house or lost contact with the family member perpetrating the abuse. It is also difficult to design interventions that focus on the perpetrator, unless they are also the carer of the older person.³

Approx. 2-6 % of older people in Australia have experienced some form of elder abuse.

What causes elder abuse?

Social conditions that lead to family violence and elder abuse can be referred to as drivers of violence. Ageism and the way people are treated differently as they age is a driver of elder abuse.⁴

Some common stereotypes about older people are that they:

- Can't look after themselves
- Are slow and incapable of learning new things
- Don't know what is best for them
- Need to be protected
- Lack intellectual and physical capacity
- Aren't sexual
- Are a burden on society

Similar to other forms of family violence, women are more likely to experience elder abuse than men. It is important to note though that older men may be less likely to report abuse and they may also be socially isolated and unaware of the help available to them.⁵

Family violence is often explained as stemming from a power imbalance between parties. This is most commonly understood as a power imbalance between the genders. It can also manifest in other forms, including in the parent-child relationship. It is aggravated by factors such as social isolation, lack of resources and support, and other societal pressures on the parties involved.⁶

CONCEPTUALISING ELDER ABUSE WITHIN THE FAMILY VIOLENCE FRAMEWORK⁷

SIMILARITIES	DIFFERENCES
Largely occurs within families	More often intergenerational than spousal
Power imbalance	Not only family, can include other persons of trust
Reluctance to report / fear of consequences to self and perpetrator / fear of loss of relationship / lack of options	More dynamic power imbalance across the life course
Sense of responsibility of person being abused	Not always being driven by anger or need to control
Gendered nature (perpetrated by men against women)	Context of care relationships more common
Many of the risk factors	Financial rather than physical most common
Negative stereotypes and discrimination against group involved (ageism and misogyny)	Includes neglect

2 Kurrie, S. & Naughtin, G. An overview of elder abuse and neglect in Australia. *Journal of Elder Abuse and Neglect* 2008; 20(2): 108-125

3 Joosten, M., Vrantsidis, F. and Dow, B. (2017) *Understanding Elder Abuse: A Scoping Study*, Melbourne: University of Melbourne and the National Ageing Research Institute

4 http://cotavic.org.au/wp-content/uploads/2016/09/COTA_Challenging_Ageism.pdf

5 Brian Beach and Sally-Marie Bamford (2014). *Isolation: the emerging crisis for older men*, Report for Independent Age UK

