



# #Ready to Listen: **Preventing sexual assault in aged care**

A Quick Guide to Residential Aged Care  
Provider Responsibilities

# What is the **Ready to Listen Project?**

**An estimated 50 sexual assaults take place in residential aged care in Australia every week.**

Many service providers have limited knowledge about the prevalence of sexual assault, the profound effect it has on the victim/survivors and what support services are available. Education on recognising, responding to, preventing and reporting sexual assault is crucial to ensure victim/survivors are heard, believed, validated and supported is vital.

The #ReadyToListen Project aims to build the skills and capacity of residential aged care service providers to better respond to – and prevent – sexual assault in residential aged care.

This resource was developed for the #ReadyToListen Project, which is funded by the Australian Government Department of Health and is led by the Older Persons Advocacy Network, in partnership with Celebrate Ageing Ltd and the Older Women's Network, New South Wales.

Find more #ReadyToListen resources at:


<https://opan.org.au/support/support-for-professionals/ready-to-listen>



# What is **sexual assault?**

The Aged Care Quality and Safety Commission defines **sexual assault as an unlawful sexual contact or inappropriate sexual conduct that includes:**

- any contact or conduct of a sexual nature towards a consumer by a staff member or volunteer on duty, regardless of whether the consumer consented
- any touching of the consumer's genital area, anal area or breast by a staff member or volunteer on duty where this is not necessary to provide care or services to the consumer, regardless of whether the consumer consented to the touching
- any non-consensual contact or conduct of a sexual nature by any person, including but not limited to, sexual assault, an act of indecency or sharing of an intimate image of the consumer
- any conduct toward the consumer with the intention of making it easier to influence the consumer to engage in sexual contact or conduct.



Consensual acts of affection such as greeting someone with a kiss on the cheek or hug and consensual sexual relations between residents **are not** sexual assault.

# How do I report an alleged sexual assault?

**There are a number of things you need to do when someone has disclosed a sexual assault, you suspect a sexual assault has occurred, or you have witnessed a sexual assault directly.**

The main things to remember:

- Any suspected, witnessed or disclosed incidents of sexual assault **MUST** be reported immediately to the most senior manager at the facility
- All sexual assault disclosures **MUST** be reported to the **Serious Incident Response Scheme (SIRS)** as a Priority 1 incident within 24 hours
- Report the incident to the police – observe mandatory reporting requirements
- Notify the family/guardian – a guardian (current order) must be notified immediately.



## Reporting to police

Some residents who have been sexually assaulted (the victim/survivor) may not want the sexual assault reported to the police. However, sexual assault **MUST** be reported to the police where:

- The victim/survivor has a cognitive impairment
- The alleged perpetrator was a staff member or volunteer
- There is evidence aside from the victim/survivor's statement of a crime having been committed
- The victim/survivor has suffered serious harm
- The victim/survivor's decision not to report the incident to police was made under duress
- The victim/survivor or other service users are still at risk of sexual assault.

## Notifying family/guardian

The victim/survivor has a choice about whether their family is notified.

However, if the victim/survivor has a guardian, the guardian must be notified immediately.



# The Charter of **Sexual Rights and Responsibilities**

**Older people living in residential aged care have the right to intimate relationships. These relationships include the right to participate in sexual activities and to have sex ONLY if the older person can provide consent freely. If they cannot enter into a free agreement then the act is considered sexual assault.**

Older people have the right to be free from sexual assault in residential aged care.

The Charter clearly outlines a supportive and rights-based approach to intimate sexual relationships.

- The right to engage in sexual activity
- The right to sexual consent
- The right to continue existing sexual relationships
- The right to form new sexual relationships
- The right to change the way you express your sexuality
- The right to sexual privacy
- The right to be free from sexual assault
- The right to information about your sexual rights and responsibilities
- The right to specialty support related to your sexual expression
- The responsibility to respect other residents
- The responsibility to gain sexual consent
- The responsibility to respect staff

# Useful Sexual Assault Resources

## **Advocare's Ready to Listen Volunteer Program**

 1800 655 566


 [volunteer@advocare.org.au](mailto:volunteer@advocare.org.au)

## **Blue Knot Foundation**

 1300 657 380

 <https://blueknot.org.au/>

## **Older Persons Advocacy Network (OPAN)**

 1800 700 600

 <https://opan.org.au/>

## **Sexual Assault Resource Centre (SARC)**

 (08) 6458 1828 or 1800 199 888

 <https://www.kemh.health.wa.gov.au/Other-Services/SARC>

## **WA Elder Abuse Helpline**

 1300 724 679

 <https://www.advocare.org.au/elder-abuse-helpline/>

## **WA Police Assistance**


 131 444 (police attendance required) or  
000 (emergency or life-threatening situations)


## **1800 FULL STOP**

 1800 385 578

 <https://fullstop.org.au/>

## **1800 RESPECT**

 1800 737 732 and ask for the details of your closest sexual assault service.

 <https://www.1800respect.org.au/>

# Advocare

Empowering older people in WA

 Phone: **08 9479 7566**  
Country Callers: **1800 655 566**  
WA Elder Abuse Helpline: **1300 724 679**

 [rights@advocare.org.au](mailto:rights@advocare.org.au)

 [www.advocare.org.au](http://www.advocare.org.au)