

# National Elder Abuse Conference

July 2019

**ROCK  
THE BOAT**

## **Discussion Paper # 1**

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Conceptualising the nature of abuse—  
exploring influence and shame in diverse family and support systems

Caxton Legal Center and our panel acknowledge  
the Jagera and Turrbal people as the first nations and custodians  
of the land on which we work.  
We remember their ancestors with respect and strive to achieve justice  
for Aboriginal and Torres Strait Islander people.

#### Chair:

**Ros Williams** – lawyer, Caxton Legal Centre

#### Panellists:

**Catherine Barrett** – Celebrate Ageing Victoria

**Sonia Di Mezza** – human rights lawyer and deputy CEO at  
Disability, Aged and Carer Advocacy Service

**Tom Kirk** – cultural consultant and Aboriginal man from the  
Gooreng Gooreng People

**Anthony Kelly** – retired community development academic,  
experienced father, grandfather, community member  
and citizen

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# CONCEPTUALISING THE NATURE OF ABUSE – EXPLORING INFLUENCE AND SHAME IN DIVERSE FAMILY AND SUPPORT SYSTEMS

## Session outline:

This session explores how the diversity of individuals, families and communities shapes what is acceptable and unacceptable 'influence'. They will consider the effects of influence and shame in informing our understanding of abuse of older people. The discussion will also focus on whether human rights principles affect family and supporters' obligations when they are aware abuse is happening. The panel will highlight related priority research areas as we contemplate the still emerging national research agenda.

## Case study:

Betty is 68. She has looked after her grandson Sean for most of his life. She is well respected and well connected in her community. Sean is 24 and lives with her. He helps her with transport, odd jobs and going to community activities, and they provide each other with mutual companionship. Sometimes, Sean breaks stuff around the house, yells at Betty, puts pressure on her and takes her money. Sean was recently charged with drug offences. Police took out a protection order so that Sean cannot come to the home and cannot contact Betty. Betty says she can look after herself and, as she is the only one Sean will listen to, says he needs her and she needs him. She is afraid that he might end his own life without her support. She wants the protection order removed. The big question is who gets to decide what is best? Police? Betty? The courts? Service providers? It is a very complex field.

### Question 1

If we accept that influence and shame are powerful drivers in many cases of elder abuse, what specific features of (a) influence and (b) shame require further consideration especially within the context of diverse family and support systems?

### *Interpersonal influence*

Current research says that interpersonal influence, the process by which those in relationships affect and change each other's thoughts, behaviors and emotions, forms the essence of close personal trusted relationships. Such influences can be intended and unintended. We all experience and observe them, we recognise them, and we put up with various manifestations of influence up to a certain point and then it can go too far. But when does influence become abuse?

The law says influence has gone too far when someone unfairly influences another to enter into an unjust transaction. This type of influence can be presumed in family relationships, can affect legal capacity, and can result in legal remedies being available. Academics argue that the doctrine of undue influence needs a shakeup and should be concerned with the conduct and motivation of both the recipients and participants, and with the outcome of the transaction, or judged against the norms of the relationship between them. What are these norms? If an older person says, I do not call this abuse, is it abuse?

If we accept that influence is a powerful driver in many cases of elder abuse, what specific features of influence do you think require further consideration, especially within the context of diverse family and support systems?

## Response

**Tom Kirk:** Thank you, Ros. If you do not know where the Gooreng Gooreng language group is, that is my lot, it is north of the Burnett River, near Bundaberg and a bit to the west. We are part of the greater Gooreng Gooreng people, but we are from inland, my group, that western area north of the Burnett River. I could say more but that is probably where my language group

is. I was born here in Brisbane and my family mostly is in Woorabinda, inland from Rockhampton and Cherbourg. And I will give you that sort of intro. It takes me half an hour sometimes to introduce myself. And this is referred to high-context styles of communication, where you put out a context, it is more a relationship-based style of engagement. And this is where Aboriginal people generally come from, and a lot of the older cultures of the world are actively operating in this way, where conversation is seen as time in and not time out. It is called, it is not recreational. It is quite formal. And investing in relationships is a key value to survival. And I guess some of the things that might need to be considered when it comes to elder abuse within the Indigenous communities and the things that influence non-participation and speaking about it, could be these values that are set in quite strongly with Aboriginal individuals and families. For the abused I guess, the outcomes are the same regardless for that individual of what cultural group you are. And what I mean by that is, we have survived in isolation from the rest of the world for so long here in Australia, you know, minimum 30 000 years and at the most 60 to 65 000 years, by investing in relationships. And so with that then people have an imprint. As a child, and then it is also modelled and conditioned in teenage life; and then as an adult, it is modelled on participation in society. So you have these three stages of learning and of your culture. And you become imprinted with this behavior, and Aboriginal people have a strong imprint of this investing in relationships. And what happens then is that people will indicate disagreement subtly by not participating, by withdrawing and by not contributing. If you do not know what is going on, that could be misread as, you know, people do not care or they are okay with things.