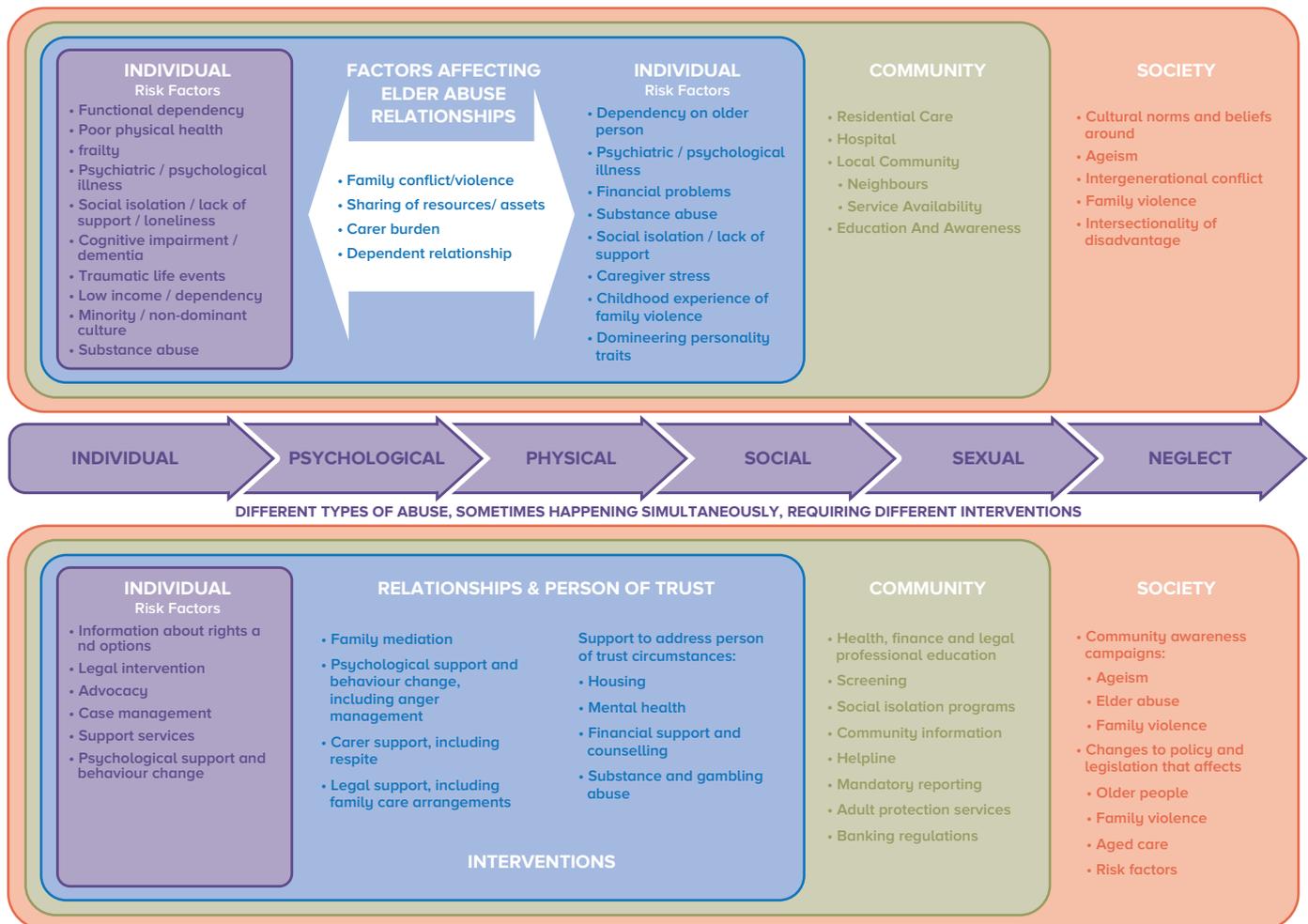
6 Walsh, C. A., J. Ploeg, et al. (2007). "Violence Across the Lifespan: Interconnections Among Forms of Abuse as Described by Marginalized Canadian Elders and their Care-givers." *British Journal of Social Work* 37(3): 491-514.

7 *ibid*

Ecological approach to elder abuse⁸

This model clearly places housing as one of the interventions in responding to elder abuse and affirms the important role that community housing providers can play in responding to elder abuse. At the individual level, the provision of information about rights and options and awareness of support services is an action that would easily be achieved by community housing providers.

Exploring the development of programs for older tenants to engage in or be referred to is also an action that can be undertaken by community housing providers as part of the broad response to elder abuse.



⁸ Elder abuse community action plan for Victoria February 2018. Prepared by the National Ageing Research Institute

Who experiences elder abuse?

Any older person can experience elder abuse.

Similar to other forms of domestic and family violence, it is likely that much elder abuse goes un-reported so comprehensive data is not available to identify the prevalence of elder abuse in Australia.

The risk of experiencing domestic and family violence can be compounded by a range of factors such as gender, ethnicity, cultural identity, disability, sexual orientation, religion or age. The term used to describe this experience is intersectionality. Intersectionality is an analytic framework that attempts to identify how interlocking systems of power impact those who are most marginalised in society.⁹ Intersectionality considers that various forms of social stratification such as class, race, sexual orientation, age, religion, disability and gender do not exist separately from each other but are interwoven together and need to be considered when understanding a person's experience of elder abuse.

