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Position Statement - Elder Abuse: Safeguarding ACT Carers at Risk

Carers are commonly portrayed as a group who commit elder abuse, although there is little awareness of or acknowledgement by government, service providers, media and the community that carers also are vulnerable to abuse committed by the people they care for.

There are 48,850 unpaid carers¹ in the ACT. Around 18% of these carers are aged over 65 years, and the majority are women. Around 7,650 carers in the ACT care for and support older people in our community.²

What is elder abuse

Elder abuse is considered a human rights issue with joint government and community responsibility to protect the elderly, to offer them appropriate support and services and to promote their right to a safe environment.

The World Health Organisation defines elder abuse as:

“... a single, or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust which causes harm or distress to an older person”. Abuse of older people can be of various forms such as physical, psychological/emotional, sexual and financial. It also reflects intentional or unintentional neglect”.³

Abuse of older people crosses gender, religious, cultural and socioeconomic boundaries. The majority of elder abuse occurs in a family environment, with older sons and daughters the most likely to abuse elderly parents. Older women aged 75 to 85 years have the highest risk of abuse. Spousal or partner abuse occurs in older age groups, but has a different abuse profile to abuse by adult children.

In Australia, elder abuse is primarily a State or Territory government responsibility. The Australian Government’s power is limited under the *Aged Care Act 1997 (Cth)* to report complaints about residential aged care facilities, which affect only a small percentage of aged persons. A common law duty of care may require the reporting of elder abuse by persons who observe or suspect abuse, such as bank officers or other services engaged with older people.^{4,5}

While no law in the ACT specifically relates to elder abuse, some protection is available under various ACT legislation, such as the *Human Rights Act 2004* and the *Powers of Attorney Amendment Act 2016*. And, some key agencies in the ACT have statutory obligations to report elder abuse.

The ACT Government has taken a multi component approach to elder abuse through the implementation of its Elder Abuse Prevention Policy. The Program operates under the Office for Veterans and Seniors Affairs.⁶

Older people in the ACT

The ACT has one of the fastest growing populations of people aged sixty years and over in Australia and this is expected to increase nearly 20% by 2022 to over 80,000 ACT residents.^{7,8} It also has one of the most diverse older populations in Australia with significant increases expected in older Aboriginal and Torres Strait Islander peoples, and older people from Culturally and Linguistically Diverse backgrounds. There is a corresponding concern about the potential increase of elder abuse and the need for adequate and appropriate, culturally relevant services and interventions to protect the rights of this growing sector of our population.

As people live longer many will live more years with disability, chronic disease or mental health issues. Older people prefer to continue living at home with age or disability home or community care packages, which are often underpinned with informal or unpaid support from family or friend carers.

Ninety-two per cent of people with dementia living in the community had one or more carers. A primary carer who lived with the person with dementia was likely to provide care for 40 hours or more a week. Nearly 55% of ACT carers of people with dementia were under 45 years and 45% were 65 years or older.⁹

About carers

There are over 2.8 million carers in Australia, or around one in eight Australians. Carers provide long term unpaid, or informal, care and support to family members and friends who have a disability, mental illness, chronic condition, terminal illness, an alcohol or other drug issue or who are frail aged. The annual cost of replacing informal carer support with formal care services is estimated to be \$60.3 billion a year.¹⁰

The *Carer Recognition Act 2010 (Cth)* was introduced by the Commonwealth Government to increase recognition and consideration of carers and to drive much-needed cultural and attitudinal change. It defines who is a carer and who isn't and its ten principles provide rights for carers in their caring role and are to be considered in programs or services for carers and the persons for whom they care.¹¹

Caring is rarely chosen, and occurs within the dynamics of family and friend relationships, and in interactions with service providers and other agencies. While many carers describe their roles as rewarding, caring has a personal cost:

- Seven in ten carers live with one or more people they care for.¹²
- Carers have a higher rate of disability and, or long-term chronic health conditions, including depression and anxiety, than non carers.
- Caring for long periods can significantly increase their incidence of disability or chronic health conditions.^{13,14}
- Carers can become isolated from family and friends and can reduce or cease activities, such as playing sport.
- Many carers also have lower household incomes than non carers due to their lower level of workforce participation and reliance on government income supports.¹⁵

Abuse risk factors

Abuse or neglect does not have to be an intentional, malicious or a deliberate act. Recognition of risk of harm or harmful behaviours is critical to preventing abuse and protecting older people and their carers. Recognition, reporting and responding to carers at risk of harm can be complicated by a carer's denial or shame to ask for help, and a lack of awareness by service providers on how to support carers at risk of abuse.