So I think the other things that need to be looked at is that sort of stronger imprint, whether the non-negotiable point to cross into confrontation is a long way off. Certainly today, with substance abuse issues and maybe mental health issues and those sorts of things, that has come forward quite a bit and people will cross into confrontation a lot quicker. But from a classic perspective, because what drives people today, there are basically three broad blocks along the timeline. We have the classic block, which is before 1788, that period before non-Indigenous contact, then we have the displacement block where people are moved around over land and placed onto reserves and church-run mission settlements. And then we have the post-1967 block, broadly speaking, where people leave the reserves pretty much and gone to engage in the mainstream society. And those three blocks influence who we are today as everybody. We have these imprinting, modelling and socialising influences, all of us. And so what happens is that today there is a spectrum from classic to today. We all live today, but people have that neoclassic connection to the old ways still of investing in relationships and not making trouble. And I think that very strong, almost stubborn, locked-in way of operating could be something that needs a bit more attention.

**Ros Williams:** Okay, Tom. And in our negotiations earlier, I know you talked about the fact that a lot of people do not really understand how complex the kinship system is, that it is a really important part of how influence works. But I am thinking of cases where behavior goes too far and turns into abuse. Can you think of scenarios that show that, and who would name the abuse in the community?

**Tom Kirk:** Well, it is a difficult one again, based on what I have just said. If you cross into confrontation and challenge a situation, it becomes very difficult because of the nature of the kinship system, and it is hard to explain this without giving you a background into the culture, which I do not have time to do. But generally, it is a very extended concept of siblings, of parents, of children, of grandparents. All your mother's sisters are your mothers, and all your father's brothers are your fathers. All those children or those people, which other cultures called cousins, are pretty much your siblings, your brothers and sisters.

And it extends even further beyond that. And if you do then cross into that confrontation and speak up about things that are happening, the consequences of that are full on. There is a big reaction to it and it is hard to repair. And so people will often say, the stakes are not that high for the community. It is just me being affected here. And so I just let it go, you know? People need a culturally safe environment without ridicule or judgment, and be able to talk about these things without penalty, without judgment or ridicule – a safe place.

**Ros Williams:** Well, my next question was going to be whether you have any creative solutions that you can throw up in response to this problem of elder abuse in the Indigenous community. You mentioned again in our previous discussions that there has been this interesting elders model used for domestic violence. Do you want to explain that a little bit for us?

**Tom Kirk:** Yeah. Thank you. In itself, the elders concept that we use today within that engagement between Indigenous and non-Indigenous is a foreign concept actually; it comes from Canada. It is more of a body corporate tribal concept of the executive, and there is a lot of background why that stayed, but we are not going to go into that. People ask me all the time, how did you get to be an elder in the Aboriginal community? I mean, I really have no idea.

And there is no accredited course. I can tell you. Congratulations, here is your certificate. You are now an elder. The Pitjantjatjara and Yankuntjatjara people near the Uluru area had very late contact, and you think if anybody would know, they would know. They just say, oh, when you got grey hair, or when you are a grandparent. It is quite a vague thing. But, in any case, it is there now and it is here to stay, and we are sort of reshaping it and reworking it to fit more of who we are. But also at the same time we use this foreign concept to engage with non-Indigenous systems of management.

And so with that then, in one community, and this is a domestic violence example, where there was quite some dysfunction in the community, a group of women put themselves together as an elders group to challenge the behavior of certain people within the community. And with that separate entity as an elders group, they could not be singled out as being part of particular families that were biased, and could not be accused of nepotism and those sorts of things. I think that was quite a new way to deal with things.

When I say 'new', in the classic system, it was always situational representation. You get your status through your knowledge and through what you are good at, right? Personal development is encouraged, but your egos are kept in check. And, unfortunately, a lot of that is gone now and so we are reinventing ourselves. And this model of the elders group, who challenged domestic violence issues, was a reconnecting to the past where people would have that situational representation and they would have put themselves together. And so it was quite a powerful group, and no one could mess with them because they were seniors as well. I thought that was quite a creative approach to these things.

**Ros Williams:** Thanks for explaining that, Tom. Turning to you, Sonia. I know you have vast experience working with a variety of CALD communities, including at the UN level and in the disability sector. What do interpersonal family and community influences look like, given your very broad experience? Including in your Italian community?

**Sonia Di Mezza:** Yes. Thank you. No one operates as a single entity. We all work within a cultural context. And it does not matter what culture you are from, whether you are Anglo Australian or culturally and linguistically diverse. There are so many influences that can impact on a person and that can really indicate whether elder abuse is occurring. I think of, for example, assets cases. We have a number of cases that we are aware of in the Italian and Greek community and in some other CALD communities.

Picture this scenario where an older couple came out [to Australia] in the 50s, like my parents, from Italy. Maybe they had very gendered roles in the marriage. The man went out and earned the money and the woman stayed home and looked after the children. And once they became older, the children had children. Once they became older, perhaps the man passes away and there is this elderly woman. She does not speak English, she does not understand the external culture, and she has never looked after herself. And within the traditional Italian practices, the oldest son would be responsible for her and he might say, look, mum, come and live with us, we will look after you. You will not have to go to a nursing home. And you can see the grandkids every day, but give us your house.

We will use that. Maybe you might qualify for the pension, and that can also help offset the expenses. And what often happens is the skills that are required to look after an older vulnerable person might not be there. And the relationship breaks down and they turn around, they say, look, go live in a nursing home. And the old woman says, okay fine, give me my house back. Oh no, it does not work like that. It does not work the way it did back in Italy, where the property becomes the family communal property.

