

Elder Abuse consultation

Family Safety Branch

By email: ElderAbuse@ag.gov.au

3 September 2018

## **Submission in response to the consultation on the development of the National Plan on Elder Abuse**

Thank-you for the opportunity to make a submission in response to the consultation on the development of the National Plan on Elder Abuse.

AWAVA endorses submissions made by Domestic Violence Victoria and the WA Women's Council for Domestic and Family Violence Services (included as attachments).

### **About Australian Women Against Violence Alliance**

Australian Women Against Violence Alliance (AWAVA) is one of the six National Women's Alliances funded by the Australian Government to bring together women's organisations and individuals across Australia to share information, identify issues and contribute to solutions. AWAVA's focus is on responding to and preventing violence against women and their children. AWAVA's role is to ensure that women's voices and particularly marginalised women's voices are heard by Government, and to amplify the work of its member organisations and Friends and Supporters. AWAVA's members include organisations from every State and Territory in Australia, representing domestic and family violence services, sexual assault services, and women's legal services, as well as organisations representing Aboriginal and Torres Strait Islander women, young women, women educators, women in the sex industry and other groups. AWAVA's contract manager is the Women's Services Network (WESNET).

### **Summary of recommendations**

- **The National Plan on Elder Abuse needs to undertake an intersectional gender analysis of the proposed policies to respond to elder abuse in order to ensure that they do not create further obstacles for older women to live free of violence.**
- **The National Plan on Elder Abuse needs to ensure that migration status does not impede access to justice for older people.**
- **The National Plan on Elder Abuse needs to address violence against older women with disabilities that occurs in both residential and institutional settings.**
- **The National Plan on Elder Abuse needs to ensure consultation and meaningful participation of diverse communities in design and implementation of measures to address elder abuse.**

- **The National Plan on Elder Abuse needs to ensure that it is responding to sexual violence against older women and resourced sufficiently to do so in research, policies, and health practices.**
- **Sexual violence needs to be viewed both as occurring within domestic and family violence and as a distinct form of violence against women.**
- **The National Plan on Elder Abuse should ensure systematic and comprehensive data collection on the prevalence, types of elder abuse, diverse demographic characteristics of victim/survivors, as well as data on perpetrators and the settings in which elder abuse occurs.**
- **Identification of the priority areas of the National Plan on Elder Abuse needs to be underpinned by data and research.**
- **The National Plan on Elder Abuse needs to ensure communication and coordination with other government initiatives such as (but not limited to) the National Plan to Reduce Violence against Women and their Children, the Women’s Economic Security Package, and the National Housing and Homelessness Agreement to ensure holistic approach to addressing elder abuse.**

## Gender and intersectional lenses on elder abuse

The majority of research into elder abuse has been approached from a gerontological perspective where age, rather than gender, is the primary issue.<sup>1</sup> While we recognise that elder abuse is driven by ageism, it is also “the intersection of ageism and gender inequality [that] may make older women at higher risk of abuse”.<sup>2</sup>

Although there is no consistent data collection on the gender breakdown in relation to elder abuse, data on violence against women broadly and available data on elder abuse strongly suggests that gender should be a key consideration in developing responses to elder abuse. This existing evidence includes the following:

- In a Canadian study of coroners’ files of homicide of individuals aged 65 or older, 89% of victims were female, and of these, 93% were current or former spouses of male perpetrators.<sup>3</sup>
- In an analysis of data from the Medical Examiner’s Office of homicides of women aged 50 and older in New York City from 1990 to 1997, Brownell and Berman<sup>4</sup> found that 90% of the perpetrators were male, and husbands and boyfriends represented 26% of perpetrators.
- Two studies found that between 48% and 72% of abused older women do not report intimate partner violence to the justice system.<sup>5</sup>

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<sup>1</sup> Bows, H. (2017) Researching sexual violence against older people: reflecting on the use of Freedom of Information requests in a feminist study. *Feminist Review* 115, pp 30-45

<sup>2</sup> Elder Abuse as family violence. *Senior Rights Victoria*

<sup>3</sup> Bourget, D., Gagné, P., & Whitehurst, L. (2010). Domestic homicide and homicide-suicide: The older offender. *The Journal of the American Academy of Psychiatry and the Law*, 38(3), 305.

<sup>4</sup> Brownell, P., & Berman, J. (2004). Homicides of older women in New York City: A profile based on secondary data analysis. In A. Roberts, & K. Yeager (Eds.), *Evidence-based practice manual research and outcome measures in health and human services* (pp. 771–778). New York, USA: Oxford University Press.

