

# National Elder Abuse Conference

July 2019

**ROCK  
THE BOAT**

## Discussion Paper # 3

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Safer families—  
what will it take to bring about change

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:

**Virginia Trioli** – journalist, television anchor, radio presenter,  
writer and commentator

#### Panellists:

**Gerard Mansour** – Commissioner for Senior Victorians,  
Victoria

**Sarah Walbank** – Policy and Research Officer, Carers  
Queensland

**Dr Eileen Webb** – University of South Australia and Curtin  
University

**Rodney Bell** – Acting Senior Sergeant, Elder Abuse and  
Disabilities Coordinator, Queensland Police  
Service

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# SAFER FAMILIES— WHAT WILL IT TAKE TO BRING ABOUT CHANGE

## Session outline:

This session builds on the conversations from Day 1 along with a greater understanding of the nature of intergenerational abuse. We will draw upon relevant perspectives to assist in developing successful prevention and intervention strategies. These responses need to be respectful of cultural, linguistic and lifestyle diversity. The individual voice of the older person is key for tailoring appropriate responses and programs.

## Introductory remarks

In Leah's songs and story, we recognise the sadness and shame that can sit within families touched by grief, loss, trauma, isolation and poor mental health. Family systems are sometimes stretched to their absolute limit. Yet the ties which bind invite us all to be accountable for certain roles to be played within our diverse families—decision-maker, nurturer, dependant, carer, provider, advocate—and hundreds of interactions every day within our families mold who we are within that system. And somewhere within all those complexities, family members can abuse their own.

Yesterday afternoon we started to explore some of the complex thinking we need to have to better understand intergenerational elder abuse as the most prevalent form of elder abuse. We asked ourselves, when does interpersonal influence in diverse families and communities become abusive? We also reflected on what we know about family asset management attitudes and practices that assist us to prevent and address financial elder abuse.

Today we will discuss prevention and intervention strategies to combat intergenerational elder abuse.

## Question 1

Generic strategies—how should we proceed when there are so many variations of elder abuse?

Elder abuse within families takes on all the familiar forms—psychological, financial, neglect, physical and social—and little is known about intergenerational sexual elder abuse. Developing theoretical models for understanding how each type of abuse occurs and co-occurs within families is critical.

Research tells us that caregiver stress theory may be suggested as a risk factor for physical and psychological elder abuse within families affected by dementia due to the high rate of behavioural symptoms of dementia and caregiver strain. This theory, however, does not necessarily explain neglect as a form of elder abuse, which may be driven by a different causal mechanism. The National Ageing Research Institute proposes an applied ecological approach to elder abuse.

How indeed do you develop those theoretical models for understanding and should they even be theoretical to begin with, given what we do understand?

## Response

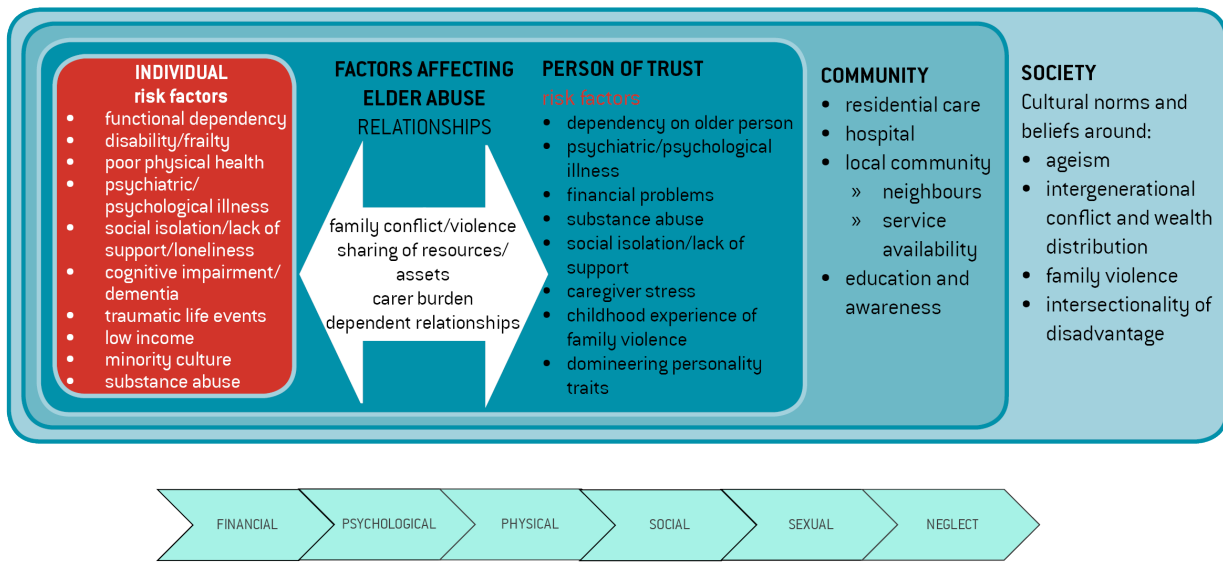
**Gerard Mansour:** Maybe just to put it in the context of my role. I was appointed by the State Government of Victoria to provide a voice on behalf of older people as they age. And a lot of my work is with people that are not experiencing the elder abuse system at all. They are going through the journey of aging. There are two observations I would like to make as a starting point.