People from a culturally and linguistically diverse background may be influenced by their cultural or generational cohorts' attitudes to gender and family responsibilities, which may make them less likely to seek assistance. They might find responses and services available not culturally acceptable and may be reluctant to seek help if they fear discrimination or racism. Others, such as women with a disability and Aboriginal populations are subjected to higher levels of violence than other members of the population. The impact of colonisation and dispossession affects Aboriginal communities and the way that Elders seek help. It requires a response that prioritises cultural recognition and safety.¹⁰

Research has shown that there are a range of factors that can increase an older person's risk of experiencing elder abuse.¹¹ Factors that may increase a person's risk of elder abuse include:

- Social isolation and a lack of support
- Poor physical or mental health
- Cognitive impairment, including dementia
- Disability or reliance on others for support with daily living
- Family conflict
- Trauma or past abuse.

Whilst it is understood that elder abuse of men is under-reported, data captured through elder abuse support services in NSW identify that approximately one-third of people seeking assistance are men. When men do report abuse there are not always services available to support them as crisis services responding to domestic and family violence are mostly women-only services.

9 Brittney Cooper (2016). The Oxford Handbook of Feminist Theory. <http://www.oxfordhandbooks.com/view/10.1093/oxford-hb/9780199328581.001.0001/oxfordhb-9780199328581-e-20>

10 Mick Gooda, Aboriginal and Torres Strait Islander Social Justice Commissioner, Address to the 2012 AAG Elder Abuse and Neglect Conference, Alice Springs

11 Mark Johannesen and Dina LoGiudice (2013) Elder abuse: a systematic review of risk factors in community-dwelling elders, Age and Ageing, 42: 292-298

Lesbian, gay, bisexual, trans and gender diverse and intersex (LGBTI) older people experience the same risk factors for abuse as the wider population. However, LGBTI older people can be negatively affected by the way family, friends, professionals and service providers treat them on the basis of their sex, gender identity and sexuality. Because of histories of experiences of discrimination, some older LGBTI people continue to hide or modify their sexuality or affirmed gender identity in order to avoid upsetting family members, carers, service providers or others who may hold homophobic or transphobic views. Some older LGBTI people may be estranged from family who do not respect their gender identity or sexuality and this can lead to high rates of social isolation or a lack of support, increasing their vulnerability for elder abuse.

It is important for community housing provider staff to think about the range of factors that may be affecting each tenant as they consider potential signs of elder abuse or other issues within a tenancy. This supports a more nuanced exploration of issues, which in turn should lead to better identification and practice responses.



Understanding barriers to reporting elder abuse

There are a number of reasons why elder abuse may not get reported. Older people may not report the abuse as they are dependent on the person who is abusing them. A fear of creating family conflict and the potential loss of important family relationships is also a significant worry and barrier to reporting elder abuse. They may also be fearful of repercussions such as losing any care and support that they have to keep them at home, resulting in the need to move to residential aged care. Older people are often unaware of supports and services that are available to assist them to manage the abuse that is occurring to them.

DUTY OF CARE

Many forms of elder abuse are criminal offences. As a result of their landlord relationship, community housing providers could be seen to have a duty of care to respond if they become aware of or have concerns that elder abuse might be occurring for one of their tenants. A duty of care exists if you have a relationship with an older person that is close enough to infer that an obligation exists.

Community housing providers should explore their policies and procedures to ensure they provide clear direction on how to respond if staff have concerns that elder abuse might be occurring within a tenancy.



Elder abuse in Aboriginal communities

ANECDOTAL EVIDENCE SUGGESTS ABUSE
OF OLDER ABORIGINAL PEOPLE IS ON THE
INCREASE

In the context of Aboriginal culture, the term 'older people', 'elder' and 'Elder' are terms used to describe people 50 years and older. 'Elders' with a capital 'E' are recognised community representatives and custodians of culture, history, the dreaming and storylines. Being an Elder is not based on age but rather on a person's role in the community.

Anecdotal evidence suggests abuse of older Aboriginal people is on the increase. Risk factors such as the rising prevalence of substance misuse across Aboriginal communities and poor social and emotional wellbeing have meant that the actions of younger Aboriginal people may be the cause of harm, mistreatment and elder abuse. Financial abuse is most commonly reported and is linked to issues such as entrenched poverty, substance abuse and breakdown of strong family structures.

