

LAWWEEK

18-24 MAY 2020

Staying safe as a senior

Our seniors deserve respect and to live without fear in their lives. Their safety and security is as important as it has ever been, and their health and wellbeing should not be forgotten at this time. There is no excuse for abuse.

Up to 14 per cent of older people may experience abuse in the form of physical, emotional, financial, social or sexual abuse. There is an acknowledgement that elder abuse remains underreported. Older people are covered by the same legal protections for people who experience family violence. This includes the right to apply for an intervention order to help protect them from further abuse. There are also other options to stop elder abuse.

This information will help you identify elder abuse, and how you can help a senior stay safe. It is not to be used as legal advice, and is information only. Please seek independent legal advice on all relevant matters. If you feel unsafe or are concerned for someone's safety, please call 000.

What is elder abuse?

Elder abuse is any act which causes harm to an older person and is generally carried out by someone they know and trust, such as family, relatives or friends. It can involve taking someone's money or belongings, not providing proper care, making threats, stopping social contacts, as well as physical or sexual abuse.*

VIDEO - Journalist Ellen Fanning discusses the different aspects of Elder Abuse with experts as part of the 5th National Elder Abuse Conference in Sydney. [YouTube clip](#).

BROCHURE - Seniors Rights Victoria – Are You Concerned about an Older Person?
[A guide to understanding Elder abuse](#)

What are some warning signs?*

- Older person seems fearful, worried or withdrawn
- Acts nervous or anxious with certain people
- Family and or friends are denied access to the person
- No longer goes out socially or gets involved in activities
- Unexplained injuries such as bruises, broken bones, sprains, cuts etc.
- Unpaid bills, unusual activity in bank accounts or credit cards
- Changes to a Will, title or other documents
- Disappearance of possessions
- Poor hygiene or personal care
- Absence of necessary health items: hearing aids, dentures, medications

What does Elder abuse look like?

Seniors Rights Victoria – [stories based on real experiences](#)

Staying safe during COVID-19

Seniors Rights Victoria Manager Jenny Blakey says the major stress caused by COVID-19 could trigger an increase in elder abuse, as seen in times of disaster. Read the full statement [here](#).

It's not safe for me at home – what should I do? [Legal Aid NSW factsheet](#)

COVID-19 Financial Abuse Example – attached as PDF

Jane notices her daughter Sarah has been taking money from her bank account without her knowledge.

Reducing the risk of abuse for older people during COVID-19 – Older Persons Advocacy Network [video](#)

Elder Abuse in the time of COVID-19 – Legal Aid NSW [video](#)

Keeping your finances and assets safe

Financial abuse is one of the most common types of elder abuse. Whether it is a family member, or someone with authority to access finances, who could take advantage of an older person. There are many ways you can ensure that you can stay involved in decisions about your finances and assets and protect them. Financial Enduring Power of Attorney, direct debits for bills, receiving paper bank statements are a few. Remember even if you can't manage your finances there are safeguards available.

Be clear about who can access your bank account – [Angie's story](#)

Then there are the scams that you need to keep a close eye out for as they try to get hold of your bank account details and savings!

Superannuation scams - [Scamwatch](#)

Staying safe from scams - [YouTube](#)

Keeping the roof over your head safe

Unfortunately it's common for older people not to get advice when they are thinking about changing their home or where they live. Because these matters can be very personal, sometimes they may not know who to ask. Seniors Rights Victoria or Seniors Rights Service in NSW can give advice before you make changes to your living arrangements while keeping your assets safe.

[Guide for older people on Money Ageing and Family](#)

Includes:

- What is a granny flat arrangement?
 - What is a family agreement?
 - Family agreement checklist
 - Lending money
 - Planning ahead
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Staying safe in emergencies

[Q&A - what to do during an emergency](#)

- What to do in an emergency
 - What if I'm not sure it is an emergency?
 - What if the older person doesn't want help in an emergency?
 - When should I involve the Police and what can they do?
 - Do I have to report cases of elder abuse?
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What is a Safety Plan?

A safety plan is a good way to keep yourself safe in a number of situations.