One of the real challenges is, if I have 100 people in a room talking to me, who of those, whether it is 10% or 17%, will, in their life course journey, be at risk of elder abuse? It is the reality for all of us, we just do not know. We just do not know what set of

circumstances would put us as an individual at risk. Part of it is about us as individuals, as we go through our life, preparing and thinking about getting older. And for lots of us, that is a real challenge. And the second part of it is the enormous complexity of family relationships. And we will talk in a minute about some of the different ways we can think about perpetrators and the complex web of relationships that we grow up with, which, of course, sets the background for moving into the senior years. I try to take, what I call, a strengths-based approach. I remind myself every day that something like 90% of older people will not be experiencing elder abuse. What can we learn from that? What can we learn from the people that are resilient and strong and empowered, and take that as a starting point for us.

*Is it possible to have a theoretical model to help understand who might be more at risk and develop prevention strategies?*

**Eileen Webb:** It is an interesting thing. I am the lawyer on the panel, so perhaps I am probably not the best person to ask about preventative strategies, because in my work, I tend to come in at the end, when the house has been sold or the money has been spent. And we look at strategies to mock that up. However, obviously, looking at these preventative strategies is extremely important. In preparing for this session, it actually made me really reflect on what would the most appropriate theoretical model be in this space? I was also looking at it from the perspective of a legal educator and at the role that lawyers can play in prevention and heightening the awareness of lawyers in relation to intergenerational elder abuse. Let us have a quick look at the theoretical issue, Marti DeLiema makes the comment that there does not seem to be any single theoretical explanation for any form of domestic abuse, including elder abuse. Different theories apply to different parts of a complex problem. And we will discuss this particularly in relation to carers and in relation to those abused by carers, but also compare it to neglect. Probably one of the best models that we could use is what we have referred to as an ecological model and applied ecological model (see Figure 1 below). And you can see that summarised on this very useful slide. Here we are looking at the individual and their place in the community and society, we are looking at their relationships, we are looking at the nature of those relationships and then we are looking more extensively into the broader community, government, the legal system and so on. So if we just have a quick look at that diagram: running along the middle we have the main types of elder abuse. And the important thing there, of course, is to remember that you can have one, two, three or more forms of elder abuse occurring at the same time. And you will see at the top of the slide that you have the reference to the individual, various characteristics of the perpetrator and the nature of that relationship. And further down we have the possible interventions based on the characteristics of the individual, the nature of the relationship, the perpetrator and the broader society.



Different types of abuse, sometimes happening simultaneously, require different interventions.

Source: diagram adapted from Joosten, M., Vrantsidis, F. and B. Dow [2017]. *Understanding Elder Abuse: A Scoping Study*, Melbourne: University of Melbourne and the National Ageing Research Institute.

**Figure 1: Applied ecological model**

No model is perfect, but it is a really useful model for looking at the nature of intergenerational abuse and these strategies.

What struck me as a lecturer in law was how can lawyers look out for those strategies. If I look at myself and lawyers within that diagram, what are we doing to prepare our young lawyers and also to prepare the profession to make them aware of the issue of elder abuse, particularly intergenerational elder abuse and how to pick it up. There are only very few law schools that teach elder law in undergraduate law programs. Most students will go through law school without having to deal with the problems older people might face. We are trying to change that. Students are not being taught how to deal with the elderly or with the special needs older people may have. We are still in this mindset that we have to go off to court, and sometimes that absolutely necessary and I am on board with that. However, when you are dealing with these intense interpersonal relationships, we have to learn to look at things a different way. We as lawyers have to be more aware.

**Virginia Trioli:** Sarah, I wanted to come to you because I am picking up some reflexes and responses as you were listening to Eileen. You might just have an initial reflection on where we started with this conversation and where Eileen went with it, whether there are models that might indicate to us where abuse can occur and reoccur in families.

**Sarah Walbank:** I do not think the carer sector is that sophisticated to know that. I genuinely do not believe that we have models that indicate that a particular group of carers is more likely to perpetrate elder abuse than any other. Carers are well researched. We know that in Australia there are 2.8 million carers that provide care and support to vulnerable people, but we do not have that degree of research. And that is just the start of the journey for Carers Queensland. What we do know is that caring is complicated and it is often lonely. Caring forms an interdependent relationship between two or more people that is often informed by the previous lifelong relationship that may have existed. And carers are fragile, just like everybody else, we are human beings, our roles are ascribed to us. We are not born carers. We are born sons and daughters and nieces and nephews and lovers. But we acquire the caring role either traumatically or over time, and we do not necessarily know how to deliver care competently and well. Many of us will see it as a natural extension of a nurturing relationship and others will think, what the bloody hell do I do now? And sometimes we make mistakes. There is no denying it.