RISK FACTORS FOR OLDER ABORIGINAL PEOPLE

Elder abuse takes different forms across Aboriginal communities. Living in a discrete community means many people know each other's business.

This includes family and community tensions which exist in the everyday life of that community. Tensions can exist for years or be transient. Elder abuse raises fears and concerns of being judged as an inadequate parent or grandparent

by others. For elders living in rural locations, abuse may be more difficult to address. The elder may not want the community to know their family business and shame about the abuse may keep the abuse hidden or prevent it from being addressed.

Family obligation in Aboriginal culture is very important. Family obligation can positively help families to work together to keep the individual safe. On the other hand, loyalty towards family and fear of loss of family may be a barrier to seeking help by both individuals and the family, even when abuse is happening. If the older person being abused has a strong family network or is respected in the community, other community members may feel compelled to speak up and step in.

Lack of family support and community connection for Aboriginal people who have moved from rural locations to metropolitan regions means abuse can go unnoticed and people may be unaware of how or where to access services.

A range of community services are available but Aboriginal people may be reluctant to access these. Australia's past and contemporary history with poor treatment of Aboriginal people, including the Stolen Generation, is a major barrier for many Aboriginal people feeling safe to access mainstream services, especially when abuse is the issue. Other barriers to accessing a service might include lower levels of literacy, poverty, lack of access to transport, family obligations such as caring for grandchildren, racism and lack of respect from service providers.

Response to elder abuse of Aboriginal people

The strength of the Aboriginal community means that often the method of elder abuse prevention and response is found within the community. The community often has the capacity and is best placed to deal with the issue, utilising existing community networks and strategies.

Each case of elder abuse is unique and assumptions should not be made based on what you know and understand of another situation. Asking questions, understanding and clarifying cultural influences and listening to the wishes of the older person living with the abuse is important. Awareness of Aboriginal culture and the different communities should be a major consideration as you explore how to respond to elder abuse. It is critical to become familiar with the local Aboriginal community/s customs and protocols.

Getting the help and support of trusted family members or community is critical. This can lead to short and long term positive outcomes. Outside support may be required in some circumstances.

Bringing together respected and safe community leaders, Elders and family members is the best way to achieve cultural respect and ensure any planned strategies are considered and implemented.

For community housing providers, using a partnership approach can improve actions to safeguard an older person and is an effective and more culturally respectful approach.

Types of elder abuse

The following describes some of the factors that are considered elder abuse.

PHYSICAL ABUSE

Physical abuse includes slapping, hitting, pushing, shaking, shoving or restraining the older person. This can include:

- Inappropriate physical or chemical restraints
- Harm created by over or under medicating
- Pushing, shoving or rough handling
- Locking the older person in a room or physically tying them to a chair or bed
- Intentional injury with a weapon or object

PSYCHOLOGICAL ABUSE

Psychological abuse includes someone threatening to hurt an older person or damage their belongings. It can include:

- Being intimidated, humiliated or harassed
- Name calling and verbal abuse
- Treating an older person like a child
- Threatening to harm the older person, other people or pets
- Engaging in emotional blackmail such as threatening to withdraw access to grandchildren, family or friends
- Being denied access to a phone or the computer
- Being threatened with a move to a nursing home
- Being stopped from seeing family or friends or attending regular activities
- Being denied the right to make their own decisions
- Moving an older person far away from family and friends

SEXUAL ABUSE

Sexual abuse involves someone making unwanted sexual approaches or behaving indecently towards an older person. This can include:

- Non-consensual sexual contact, language or exploitative behaviour
- Rape and sexual assault
- Enforced nudity of an older person against their consent

FINANCIAL ABUSE

Financial abuse includes an older person being tricked out of some of their pension or having money taken from their bank account. It can include:

- Having belongings sold without permission
- Having goods stolen e.g. jewellery, credit cards, cash, food or other possessions
- Having money or property taken improperly through the misuse of an Enduring Power of Attorney
- Unauthorised use of banking and financial documents
- Being forced to change their will
- Being denied access to, or control of, their own funds

NEGLECT

Neglect involves an older person not being allowed to access the services they need. This can include:

- Not having physical, medical or emotional needs met
- Failure to provide basic needs such as food, adequate or clean clothing, heating, medicines
- Under or over medication
- Exposure to danger such as leaving the older person in an unsafe place or in isolation
- Refusal to allow others to provide appropriate care

What are some of the signs of elder abuse that a CHP might see through their work?