<sup>5</sup> Rennison, C., & Rand, M. (2003). Nonlethal intimate partner violence against women: A comparison of three age cohorts. *Violence against Women*, 9(12), 1417–1428. doi:10.1177/1077801203259232; Wilke, D., & Vinton, L. (2005). The nature and impact of domestic violence across age cohorts. *Affilia*, 20(3), 316–328. doi:10.1177/0886109905277751

- In one study, only 3% of older women were ever asked by a health care provider about physical or sexual violence by an intimate partner.<sup>6</sup> These researchers also found that 84% of the respondents said they would have liked to talk to a health care provider about intimate partner violence.
- The most recent research on family, domestic and sexual violence in Australia has found that since the age of 15, 1 in 6 women have experienced physical and/or sexual violence by a current or previous cohabitating partner, 1 in 5 women have experiences sexual violence and 1 in 4 women have experienced emotional abuse from current or previous partner.<sup>7</sup>

Conceptualisation and subsequent efforts to respond to and reduce elder abuse need to be done through a feminist framework. A feminist conceptualisation of elder abuse locates this abuse not only as rooted in ageism, but as occurring within a patriarchal society where male dominance and privilege are normalised. Sexual and gender-based violence against women of all ages needs to be understood in the context of oppression and privilege arising from the intersection of racism, colonisation, classism, sexual orientation and gender identity, ethnicity, nationality, religion, dis/ability, age and/or socioeconomic status.

#### **Recommendations:**

- **The National Plan on Elder Abuse needs to undertake an intersectional gender analysis of the proposed policies to respond to elder abuse in order to ensure that they do not create further obstacles for older women to live free of violence.**

### **Diverse groups of older women**

We acknowledge that the consultation paper pays attention to several diverse groups of people such as Aboriginal and Torres Strait Islander people, people from culturally and linguistically diverse backgrounds and people who identify as LGBTIQ. We would like to make further comments in relation to diversity among older people in Australia.

First, it is important to understand that **gender** in combination with other diverse characteristics creates specific experiences for older women and may place them in more vulnerable situation in relation to elder abuse. Thus, an intersectional approach that looks at the intersection of identities in relation to power is essential in successful efforts to address elder abuse.

Second, in developing approaches to address elder abuse in culturally and linguistically diverse communities, it is essential to take difference in **migration status** into account. Consider the difference in circumstances between an older person who is a citizen of Australia and one who is residing in Australia on a parent visa. Under the conditions of the parent visa, an older person must remain a temporary resident for two years prior to getting their permanent residency. During this time, their sponsors (most likely their adult children) give them an assurance of support, which is a legal requirement to provide financial support to prevent any claims being made on government welfare payments.<sup>8</sup> In such instances, insecure migration status is an additional barrier to seeking assistance in situations of family violence and/or elder abuse, as perpetrators may use victims'/survivors' temporary migration status as a weapon to deter them from reporting violence.<sup>9</sup>

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<sup>6</sup> Bonomi, A. E., Anderson, M. L., Reid, R. J., Carrell, D., Fishman, P. A., Rivara, F. P., & Thompson, R. S. (2007). Intimate partner violence in older women. *Gerontologist*, 47(1), 34–41. doi:10.1093/geront/47.1.34

<sup>7</sup> Australian Institute of Health and Welfare 2018. Family, domestic and sexual violence in Australia 2018. Cat. no. FDV 2. Canberra: AIHW.

<sup>8</sup> See <https://www.homeaffairs.gov.au/trav/brin/pare>

<sup>9</sup> inTouch Inc. Multicultural Centre Against Family Violence. (2010). I lived in fear because I knew nothing: Barriers to the justice system faced by CALD Women experiencing family violence. Melbourne: InTouch; Rees, S., & Pease, B. (2006).

Thirdly, we are concerned that **women with disabilities** are not mentioned in the consultation paper. It is well documented that women with disabilities experience multiple forms of disadvantage that result from the intersection between widespread discriminatory attitudes towards people with disabilities and towards women. As a result, women with disabilities experience higher rates of socioeconomic disadvantage and social isolation. Further, they have less access to services, are more likely to live in unstable housing, have inadequate health care, and are denied opportunities to contribute to and participate actively in society.<sup>10</sup> This disadvantage is not only in comparison to women without disabilities but also to men with disabilities. As Women with Disabilities Australia et al point out: “Only 16 per cent of all women with disabilities are likely to have any secondary education, and men with disabilities are twice as likely to be in paid employment as women with disabilities.”<sup>11</sup>

Women with disabilities in Australia experience more severe violence more often than other women, endure additional violence because of their disabilities and encounter more barriers when they try to protect themselves and seek justice.<sup>12</sup> Data in this area is lacking, but disability support services report that “women and girls with disabilities were 37.3% more likely than women and girls without disabilities to experience some form of intimate partner violence, with 19.7 percent reporting a history of unwanted sex compared to 8.2 percent of women and girls without disabilities.”<sup>13</sup> Twenty-two per cent of women and girls with disabilities who had made contact with service provider respondents in 2012 had violence in their lives.<sup>14</sup>

The social marginalisation and discrimination that women with disabilities experience can be compounded, for some, by reduced mobility, which limits capacity to escape violent situations. As a result, women with disabilities are at risk of the same forms of violence that other women face but “also experience forms of violence that are particular to their situation of social disadvantage, cultural devaluation and increased dependency.”<sup>15</sup>

In the context of elder abuse, women with disabilities may experience violence from intimate partners, family members and carers and within institutional settings.

