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*\*Please note that cases and names referred to in this paper are not real, but composite issues with all identifying details removed.*

Today we have been hearing about what financial abuse looks like and particularly assets management and the risks associated with some asset management practices as described by Cheryl Tilse. We have also heard from Michelle Scott about the issues arising for CALD and indigenous older adults in regard to financial abuse. Stephen Boylen has outlined steps being taken at a government level to engage the banking and financial sector in addressing financial abuse, and Karen Merrin has given an overview of legal aspects of financial abuse, as well as the new Older Person's Rights Centre. This is all very important and valuable information, and there are encouraging signs that a more coordinated response to financial abuse is developing.

Part of the response to elder abuse, and financial abuse, lies with you, the eyes and ears, those at the coalface who are most likely to pick up possible signs of abuse or to actually be told about the financial abuse of a client. Even around us in our daily lives we sometimes see possible financial abuse. Last week I was in a shop and while browsing, I overheard a conversation where a woman was talking about about her frail father who was finding it harder to live at home.

The person she was speaking to said that perhaps he may need to sell his house and move into care. The woman's response was "If only he would sell the house! Then I could get my inheritance!" Her father was still alive! (*And she obviously had no understanding of the costs of moving into residential care.*) While I'm not saying the woman was necessarily abusing her father, many older people have been pressured by an adult daughter or son (or any other relative) to hand over the anticipated inheritance. The impact is devastating.... it's as if the older adult is already dead!

On the other hand I stood in a check out queue behind a very frail older woman who was being helped by her grandson (probably in his 20's) to do her shopping. Even though she was getting somewhat confused about the EFTPOS process, her grandson patiently allowed her stay in control and put in her PIN and get extra cash etc. At no point did he take over just giving her gentle support. At all times she remained in control of her card and cash and there was no sign of her looking pressured in any way. The shop assistant and I both later commented what a great grandson he appeared to be.

So what can **you** do? What is the response?

As most of you know, Advocare is funded to provide advocacy and support to older adults who are being or are at risk of being abused by family and friends. (As Bob Kucera stated earlier the most common type of elder abuse is financial. Over the five and a half years that Advocare has been working on elder abuse cases, the number of financial abuse cases has increased , so that from the end of 2002 until the end of 2006, financial abuse has risen from 40% of cases to 53%. So far this year, 73% of our cases involve financial abuse.

**PP** Women are more likely than men to experience elder abuse and the main perpetrators of elder abuse are adult sons and daughters. Others include the spouse or partner, grandchildren, step-children, nieces and nephews. In most cases of financial abuse there is also psychological abuse such as threats, intimidation and bullying

Financial abuse is the result of many factors including greed, family conflict and pre existing patterns of intergenerational abuse and violence, alcohol and substance abuse, financial problems, lack of knowledge of EPAs, and dependency on the part of both the older person or the alleged perpetrator.

Specific responses depend on a number of factors such as the nature of the financial abuse, degree of immediate or foreseeable danger for the older person; whether or not the person has decision making ability, and the circumstances in which the older person lives.

Advocare is client- centred, working in the clients' best interests, ensuring their safety and well being. As abuse is about an imbalance of power, we work with the older adult to create a level playing field, using an empowerment model. Clients participate in the decision making process having been given relevant information, and finally decide for themselves what strategies to take to address the abuse. We do not impose actions on the person- that would be contributing to the disempowerment. Unless the older person is in danger, we respect the right to make decisions in their own time.

Part of the empowerment process involves the older adult knowing that there are supports out there. So we look into the older person's networks to see what supports already exist, and then work towards strengthening those networks.

**PP** The informal network is the most important- family and friends. These people can be natural advocates- those who the older person

come to rely on and be able to talk to if there are concerns. These are the people who may be able to stand beside the older person when confronting the alleged perpetrator, those who can help the older person assert their rights.

The formal network is where most you sit- those who regularly come into the older person's life- HACC workers and other support workers, ACAT, social workers, Community Legal Centres, lawyers, doctors, banks, priests, chaplains etc. This too is an important network - when given information about relevant services, many older people start to realize that that there is more than just family to support them.

Within the protective network we see the police, Enduring Powers of Attorney, the Office of the Public Advocate, the State Administrative Tribunal, Guardianship and Administration and Violence Restraining Orders.

**PP** When we work with older adults to develop and strengthen these networks there is a two fold effect- firstly, they begin to realize that they are not alone, that there are people who can support them ; secondly, the more people seen by the alleged perpetrator to be involved in the older person's life, the less likely it is that that person

will continue the abuse, in the present or in the future. Social isolation is one of the biggest risk factors for elder abuse, and by developing and strengthening these networks, such isolation is reduced.