Now she is in Australia, and who owns that house? It is the person whose name is on the title deed. That is how it works in Australia. There are influences that go all the way back to 1950s Italy, the way things were done there. There are legal

influences, there are attitudes, there are things that happened within the family, family practices. All of that can really affect how that older person is treated. What might have worked in Italy is no longer working in 2019 in Australia, and it becomes elder abuse.

**Ros Williams:** And Sonia, who is going to call that elder abuse? Who is going to call it out?

**Sonia Di Mezza:** Well, it is so problematic because the older person, who might be that woman, does not speak English and the family want to protect their interests. This is our inheritance. This is our family property. Often it takes someone from the outside. We get very few cases of elder abuse that are brought to our attention by the older person themselves. It is usually a carer, a friend, another family member who says, look, I think that older person is abused. It is usually someone external who realises something is not quite right.

**Ros Williams:** Okay, so that brings me to the next question. If we want the older person to be at the center of describing the influences and behaviors that have become abuse, what do these older people need in their environments to enable them to be heard?

**Sonia Di Mezza:** Okay. What is imperative is first of all to start with the older person. The human rights of the older person, the right of self-determination to determine what the older person wants. And I do not care if the older person has cognitive impairment or dementia. There is always a way to communicate with any human being and work out what the older person wants. We have to start from that point. In the culturally and linguistically diverse space, we obviously are going to have challenges with language.

So we need interpreters. And when I say interpreters, I do not mean family members who have conflict of interests and vested interests. We need to find external objective interpreters. We need to understand the culture, the things that are at play here, and we need to start with that older person to understand what they need. There have been many times in our advocacy where someone has said, look, with this older person we do not think that things are right. We then go and speak to the older person and sometimes they say, yes, I know it is not right but I do not want you to do anything about it. And we cannot because it has to be rights-based advocacy. You cannot force advocacy on the person. To answer your question, we start with the older person, we understand what they want, we communicate with that older person and we try and get an understanding of the cultural context.

## Shame

Shame is commonly noted in the literature as one of the most common psychological effects of elder abuse and a major barrier to reporting. Broader abuse literature, including research about sexual abuse and child abuse, explores these links. In the psychotherapy literature, shame is described as the experience when our needs or goals are not accepted or supported by those around us. Where there is abuse or neglect, the person loses a voice for this need and is left with a sense of worthlessness, inadequacy and/or isolation.

There is little research as to why that is so in the specific context of elder abuse. Not to be confused with healthy shame, which encourages humans to behave appropriately, this toxic shame describes core identity, worthlessness, helplessness, isolation, fear and humiliation as a response to violation of autonomy, integrity and dignity. It is often exacerbated by the fact that the abuser is a family member.

What does the concept of shame mean in the Aboriginal community, in a culturally and linguistically diverse community or in an Anglo Australian community?

## Response

**Tom Kirk:** I am not right across the topic of shame. But remember that we, the Aboriginal people and Torres Strait Islanders are actually different people. Did you know that? I just want to make that point. Like someone said, we have an Aboriginal Torres Strait Islander staff member. I was like, what do you mean by that?

I am not sure if you are going to get a point here, but there is the shame that we all know of like after the incident, the embarrassment of that, the shame of that. So that is pretty standard. I have got some notes here. I will share some notes.

**Ros Williams:** Well, I think when we were talking earlier, you made the point that shame is not always negative. It can be positive. It is part of learning, but negative shame is very powerful.

**Sonia Di Mezza:** Can I add something to that?

**Ros Williams:** Yes please. You are actually on for the next question?

**Sonia Di Mezza:** I was going to say that shame undercuts elder abuse, no matter what culture you are, whether you are Indigenous or from a culturally and linguistically diverse background or Anglo Australian or whatever, and what you think about it. The definition of elder abuse is some harm to a relationship of trust that an older person is experiencing. There is a relationship of trust that is being harmed. And the research is out there, the majority of elder abuse cases involve adult sons or daughters. You have raised that baby to become a child, to become an adult. And how they are raised impacts on you as an older person. And to come out and sue your son in a court of law or to denounce them to police, shames you as a parent. It shames the family and you have shamed the whole community.

In many people's minds, it is much better to put up with elder abuse than for shame to come out. That is the first element of shame in the culturally diverse space. The second one is where Italians and other cultural groups say to me, it is very shameful for us to put our parents in a nursing home. So what do they do? They get 24-hour care for their mum or dad in the home, and in many cases that carer might not have the skills to do that very difficult work. So what happens? Their carers get fatigued, burnt out, they break down. And whom do they take their frustration out on? The older person. I say to people that I meet in this situation, I would rather that you put someone in a place where they are safe and their rights are being upheld and respected, than you start to engage in elder abuse, just because you do not want to shame your family. So shame is a very, very big issue in the elder abuse space.

**Tom Kirk:** I totally agree with that, Sonia. It is exactly the same for Aboriginal people in that regard. And so you have got the shame after the event and where people withdraw and hide from everything and everyone, that sort of thing. There is the shame because of preconceived ideas. People are not going to go and get involved in that because they are going to be ashamed. They are going to be embarrassed. And so the outcome is that people may miss out on services, all that sort of thing. My grandfather, for example, he would not go to this service provider because you had to ask for the key to use the toilets at the reception. And for him, that is a very private matter. And I am sure this is not exclusive to Aboriginal people. And so he would not go to the service, not because they did not provide a good service or because he was being singled out, and he did not want to ask for the key. Now the receptionist would not care either way, who was asking for the key, because it happens all day. But, as far as he was concerned, that was just a subtle thing but a big thing. He did not access the service.

