People with Disabilities WA

Individual & systemic advocacy

**Submission**

**Elder Abuse National Plan Consultation**

PWdWA is the peak disability consumer organisation representing the rights, needs and equity of all Western Australians with disabilities via individual and systemic advocacy. PWdWA is run BY and FOR people with disabilities and, as such, strives to be the voice for all people with disabilities in Western Australia.

**PWdWA Executive Director: Samantha Jenkinson**

**People with Disabilities (WA) Inc.**

Oasis Lotteries House, 1/37 Hampden Rd, Nedlands, WA 6009

Email: samantha@pwdwa.org Tel: (08) 94858900

**Submission**

PWdWA is an organisation that represents people with disability and as such does not profess to be an expert in matters affecting elderly people. PWdWA is supportive of the Attorney-General’s proposed National Plan on Elder Abuse. This is a key step forward in creating a nationally consistent approach to the issue of Elder Abuse. While we are not providing a comprehensive response to the Consultation Paper we would like to highlight the need to include people with disabilities in any actions or initiatives proposed under the plan.

PWdWA believes that the disability sector needs to play a key role in implementing the National Plan on Elder Abuse. There is evidence to support that abuse and neglect that elderly people encounter in their daily lives is mirrored in those issues faced by people with disability due to the similar circumstances of likelihood of increased isolation, vulnerability and reliance on others for support.

People with disabilities are living longer, including those with intellectual and cognitive disability. We know that increasingly people with intellectual disability are outliving their parents, many of whom have provided support with decision-making and finances. While many of the needs of older individuals with an intellectual disability are the same as other older people living in the community, aged care services may not have the knowledge or expertise to fully meet their needs. Similarly, disability services may not have the experience in meeting age-related needs such as health and dementia. In both situations, this can lead to the use of restrictive practices. Passive neglect where the neglect is unintentional, withholding or failure to provide the necessities of life, is a common area that elderly people and vulnerable people with disability face.

We know that abuse and neglect both within institutions and the home is a reality for many people living with disabilities. There are many similarities between the abuse faced by older Australian’s and those with disabilities including financial, emotional and psychological abuse. Aged care providers do not always have a good understanding of disability issues and disability providers do not always have a good understanding of age related issues. Because people with disabilities are aging in place in disability services it is important that people working in this sector are provided with adequate training and knowledge about elder abuse in conjunction with training on abuse and neglect. This recommendation would sit well under initiative 4.5.4, which suggests linking elder abuse training to family violence workforce training. Similarly any training on elder abuse should adequately address the additional barriers and needs faced by older person’s with disabilities who are experiencing abuse.

PWdWA also recommends that victim support services be provided with training and be made accessible to people with disabilities. This includes ensuring that information about rights, services and supports is provided in accessible formats such as easy English.

It is important that the newly established NDIS Quality and Safeguarding Commission also be involved in developing and implementing the National Plan. There are many overlaps between the NDIS Quality and Safeguarding Commission and the soon to be established Aged Care Quality and Safety Commission. This includes the NDIS Commissions mandate to collect, analyse and report information which could be used to inform future actions and initiatives.

In our organisations research into Abuse and neglect of people with disability we have found attitudes around complaints were highlighted as concerns in aged care facilities. The main reason for not reporting violence and abuse was fear of retribution followed by fear of not being believed. Advocacy, information and access to independent third parties is crucial to address these issues.

The consultation paper points out that there is currently no nationally consistent definition of Elder Abuse. Some states and jurisdictions do not necessarily include paid and professional staff in their definition of elder abuse. The plan does not make it clear whether it intends to cover abuse and neglect committed by professional staff or paid caregivers. If the National Plan is seeking to include professional or paid staff under its scope, it needs to ensure that it supports the establishment of clear mechanisms for monitoring, reporting and investigation. This could be built into the function of the soon to be established Aged Care Quality and Safety Commission.

 *Attachment : Behind Closed Doors – Preventing Violence, Neglect and Abuse against West Australians with Disability*

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