In conclusion, efforts to prevent and respond to elder abuse while recognising its intersectional nature should be pursued in coordination with the general commitment to end violence against women. In any efforts addressing violence against diverse groups of women an intersectional lens and culturally competent approaches are essential for success. It is vital that diverse communities are consulted in

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Refugee settlement, safety and wellbeing: Exploring domestic and family violence in refugee communities. Melbourne: Immigrant Women’s Domestic Violence Service; Rees, S., & Pease, B. (2007). Domestic violence in refugee families in Australia: Rethinking settlement policy and practice. *Journal of Immigrant and Refugee Studies*, 5(2), 1-19; Judicial Council on Cultural Diversity (2016) *The Path to Justice: Migrant and Refugee Women’s Experience of the Courts Report* prepared for the Judicial Council on Cultural Diversity.

<sup>10</sup> Women with Disabilities Australia (2009) Submission to the National Human Rights Consultation, p. 7. Available at <http://wwda.org.au/wp-content/uploads/2013/12/wwdahsub1.pdf>

<sup>11</sup> Women with Disabilities Australia et al (2013) National Symposium on Violence against Women and Girls with Disabilities: Background Paper, p. 28. Available at [http://www.stvp.org.au/documents/STVP%20Background%20Paper\\_FINAL.pdf](http://www.stvp.org.au/documents/STVP%20Background%20Paper_FINAL.pdf)

<sup>12</sup> See: Women with Disabilities Australia, Submission to the UN Analytical Study on Violence Against Women with Disabilities (2011).

<sup>13</sup> Women with Disabilities Australia et al (2013) National Symposium on Violence against Women and Girls with Disabilities: Background Paper, p.28, Op Cit.

<sup>14</sup> Stop the violence: addressing violence against women and girls with disabilities in Australia: background paper Dowse, Leanne et al Women With Disabilities Australia, Hobart 2013 [http://wwda.org.au/wp-content/uploads/2013/12/STV\\_Background\\_Paper\\_FINAL.pdf](http://wwda.org.au/wp-content/uploads/2013/12/STV_Background_Paper_FINAL.pdf), p.48

<sup>15</sup> Ibid.

developing responses, that they are taking a lead in their implementation with appropriate levels of funding and resourcing and that women's voices are central in decision making processes.

#### Recommendations:

- **The National Plan on Elder Abuse needs to ensure that migration status does not impede access to justice for older people.**
- **The National Plan on Elder Abuse needs to address violence against older women with disabilities that occurs in both residential and institutional settings.**
- **The National Plan on Elder Abuse needs to ensure consultation and meaningful participation of diverse communities in design and implementation of measures to address elder abuse.**

### Sexual violence against older women

Sexual violence against older women remains under-researched. There are a number of research limitations impacting a consistent data collection. They are:

- The focus of the majority of studies is still on young women, aged 16 to 30 years, who are considered to be the most statistically at risk of becoming a victim of rape or sexual assault.<sup>16</sup>
- Older women are often excluded from feminist and criminological research.<sup>17</sup>
- Often studies that research sexual violence do not account for non-penetrative forms of sexual abuse, thus rendering experiences of other forms of sexual assault and sexual harassment of older women invisible.<sup>18</sup>
- Often studies exclude cognitively impaired older adults who are known to be more vulnerable to different types of abuse.<sup>19</sup>
- Sexual violence in older adults is often conflated with other types of violence in the broader context of elder abuse and neglect.<sup>20</sup>
- Questions in relation to disability in Australian Bureau of Statistics' 2016 Personal Safety Survey were included only in 2016.<sup>21</sup>

The lack of consistent data on sexual violence against older women that captures their diversity translates into a lack of policy and responses to sexual violence against older women.

Diverse groups of women are experiencing sexual violence at higher rates, for example women with disabilities.<sup>22</sup> In addition to the lack of research on sexual violence against older women and sexual

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<sup>16</sup> Breiding, M.J., Smith, S.G., Basile, K.C., Walters, M.L., Chen, J. and Merrick, M.T., 2014. Prevalence and characteristics of sexual violence, stalking, and intimate partner violence victimization—national intimate partner and sexual violence survey, United States, 2011. *Morbidity and Mortality Weekly (MMWR) Report Surveillance Summaries*, 63(8), pp. 1–18.;

<sup>17</sup> Jones, H., and Powell, J., 2006. Old age, vulnerability and sexual violence: implications for knowledge and practice. *International Nursing Review*, 53, pp. 211–216.