And there is the other shame, which is like a positive one, I guess if you want to say that, where it is a proactive thing where you think, well, I will not go into that bad behaviour or that negative behaviour because it brings shame on others, you know, and the accountability of the collective. But that only happens when you are a part of that collective. If you are not a part of a collective, you are more an individual, not connected to that accountability and that duty of care, those things mean nothing to you. See in the classic times the collective manages people's personalities and all that, everything. The collective tells you when you are an adult, the collective tells you when you are ready for this information. Now it is much more the individual talking, '... it is my right, I am entitled'. And that sort of thing.

And so we have shifted from that and now we are trying to recover from that. And you know, you get asked all the time from the non-Indigenous society, even within the Aboriginal families about how do we go forward, because there is no cultural certainty anymore. We are writing a manual on the run about how to do our ways in new ways, in a new environment. And there is not a lot of certainty about that. So we are trying to manage that and we get asked about how to resolve things. Well, we are flat out at working out our own stuff let alone advise you how to go forward in that middle ground. That sort of thing. So it is a proactive thing as well. It stops people from bringing shame on others. So they withdraw.

**Ros Williams:** Well, I was really glad that we were able to get those points about shame from both of you because that was so insightful. At Caxton, we know anecdotally from our elder abuse clients that many of them express a huge sense of shame because they have been abused by their family members. And they also typically express being depressed and anxious about what has happened. And that often goes hand in hand with such declining health that they are either unwilling or unable to face the litigation, which they need in order to enforce their rights. And one of our social workers reminded me last week that this type of anxiety associated with this shame is not intermittent.

It is unrelenting and long lasting. And good shame is one thing. It is part of learning. But toxic shame is the shame that affects core identity and engenders a range of negative feelings. And broader abuse literature, including research about sexual abuse and child abuse, explores these links.

Catherine, you have worked with older women who have been victims of sexual abuse, and you also work with older members of the LGBTQ community. In your view, are there any specific dynamics for these two groups that are overlooked in the conceptualisation of elder abuse?

**Catherine Barrett:** Yes, there are. I think there are some really important lessons around shame. This morning, Jill assisted Margarita to present her story. One of the issues for older women is the whole marital rape immunity laws, and the message that older women got that their male partners did not have to negotiate sexual consent, and that they were there to provide a sexual service. And that is the message that older women have lived with for most of their married lives. And you know some older men have never changed.

That causes a great deal of shame for older women and there is a real reluctance for them to report. I mean, Margarita talks about it in the film that we made with Margarita. She talks about a feeling that it was somehow her fault. How could she think that that was her fault? She has taken on those messages from the community, those influences, the policy, the legislation and the community values that somehow say that it was her fault. All that made her somewhat reluctant to report. And then she hit all those roadblocks as well.

I would like to mention Brené Brown and her work on shame. She talks about shame as being kind of the end product of silence. And that if you want to bust shame, you talk about that stuff that is shameful. And you can almost see how, for Margarita as part of her healing process and when she started talking to people and people started listening, the shame was busted and she became more articulate, more confident, more forthright. And now she is the national spokesperson for preventing sexual assault of older women.

That is what we can do to support older women, when we tell them it is not their fault, when we open up those conversations, we have to give older women permission to talk about it, to bust the shame. And then we heard from a lawyer as well, from Malloy, who talked about her experience in her twenties, which was in the 1960s, when she was being told by a psychiatrist, a person of authority, that if she went back to her lesbian ways, God would not love her. So she has the psychiatrist who has God on his side telling her that she is evil, wrong and bad. And I work with a lot of LGBTI elders who got the message in various ways that their LGBTI identities are a madness and a badness.

Even though we think that the world has changed, I mean legislation has changed, policy has changed, but there are still people who hold those beliefs. And LGBTI elders get the message that they still have to straighten up their lives and their bodies and their relationships to avoid upsetting other people. So there is a sense of shame there around that as well. And I am doing some work at the moment, particularly with trans-gender diverse elders who are transitioning later in life. There is a disruption to their family as you would expect. And they are blaming themselves. And you know, I brought this shame, I have done this to my family.

You know, my family has exploded because of what I have done. So they still taking all the responsibility for that change. And the elder abuse is kicking in where families are saying, well, you might think you are a woman, but you are not dressing as a woman in front of the grandchildren, at the niece's wedding, at church, outside the front door. And so, in effect, this is what I



would call elder abuse. But the LGBTI elders are not calling it abuse because there is such a sense of shame and such a sense of responsibility, feeling that they have to straighten up their lives and their bodies and their relationships to fit in with the status quo. The common thread across that, is that we can give older people permission that bust the shame. We can give people, older women permission to talk about sexual assault and we can tell them it is not their fault. We can give older LGBTI people permission to be diverse and to celebrate their identities. And I do not think any of that stuff is too hard and it does not cost more. It is all about attitudes.

**Ros Williams:** Well, you have partly answered the next question, but I did want to ask, do you think this is all part of ageism? These difficulties?