**Virginia Trioli:** Mistakes is one thing. Abuse, of course, is a totally separate thing.

**Sarah Walbank:** Very true. What we do know is that carers in Australia have the lowest wellbeing as cited in the research article *The Wellbeing of Australians: Carer Health and Wellbeing in 2007*. At that point in time, the centre described carers as having the lowest wellbeing of any population in Australia. Whilst we are the pillars of the health and social care sector, delivering in excess of \$60 billion worth of informal supports per year, money that the government cannot afford to provide. We are also seen as being the informal supports, we are there to do the grunt work. We are there to do the work that the health and social care sector cannot deliver because we are not resourced to deliver that care. But as a group of people who deliver the vast amount of care in Australia, we are very poorly resourced and very poorly supported. I spent five years at home as a carer, and I call those five years my *persona non grata* years because, for the first time, I realised as a practitioner of 35 years that I was completely powerless. I had no voice, I had no place and I was never consulted. But in those five years, I was captain underpants. I did everything. I made everything happen for the care of my mother, but I was never asked by one of my own, a person from the social care sector, how was I coping? And that powerlessness has been the best education I have had in my 39 years of professional practice. And I now realise that when we go out and we interview our families and we have suspicions of abuse, that we actually need to look at all the parties in the relationship, because the dynamics of the relationship will inform how we make the decisions of what to do next.

**Virginia Trioli:** I want to pick that up a little later because that is where the rubber hits the road, the dynamics within that relationship. Rodney, let us hear from you just on that initial observation. From a policing perspective, what have you picked up if there are any key indicators or trends or moments of push in that direction.

**Rodney Bell:** First, I believe it is really important to understand that the policing role within elder abuse is more than just police waiting for a phone call and then heading out and either taking a complaint, a criminal offence or, potentially if it is within the domestic violence framework, to take action in that place. Police have a unique position within our community where we are

seen as leaders, we are seen as motivators, as influences. We share that responsibility to look at how we prevent elder abuse in the first place. And then of course, if it does occur, that we provide an appropriate response having regard to the needs and the desires of the older person in question. And I recognise that we have a long way to go from a policing perspective. There is not enough information yet on the prevalence and the characteristics of elder abuse to be able to provide that really strong model for us to be able to effectively deal with elder abuse. And perhaps, as we learn more, we will be able to enhance that service. And I am really buoyed when I look at the good work that some of my colleagues here in Queensland are doing, and particularly the other states. Rather than just that typical police response where we go and attend an event or an incident, we are now taking a more holistic look at what the issues are surrounding that older person and the offender, so that we can provide better support and a better response. Having said that, we know that it is difficult to investigate elder abuse. Often we will have an older person who does not want to get a family member in trouble. There can be a range of other factors involved, for example drug and alcohol issues, that make it really difficult for us to be able to go in and obtain that evidence that we need to be able to put it before the court. Impaired capacity in relation to the older person can also make the successful prosecution by police quite difficult. But of course, that does not mean that we do not do it. What that means is we need to work harder. We need to find better ways in obtaining that evidence, so that we can certainly support that older person to be able to get the result that they need.

### *What needs to be known about how elder abuse is occurring in families to assist with police response?*

**Rodney Bell:** From my perspective, police need to be able to have a better understanding particularly about why the person, why the offender, in the first place is committing that offence. What are their motivations? What are the circumstances around the family dynamics that incites a normally loving family member, a carer of that person, to then go and do really horrible things to someone that they love? From my perspective, we should focus on trying to address elder abuse and looking at how we support the older person. Another area that we also really need to focus on is looking at those underlying causes that may push the perpetrator to commit that offence in the first place.

And we have just heard about the incredible pressure that carers are under. Within intergenerational elder abuse, it is a family member who is committing the offence. We know that around 70% of all offences in those intergeneration relationships are committed by an adult child. And so why do they do these things? We know that often they may have experienced a relationship breakdown, which causes them to move back into the family home. They may have financial issues. They could have drug and alcohol issues as well. In my view, for police to be able to respond better, we have to have a better understanding about what those issues are. So that when we get there and try and work out what is going on, we have that knowledge about those potential underlying issues. We can then not only conduct a better investigation, but also take on a more holistic approach. We will not just look at the offence but also investigate the underlying causes. If we understand what they are, we can then hopefully make appropriate referrals to other government agencies or other support agencies that can look at preventing that offender from committing those offences in the future. Most older people do not want to get their family member in trouble, and they want to maintain that relationship.

Where it is appropriate, instead of just responding to the actual incident, we need to do what we can to be able to support the offender in that instance as well, so that if the older person wants to continue that relationship, there is an opportunity for those underlying causes to be addressed so that that relationship can continue.

**Virginia Trioli:** Before I go to the other members of the panel, I want to ask one more question of you just picking up a thought, something you said about wanting to know some of the background and the circumstances. Is it fair to say that if members of the family or neighbours or friends contact police with that information, that Queensland police are good at responding and taking that in good faith? You say you want to know the background information—when someone does bring it to you, do you think you respond appropriately?

**Rodney Bell:** In all cases, we have time constraints. We have more work to do and quite often police are going from job to job. However, it is important that, particularly with elder abuse, particularly with dealing with older people that we take that time to get to know the older person to understand what their issues are. This will come about through training. So that once we do

understand what the issues are and know what we need to be looking for, police will have the skills to pick up on what is going on and also the ability to ask the right questions.

**Virginia Trioli:** Gerard, I want to come back to you on that. And the question that I asked Rodney was what needs to be known about how elder abuse is occurring in families to assist with the police response. From your understanding, what has been the Victorian experience of that? I mean, A, it strikes me as outsider that there actually is a suite of research around it in order to understand it. And, B, is the police response, when the issues are brought to their attention, adequate?