<sup>18</sup> Anne Nobels, Christophe Vandeviver, Marie Beaulieu, Gilbert MD Lemmens, Ines Keygnaert, 2018, Are older women forgotten in the fight against sexual violence? [www.thelancet.com/lancetgh](http://www.thelancet.com/lancetgh) Vol 6

<sup>19</sup> Ramsey-Klawnsnik H, Teaster PB, Mendiondo MS, Marcum JL, Abner EL. Sexual predators who target elders: findings from the first national study of sexual abuse in care facilities. *J Elder Abuse Negl* 2008; 20: 353–76.

<sup>20</sup> WHO. Elder abuse Fact Sheet No. 357 2018. <http://www.who.int/mediacentre/factsheets/fs357/en/> (accessed Jan 28, 2018).

<sup>21</sup> See the PSS content

<http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/4906.0.55.003~2016~Main%20Features~Disability~12>; Australian Institute of Family Studies (2008) Sexual assault and adults with a disability <https://aifs.gov.au/publications/sexual-assault-and-adults-disability/prevalence-sexual-assault-adults-disabilities>

<sup>22</sup> ANROWS (2018) Submission on review of the sexual consent provisions in the Crimes Act 1900 (NSW); Maher, J. M., Spivakovsky, C., McCulloch, J., McGowan, J., Beavis, K., Lea, M., Cadwallader, J., & Sands, T. (2018). Women, disability and violence: Barriers to accessing justice. Key findings and future directions (ANROWS Horizons, 02/2018). Sydney: ANROWS;

violence against diverse groups of women, there are a number of barriers for them when seeking to obtain justice.

Aboriginal and Torres Strait Islander women and children who are victims of sexual violence are affected by many forms of oppression, including racism, sexism, classism, ableism, with increasing evidence of the incident of sexual violence against people with disability. Some of these forms of oppression emanated from colonising factors of white supremacist privilege and ideals. These forms of oppression often compound the effects of sexual victimisation, exacerbating the trauma and isolation victims and survivors experience. Aboriginal and Torres Strait Islander women who live in poverty and those who are discriminated against are affected by sexual violence in devastating ways. Overincarceration of Aboriginal and Torres Strait Islander women, fear of child removal, lack of trust in police and lack of redress from the justice system prevents them from disclosing sexual violence and seeking justice.

Women from culturally and linguistically diverse backgrounds are experiencing distinct barriers to disclosing sexual violence for cultural and language reasons, as well as their migration status.

Women with disabilities are often assessed as legally incapable to give evidence, are unable to access communication aids or interpreters when making a statement and are facing discrimination and exclusion as a result of an interaction of their impairments with environments not designed to accommodate their needs, which in turn leads to being marginalised and disempowered.<sup>23</sup>

LGBTIQ people experience barriers to disclosure and justice having to navigate systems that are heterosexist and often homophobic and transphobic towards victims/survivors.

Age implicates and compounds when it comes to accessing justice. Given that sexual violence can be perpetrated against diverse groups of women in a number of contexts (within domestic and family violence, care settings, institutional settings etc), there is an urgent need for both comprehensive data collection and tailored responses to sexual violence. The National Plan on Elder Abuse cannot ignore sexual violence against older women.

#### **Recommendations:**

- **The National Plan on Elder Abuse needs to ensure that it is responding to sexual violence against older women and resourced sufficiently to do so in research, policies, and health practices.**
- **Sexual violence needs to be viewed both as occurring within domestic and family violence and as a distinct form of violence against women.**

### **Comprehensive data collection and analysis to underpin priorities**

Priority areas of the National Plan on Elder Abuse must be underpinned by a rigorous, comprehensive data collection that is able to a) map a scope of elder abuse taking into account diversity among older people and different settings and perpetrators; b) be intersectional and inclusive of all diverse groups of people in Australia; c) be consistent.

The question of data collection on the manifestations and prevalence of elder abuse is connected to the improvement of data collection on violence against women. Across the board there is a need to

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Maher, J. M., Spivakovsky, C., McCulloch, J., McGowan, J., Beavis, K., Lea, M., Cadwallader, J., & Sands, T. (2018). Women, disability and violence: Barriers to accessing justice. Key findings and future directions (ANROWS Compass, 02/2018). Sydney: ANROWS.

<sup>23</sup> Mitra-Kahn, T., Newbiggin, C., Hardefeldt, S. (2016). Invisible women, invisible violence: Understanding and improving data on the experiences of domestic and family violence and sexual assault for diverse groups of women: State of knowledge paper (ANROWS Landscapes, DD01/2016). Sydney: ANROWS.

ensure that the data collection on the diverse experiences of violence is consistent and inclusive of all groups of people and communities.