**Catherine Barrett:** It all comes back to ageism. I think everything comes back to ageism. I think we are so ageist, we cannot even see it, which is a real problem. I think one of the things that we have to do, if anyone is planning strategies to prevent ageism, is we first have to come up with something to help people to see ageism. Because ageism is so pervasive we cannot see it. And our responses to older people are so embedded in ageism that they do not really meet the benchmark. And we would not be having a royal commission into aged care if we were not an ageist society. We would not have elder abuse if we were not an ageist society. And so many of the things that we talk about in our responses are kind of compromises, because we think that is what we can realistically achieve. But older people deserve more.

## Question 2

How does diversity influence understandings of human rights principles and how might these varying understandings in turn impact upon family's and supporter's obligations when they know elder abuse is occurring?

To promote the human rights of older people, we must recognise that the exercise of these rights does not occur in a vacuum. We ought to remain wary of restricting our conceptualisation of elder abuse as an event occurring in a binary universe—innocent older person, evil perpetrator—family members have long lived with each other's interpersonal influences. When we talk about balancing human rights principles, we are likely to think about security, safety, care, wellbeing, dignity, self-determination and participatory rights and decision making. Are there any other principles we have overlooked?

## Response

**Anthony Kelly:** I operate from the Oxfam framework of human rights and there are a number of rights of course that we operate in when doing our international work. And one of them, of course, is the right to basic services, and generally we refer that to health and education and safety issues. But in the Australian context particularly what is really the missing element in all this is participation. That is the key element that is missing.

I want to see if I can move a little bit out of the paradigm and take a few risks here. In the Australian context, we have an international reputation of running pretty good social services, despite all its major problems and issues. Our entire system of dealing with issues is to name the problem, like we are trying to deal with here, or name aspects of that problem, and then set up service delivery systems based on legislation and advocacy for compliance in those service delivery systems. In Australia, we simply have not explored the whole idea of participatory programs. They are really not largely on the agenda at all. I am not saying that we do away with our service delivery system. What I am saying is that in Australia, we have to give a whole lot more attention to participatory programs and the skills associated with developing participatory programs. Now, participatory programs start with what is desirable.

They do not start with what the problem is. If you start from the other side of the paradigm, what is desirable for our elderly people? And what is desirable is that they have a number of relationships, and we can name the number of relationships that people need to have. And they need to have particular qualities within those relationships in order to be able to make them safe. So that is the idea of a participatory program.

How do you enable people to have these relationships? What are the characteristics of those relationships and how do we develop those characteristics that enable all of us to be safe? Now that is the emphasis, particularly coming from South Asia. Of

the last 25 years, that is where they have concentrated their work rather than on the problem-solving, institutionalising service delivery processes that we are monumentally caught up with in Australia. I am all for it. It is just that we are leaving out the whole preventative cycle.

So now I am aged 76, I want to know what sort of relationships I have to develop in order to be safe. I need to know the number of that, and what qualities there are in that. So my call is not for more advocacy, not for more service delivery. My call, I am absolutely supportive of all my colleagues who are calling for that, but what I am actually calling for is a fundamental paradigm shift in terms of understanding and undertaking participatory programs.

**Ros Williams:** And so if these programs are community-led, self-determinative programs, what other elements apply?

**Anthony Kelly:** Okay. The elements involved in a participatory program are not the concentration on content of what it is about. It is a concentration on the qualities of the relationship. That is the key part of a participatory program. And it can carry all sorts of agendas. It can carry aged agendas, but there also could be neglected children in that process. So if there is a skill-based process involved, then the chances of us moving forward I think are extraordinarily advanced. So I do not see elder abuse as something separate from every other abuse.

I see it much more holistically. The qualities associated with that, we can now name. There needs to be a mutuality in the process. So much of our service delivery processes are mechanistic. They are not actually mutual, and it is the capacity for people to be able to respond. In the case of Aboriginal people, it is response by silence. In the case of other cultures around the world, there are other responses that we need to be able to engage with. Are there enough people in that person's environment, who are able to respond to what is being said or done? Or do they not see it as is the case in many, many cultures around the world, there is silence, there is absolute silence.

The skill base associated with that is the same as professional dialogue. It has its origins in resource-based work, all sorts of overlaps of the different skills associated with that. But I think that is a really important task. We need to be able to open up training processes for individuals, not just organisations. Individuals, otherwise organisations lock them up. It needs to be open to individual members of families, to communities and of course to our organisations; but not just given to an organisation, it then becomes their work.

Then we are locked into service delivery. And that training program is critical for the Australian population generally. The second thing is, I think we have to be diagnostically like the depression, public relations is. What makes a safe relationship for elderly people? Public education campaigns that organisations are undertaking are important. Not just the individual and not just families, but also community members can begin to appreciate what is safe for elderly people. It is actually no different from what is safe for our children, but if we knew that more generally, then I think we would have a more caring and a more able society.

Normative expectation of interpersonal relationships to uphold human rights principles and empower older people to exercise autonomy and independence

**Catherine Barrett:** I really like that question. I think one of the things is that each and every one of you in the room has a role to play in preventing the sexual assaults of older women. So you all know older women, you can all open up conversations and you can all listen with your eyes and your ears and your heart. That is something that all of us can do. And you can see from Margarita's story, we transformed Margarita's life by listening, and that stuff is not hard. And so I think that is the key message in relation to sexual abuse or sexual assault of older women.