**Gerard Mansour:** One of the big advantages for Victoria is that the Victorian Government has looked at the whole issue of elder abuse in the context of family violence and, in response to the Royal Commission, there has been a long-term program of reform that the government is committed to. For the first couple of years, not surprisingly, the focus was on some of the most public tragedies that led to the calling of the commission in the first place. We saw a lot of response to the gender-based violence that caused a lot of those significant tragedies. Over the last couple of years, there has been a much more whole-of-population focus. And discussions about elder abuse are now front and central to informing Victoria police, to the way that the new orange doors are being rolled out in Victoria.

**Virginia Trioli:** What do you mean by the new orange doors?

**Gerard Mansour:** In Victoria, the idea is to build a hub model, and rather than giving them a sophisticated name like family violence centers, they are calling them the Orange Door. Eventually, we will have 17 Orange Doors located around Victoria, and the first five are in the process of being rolled out. At this stage, it is about working out what are the type of partnerships and services that are provided, and to focus on both the perpetrator as well as on the victim of abuse.

Long-term gathering of data research will then inform where long-term reform moves to. There is an acknowledgement that the nature of abuse that occurs in many families can be different from an older person's perspective to the nature of gender-based violence. A lot of my work as a commissioner is more at the prevention end, and it is a very different conversation when we try to ask ourselves the question, '... how do we turn off the tap?' How do we, when we move forward, actually have less people that we deal with? The answers to a lot of that stem not only from the current victims of elder abuse that many specialists here today would deal with every day in providing face-to-face support, but also from learning about the resilience and the strength that avoids abuse in the first place.

The sort of model we had up before is a really central part of the thinking in Victoria. They very much embraced the thinking of our watch and I am sure a lot of people would have seen their socio-ecological model where you put the person and their relationships in the centre and wrap around them the community, the institutions and society. Consequently, a prevention strategy needs to incorporate each of those components, the individual, the relationship, the local community, the institution and society.

## Question 2

Who are the perpetrators and other drivers of elder abuse?

We will put more focus now on the perpetrator although the obvious concern, of course, lies with the person experiencing abuse. The fact is that the older person is in a relationship of trust with the perpetrator, so dealing with that person will have to be part of the solution. If we use, as an example, a middle-aged son who has returned home after a divorce, there will be financial issues, probably housing and perhaps psychological issues too. While he is experiencing these issues, there is a likelihood that abuse could occur.

Elder abuse researchers have noted diversity in the characteristics of abusers. However, relatively few have sought to define specific abuser profiles and their association with each type of abuse. In the US, the emergence of the abuser pathology theory has prompted a move toward criminal justice interventions to curb elder abuse through prosecution of abusers and protective orders for victims.

A recent study says that these are not the only options available, and that abuser subtypes, identified in this study, have the potential to inform strategies that are individualised to reduce perpetrators' likelihood of harm. Looking at Table 1 derived from the study, we see each subtype of perpetrators' characteristics, the type of abuse they are most likely to perpetrate and, corresponding with this, some suggested tailored strategies. Is all this too theoretical or does it have some grounding effect?

**Table 1: Abuser subtypes, types of abuse and possible interventions**

Abuser Subtypes	Features	Substantiated Types of Abuse	Possible Targeted Interventions
<b>Caregiver</b>	<ul style="list-style-type: none"> <li>unintentional or overwhelmed</li> <li>lack of skills or knowledge</li> <li>low probability of exhibiting all negative behaviours</li> <li>high probability of providing instrumental help and emotional support to the older person</li> </ul>	<ul style="list-style-type: none"> <li>emotional 21.7%</li> <li>physical 7.8%</li> <li>neglect 51.9%</li> <li>financial 48.8%</li> </ul>	<ul style="list-style-type: none"> <li>caregiver support</li> <li>education about minimum standards of care and proper financial management and fiduciary practices</li> <li>stress management</li> <li>caregiver respite</li> </ul>
<b>Temperamental Abuser</b>	<ul style="list-style-type: none"> <li>emotionally draining</li> <li>trouble controlling temper</li> <li>low probability of providing emotional support and personal care</li> </ul>	<ul style="list-style-type: none"> <li>emotional 65.9%</li> <li>physical 28.6%</li> <li>neglect 21.6%</li> <li>financial 39.8%</li> </ul>	<ul style="list-style-type: none"> <li>mental health services to improve emotional stability</li> <li>restricting access to older person as last resort</li> </ul>
<b>Dependent Caregiver</b>	<ul style="list-style-type: none"> <li>opportunistic</li> <li>moderate levels of support to older person</li> <li>trouble keeping a job</li> <li>irresponsible</li> <li>depend on the older person for money</li> </ul>	<ul style="list-style-type: none"> <li>emotional 40.0%</li> <li>physical 14.3%</li> <li>neglect 37.1%</li> <li>financial 74.3%</li> </ul>	<ul style="list-style-type: none"> <li>alternative housing, job training, such as skills training to increase independence</li> <li>older person empowered to discontinue enabling behaviours</li> <li>increased support services to older person to decrease dependence</li> </ul>
<b>Dangerous Abuser</b>	<ul style="list-style-type: none"> <li>high negative characteristics and behaviours (trouble with the law, keeping a job, extremely emotionally draining)</li> <li>substance abuse</li> <li>trouble controlling temper</li> <li>low probability of positive behaviours towards the older person</li> </ul>	<ul style="list-style-type: none"> <li>emotional 73.8%</li> <li>physical 36.9%</li> <li>neglect 22.6%</li> <li>financial 58.3%</li> <li>highest frequency of polyvictimisation</li> </ul>	<ul style="list-style-type: none"> <li>restricting access to older person as an early intervention</li> </ul>