We are concerned that two out of six identified priorities of the National Plan on Elder Abuse deal with responses to financial abuse in the absence of reliable and comprehensive data on other manifestations of elder abuse. Given the unprecedented nature of the National Plan on Elder Abuse, the scope of activities considered needs to be broad and evidence-based.

#### **Recommendations:**

- **The National Plan on Elder Abuse should ensure systematic and comprehensive data collection on the prevalence, types of elder abuse, diverse demographic characteristics of victim/survivors, as well as data on perpetrators and the settings in which elder abuse occurs.**
- **Identification of the priority areas of the National Plan on Elder Abuse needs to be underpinned by data and research.**

### **Interagency and intergovernmental communication and coordination**

Approaches to address elder abuse needs to be holistic in their nature. This means efforts to address elder abuse are inseparable from efforts to reduce violence against women, reduce homelessness and improve economic wellbeing. Violence against older women cannot be seen as episodic or occurring at later stages of life without considering a wider socioeconomic background.

On one hand, as shown above, the prevalence of violence against women regardless age is high. On the other hand, in a situation of gender inequality, there is a feminisation of poverty. In 2011–12, 14.7% of all Australian women experienced poverty<sup>24</sup>. Women's higher rate of poverty results from poorer employment opportunities, women's over-representation in lower level positions, the gendered wage gap, women's increased likelihood of performing unpaid caring roles and as a result women's lower financial security in retirement.<sup>25</sup> In 2012, 38.7% of elderly single women compared to 33.8% of elderly single men were living in poverty.<sup>26</sup>

A current gender pay gap of 14.6 per cent<sup>27</sup> (even without other factors such as interruptions to paid employment) would result in women having less superannuation when they retire. In 2013-14, the median super balance for a woman in the 55-64 age group was \$80,000 compared to \$150,000 for men. This represents a super gender gap of 47%.<sup>28</sup> As a result, women are more likely to experience poverty in their retirement years and be far more reliant on the Age Pension.<sup>29</sup>

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<sup>24</sup> This is significantly higher than the poverty rate of Australian men, which was 13 percent.

<sup>25</sup> Australian Council of Social Service (2014) *Poverty in Australia: 2014*, p. 17, Available at [http://www.acoss.org.au/images/uploads/ACOSS\\_Poverty\\_in\\_Australia\\_2014.pdf](http://www.acoss.org.au/images/uploads/ACOSS_Poverty_in_Australia_2014.pdf)

<sup>26</sup> Wilkins, R (2015), *The Household, Income and Labour Dynamics in Australia Survey: Selected findings from Waves 1-12*. Melbourne Institute of Applied Economic and Social Research, viewed 21 September 2016, available: [https://www.melbourneinstitute.com/downloads/hilda/Stat\\_Report/statreport\\_2015.pdf](https://www.melbourneinstitute.com/downloads/hilda/Stat_Report/statreport_2015.pdf)

<sup>27</sup> Workplace Gender Equality Agency <https://www.wgea.gov.au/wgea-newsroom/national-gender-pay-gap-20-year-low>

<sup>28</sup> Australian Institute of Superannuation Trustees, *Women in Super (2016) Women's Super Summit 2016*, [http://www.aist.asn.au/media/881217/2016\\_aist-wis\\_women\\_s\\_super\\_summit\\_web.pdf](http://www.aist.asn.au/media/881217/2016_aist-wis_women_s_super_summit_web.pdf)

<sup>29</sup> R Tanton, Y Vidyattama, J McNamara, Q Ngu Vu & A Harding, *Old Single and Poor: Using Microsimulation and Microdata to Analyse Poverty and the Impact of Policy Change Among Older Australians* (2008) p 15.

Lastly, family violence is the single biggest driver of homelessness in Australia<sup>30</sup> and the number of older women experiencing homelessness is increasing.<sup>31</sup>

Considering the above, successful efforts to address elder abuse are contingent on the progress made in the reduction of violence against women, a decrease in homelessness, an increase in affordable housing, and progress in achieving gender equality, among other steps. In this regard, the National Plan on Elder Abuse needs to establish close links not only to a broad range of civil society stakeholders (such as specialist women's services, housing and homelessness service providers, Aboriginal controlled organisations, CALD-led and LGBTIQ-led organisations, and organisations working with people with disability) but also to ensure an intergovernmental coordination and linkages to other National Plans and initiatives.