I would like to give a couple of examples to show how Advocare responds to financial abuse.

In the first case, Advocare was contacted by the Director of Nursing at a residential facility in the eastern suburbs, who was concerned that the EPA of one of the residents, Mr Harris, had not paid his accommodation bond, nor his fees for the four months he had been there. When the advocate went to visit the Mr Harris, he told her that he had been told he was going into respite, only to find out later that he was going to be there permanently. His step daughter, his EPA, had told staff that he had lots of money, that he could pay the bond and fees himself. One option given to Mr Harris was that he could revoke the EPA and give it to someone else. He told the advocate that had no children of his own and decided that he would appoint the Public Trustee. While talking to the advocate, he mentioned that he was concerned about his house and possessions. On her way to the next visit, the advocate drove past the house and noticed that there was For Sale sign with “Under Offer” on it. She told Mr Harris, who was

obviously distraught, and with his permission, rang the estate agent, who immediately came to see him. She told him that settlement was the following week. Mr Harris told the estate agent that he was happy to sell the house, and all of the relevant paperwork was done so that house was being sold by him and not his step daughter. The estate agent also mentioned that plans had been made for the proceeds of the sale to go into the step daughter's account as well as those of her siblings in Canada. **A potential case of fraud was averted!** His accommodation bond and fees were paid from the proceeds, and he had money left over in the bank, whereas before he could have been at risk of losing his place at the facility, and having no house to go to. All of this was very distressing for him and one option given was that he could seek the support of a chaplain who worked at the facility, which he agreed to do. He did not want to lay charges, but decided that he no longer wanted to see his step daughter.

In another case, Mrs Carter rang me, telling me that following her husband's death, she had been pressured by her son to make him her EPA. He had come to her house with already completed forms which she signed in the presence of a police officer at the local station where she was taken by her son. Some time later, she managed to see one of her bank statements which showed that \$80,000 had been withdrawn

from her account. When she asked her son about the money, he told her that he needed it to expand and develop his horse property. She was distressed and angry about this, feeling helpless, not knowing what to do. She told me that she had one daughter, but that she lived in the UK and she doubted she could be of any help. An option given to Mrs Carter was that she could ring her daughter and tell her about what had happened, which she decided to do. Her daughter was extremely angry with her brother who she later rang, telling him that she knew what was going on, that abusing the EPA was against the law, and that if he didn't return the money within a month, there would be legal consequences. Her son returned the money in three installments. Mrs Carter was told that another option was that she could revoke the EPA, which she did, saying that she was quite capable of handling her own finances. She told me she had a trusted friend who could help her with investment advice, and I explained that she may wish to consider not signing anything until she fully understood what was in the document, and also seek independent advice.

In each of these cases, the older person, through being given relevant information, options and support, was empowered to regain control of their lives, knowing that there was support from people around them.

So what can you do?

**PP** Firstly, it's important to believe what you are told. The older person has taken a huge step to disclose, and it is important that they feel that you can be trusted. Allow the person to talk about it and tell them that they could tell a trusted person, and have an advocate, from Advocare, if they wish.

Secondly, it is important that you follow your agency procedures.

**PP** To assist government and non government agencies to develop policies and procedures about responses to elder abuse, APEA:WA, the Alliance for the Prevention of Elder Abuse has developed the *Elder Abuse Protocol: Guidelines for Action*. It contains general information to help service providers and others recognise and understand elder abuse, and more specific information about appropriate responses to elder abuse, including a referral flowchart, a list of referral agencies and contacts, case studies and information about relevant legislation. Copies are available at the front desk.

Protocols on elder abuse are important for agencies because they;

- Provide staff with tools to enable them to perform confidently and competently,

- assisting in decision-making
- Help to ensure safety and well-being of clients and staff, and protects the agency from criticism
- Ensure high quality service is provided and allow an agency to demonstrate Best Practice

Education is available to agencies who wish to develop Elder Abuse Protocols. Several seminars have already been presented by Barbara Black, APEA:WA Project Officer, and myself and others are planned. If you wish to have training you can ring Barbara on 9221 8599.

Advocare provides education to service providers, health professionals, police, students and others on elder abuse, including financial abuse. Advocates also do presentations for older adults- in day centres, libraries and other venues. A major focus is on how to prevent elder abuse happening, with an emphasis on financial abuse and safeguards that could be put in place to prevent the abuse of EPAs. In many cases, the education sessions have elicited a lot of interest in EPAs, indicating that older adults are concerned about them.

**PP** If you would like education on elder abuse, call Advocare on  
9221 8599

Responding to financial abuse requires engaging the whole system,  
working together to empower older people so that they can live safely  
and without fear of further exploitation. We all have a vital part to  
play!

Thankyou