This Table has been developed from the study of M. DeLiema, J. Yonashiro-Cho, Z. Gassoumis, Y. Yon and K. Conrad, 'Using Latent Class Analysis to Identify Profiles of Elder Abuse Perpetrators', *Journal of Gerontology Series B: Psychological Sciences and Social Sciences*, June, 2018.



## Response

### Perpetrators

**Eileen Webb:** I actually quite like this model because I think it fits quite nicely with the ecological model. I have to stress, I am not obsessed with that particular model, but it is useful in this case. It is all a question of degree, and we often look at all perpetrators in the same adverse way. Those perpetrators, once we do not condone what they do, are all individuals and they are all going through their own life experiences and we are reacting to them, whether we approve of that or not. We have to look at them as individuals and tailor our responses to cater for them accordingly. Sometimes, in some situations you just have to get somebody away. I have been working on a project on domestic violence in South Australia and, in their new framework, one of the strategies is to basically make more crisis accommodation beds available to partners who have to be removed from the home. Obviously, that is not always perfect all the time, but sometimes you just have to take that step. In other circumstances, the approach can be a much more softly. So this is actually quite a useful model. Instead of just going in hard and judging people too early, you look at the individuals and tailor your responses to not only assist the perpetrator, but also hopefully pave the way for maintaining the relationship with the older person and find solutions going forward for both, the victim and the perpetrator.

**Virginia Trioli:** Sarah, what strikes you about that in particular.

**Sarah Walbank:** I heard the word ‘carer’ mentioned too many times. We do not have any particular theory about carer categorisations in terms of abuse. What we do know is that recent research, soon to be released by Queensland University of Technology, shows that carers are victims of abuse perpetrated within the care relationship. We know that 41% of carers who provide care and support to an older person will probably experience abuse themselves perpetrated by the older person.

**Virginia Trioli:** You really do not like the idea of carers being talked about in terms of abusers, do you?

**Sarah Walbank:** I am here to rock the boat. There is no point to ever suggest that it is okay to abuse any vulnerable person at all. That is not the position of Carers Queensland, but we are here to say that there are many aspects to this discussion. Often carers are known to be the abusers, that is a fact and we totally agree with you. But there are some cases where the carer is the victim of violence, either intentional or unintentional within the care relationship.

**Virginia Trioli:** But you did acknowledge in that answer that yes, the carers are abusers.

**Sarah Walbank:** I totally agree.

**Virginia Trioli:** And we know that the majority of elder abuse occurs in family situations.

**Sarah Walbank:** Yes, within the family relationship.

**Virginia Trioli:** When you say that you heard the word ‘carer’ too many times, is that something that makes you uncomfortable or do you say that is not factual?

**Sarah Walbank:** It makes me uncomfortable because it is never right. It is never right to hurt another person intentionally or otherwise. I would like to see that there is a balance in the discussion. We know through our counselling space, because we provide counselling to carers, that many carers suffer abuse in the care relationship. I have had carers respond to surveys saying, ‘I love my husband, but I do not consent to rape’. The problem is that the abuse that carers sometimes encounter within the care relationship is dismissed. It is, what we call, double marginalisation. In Australia, carers are considered the invisible unpaid workforce, the pillars of the health and social care economy. But they are invisible. As practitioners, we have access to support and professional supervision, and we can access our employee assistance program. We can sit down and complain to our colleagues at work about something that is really important to us. Carers are often very lonely and they are very isolated. They have a poor sense of wellbeing and they do not actually have access to that support. When they are perpetrated against, it

is often very shameful. So the double marginalisation exists because as practitioners it is very easy, and I too am a perpetrator of this particular process, for us to look through the lens of optimism, the rule of optimism. There is a British term that says, ‘... social care practitioners often go in, and they do an assessment in a client’s home, and they have an elderly person in front of them. And they think great, there is a carer here, I do not have to put X, Y, Z services into place, because guess what? We do not have enough money to pay for them anyway.’ We assume that because there is a carer in that relationship that all is hunky dory. And we know in reality that that is not necessarily right. When a carer says to us ‘I was abused’ often they will also say ‘Oh, it’s okay, it’s the dementia, it’s the disability, oh, it’s a cognitive impairment’. But every time we make excuses, we diminish the impact of that action. And that action is awful for the person who receives it, whether they are a carer or the older person. So no, we do not support the abuse of older people, but we are asking for a balanced debate.

**Virginia Trioli:** I think it is important to hear that voice as part of the discussion. Clearly, there are many people who will support you too.

### *Prevention strategies*

Focusing again on prevention strategies and recognising different family norms and behaviors within different family systems, what points can be made about the types of responses that could be targeted towards each abuser subtype that might then promote the autonomy and safety of older people?