**Recommendations:**

- **The National Plan on Elder Abuse needs to ensure communication and coordination with other government initiatives such as (but not limited to) the National Plan to Reduce Violence against Women and their Children, the Women's Economic Security Package, and the National Housing and Homelessness Agreement to ensure holistic approach to addressing elder abuse.**

Once again we thank you for the opportunity to provide input to this consultation. If you would like to discuss the contents of the submission further, please contact Merrindahl Andrew, AWAVA Program Manager, using the details below.

Merrindahl Andrew

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Australian Women Against Violence Alliance

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<sup>30</sup> <https://www.aihw.gov.au/reports/fdv/02/family-domestic-sexual-violence-in-australia-2018/contents/summary>

<sup>31</sup> Gissane, H. (2018) Towards Policy Visibility for Aging, Gender and Housing. Parity June 2018, available at <http://www.equalityrightsalliance.org.au/wp-content/uploads/2018/08/Parity-article-June-2018.pdf>; Australian Association of Gerontology (2018) Collaborative papers on older women experiencing, or at risk of, homelessness. Available at <https://www.aag.asn.au/news-publications/policy-papers/aag-collaborative-project-on-older-women-experiencing-or-at-risk-of-homelessness>; Mission Australia (2017) Aging and homelessness: solutions to a growing problem.



YOUR  
VOICE  
AGAINST  
VIOLENCE

## Submission on Elder Abuse National Plan Consultation

Thank you for inviting Domestic Violence Victoria (DV Vic) to participate in the Victorian consultation on the National Plan on Elder Abuse on July 17, 2017.

This submission is provided to reiterate our feedback in the consultation meeting, which we hope will be useful in further developing the Plan. We have also shared this submission with the Australian Women Against Violence Alliance (AWAVA) to inform their own feedback at the national level.

Please let us know if there is anything we should clarify or if you need further advice from DV Vic.

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### 1. Name of the Plan

There was some discussion at the Victorian roundtable that the plan could be named "The National Plan to Address Elder Abuse". We support this name as it would encompass prevention, early intervention and tertiary responses.

### 2. Definition of Elder Abuse

The Plan should provide a clear definition of the problem of Elder Abuse. DV Vic supports the definition by the World Health Organization described in Part 1 of the Plan.

This definition encompasses all of the contexts in which such abuse might occur, such as familial relationships, community relationships, institutional contexts, personal care services and health settings.

### 3. Structural analysis and ethical framework

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#### **Domestic Violence Victoria**

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The Plan could benefit from a clear articulation of a structural analysis and guiding ethical framework using an intersectionality lens. Perhaps Part 1 could do more to describe ethical principles for the Plan and provide analysis of Elder Abuse based on current evidence.

We note that ageism is mentioned in the five overarching goals of the plan, however, there needs to be a more in-depth intersectionality analysis applied. Ageism is indeed a particular construct that both perpetuates abuse of older people and creates barriers for adequate responses in the community, services and systems. Ageism should be understood as intersecting with sexism and gender inequality as older women are particularly impacted by Elder Abuse.

In addition to ageism and sexism, Elder Abuse is also compounded by intersections such as racism, classism/economic hardship, ableism/disability discrimination, cisgender/heteronormativity, and other forms of social oppression. The discussion papers by Seniors Rights Victoria provide an intersectionality lens to Elder Abuse that would be beneficial for the considered for the Plan.

At the Victorian consultation, human rights principles including autonomy, self-determination, respect, and dignity were also noted as important for underpinning an ethical framework for the Plan.

#### 4. Multi-agency and multi-sector responses

Priority area 1 (section 4.2.2 and 4.2.3) describes Commonwealth and state/territory governments working with the community sectors to establish multi-agency/multi-sector responses to Elder Abuse. This is a welcome approach, however, these developments must be mindful of the work already undertaken at the state level, such as the Integrated Model of Care for Responding to Elder Abuse initiatives and the Family Violence Risk Assessment and Management Panels in Victoria.

Integration with existing models is critical to avoid duplication or undermining of well developed responses.

#### 5. Elder Abuse Units

Related to the above, section 2.5 describes the implementation of Elder Abuse units yet this is not mentioned anywhere else in the Plan. If such units were to be developed, they should be integrated with existing systems and ensure clear protocols and pathways to avoid duplication, handballing and best practice responses to family violence (where the Elder Abuse case is a family violence matter). It will be important to consult with the family violence sectors and integrated family

violence governance committees on the development of multi-agency responses and Elder Abuse units.

## 6. Family violence services

Family violence services are only described in the Plan under priority action area 2 in regard to training and referral pathways. Training in Elder Abuse that is tailored for the specialist family violence sector and integrated family violence systems (involving in particular health services, police and justice services, housing and legal services) is welcome as is clear pathways and protocols to ensure that older persons get the correct response for risk and need.

That being said, while training and referral pathways with family violence services is important, it is not sufficient to respond to Elder Abuse at a systemic level; hence, our advice above that coordination with family violence services in the development of multi-agency responses and new initiatives such as Elder Abuse units is necessary.