International and national research on elder abuse and the National Network of Carers Associations' research identify factors that contribute to risk of older people in our community, or are factors for carers experiencing abuse regardless of the carer's age or the age of the person they care for.

- A Carers SA project to develop guidelines on safeguarding carers at risk identified that although carers involved in the project had committed abuse some carers also had experienced physical abuse by the person they cared for.¹⁶
- A Carers Queensland 2015 survey found 26% of participating carers did not feel safe in their caring role and admitted to being abused - physically, financially, emotionally, sexually, or were deprived - by the person they were caring for. Many experienced more than one type of abuse.¹⁷

Both Carers SA and Carers Queensland research identified carers were also at risk of abuse by a service provider's decisions or actions, such as ignoring a carer's concerns, or incorrect assumptions about their capacity to cope.

- **Older people**

Not all older people are at risk of abuse, although their risk increases when they:

- have a disability or poor health
- are isolated or without personal supports
- have a past history of family violence or conflict
- are in dependent caring relationships, particularly where a carer is experiencing carer stress or burnout
- exhibit particularly difficult or inappropriate behaviour, or confusion or memory loss
- exhibit symptoms of dementia.

- **Carers**

Carers are considered to have a responsibility to protect or safeguard the vulnerable person they care for. However, some are at risk of committing abuse when they:

- are sleep deprived
- have poor physical and mental health, including depression and anxiety
- lack confidence they can provide appropriate care to the person they care for
- are reluctant to access carer or other services because they think they should be able to cope
- the person they care for refuses to receive services, or to use alternate care to provide a break for their carer
- have a low household income and unreliable or inadequate employment that leads to financial stress and housing insecurity
- are unaware of what elder abuse involves, including financial, physical, emotional, social and neglect
- become isolated and do not receive sufficient practical and emotional support from family members or friends, and service providers and health practitioners

Carers also are at risk of abuse when the person they care for:

- treats the carer with a lack of respect or consideration of their other responsibilities
- has control over finances and other resources, including housing and living arrangements
- engages in abusive, threatening and frightening behaviour that may be related to their disability or health condition, including dementia
- has a history of substance misuse and unusual or offensive behaviours¹⁸

Preventing elder and carer abuse

Both carers and older people have human rights. Carers ACT believes that a coordinated approach by the ACT Government, government agencies, financial institutions, community care organisations, the community and the media needs to be a priority to ensure vulnerable carers and older people at risk of abuse are safe and valued.

Recommendations include:

Government, financial and community care organisations

- That the ACT Government improves data collection to identify the incidence of elder abuse in the ACT to better inform strategies and policy frameworks to prevent abuse.¹⁹ Data should include the type of abuse, causal factors and who committed the abuse. It should identify if the abuse was committed by carers²⁰ or if it was committed by other family members or friends to increase the understanding of and the cause of carer abuse. Non-mandatory reporting organisations should be encouraged to provide de-identified elder abuse data
- That the ACT Government includes strategies in elder abuse prevention information campaigns to raise carer awareness about elder abuse, including financial,^{21,22} and disseminates information about resources to assist their caring role and to reduce the risk of carer abuse, including carer counselling and respite services and referral to financial counselling
- That the ACT Government continues to invest funding in carer advocacy services to support carers who have committed abuse or are at risk of abuse, and to assist them advocate for services and other support for the person they care for to reduce carer stress
- That the ACT Government urges the Commonwealth Government to ensure aged and disability services assess a carer's capacity to continue to provide care and support when developing National Disability Insurance Scheme individual support packages²³ and Commonwealth Home Support Programme aged care packages to help relieve carer stress and provide information and referrals to appropriate support
- That financial and community care organisations implement an elder abuse prevention strategy or framework to identify carers at risk of abuse (those who commit abuse or who are victims of abuse) and a referral pathway to appropriate services, such as carer support and legal and financial advice
- That financial and community care organisations invest in training for employees working with older people and their carers to raise awareness about carers at risk of abuse and to provide early intervention support to reduce this risk

Media

- That the media acknowledge the significant social and economic contribution of Australia's 2.8 million carers who provide 1.9 billion hours of unpaid care for older people and people with disability, mental health issues and chronic health conditions in the community. The estimated replacement cost of this care is \$60.3 billion annually²⁴
- That the media identify factors that contribute to a carer's risk of committing abuse when reporting on elder abuse, including carer stress, limited support from other family members or service providers and their risk of abuse from the person they care for
- That the media distinguish between carers, family members and paid care workers or employees so carers are not misrepresented in media coverage on elder abuse
- That the media provide information on resources to help carers at risk of abuse, including the Carers Advisory Service on 1800 242 636

Resources to support carers at risk of abuse

Carers ACT - Carer Advisory Service 1800 242 636 provides information, advice and referrals to support services, and carer counselling, carer advocacy and respite services.

