

# Elder Abuse Strategy 2018 – 2019

Our goal: Legal Aid NSW will deliver high quality, client-centred services to people experiencing or at risk of elder abuse.

**Elder abuse** is generally defined as an 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 (World Health Organisation, *Toronto Declaration on the Global Prevention of Elder Abuse* (2002)). It does not refer to or capture the abuse or exploitation of older people that can occur outside these relationships, such as in the consumer sector.

Elder abuse can take various forms such as physical, psychological or emotional, sexual and financial. It can also

be the result of intentional or unintentional neglect. In NSW, available data indicates that the most common forms of elder abuse are psychological and financial, and the most common perpetrators are the sons and daughters of the older person.

Legal Aid NSW is aiming to deliver high quality, client-centred services to people experiencing or at risk of elder abuse. Research and consultation indicates that there are current barriers to service delivery in this area, including:

- Older people do not always know their legal rights and where to find help
- Victims of elder abuse can be hard to reach, or reluctant to

speaking to lawyers about elder abuse for other reasons

- Not all lawyers have the knowledge and skills to effectively identify and respond to elder abuse
- Legal Aid NSW eligibility policies can make it hard for victims of, or those at risk of, elder financial abuse to receive a grant of aid.

Legal Aid NSW seeks to respond to these gaps with this strategy. It will do so in collaboration and partnership with organisations already working on elder abuse or who have an interest in this area, including the Seniors Rights Service, the Elder Abuse Hotline and Resource Unit, and the Law Society of NSW.

## Legal Aid NSW Elder Abuse Strategy 2018-2019

| What we want to achieve   | How we will get there  | By when   |
|---|--|-----------|
| <b>Older people can access information about their legal rights and where to find legal help.</b>                               | <ul style="list-style-type: none"> <li>Produce and distribute the Legal Topics for Older People Diary.</li> </ul>  | Jan 2018  |
|   | <ul style="list-style-type: none"> <li>Seek secured funding for the Legal Topics for Older People Diary, to confirm the diary as an annual production.</li> </ul>  | Dec 2019  |
|   | <ul style="list-style-type: none"> <li>Revise and expand current CLE resources for older people, including screening of Piano Forte and a re-run of the Borrowers Beware campaign in partnership with the Seniors Rights Service.</li> </ul>   | Dec 2018  |
| <b>Community workers improve their knowledge of elder abuse and where to refer older people for legal help.</b>                 | <ul style="list-style-type: none"> <li>Provide joint training on elder abuse to community workers with the NSW Elder Abuse Hotline and Resource Unit (EAHRU) and survey impact.</li> </ul>   | Dec 2018  |
|   | <ul style="list-style-type: none"> <li>Provide training to frontline Council of the Ageing staff about referral pathways and identifying legal issues for older people, and survey its impact.</li> </ul>  | Dec 2018  |
|   | <ul style="list-style-type: none"> <li>Conduct targeted CLE on elder abuse for Aboriginal-specific aged care organisations and/or organisations working with older Aboriginal people.</li> </ul>   | Dec 2019  |
| <b>A greater number of isolated older people receive Legal Aid NSW assistance through outreach and partnership.</b>             | <ul style="list-style-type: none"> <li>Promote and expand the Legal Pathways project, including to two new regional areas in NSW.</li> </ul>   | June 2018 |
|   | <ul style="list-style-type: none"> <li>Expand and strengthen civil outreach services that target or service older people, including a new outreach at Northcott housing estate in partnership with the Seniors Rights Service.</li> </ul>  | June 2018 |
|   | <ul style="list-style-type: none"> <li>Establish a referral protocol between the South West Sydney Legal Centre and the DVU for victims or those at risk of elder abuse.</li> </ul>  | June 2018 |
| <b>Lawyers working with older people improve their knowledge and skills to effectively identify and respond to elder abuse.</b> | <ul style="list-style-type: none"> <li>Work with the Law Society of NSW, EAHRU and the Seniors Rights Service to develop, conduct and evaluate a training module on elder abuse for lawyers, including screening tools and assessment of capacity, and work with the Department of Justice (Court Services) to disseminate relevant training resources to Local Court Registrars.</li> </ul> | June 2019 |
|   | <ul style="list-style-type: none"> <li>Upload resources on elder abuse to the Legal Aid NSW intranet.</li> </ul>   | Dec 2018  |
| <b>Legal Aid NSW provides greater access to legal assistance for victims of, or those at risk of, elder financial abuse.</b>    | <ul style="list-style-type: none"> <li>Review Legal Aid NSW services and eligibility policies to determine how Legal Aid NSW could provide greater access to legal assistance for victims of, or those at risk of, elder financial abuse.</li> </ul>   | Dec 2018  |
|   | <ul style="list-style-type: none"> <li>Implement measures to increase access to Legal Aid NSW assistance for victims or those at risk of elder financial abuse.</li> </ul>   | Dec 2019  |