Furthermore, it is important to note that in general women's specialist family violence services provide a range of responses to Elder Abuse, specifically against older women, as they do to all family violence referrals, based on risk, urgency and need; however, some family violence services have developed specific initiatives to pro-actively respond to Elder Abuse cases in recognition of the specific needs of older women and the characteristics of the abuse they experience from partners, adult children and other family members/caregivers. These pro-active approaches may also assist service providers in working around the demand of the high risk intimate partner violence referrals, largely from the police.

The capacity of family violence services to deliver such approaches will vary depending on funding resources, geography, regional demographics and service design. Therefore, in addition to training and referral pathways, if governments wish to see family violence services develop greater capacity to respond to Elder Abuse against older women, it may be worth consulting specifically with services that have developed unique responses and consider specific resources to develop this work in other locations across Australia. DV Vic would be able to facilitate connections with member services working on these initiatives to progress this further.

## 7. Prevention

It was noted in the Victorian consultation that the initiatives in the plan are more response-focused than prevention-focused. Perhaps the Plan could define its prevention approach in terms of primary prevention, secondary/early intervention and tertiary prevention/response, which would be

consistent with the structure of the [National Plan to address Violence against Women and their Children](#).

This raises a few other questions such as:

- What prevention approaches will the Plan take and what are the goals of these approaches?
- How will the Plan address the drivers of Elder Abuse, in particular, ageism, gender inequality and other intersectional factors?
- How will the Plan contribute to the development of age-friendly communities as well as social responsibility to respect older persons as valued members of the community?
- How will the Plan support better representation of older people across all parts of society, and how they are represented publicly, for example, in the media?

Seniors Rights Victoria has developed a discussion paper on [Preventing Elder Abuse](#) that would be a useful resource for developing the Plan.

### **About Domestic Violence Victoria**

DV Vic is the peak body for specialist family violence services for women and children in Victoria. We are an independent, non-government organisation representing more than 80 member services.

We provide advice to Government with and on behalf of our members; lead innovation and influence policy, legislation and community attitudes; work with our members to strengthen specialist family violence practice and build the capacity of human services; and work respectfully and collaboratively with all our partners.

DV Vic is committed to the core values of equality, integrity and respect. Our values are reflected in the way we work and engage with others including our members, colleagues, and government.

<http://dvvic.org.au/>

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Thank-you for the opportunity to make a submission to the consultation paper,  
Developing the National Plan on Elder Abuse .

### **ABOUT THE WOMEN'S COUNCIL FOR DOMESTIC AND FAMILY VIOLENCE SERVICES**

The WCDFVS is the peak non-government body in Western Australia committed to improving the lives of women and children in society, and ensuring they live free from family and domestic violence. The organisation provides a voice on domestic and family violence issues to help facilitate and promote policy, legislative and programmatic responses relevant to women and children who have experienced domestic and family violence.

The organisation has five core functions: promoting the protection of women and children through representing their needs to policy and decision makers; representation and advocacy on a range of national committees and advisory bodies; community education; research and training on emerging issues and trends related to FDV; and information and referrals to sections of the community that would provide appropriate help to women and children.

The WCDFVS has a few key goals:

- To strengthen their unified voice on domestic and family violence issues.
- To maintain the Women's Council for Domestic and Family Violence Services (WA) as an independent viable and credible organisation.

- To improve the access of women and children to Women's Refuges and services who are experiencing domestic and family violence.
- To provide leadership in the area of domestic and family violence issues to key stakeholders and the community.
- To increase the community awareness of the incidence, effects and responses to domestic and family violence.
- To collaborate with key stakeholders in the development of policies, legislation and programs which impact on women and children experiencing domestic and family violence.
- To ensure access and equity for all members in remote/rural locations.

## 5.1 National Priority Action Area and proposed Initiatives

Main concerns

### **Definition.**

The Consultation paper fails to settle on a definition of Elder Abuse, it is crucial to have a clear definition so that targets and outcome measures can be compared, if one of the overarching goals is to build an evidence base a comprehensive and agreed definition is required so data can be compared accurately.

The Women's Council supports the World Health Organization's definition of Elder abuse. 'Elder abuse is 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.'

The definition goes on to outline the various forms of abuse that may occur.

The Women's Council believes that this definition covers abuse by family members, friends, paid carers and others such as accountants, anybody who is in a position of trust.

The Women's Council recommends that any definition should be as inclusive as possible.

Any definition should recognize that Aboriginal and Torres Strait Islanders may have a shorter life expectancy and the age at which they are recognized as Elders is earlier than Non Aboriginal peoples.

