



Elder Abuse Action Australia

MEDIA RELEASE

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RESPONSE TO THE ROYAL COMMISSION'S FINAL REPORT

Leading elder abuse prevention organisation highlights why focus must be on human rights underpinning aged care reforms

Elder Abuse Action Australia (EAAA) acknowledges the important work undertaken by the Royal Commission into Aged Care Quality and Safety and the many individuals who shared their stories. The Commission has exposed extensive and appalling treatment of older Australians in residential care, but we know this abuse is not confined to residential care and is also experienced by older people living at home in the community. A stronger and better aged care system must be urgently implemented to protect older people, and as a society, we must all do better; but it is imperative the government takes the lead.

In principle, EAAA supports some of the key themes underpinning the Commissioners' recommendations (outlined on page 3). However, EAAA believes older people experience distinct human rights violations and have human rights needs which are not currently respected, articulated in public discourse or addressed adequately by existing social, cultural, political and legal institutions, services and processes.

"Elderly Australians are too often overlooked and ignored in our society, which has traditionally had more of a youth-based focus. Yet how to appropriately and respectfully care for our elder population are questions that countries across the globe are facing," states Russell Westacott, Co-chair, EAAA.

"As of 2020, the World Health Organisation noted that people aged 60 and over outnumbered children aged 5 and below, so the imperative is absolutely upon us. And with predictions by the UN of growth only continuing in older populations with one in six people being aged 65 years or over by 2050, we feel it is of utmost importance that the Australian Government positively engages in the ratification of the UN Convention on the Rights of Older Persons".

It is crucial that reforms centre on the language of human rights, not consumer rights. A consumer rights style protection framework is entirely inadequate to prevent the kinds of violations identified by the Commission, including:

- threats to the right to life and bodily integrity/security of person;



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- acts that can be characterised as torture, cruel, inhuman and degrading treatment;
- inadequate standards of living;
- inequality and discrimination;
- restriction of liberty and freedom of movement, freedom of expression and participation in public life;
- prevention of access to health and social protections and services; and
- neglect.

In order to effectively protect older Australians, human rights must underpin aged care reforms and must be fully embraced by the Australian Government. Human rights based aged care legislation should state explicitly that rights are inherent in older people regardless of living arrangements and care settings. This would support aged care provision that is non-discriminatory.

According to Westacott, "Key legislative reforms should absolutely enshrine the process. And while urgent government and legal processes get underway, society can also help shine a light onto this process with media leading the charge by ensuring that the voice of elderly Australians becomes commonplace in public discourse. And they shouldn't only be stories on negativity or sadness, and likewise, focusing only on ones that are outstanding or surprising. To effectively change societal perceptions, a full spectrum of realities and experiences need showcasing.

"We would like to see legislative reforms as a matter of urgency."

The Legislative reforms should look to protect the following rights:

- Equality and protection from discrimination;
- A life free from neglect, violence, abuse, degrading or inhumane treatment;
- Autonomy and independence;
- Cultural rights and self-determination;
- Accessibility, infrastructure and habitat (housing, transport and access);
- Health and access to health services;
- Participation in public life and in decision making processes;
- Social inclusion;
- Family and the need to reflect the family of choice;
- Privacy;
- Social protection and social security (including social protection floors);
- Economic security;
- To work and have access to the labour market;
- Access to justice and the legal system;
- Long term and palliative care;
- Education, training, life-long learning and capacity building; and
- Contribution to sustainable development.

- END -

EAAA supported the following key themes underpinning the Commissioners' recommendations:

- the rights of the individual to high quality, safe and timely support and care, to be enshrined in a new Aged Care Act;
- a needs-based integrated system for people to exercise choice and control in the planning and delivery of their care with individualised funding;
- enhanced advocacy services and complaint mechanisms;
- the principle that people receiving aged care should be equally protected from restrictive practices as other members of the community;
- improved public awareness of the resources available to assist people to plan for ageing, and improved knowledge about aged care among responsible professionals with whom older people have frequent contact;
- designing for diversity, difference, complexity and individuality;
- supports that reduce and prevent social isolation and loneliness among older people;
- supports older people living at home to preserve and restore capacity;
- immediate increasing of Home Care Packages for all people on the waiting list;
- Aboriginal and Torres Strait Islander people receive culturally respectful and safe, high quality services regardless of where they live;
- Improved data sharing between health and aged care systems, development of minimal data sets and attention on funded research to inform policy, evidence-based practice, innovation and the governance of research programs; and
- Improved workforce planning, professional development, remuneration, skills mix and sufficient resources to meet the recommendations.

About Elder Abuse Action Australia

Elder Abuse Action Australia (EAAA) is the national voice for action to eliminate elder abuse through systemic advocacy and policy development, best practice and research, and education and capacity building. EAAA is a specialist organisation with knowledge of issues that impact older people and their families, communities and broader society. Our board represents advocacy groups that are strong advocates on elder abuse in their jurisdictions.

EAAA has a strong commitment to community and consumer engagement. EAAA is the only national organisation providing a specific voice for those affected by elder abuse and those organisations that take a rights-based approach to addressing ageism and ending elder abuse.

Vision

A society that respects and values all older people and is free from elder abuse.

Mission/Purpose

A national voice for action that eliminates elder abuse

EAAA Commitment (Core Values)

- Social justice and the rights of older people
- Respect for difference and inclusion
- Collaboration with services, older people, their supporters and industry stakeholders
- Accountability and integrity
- Evidence based practice and research
- Innovation and forward-thinking

Statement of Principles

EAAA promotes, recognises and advocates for the agency of older people and their rights to live free from abuse. The actions in our Strategic Plan aim to:

- Tackle ageism
- Address discrimination
- Educate, inform and engage older people in their rights
- Ensure older people live lives free from abuse
- Enable the engagement of all older people, especially the most vulnerable, in national discussions and reforms
- Foster the autonomy of older people
- Achieve equitable access and outcomes for older people from diverse communities

EAAA aims are to:

- Develop and promote systemic policy reforms regarding elder abuse to national government, non-government institutions and the business community;
- Raise community awareness and educate the community regarding elder abuse; and
- Communicate, share and co-ordinate information, resources and practice for national consistency and efficiency.