And I think for those of you who work for elder abuse organisations, it is important to pull sexual assault or sexual abuse beyond their definitions. The National Strategies to Prevent Elder Abuse include a definition, but it is not there in the strategies. So how do we get change happening? The Australian Association of Gerontology yesterday released this wonderful document, which is Strategies for Preventing Sexual Assault of Older Women. So that is what they have done.

But what could your organisation do? It does not have to be big, something small, make a world of a difference. And in terms of LGBTI elders, open up your hearts and your minds, it is still a really tough time for LGBTI elders. There are still so many messages that it is not okay, and we need to understand that LGBTI elders do not experience elder abuse in the same ways as the border community does. Elder abuse in particular is around restriction to sexual orientation, gender identity, bodies and relationships. That has to be understood so that our programs and work is inclusive.

**Ros Williams:** Thank you. Sonia, I think you have a burning comment?

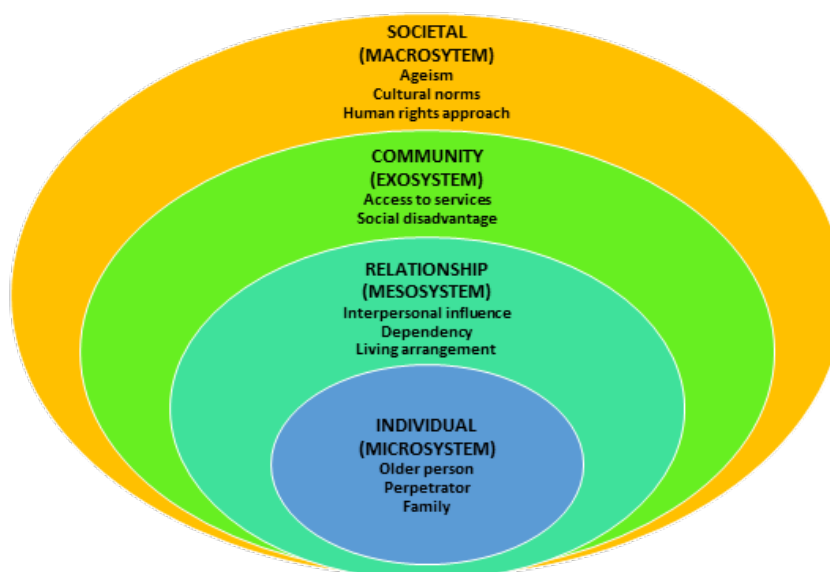
**Sonia Di Mezza:** Yes. I want to echo what you both just said. We know that people who are valued by society are more likely to enjoy their human rights. And I would even take it one step further, not just to an organisational but an individual level. I think elder abuse happens because we are not valuing older people. When I was running a legal aid project in Sudan, we conducted a research of the customary law that was practised in the camps in Khartoum. And one thing we learned was that the Sultan or the judge of the customary law court had to be an older person. It did not matter if that person could not read or write. That person was well qualified to decide on cases because they had the learning and the wisdom and the knowledge.

My ancestors, the Romans, that is where the word 'senate' came from. You had to be an older person in government to hold those senior positions. So we need to go back to being a society where we value and respect and learn and tap into that wisdom. I think this is one of the greatest resources that is underutilised in Australia today. We are not valuing and really making something about all that knowledge that older people have. And when we do, on an individual and community level, then we will see the rights of the older person being respected and promoted and upheld. And as a result, there will be less elder abuse, I believe.

### Question 3

What research still needs to be undertaken in order to inform government and communities responses to elder abuse?

Understanding elder abuse theory is very limited, and it is key to understanding which way to turn. We can learn from existing theories and models from other fields. Researchers have posited that applying an adapted ecological model (see Figure 1) to risk factors of elder abuse within family structures could constitute a useful framework for understanding the intergenerational character of the quality of life for older adults, and for the development of strategies for the prevention of and intervention in negative intergenerational interactions.