## **Gender based analysis of some types of abuse**

The paper fails to recognize that there are some acts of elder abuse that are gender based violence and are part of the continuum of Domestic and Family Violence, that a woman may have experienced throughout her life time.

*One of the few prevalence studies to focus on violence and abuse against women aged 60 and above was conducted in five European Union countries. It found that 28% of older women reported experiencing some form of abuse in the previous year (neglect, emotional, financial, physical, sexual, and/or "violation of rights"). Emotional abuse was the highest-reported category, with 24% prevalence of this type of abuse in the home in the previous 12 months.*

*For all forms of abuse (with the exception of neglect), a spouse or intimate partner was the most commonly named perpetrator. This underscores the fact that IPV remains a problem for women across the lifespan. [www.vawresourceguide.org](http://www.vawresourceguide.org)*

The first National Elder Abuse Annual report - released by Advocare - suggests 32.2 per cent of perpetrators are the older person's son and 30.7 per cent are the person's daughter.

The recent report Elder Abuse as Family Violence by Seniors Rights in Victoria states approximately 67% of reported abuse is perpetrated by a son or daughter of the older person (pg10)

The Women's Council strongly advocates that all of the six National Priority action areas include a strong and consistent message that this type of Elder abuse is part of the continuum of Family and Domestic Violence.

The Women's Council believes these figures would be an under estimate of the issue, in a similar way to domestic violence victims, victims of elder abuse are often reluctant to make public their experiences.

While victims of Elder abuse will commonly experience multiple types of abuse at the same time many will be reluctant to report the abuse to police or other family members. Fear of retribution, shame, and concern for the consequences for the perpetrator if they are a family member, all act as barriers to disclosing the abuse.

Research in WA in 2017 by Amy Warren found 'the most significant individual barrier was women not recognizing their experiences as abuse'. Abuse that had occurred over many years was often seen as normal or something that "happens when you get old" and older women developed coping mechanisms to "tolerate abusive behaviour".

## **Intersectionality**

Older women experience a multitude of intersecting other identities and oppressions that present further risks of abuse.

Women from marginalised populations such as women with disabilities, Aboriginal and Torres Strait Islander women, experience domestic and family violence at extremely high rates over their lifetime, growing older can present further risks of vulnerability to abuse.

The needs and experiences of older Women from Culturally and Linguistically Diverse populations is unknown with little specific research undertaken in Australia. The additional impact of the communities cultural attitudes and expectations on these women as they age presents an additional risk of abuse. Anecdotally cultural expectations that older women, often those sponsored into Australia will provide unpaid child care and domestic duties for their adult children can increase the risk of abuse.

The needs and experiences of older Gay, Lesbian, Bi sexual and Transgender women are unknown with very little research undertaken on this community

The impact of homophobia and discrimination particularly in nursing homes or other paid carer environments presents an additional risk of abuse.

The first two National Priority Action Areas need to include clear messaging that a large part of Elder abuse is gendered violence of male (partner or son) to a female.

The DFV sector should not be just an add on when training is delivered but recognized as a significant service provider to older women experiencing abuse.

The DFV sector is only mentioned once in the report, and that is with regard to incorporating information into DFV training about elder abuse.(p15)

The Women's Council suggest that the DFV sector is already fully aware of this issue and it's the age care and health sector that is failing to recognize and respond to the indicators of DFV in older women.

Women's refuges and DFV services in West Australia have been accommodating, supporting and counselling women experiencing abuse in their later years (55yrs plus) for many years.

It is concerning that the additional \$22 million restricted funding round for specialist front line services to support older people makes no mention of DFV services being considered.

A truly National initiative approach would several trial sites across Australia for specialist refuge pilots for older women experiencing elder abuse. Australia is experiencing a rapidly aging population the statistics on DFV continue to increase each year, the issue of older women needing appropriate refuge accommodation and ongoing support to recover from abuse and violence in the later years is essential.

This initiative would be unique in Australia possibly the world in responding to and recognising the rights of older women to live free from abuse regardless of their age or personal circumstances. Such a pilot could include identifying and responding to the

specific needs of older women with disabilities, older Aboriginal and Torres Strait Islander women, GLBT women and older women from CaLD communities.

The Women's Council suggests it would be important to engage with WESNET the National Peak body for Australian DFV services and the Australian Women Against Violence Alliance (AWAVA).

Name of Plan

The National Plan to Reduce Violence against Older People.

Aligns more with the National Plan to reduce Violence against Women and their children.

References

Violence Against Women and Girls [www.vawgresourceguide.org](http://www.vawgresourceguide.org) May 2016

Elder Abuse is Family Violence. Senior Rights Victoria

**“Put up and shut up”: The barriers and facilitators to women seeking help for domestic elder abuse** Amy Warren 2017 Bachelor of Social Work (Honours) BSW (Student) Curtin University. (Unpublished)