**Gerard Mansour:** If I could just say a couple of things about the subtypes before I give the answer. There was a particular project in America where they looked at all the convictions that occurred over a period of time. Let us go back retrospectively and look at all the common themes that the perpetrators demonstrated and that were present in their behaviors. And the categories they have established do not necessarily relate to what we would call a carer.

For example, when they referenced a caregiver, they were talking about the fact that there was a care relationship of some form between the perpetrator and the abuser. You have to read it at a very high level. What stood out for me was, and it is very consistent with some feedback I received recently about the submissions I am preparing to both the Aged Care Royal Commission and the Mental Health Royal Commission in Victoria, that those relationships are often failing the nature of case support because other parts of the system are not doing the things that the other part of the system should do. And when you read through the caregiver category and you look at the detail that is provided in the report, what you find is there was an enormously high level of goodwill from the person providing care to the older person.

The failure was the ability to meet the needs of the older person as those needs changed over time. To get answers and by looking at that model we talked about earlier, we have to ask ourselves what is the impact for older people of having an aged care system that is so challenging and difficult to navigate? What are the consequences across our community of having an aged care system that is not as highly valued as it should be. Some of those structural questions really stood out for me and the consequence of that, in that first category, was very much the failure came from other parts of the system not being there. The other observation I made from a forum recently, where we spoke in some detail about the role of the carer, was that so much of the carer’s work, particularly as the needs of the older person increase over time, is dealing with day-to-day transactional problems and challenges in meeting the needs of the older person they are providing support for. There is so little time to think about next month, or the next three months, and prepare for what is coming. Every challenge creates another problem that is dealt with in this sort of transactional sense, and one of the most compelling feedback from the carers was that we need a system that gives them more time to prepare for what is coming.

But to me, the most compelling part of it was the carers articulating the most significant gap, which was that the role of a carer can be so demanding that their own life gets put completely on hold. And I had groups of people in a room who, when I asked them how many of you have heard about things like the University of the Third Aged and Men Sheds, the level of knowledge about that was much, much lower than I would have expected. And the reason is they are so focused on that critical task of meeting the needs today. And I think that is the sort of model we have to think about. We cannot think about the care relationship and the co-dependencies that exist without thinking about the other parts of the system or what role they have to play.

**Virginia Trioli:** Yes, that is a really good observation. Rodney, is police simply there for the most serious cases or are there other ways that police can be part of the solution? I mean, you spoke earlier about wanting to be part of the preventative system.

**Rodney Bell:** We are always there for the investigative and the placing offenders before the court. That is a core role of policing, and we always need to remember that that is one of our main actions that we can take in relation to elder abuse. But prevention is always going to be the key. We want to prevent elder abuse from occurring in the first place. And from listening to some of the speakers we had yesterday, we talked about the lack of respect for older people within our community these days. And I really see that that is an area where police and indeed other government agencies can step in.

We need to champion the rights of older people. We need to make sure that the community appreciates, respects and treats older people equally, and to make sure that those older people are safe within our communities. In Queensland, and I know other states are doing similar things, we are trialling a new position of elder abuse specialist advocate within Queensland Police. Their role will be to look at how we can more holistically look at responding to elder abuse at a local level.

Educating police is also an important part about how we can better prepare ourselves to provide that better response. This will become evident not just in how we investigate but also in our approach to older people. That is making sure that when older people come to our police stations that they feel safe to be there, that the station supports them being there, that there is easy access, that our staff know how to engage with older people. It is important that we are able to give those older people the time and a comfortable environment within the police station so that they have that sense of being able to be supported by police.

It is equally important, and we are doing this now, to really work with other government agencies to be able to look more holistically at what the issues are, what are the impacts on the older person and what are the impacts on the offender. We can then provide that support and referral for both people. It is not just about responding to the crime, it is about looking at all of the issues that have caused the elder abuse in the first place and trying to provide that more holistic response to be able to support both, the victim and the perpetrator.

### Question 3

What is the role of carers in creating safer environments for older Australians

In order to create a safer environment for families, we must consider the growing carer role within Australian families as our population ages. The majority of carers promote quality of life for ageing family members. When there is greater physical caring demand and cognitive decline, the ways carers need to behave to promote older people's safety, autonomy and independence becomes more onerous and complex. Research tells us that experiencing stress while caring for an older person can interact with individual factors to increase the risk of elder abuse. There is no reference made to the role of carers in the *National Plan on Elder Abuse*.

What could be improved at the level of interactions carers have with say the NDIS or Centrelink or My Aged Care that would assist carers to promote older Australians' autonomy, independence and safety.

### Response

**Sarah Walbank:** The reforms in Australia in the last five years have actually sought to sideline the carer voice in the whole assessment process, whether that be through the NDIS or My Aged Care, the reforms in the carer's seat will give carers some voice in terms of having their needs articulated and met. But there is a much greater space for the greater involvement of more voices coming together to form a really good assessment and a support-planning process. If carers are the unpaid support processes that underpin the social care sector in Australia, and we remember that carers themselves age and become fragile or get sick, is it not then about supporting the dynamic, the relationship, if that relationship is worthy of being saved to create something that can last into the future?

**Virginia Trioli:** How is mediation used? How usual or unusual is that as a pathway?

**Gerard Mansour:** It is very regularly a part of the model now. In Victoria, there is the work on the integrated models, there is the health justice partnership. Many organisations at a local level would have a series of partners involved in that type of resolution.

