STAND UP SPEAK OUT
27-29 JULY 2026

2026 AUSTRALIAN ELDER ABUSE CONFERENCE

Rights lost and found: Challenging the biases that silence older people

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EAAA, Elder Rights Australia & ARC Justice

EAAA Elder Abuse Action Australia

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ADAAustralia Your Aged and Disability Advocates

Acknowledgement of Traditional Owners

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We would like to acknowledge the traditional owners of the land on which we are meeting today.

We pay our respect to their Elders, past and present and would like to extend that respect to any Aboriginal and Torres Strait Islander People here with us today

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Setting the Scene …

Systemic biases that impact on rights and access to justice for older people experiencing elder abuse

- Ageism
- Vulnerability
- Primacy of Family

Who is Elder Rights Australia?

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ERA Elder Rights Australia
Promoting the human rights of all older people

ERA has been delivering the National Aged Care Advocacy Program (NACAP) in Victoria for over 35 years

We have over 40 advocates living and working in communities across Victoria

We work for older Victorians and represent their perceived interests by ensuring their voice is heard

ERA is a founding member of Older Persons Advocacy Network (OPAN)

Grant's* Story

Grant's* background before entering RACH

- 78-year-old, happily married, living with Parkinsons – managed medically
- Enjoying life with strong independence, social involvement and connection with community
- Family support through wife and children
- Well supported in home through Level 4 Home Care Package

*** Client's name changed to protect confidentiality of all involved**

Grant's* Story

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What changed...

- Incident resulting in family conflict & subsequent hospital admission
- Given ultimatum by family/medical staff
- Agreed with no alternate options provided
- Entered aged care as a permanent resident with no understanding of rights

*** Client's name changed to protect confidentiality of all involved**

Why did you reach out to Elder Rights Australia?

"Because of my family intervention, I was not allowed to go out from the building. I wasn't allowed to have a computer or be on the internet. I was not allowed to contact any of my grandchildren."

ERA Supporting Grant*

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Seeking autonomy – what rights do I have?

- Grant's family central to all decision-making removing autonomy and privacy
- Confidentiality denied by RACH staff, all information shared with family
- Only supervised visits to community allowed by family
- Capacity and right to access independent, confidential support through advocacy

*** Client's name changed to protect confidentiality of all involved**

ERA supporting Grant*

Capacity, rights and achieving autonomy

- Discussing capacity with residential aged care manager
- Exploring rights to access community independently both online and in person
- The role of next of kin, powers of attorney and management in supporting client's wishes
- Accessing his community

*** Client's name changed to protect confidentiality of all involved**

The Trip to Melbourne

"I was taken to a doctor down in Melbourne. I was not told where I was going or anything like that. My daughter, her husband and her carer took me there and I noticed a sign on the door saying Neurologist, Psychiatrist."

ERA Supporting Grant?

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Confirming capacity

- Establishing capacity through formal, independent assessment
- Discussion with doctor to establish fact
- Concerns around previous diagnosis
- Communication with management to re-establish autonomy

What happened when you went to the Bank?

"The first thing I did, I went down to the bank and checked the bank accounts, all the bank accounts that were in my name or with my wife. And I ascertained that the accounts had been stopped and money had been taken out from there. And also, my shares had been cashed."

Referral to ARC Justice

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A further request for help

Who is ARC Justice?

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- We are a community legal centre based in Bendigo & Shepparton, Victoria.
- We serve 13 local government areas across central, northern and north-east Victoria.
- We assist people with family violence, family, housing and civil law issues

What did ARC Justice do?

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Initial concerns:

- Current financial position – unknown
- Attorney's – who and when
- Family communications & actions

What did ARC Justice do?

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Progression of communication with the family:

- Wife engages family lawyer & seeks a property settlement
- Son continues to engage in legal and financial discussions

Trip to the bank and further investigation:

- Revocation of Power of Attorney
- Obtained all bank statements
- Reviewed all bank statements

What did ARC Justice do?

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Steps forward:

- Personal items returned
- Starts to take control of personal finances
- Purchase of a new home as key step towards independent living

Outcome:

- Moving out of residential aged care into his new home
- Finalised settlement of property
- Financial independence
- Understanding of his legal rights

What does Life Look Like Now?

"Now I'm living by myself. I'm able to go out when I want to go out. I am able to access my bank accounts. I am finding it very easy to make friends here and they have helped me tremendously since I've been here. I felt very relieved that I had someone to reach out to and talk to."

Considerations

- Challenging prejudices
- Professional curiosity
- Feeling safe to question
- Dignity of risk
- Rights-based approach

Thank You

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