The following provides some examples of behaviours and signs that might indicate that elder abuse is occurring.

PHYSICAL	PSYCHOLOGICAL	SEXUAL	FINANCIAL	NEGLECT
<ul style="list-style-type: none"> • Internal or external injuries such as bruises, sprains, fractures and dislocations • Broken or healing bones • Lacerations to mouth, lips, gums, eyes or ears, missing teeth, eye injuries • Evidence of hitting, punching, shaking or pulling such as bruises, lacerations, choke marks, hair loss • Burn marks such as rope, cigarettes, matches, iron, hot water 	<ul style="list-style-type: none"> • Resignation, shame • Depression, tearfulness • Confusion, agitation • Feelings of helplessness • Unexplained paranoia or excessive fear • Worry or anxiety after a visit by specific person / people • Social isolation 	<ul style="list-style-type: none"> • Torn or bloody clothing or bedding • Human bite marks • Anxiety around the perpetrator and other psychological symptoms • Unexplained sexually transmitted diseases or incontinence • Injury and trauma such as scratches, bruises to the face, neck, abdomen, or thighs • Trauma including bleeding around the genitals, chest, rectum or mouth 	<ul style="list-style-type: none"> • Unexplained disappearance of belongings • Inability to pay bills • Falling into rent arrears • Inability to access bank accounts or statements • Stockpiling of unpaid bills • No food and an empty fridge 	<ul style="list-style-type: none"> • Inadequate clothing, complaints of being cold or hot • Poor personal hygiene • Absence of required aids • Unexplained weight loss, dehydration, malnutrition

How might you start a conversation with an older person if you are concerned that they might be being abused?

It is important to understand the intensely emotional nature of elder abuse and that a victim may feel a sense of shame, guilt and fear about the situation. Such feelings can create communication barriers and it is helpful, wherever possible, to build a sense of rapport with the person. While this may be difficult to achieve due to limited opportunity, the following questions can assist to create a space for dialogue:

How are things going at home?

Sometimes asking a simple question such as “How are things going at home” can provide an opportunity for the person to talk about issues.

I noticed a bruise on your arm today. How did this happen?

Asking such a question lets the person know that you can see they have been hurt and that you are concerned about how this happened.

Would you like me to talk to someone who can help or advise you?

This question introduces the person to the idea that there are support services available that you are able to connect them to. It introduces the concept of planning to explore and manage what might be happening to the older person.

How do you feel your carer / family is managing?

Asking an open question provides an opportunity for a person to explore how they think their family or carer is managing, providing opportunity to reflect on the situation and perhaps identify concerns if they have them.

Has anyone taken anything that was yours without consent?