**Virginia Trioli:** And what strategies could be implemented to engage and support our Indigenous elders and rural remote elders who experienced abuse but do not have access or face-to-face supports available or even sometimes phone access?  
**Gerard Mansour:** There is no doubt that in my role I do have an opportunity to work with some Indigenous Australians and their whole life experience and family culture and the nature of intergenerational alarm abuse.

We had a great presentation at the conference here last year about that. I think it is quite different. And the idea of working with Aboriginal and rural communities in a co-designed type of approach is so central, and everything has to be built around the sense of autonomy and support. They need to find the right solutions for their community. This is very similar to the whole concept of intersectionality, and it is important that we do not fall into the trap of putting people in a box. The big downside of this sort of model is that we forget that everybody is complex and that someone might have a disability, someone might come from a non-English speaking background, someone might identify a particular way from a gender point of view. All of those elements are central to the design of solutions and, particularly for rural communities, the views of older people are central to finding the right solutions for them.

## Question 4

Families and intergenerational housing arrangements—how does it work?

Families do more than live together. They enmesh their financial and housing arrangements, usually without any thought about the consequences if the arrangements break down.

What specific and workable direction could we take with these family arrangements?

## Response

**Eileen Webb:** It is really important before you enter into one of these arrangements to get legal advice before you sign anything. These arrangements are legally very, very complicated. Just a granny flat arrangement in itself could give you huge problems in relation to social security or taxation. And do not get me started on property law and equity. During this morning's presentation with David and Maggie, all I kept thinking was 'thank goodness they were on the title', because so often in these arrangements, the older person is not on the title and the consequences can be disastrous. I have worked with so many older people, particularly older women who are now experiencing housing stress and homelessness in later life because they have not had that legal advice. So yes, it is a really important thing. Not everybody does it, but it is important to get it out there that people need advice.

**Virginia Trioli:** It is. It might sound self-interested, but I totally get where you are coming from.

## Questions from the audience

**Audience member 1:** Good afternoon. Congratulations to all of the organisations that are standing behind this initiative for elder abuse. I am a Forgotten Australian. I spoke to you last year at the Elder Abuse Conference. As a Forgotten Australian, I appreciate the fact that families have all these problems and I empathise fully, and Aboriginal and Indigenous people were just mentioned. I sat on the Alliance for Forgotten Australians for about six years as a Non-indigenous person. When we did the Forgotten Australian Senate Inquiries, they were two of the largest ever in Australian history, Forgotten Australians lost innocence. And then that went on to the Royal Commission into Institutional Responses of Child Sexual Abuse, of which I am a victim, and my brother and sister were as well. There is no place for us. We slip through the cracks. I very rarely personalise

when I speak. Sometimes, when I speak, it takes me hours to get out of a joint because so many people want to access me, because they have family members who were Forgotten Australians, who did not even know they were. Personally, I was abused from 2011 in housing, in Surry Hills, by somebody that took exception to me being acknowledged by our Lord Mayor, a Sydney woman of the year or Australian of the year or New South Wales woman of the year.

**Virginia Trioli:** Sorry, I do not want to downplay your story. I am not doing that, but I do need you to come to a question or point.

**Audience member 1:** I was physically abused. Police convicted the person. It continued on from 2011 right through until 2018. I had to remove myself from that area. I had nobody to protect me. I was bruised all over, my breasts and everything. The abuse continued. I had to relocate myself with no support. I advocate, and have done so for 42 years, for Forgotten Australians. When it comes to assisting others I can, but when it comes to filling out a form for me, even at My Aged Care, I cannot do it, I cannot do anything for myself. There is a mental block.

**Virginia Trioli:** Sure. So you need any assistance?

**Audience member 1:** I need to know is there any way that we could be acknowledged and get the same consultation that is available for folk that are abused by family members. How does that apply to us?

**Virginia Trioli:** Gerard, I think this might be in your department.

**Gerard Mansour:** Thank you. What a tragedy to hear those stories. It is compelling to sit here and listen to those experiences, and very brave to share that. I think one of the reasons why governments have moved to royal commissions recently is to make sure that so many of the voices that have not had a chance to be present have a real opportunity to come out and put a very coherent view to government. People like me in my role who have the opportunity to be a voice within the state government.

A critical part of people in advocacy roles is making sure that somebody has heard those stories and heard the call for assistance, and that there is a voice that is prepared to stand there with you. And I know, if it was a Victorian issue, I would certainly find the right commission or the right advocacy organisation to do that. Many organisations are much more attuned to that. Just recently I met with a group of about 60 older people aged in their 70s, who have come into our country in the last five years. Just to communicate with them, I had six different translators. This group is not going to be captured by any of the mainstream things we are doing at the moment. So it is compelling for certain advocacy organisations to build the confidence that someone is hearing and supporting them in their quest for justice.

**Audience member 2:** My question is for Gerard. What is the purpose of the Victorian integration project? Because we sit here and I have sat in aged care forums and disability forums, and the same issues are discussed: accessibility and navigation of the systems; the different responses in each of the different sectors. What are the barriers to actually breaking down the silos and having one coordinated human services system across aged care, disability and so on?

