



## INQUIRY INTO ELDER ABUSE IN NSW

**Mary O'Sullivan (OWN NSW and WEL NSW)**

Building on OWN's past work and WEL's commitment to empowering women at all ages, OWN and WEL have made a joint submission to the NSW Parliament Upper House inquiry into elder abuse in New South Wales<sup>1</sup>. This is the first dedicated parliamentary inquiry to examine the issue. Recognising the complexity of the challenge and the breadth of concerns the Inquiry has extended the closing date for written submissions to 12 February 2016. The committee held its first public hearing on 20 November 2015 in Sydney, with further hearings to be held in early 2016. The committee intends to report by May 2016.<sup>2</sup>

WEL/OWN based its submission on consultations with members, advocates, aged care workers and community organisations who see abuse and violence against women and older people as a systemic as much as an individual problem. We shared perspectives which entail combatting ageism, misogyny and homophobia, as well as promoting changes and improvements in professional practices, services, community support, legal and policy responses. We spoke with unions representing nurses and care workers, community legal centres with expertise in law affecting older people and women, carers groups, housing affordability campaigners, groups representing CALD women and LGBTI advocacy organisations. Many of these groups have also made submissions and we hope others will do so before the 12 February deadline.

There are clear themes emerging from the submissions already on the Inquiry website. These include:

- the need for national agreement on more consistent definitions of what constitutes violence/abuse against older people and to gain much better information on its prevalence;
- similarities and differences between family violence and violence against older women;
- the need for domestic violence campaigns to include older women rather than a single focus on women and their children;
- the gap between services provided and needed including community based services;

---

<sup>1</sup> Women's Electoral Lobby NSW and Older Women's Network submission no 55. See website <http://www.parliament.nsw.gov.au/prod/parlment/committee.nsf/0/9C048DFE66F02D36CA257EB30081BF4A>

<sup>2</sup> For information about the Inquiry or to learn how to make a submission before 12 February go to the website [:www.parliament.nsw.gov.au/gpsc2](http://www.parliament.nsw.gov.au/gpsc2) or call the committee secretariat on 0292303586.

- the shortcomings of current legislation and whether or not specific legislation is needed on ‘elder abuse’;
- the adequacy of police responses and powers;
- the effectiveness of the jumble of current monitoring, preventative and reporting regimes, training and policies;
- support for carers and the complexity of carer relationships with dependents;
- quality training for care workers and the need for high staffing ratios to ensure quality interactions in home and residential care ;
- the critical role of nurses in residential aged care.

Individual submissions on the Inquiry website include disturbing data and information which point to the dimensions of the challenges we face.

For example the submission to the NSW Inquiry from the Australian Longitudinal Study of Women’s Health states that in their study, up to 22% of Australian women aged between 70 and 75 have reported ‘coercion and dejection’-responses linked in the study with higher rates of mortality.<sup>3</sup> The submission from the NSW Nurses and Midwives Association reports that their members and other residents have to deal with violent incidents between distressed older people suffering from dementia in residential aged care, but that such incidents are not reportable under the Commonwealth’s Quality Agency guidelines. The submission from the Australian Indian Aged Care Support Holistic Association points to the profound problems encountered by older people in families where women and older people can be exploited and where cultural traditions of family caring and responsibility are disrupted through immigration and upheaval<sup>4</sup>.

From the perspective of strength based initiatives to prevent abuse, the submission from the Australian Services Union calls for retention of NSW Government funding for locally based neighbourhood and community centres, which enable older people to build relationships and share experiences with each other and community workers<sup>5</sup>. Immigrant Women’s Speak Out advised WEL and OWN of the critical importance of such community based activities for the safety of CALD women, over and above helplines and formal reporting provisions.

The WEL/OWN submission includes recommendations based on OWN’s research done almost a decade ago by Ludo McFerron for *The Disappearing Age*<sup>6</sup>. Seven years ago the Older Women’s Network instigated research and policy initiatives which aimed to identify

---

<sup>3</sup> Australian Longitudinal Study of Women’s Health; submission no 4

<sup>4</sup> Australian –Indian Aged Care Support Holistic Association submission no28

<sup>5</sup> Australian Services Union submission no 66

<sup>6</sup> *The Disappearing Age: A Strategy to Address Violence Against Older Women* 2008, Older Women’s Network NSW INC

the extent of such violence and abuse against older women and to develop government and community responses to the problem. In 2008 the NSW Government launched *The Disappearing Age*, as a strategy developed by OWN to tackle violence against older women<sup>7</sup>. In their November 2015 submission to the NSW Legislative Council Inquiry into Elder Abuse OWN/WEL points out that the many of the recommendations in this strategy remain to be considered by governments.

The WEL/OWN submission is also one of the only submissions so far to link housing stress and homelessness amongst older women with their experiences of abuse and violence. In doing so the submission draws on research from OWN, the Mercy Foundation and WEL's 2015 Affordable Housing Policy.

We also draw the Committee's attention to the ways in which conditions in the aged care sector can make abuse difficult to identify and report, (acknowledging that such abuse is criminal and completely inexcusable).

The formal care sector is characterised by often socially marginalised older people- especially older women – cared for by women care workers on low wages and with limited training who must do highly complex, exhausting and personally demanding work. Seventy one per cent of aged care clients are women, with about 20% of these being of CALD background; 90% of the direct care workforce are women with 27% being over 55.

Our submission notes that at least seventy percent of people over 65 do not use a formal aged care services. This does not necessarily mean that that they are free from violence or that they have no need for care. Indeed women also comprise 70% of primary carers in private settings, many of whom are isolated, poor and themselves depressed. While data for abuse is limited and unreliable, estimates are that 68% of abuse victims are women with the majority of reported perpetrators being adult children.

A feminist approach to eliminating elder abuse would certainly involve adoption of many of the well thought out recommendations in ours and other contributions to the Inquiry. But WEL and OWN also argue for a democratic and human rights approach to shape policies and services. This would mean governments committing to a campaign to transform community attitudes to older people and women, so that they are seen as -and learn to see themselves- as individuals with independent voices and the right to speak and be heard. We note in our submission that of the complainants to the NSW Elder Abuse Helpline, *only* 15% are initiated by an older person.

---

<sup>7</sup> For a detailed account see Jane Mears (2015): 'Violence Against Older Women: Activism, Social Justice, and Social Change', *Journal of Elder Abuse & Neglect*

In many ways, national awareness of abuse and violence against older people and women is at the same level as attitudes towards women and awareness of family violence were 30 years ago. Through our contributions to the NSW inquiry and the emerging national debate on elder abuse, WEL and OWN want to ensure that it doesn't take another 3 decades for governments and the community to act on this growing challenge to the dignity, rights and well-being of older people.

**Background Note**

**Mary O'Sullivan and Associate Professor Jane Mears (Deputy Chair of OWN NSW) drafted the WEL/OWN submission to the NSW Inquiry into Elder Abuse**