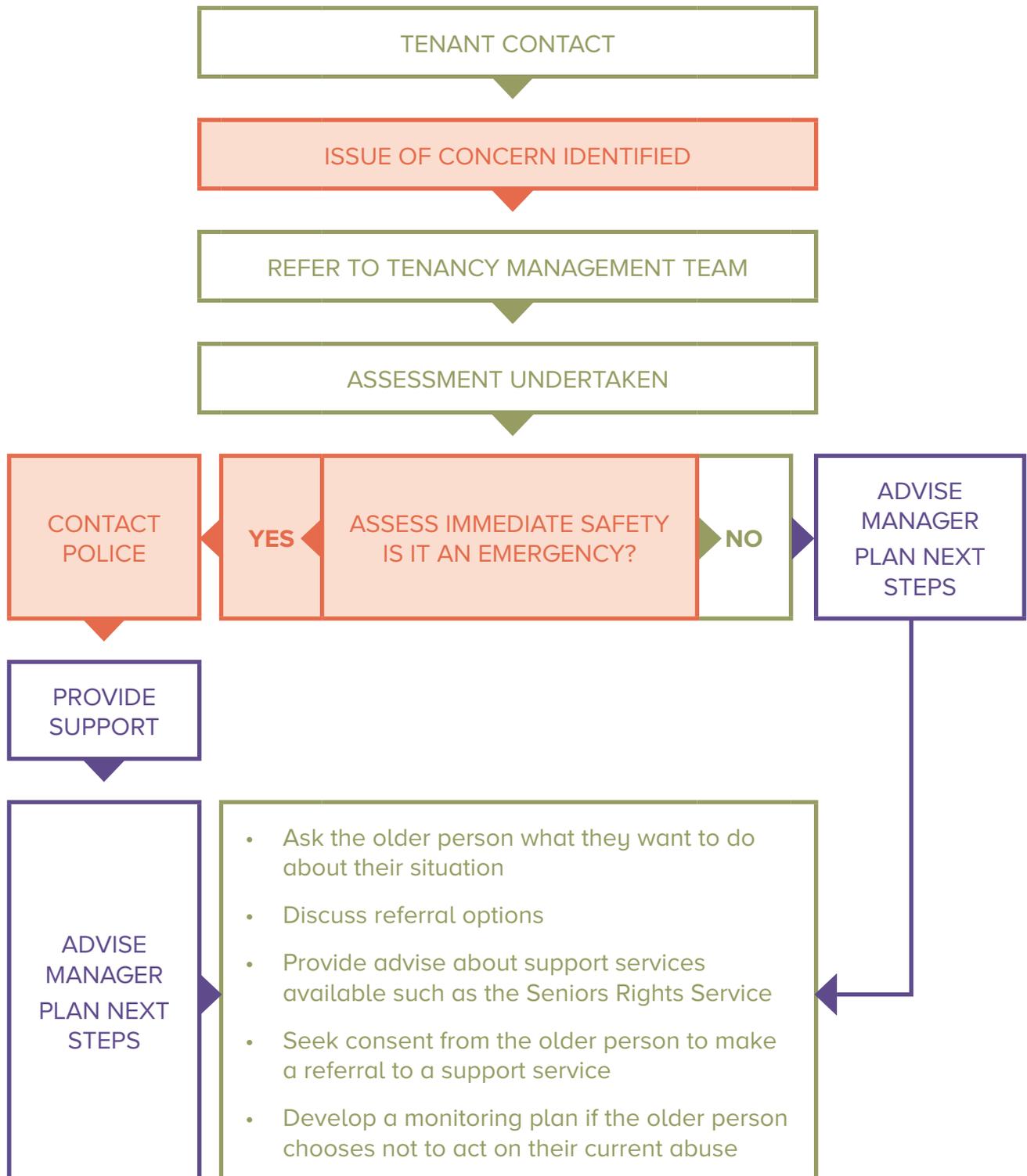
You might ask this question if you strongly suspected that the person was a victim of financial abuse. Asking this question makes the person aware that you have noticed something and are concerned.

Are you feeling safe? You have a right to be safe.

Regardless of which of the above questions is used it is crucial that the message of ‘a right to safety’ is reinforced. In doing so, the language of abuse is challenged by introducing a sense of hope and empowerment.

WHAT DO YOU DO IF YOU ARE CONCERNED THAT ELDER ABUSE IS OCCURRING?

The following steps provide some guidance to support CHP practice in the event that a staff member has identified concerns that an older person might be experiencing abuse.