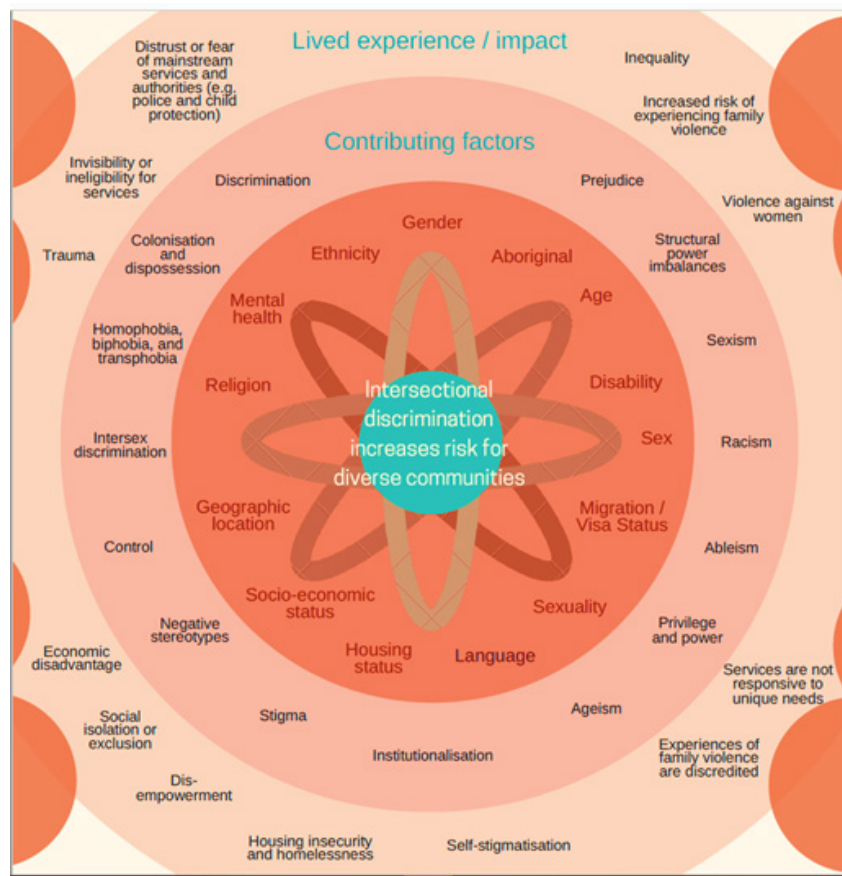


**Figure 1: Simple ecological model**

There is also the intersectional theory (see Figure 2), which is a framework for conceptualising a person or social problem as being affected by a number of diverse and overlapping identities, discriminations and disadvantages.

In Australia, this is not being used in the elder abuse field, but there is a growing use of it in describing the experience of women affected by domestic violence. Applied to elder abuse, intersectionality could be about taking an approach that considers how multiple diversity characteristics such as age, disability, geographic location, cultural background and language for example, interact on multiple levels to compound risk, increased social isolation, create overlapping forms of discrimination and amplify service barriers.

However, that graphic is not complete. It does not have anything about survivors of torture and trauma. A one-size-fits-all approach to elder abuse in families will not work. In what contexts do we see the convergence of multiple and enduring forms of disadvantage increase vulnerability to abuse in the communities?



**Figure 2: Intersectionality (adapted from the Victorian Government Domestic Violence Forum, Diversity and Intersectionality Framework, 2017).**

## Response

**Sonia Di Mezza:** In the culturally and linguistically diverse communities, obviously language is a huge challenge because if you cannot communicate in English, you cannot communicate the abuse that you are suffering. And also culture can create another challenge. Social isolation is a huge one because where you isolate someone, they are less likely able to go to someone else and say, look, I am suffering this kind of abuse.

Then we have cognitive impairment. If the older person who is suffering the abuse has dementia or something like that, then it can be really hard to communicate what those difficulties are. When you have more than one of these challenges, it makes it almost impossible to reach out, to communicate what is going on and to access the help you might need.

*Building resilience in the community*

**Tom Kirk:** There is a lot of detail what is happening. Like what Tony was saying here about those terms of task and relationships, more participation you were saying. That is spot on, is it not? Because things go well or not so well from those same factors, the task approach or the relationship approach. So when we engaging with our seniors or anybody, for that matter, it is a direct questioning or conversation.

I mean, how do you get the trust of people? Do you introduce yourself, what you are and what you do, or who you are and where you are from, a more relationship-based way of engagement. Is it a pace-setting, commanding engagement or a more affiliative type way of engagement. And factoring conversation into the project planning as a core is critical as time in rather than time out, because it is actually very efficient. It will cut your email down by 70% I can tell you. Going to have a yarn with someone, you know.

**Ros Williams:** So conversation? And Anthony, would that be your key message as well? Dialogue and conversation?

**Anthony Kelly:** It is absolutely critical in a participatory program. The reason why the methodology of dialogue is so important is that dialogue actually is a communication process that builds trust. And the amazing thing about it is that it is a completely, intercultural, multicultural, intergenerational process. If you actually understand the dynamic of the building of the relationship in that process. And it is not task specific. The moment you put task into it, rather than the content of the relationship and let that unfold, you are then into a service delivery approach rather than a developmental participatory approach.

So it is a paradigm shift for most of Australian workers in this area. We are, I think, 25 years behind South Asia in the development of these sorts of methodologies. And Indigenous people around the world from Peru to Colombia, to Alaska are pleading with us to use these sorts of methodologies rather than service delivery methodology.

**Ros Williams:** Okay. And Catherine, I know that the work that you have been doing whereby your elder members of the groups that you help actually go on then and run the training and support programs, is very effective. Do you think that is a key part of resilience?

**Catherine Barrett:** Yes, I think so. Part of my work that I am most proud of is a project called the elder leadership academy. And if you go to [celebrateageing.com](http://celebrateageing.com), have a look at the elder leadership academy, it is beyond ideas of co-design and co-production. It is saying older people are capable of co-leadership. But I think in terms of resilience and change, what will transform the world is when we all change our own attitudes to our own ageing. I think ageism is so embedded, and we have to value our own ageing.

And for those of you who have had friends that have died, you recognise that ageing is a privilege. So here is my really practical invitation. Every evening when you put down your knife and fork, when you finished your meal, you say to yourself, what is one thing that I value about my age? What is one thing that got better? Do that every day for the rest of your life and you will transform the world.