A safety plan can include emergency contacts, the location of essential documents like Wills, a nominated person and place that will provide a safe space and similar considerations. It's important to prepare a safety plan before an emergency.

Safety Planning Tip Sheet – [what you need to consider](#)

A Safety Plan is a protection from abuse – [Make a Plan](#)

Keep it somewhere safe where you can find it easily in an emergency. Give a copy to someone you trust.

Get your affairs in order

Why you need to plan ahead with Charles 'Bud' Tingwell - [video](#)

Law Week 2020

- **Enduring POA**
The Law Institute of Victoria has a free information session called **Untangling Powers of Attorney, Medical Treatment & Guardianship Laws: A guide for the Victorian public**

This is being broadcast on **Thursday 21 May 2020** at 5–6.30pm. You can register for the broadcast online [here](#)

- **An introduction to Wills by Hall & Wilcox** – [online video](#)

The most effective way to avoid any potential issues is to record your wishes for the division of your estate, and the most effective way to do this is to ensure you have a valid Will in place. Not only does this provide you with peace of mind and security, but it means the beneficiaries of your inheritance can benefit from the many structuring opportunities available to you.

This session will take a look at:

- what Wills are
- why you need a Will
- things you need to think about when putting a Will in place
- common things that can go wrong

- **Gifts to family and exploitation** – short Seniors Rights Service [video](#)

You can find a number of Wills and probate resource links on the [HRCLS website](#), including the **HRCLS Willmaker Record**, **Advanced Care Directive** information, and Aboriginal and Torres Strait Islander brochures.

Victorian Office of the Public Advocate - 1300 309 337

Free information or assistance regarding Enduring Power of Attorney, Guardianship or Administration matters. Website: <https://www.publicadvocate.vic.gov.au/>

NSW Trustee & Guardian - 1300 364 103

Free information or assistance regarding Enduring Power of Attorney, Guardianship or Administration matters

Website: <https://www.tag.nsw.gov.au/>

Helpful resources

Useful for service providers the [Elder Abuse Response Toolkit](#) includes easy-to-understand information

Respect Victoria fact sheets

- [Elder abuse fact sheet for the general public \(PDF\)](#)
- [Respect Older People Wallet Card \(PDF\)](#)
- [Elder abuse fact sheet for the professionals \(PDF\)](#)

Resources available in other languages - [Respect Victoria on the Respect Older - People Call It Out page](#).

Seniors Rights Service (NSW) [factsheets](#)

Apps

The Older Person's Advocacy Network Elder HELP app is a free mobile tool for phones or iPads for people to access information, such as identifying elder abuse. The app contains easy access to phone numbers, including a direct link to the elder abuse line, 1800 elder help.

Elder Help – [Apple/iPhone](#)

Elder Help – [Google Play](#)

Contacts

Hume Riverina Community Legal Service – 1800 918 377

Open Monday to Friday

Email: cls@umfc.com.au

Website: www.hrcls.org.au

Seniors Rights Victoria Helpline - 1300 368 821

Open 10am – 5pm Monday to Friday

More information or hard copies of brochures and booklets

Call **1300 368 821** or email info@seniorsrights.org.au

Website: www.seniorsrights.org.au

Seniors Rights Service (NSW) - 1800 424 079

Open 9am – 4.30pm Monday to Friday

Email: info@seniorsrightsservice.org.au

Website: www.seniorsrightsservice.org.au

Elder Rights Advocacy - 1800 700 600

Free service for Victorians in residential and home care programs providing advocacy, information, support and advice.

Older Person's Advocacy Network - 1800 700 600

Open 6am-10pm 7 days a week

Website: www.opan.com.au/about/

Safe Steps - 1800 015 188

24/7 information, support and emergency accommodation

Website: www.safesteps.org.au

*Source: Seniors Rights Victoria

Hume Riverina Community Legal Service thanks Seniors Rights Victoria for the support in producing this factsheet. Information, links and resources in this factsheet have been sourced from a variety of organisations specializing in support for older people. Information provided in this factsheet was correct as of May 2020.