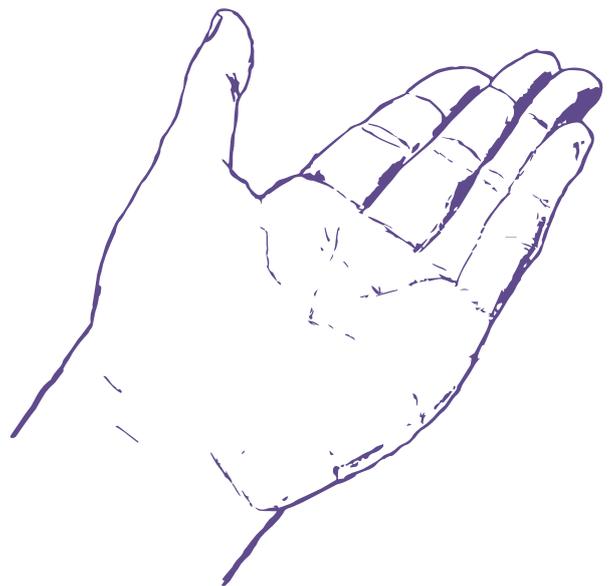


The role of guardianship

THE NSW CIVIL AND ADMINISTRATIVE TRIBUNAL (NCAT) HAS A GUARDIANSHIP DIVISION THAT EXERCISES A PROTECTIVE JURISDICTION UNDER THE GUARDIANSHIP ACT 1987. ITS PURPOSE IS TO PROTECT AND PROMOTE THE RIGHTS AND WELFARE OF ADULTS WITH IMPAIRED DECISION-MAKING CAPACITY.

Adults with disabilities are usually assisted by family members, friends and service providers. If these arrangements are not working, or if there is a legal problem, NCAT can make orders and put formal arrangements in place if needed. NCAT determines applications for the appointment of guardians and/or financial managers for people with disabilities. NCAT can also review the guardianship and financial management orders it makes. NCAT also has a number of other functions. It can consent to medical or dental treatment, review enduring guardianship appointments and enduring powers of attorney, approve clinical trials, recognise interstate appointments, and consent to special medical treatment.

Information on how to make an application to the NCAT Guardianship Division can be found in **Section 4 - The role of community housing providers in the care of older people presenting with changes in their behaviour.**



Services available for advice and support

NSW has an **Elder Abuse Helpline and Resource Unit** that offers a free service that provides information, support and referrals relating to the abuse of older people living in the community across NSW. The service is confidential, and callers remain anonymous. Individuals, concerned friends, family members, neighbours and support workers can call **1800 628 221** if they suspect elder abuse is occurring.

The Elder Abuse Help Line has a range of useful information and resources on their website <http://www.elderabusehelpline.com.au/> that community housing providers might find useful to explore to support staff skills and practice.

In NSW, the **Seniors Rights Service** protects the rights of older people. It is a community legal service that provides free legal advice for older people in a range of areas of law. They can be contacted on **1800 424 079** by older people to seek advice on issues of concern or information brochures can be downloaded from their website www.seniorsrightsservice.org.au

Seniors Rights legal service provides advice on most legal issues to older people in NSW. Advice includes:

- Consumer rights
- Human rights/Elder abuse
- Financial exploitation
- Planning for later life

The **Seniors Rights Service** also provide information services for community groups on these areas. A community housing provider might seek to host some information sessions for older tenants.

In 2019 the NSW Government announced the introduction of the **NSW Ageing and Disability Commission** to better protect adults with disability and older people from abuse, neglect and exploitation in home and community settings.

The main role of the Commissioner will be to:

- investigate allegations of abuse, neglect and exploitation of adults with disability and older people living in home and community settings
- provide support to vulnerable adults and their families or carers following an investigation
- report and make recommendations to government on systemic issues related to abuse, neglect and exploitation
- raise community awareness of abuse, neglect and exploitation, including how to prevent, identify and respond to matters
- administer the Official Community Visitors program, in relation to disability services and assisted boarding houses.

The NSW Ageing and Disability Abuse Helpline can be contacted on 1800 628 221.

Raising awareness of abuse of older people is an important step in preventing and responding. The NSW Ageing and Disability Commission has a number of resources to support awareness raising, including posters and information sheets which can be downloaded from their website: www.ageingdisabilitycommission.nsw.gov.au

Elder abuse is any form of violence or mistreatment that causes harm to an older person and occurs within a relationship of trust. Elder abuse can include acts of psychological, financial, physical, social and sexual abuse as well as neglect.