**Ros Williams:** Thanks, Catherine. I have already mentioned theory and I just want to say that sound theory has critical implications for the safety of older Australians. We have tried to summarise the themes that have come out of our previous meetings in preparation for today and the feedback, and we have put that on the next slide (Figure 3). So these are key research questions.

## Key Research Questions

Which theoretical models are most useful or might be adapted to help frame understanding of - and policy responses to - elder abuse?

Which aspects of a human rights framework will best inform the development of a theoretical model for understanding elder abuse and how can this include minority and diverse communities and individuals?

Which interactions within diverse families and support systems lead to, prevent or reduce elder abuse?  
What is the true incidence of sexual assault as an aspect of elder abuse and to what extent is it hidden? What responses are needed?

What specific role does shame play in elder abuse?

What changes to the doctrine of undue influence will prove more responsive to cases involving elder abuse?

Does the shame caused by elder abuse specifically cause particular types of health declines in victims of elder abuse?  
If so, what preventative measures might be available, including via health-justice partnerships?

Which diverse communities experience low levels of elder abuse and what features of their communities achieve this and build resilience in older people?

What preventative education campaigns and service models responding to elder abuse have succeeded in particular communities and also in other jurisdictions?

**Figure 3: Key research questions**

## Questions from the audience

**Chris-Anne (audience member):** Do you think there would be resistance to participatory elder abuse programs due to shame, or do you think it can create the paradigm shift and reduce shame?

**Ros Williams:** Perhaps each of you will comment.

**Anthony Kelly:** It could absolutely reduce that shame because you really have to declare yourself to be in difficulty to go to a lot of the service providers. That is not the starting point in a participatory program. It could be the end point when enough relationships are in place and so on. The amazing thing about participatory processes is that you think it begins here, but that is actually not the issue. There is other embedded material around that. So yes, shame is a critical issue that participatory processes deal with.

**Ros Williams:** Sonia, would you have a comment?

**Sonia Di Mezza:** Yes. Shame can be a really big issue and it really can impact on the ability of the person to participate and to call it out. So as a community, we need to work together. All these different communities, us as a large community, we need to really identify it and really help when the person is particularly voiceless.

**Ros Williams:** Tom.

**Tom Kirk:** If you were to be asked what would make you culturally safe, it is a big question because culture is such a large thing. But if you were to think for yourself what would make you culturally unsafe, you might be able to define what cultural safety is. And factoring in people's culture is just as critical as occupational workplace health and safety. I have said it before without ridicule or judgment. Given there are non-negotiables about workplace safety and Australian law and those sorts of things, finding that middle ground space where we can communicate and educate ourselves about the difference but not being managed differently, probably applying the same principles, is important.

There are just so many things we have not touched on today, we could go on for another week with this stuff. There are things we just take for granted. Like my parents who came from reserves, they always felt ashamed that they never passed on assets to their kids in the way of finance, like house and home and a car and investments and that sort of thing. I remember my accountant said to me once, 'Tom, you make good money, you should do something with your money'. And I thought, oh, I failed again. Because if you are around on my payday, you will do alright, I just give it away pretty much. But we have never really had this value of money. It is a new thing. Everyone struggles with money and we all struggle with the question of what gives us quality of life? Is it my stuff or my relationships. And we are very much in the relationship space of how we put our best foot forward. And others would see that as failing. And so there was always a shame about this. And so what I have found is through running cultural awareness training, I did self-awareness as well. I found out that it is okay not to have assets because I am rich with relationships, I have found that. It might make me struggle when it comes to retirement. I do not know what I am going to do there, but in the meantime, I hope someone is going to be there for me. But the thing is our seniors have to be made aware that they are not failures if they did not pass on this material stuff. Stephen Cargo said it right at the start, our seniors, our elders are our books.

They are our libraries. We do not come from a scrip of language, Aboriginal people, our people are our books. And so they have to acknowledge that they passed that on to us. There is one other challenge I want to put out there as far as finding a way forward. I fly a lot on the plane and I always feel so awkward. I would not be the only one who feels like this. We all get up to get off the plane and the seniors are left there to wait for us. And we are on the phone, the phone is tucked under the shoulder, we are getting the bag from the thing and stressing out about stuff. And you see the people just sitting there frail, very patient. Give it a week, Qantas or somebody, and just say, 'this is elders week and the seniors get business class because they earned it. And send them off first and all the other buggers wait for a while, you know.

**Ros Williams:** Okay. Tom thank you. And the last comment from Catherine.

**Catherine Barrett:** It is really difficult to push through the shame. But when you think about the shame that older women who have been sexually assaulted experience, the shame Margarita felt, what we did was we supported her and she has just grown and grown and grown. And Margarita now, at 97, coordinates a national program to prevent the sexual assault of older women. She is doing that at 97.

Margarita is doing more to prevent the sexual assault of older women than anyone else in this country. And we pushed through the shame and that is what is possible. Older people are the forgotten revolutionaries. Imagine what we can achieve if we work with older people beyond ideas of co-design and co-production to co-leadership and truly empower older people, then we really have a revolution on our hands.

## Final remarks

**Ros Williams:** Well, let's bring on the revolution. The stakes are simply too high for the theory upon which the intervention is based to be wrong. We hope the discussions today assists the Australian, state and territory governments to set the national research priorities as per the national plan.

We thank our panelists.

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THE BOAT**