**Gerard Mansour:** I think everyone agrees with that aspiration and the challenge is making it happen. Within prevention and protection for older people as they age and get to that more vulnerable point, the most significant thing for them is to be properly connected to the system. And a lot of the conversations and feedback I am getting from older people at the moment is just how difficult it is to navigate the system for the first time. That has to be something that the Royal Commission looks at in some detail, and hopefully the Commonwealth Government responds to in a very positive way. In the absence of a functioning system, the people who are walking with you and getting independent support and assistance, very quickly move into that caregiver stress category that we talked about earlier.

**Audience member 3:** Given that we are talking here about the perpetrator, how do we engage the perpetrators of elder abuse to address the underlying causes without escalating the risk to older people who may fear retribution after disclosure?

**Gerard Mansour:** That would be the biggest challenge. Often, when older people talk to me and share retrospective stories of

what has happened, they essentially want three things before they even start. They want the assurance that the abuse will stop, and that is the obvious one. They want the relationships themselves to be mended, and they want a reassurance that there is a stabilisation as they move forward. And our system does not easily deliver that. It ends up in series of queues rather than us being able to manage the process collectively for them.

Part of the real challenge is how do we modify the front end system, and there a lot of work happening in Victoria with the trials of the integrated models, how can we keep all those pieces of the puzzle together so the older person does not feel like the train has left the station, that they have lost control and that they have lost the ability to be involved in decision making because someone else has taken the journey away from them. It is about remembering at all times that it is all about the rights of the older person, their agency and their involvement in decision making. I think they are critical principles that we have to stay close to all the time.

**Virginia Trioli:** Did you want to add something there, Sarah?

**Sarah Walbank:** We are not fortunate, in many cases, to have the perpetrator in the same space as the carer. But in those cases where we do, we know that sometimes the older person might emotionally manipulate, for example, the unmarried daughter who has remained at home. And it is always the fear factor why the older person does not want to be exposed to the formal social care sector. If you stay home and look after me, the house is yours, is something which is frequently cited to us. And how do we help our older people to overcome their fear of the social care sector and the nursing aged care sector? I do not really know, because the publicity is always relatively bad. It is a very difficult scenario for us to know how to address that. Many of it comes from very dysfunctional family relationships.

**Audience member 4:** What is the panel's view on the value of family mediation/restorative practice in elder abuse? I work as a family mediator with Lifeworks Victoria.

**Eileen Webb:** Yes. The same controversy is present in domestic violence cases, where the government is asking people to get counselling. Sometimes that just is not appropriate. I do believe that mediation has its place in this area. Interestingly, it has been extremely successful in Canada, but it does not seem to have as much traction in Australia yet. I have been involved in situations involving family property matters, where the situation was heading towards financial elder abuse. I do feel that mediation most definitely has a place, and I do wish that it would get more traction and be utilised more often in Australia. My reservation with it is that people who are forced into it or feel that they should go into it may experience an adverse impact. So as long as we have those filters in place, fantastic, and that is my only caveat on that.

**Virginia Trioli:** Do you have a view on this as well, Rodney? On mediation?

**Rodney Bell:** I think that we need to look at all options, and we certainly need to look at the level of abuse at the time. If it is at the very infancy where perhaps the offender in the instance maybe does not fully understand what they are doing is wrong. If it is the older person's desire to go into mediation and not take other forms of action, then I think that there certainly is a place for that.

**Audience member 5:** When police turn up to an incident, how will they know if they are looking at a diabolical perpetrator or an unintentional abuser or a resentful carer?

**Rodney Bell:** Yes, that is very difficult and they need to do a thorough investigation at the time. They need to separate the parties. They need to be able to speak to them individually, try and find out as best they can, engage with other family members to try and get a real picture of what is going on.

**Virginia Trioli:** And in the panel's view, are police the best people to do that in the first instance?

**Sarah Walbank:** I would suggest it should only be in collaboration with the other agencies that were involved, the whole multidisciplinary context of the social support agencies and the support networks that the family have used. It has to be a rounded discussion, a rounded gathering of information rather than an investigative approach.

**Virginia Trioli:** Sure. But I wonder, realistically, just how much those agencies really know. I could name three or four that would not know a damn thing about that situation inside that house. NDIS or Centrelink, any of them, what would they know?

**Sarah Walbank:** I would like to not think that Centrelink was in my house. But other service providers who have been in the home would know what is going on.

**Virginia Trioli:** You mean immediate service providers?

**Sarah Walbank:** Yes, home caseworkers, they will know what is going on.

**Virginia Trioli:** Gerard, Eileen, would you like to add anything to that?

**Gerard Mansour:** Yes, if you go back to the model, and particularly if you look at the dangerous abuser and read some of the things that they identify with, for example previous trouble with the law, trouble keeping jobs, emotionally draining regardless, irresponsible and financially dependent on the older person, you can clearly see a frontline role for police. You would think that the forensic investigation that they would do would be absolutely central. But at the other end of the spectrum, if you look at the caregiver, as I described before, where really a lot of the abuse is stemming from the inability to connect with other parts of the system. You would think that family mediation and other types of services would be at the front in this type of scenario.

**Virginia Trioli:** Would you please thank our marvelous panelists this afternoon, Gerard Mansour, Sarah Walbank, Eileen Webb and Rodney Bell. Thank you so much.