Free 'Safeguarding Carers at Risk' poster and brochures for carers and community care services to raise awareness about abuse and strategies to support carers are available from Carers ACT. Download at www.carersact.org.au link.

The Older Persons Abuse Prevention Referral and Information Line (APRIL) is a confidential telephone service to discuss elder abuse issues and seek advice and referral on options. Call 02 6205 3535 during business hours.

About Carers ACT

Carers ACT is a non-profit, community-based organisation and has delivered direct carer support services and provided carer referrals to aged and disability services for over 20 years. It also auspices the ACT and SE NSW Commonwealth Carer and Respite Centres. Our carer clients include older carers, young carers and culturally and linguistically diverse carers.

References

¹ The *Carer Recognition Act 2010 (Cth)* defines carers are people who provided unpaid care and support to family members with a disability, a chronic condition, a mental illness or disorder, terminal illness, or who are frail aged. Note: the Act does not define paid employees or support workers as carers.

² Australian Bureau (2013) *Survey of Disability, Ageing and Carers 2012*, adjusted in line with its *Population Projections 2012 to 2101, Series A*, Canberra.

³ World Health Organisation http://www.who.int/ageing/projects/elder_abuse/en/

⁴ There is limited mandatory reporting of elder abuse in the ACT, with community organisations reporting abuse at their discretion.

⁵ The Australian Law Reform Commission is conducting an Inquiry into Protecting the Rights of Older Australians from Abuse. It will consider legal frameworks, informal and formal carer misuse, regulation of financial institutions, social security and other issues.

⁶ ACT Government (2012) *ACT Elder Abuse Prevention Program Policy*, Canberra.

⁷ ACT Government (2012) *ibid.*

⁸ Australian Bureau of Statistics (2013) *Population Projections 2012 to 2101, Series A*, Canberra.

⁹ Australian Institute of Health and Welfare (2012) *Dementia in Australia*, Canberra.

- ¹⁰ Deloitte Access Economics (2015) *The value of informal care in Australia 2015*, for Carers Australia, Canberra.
- ¹¹ See 1 above.
- ¹² Data from ABS (2013) *Survey of Disability, Ageing and Carers 2012* adjusted according to its 2013 Series B population projections.
- ¹³ Australian Bureau of Statistics (2012) *Caring in the Community 2009*, Canberra.
- ¹⁴ Carers NSW (2015) *Carers NSW 2014 Carer Survey*, Sydney.
- ¹⁵ Australian Bureau of Statistics (2013) *Survey of Disability, Ageing and Carers 2012*, Canberra.
- ¹⁶ Carers SA (2015) *Safeguarding Carers at Risk of Abuse: A summary report on the Safeguarding Carers at Risk Project*. Commissioned by the Office for the Ageing, SA Government, Adelaide.
- ¹⁷ Carers Queensland (2015) *Quality of Life Survey 2015*, Brisbane.
- ¹⁸ Carers who are abused by the person they care for continue to care for various reasons - there is no alternate care or accommodation, their anxiety for the person who they care for, and the stress associated dealing with intervention services.
- ¹⁹ The ACT Minister for Ageing's response to COTA ACT's recommendations from its June 2015 Preventing Elder Abuse roundtable identified improved data collection as a future action, unpublished.
- ²⁰ See 1 above; research by the Queensland Elder Abuse Prevention Unit found that sons and daughters were the highest perpetrators of abuse, with informal carers identified at a significantly lower rate.
- ²¹ An information campaign was identified as an action in 18 above.
- ²² A five year review to 2015 by the Queensland Elder Abuse Prevention Unit found financial abuse had overtaken psychological abuse as the primary abuse committed.
- ²³ Older people who entered the NDIS prior to age eligibility for aged care services can choose to continue receiving services under the NDIS rather than aged care services. Both NDIS and aged care services are consumer directed care (CDC) focussed. CDC increases consumers' and carers' involvement in the planning, management and delivery of a consumer's care package. Aboriginal and Torres Strait Islander people are eligible for aged care at 50 years and over.
- ²⁴ Deloitte Access Economics (2015) *ibid*.