



Working Together to Tackle Elder Abuse by the Elder Abuse Service, Legal Aid, NSW

Why we need to work together to tackle elder abuse

Forms of Elder Abuse



Financial



Psychological



Physical



Sexual



Neglect

Elder abuse comes in many forms – financial, psychological, physical, sexual and neglect. There are also various factors that can lead to elder abuse – ageism, inheritance impatience, family history of financial support or domestic violence, cohabitation, and the older person's loss of capacity to name just a few.

Factors that can lead to Elder Abuse



Ageism



Inheritance
Impatience



Family history
of financial support
or domestic violence



Cohabitation



Loss of
Capacity

So it should come as no surprise that there may be numerous and diverse ways to address elder abuse and that we need to be flexible in order to make sure that the solution considers the form of abuse, the factors that contributed to the abuse and the concerns of the client.

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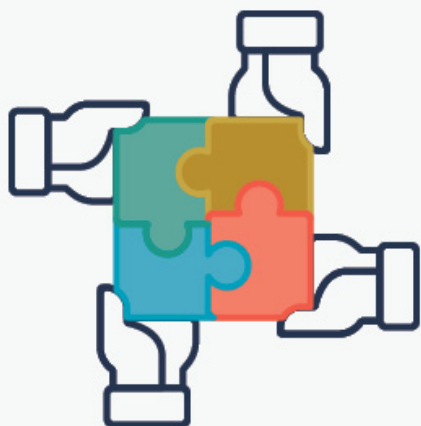
Elder Abuse Service, Central Coast, NSW



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The [Central Coast Elder Abuse Service](#) team uses an interdisciplinary approach which allows for the complexities in elder abuse to be supported and for the client to be at the centre of decision making. Elder abuse is a human rights issue and any intervention needs to balance the tension between promoting a life free from abuse but also acknowledging the older person's right to self-determination.

What is an interdisciplinary team?



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In an interdisciplinary team, the team members work together to determine what the client wants and needs, what the various issues may be and how they affect each other. For example, the client may want the return of their money and to restore their relationship with the son who took their money. The service could start legal proceedings seeking the return of the money, however, the team recognises that doing this may prevent the older person being able to restore the relationship with the son as they wish. Pursuing an outcome for one part of the problem, may hinder the success of another outcome. The team can identify this and advise the client of their various options.

In this way, the interdisciplinary team will plan how the various disciplines who make up the team can come together to help the older person. This is referred to as the client's pathway through the service.

For clear pathways to occur, the team should have shared goals and values, need to understand and respect the competencies of the other team members, be open to learn from the other disciplines and respect their different views and perspectives.

As well as each team member using their knowledge and best practice skills, they must work in collaboration with other team members to provide a solution tailored to address the client's needs and wants.

This service design allows for the knowledge and expertise of the various team members to be shared and directed towards the elder abuse situation in a way that focuses on the client's goals, while taking into consideration complexities of safety, self-determination and issues of capacity.

Legal Aid NSW Elder Abuse Service, Gosford

The Elder Abuse Service at the Gosford office of Legal Aid NSW is one of five Elder Abuse Services across Australia funded by the Commonwealth for three years under the Protecting the Rights of Older Australians Elder Abuse Service Trials.

The team consists of two solicitors and a social worker who provide a collaborative and integrated service consisting of legal remedies and social work interventions.

Legal Remedies



Housing



Guardianship



Powers of Attorney



Family Law
including
domestic and
family violence



Credit
and debt



Capacity
issues

The legal remedies may relate to housing, guardianship, powers of attorney, family law including domestic and family violence, credit and debt, and capacity issues. The social work interventions may include assisting with safety planning, support, case work, counselling and restoring family relationships.

Social Work Interventions



Safety Planning



Support



Casework



Counselling



Restoring
Family
Relationships

The team discusses the case to identify various issues that need to be addressed, what each discipline may offer, the affect various actions may have, what advice will be provided to the client and what support the client will require through the legal process.

In practice this results in outcomes that might not have been achievable with just a legal focus.

Working together

Take the case of one of our clients, Liz.

This 73-year-old grandmother had helped her granddaughter, Lauren, over the years by letting her stay in her home.

Lauren had struggled with mental health and employment issues and did not contribute financially.

Lauren lost her job during COVID and her behaviour deteriorated. Lauren became abusive and Liz was scared of her granddaughter, suffering depression as a result.

Liz was connected to our Elder Abuse Service on the Central Coast. One of the solicitors on the team advised Liz on her legal rights in relation to evicting Lauren from the house. Liz was averse to taking any legal action against her granddaughter, increasingly fearful of Lauren's outbursts.

The social worker on the team helped Liz develop a safety plan to minimise her risk with Lauren still in the house. They also discussed boundaries Liz could start putting in place for acceptable behaviour from Lauren. Liz was also put in contact with a counselling service to help her work through some of the abuse she had experienced, the breakdown of the relationship with her granddaughter and to help deal with her depression.

Our lawyer was then able to draw up a formal cohabitation "contract" that formalised some of the boundaries Liz and the social worker had discussed. Our team supported Liz to have the confidence to stand up for what she wanted. Lauren eventually agreed to leave the house.

“Effective measures to address the elder abuse required a lawyer, a social worker and a mental health professional.”

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In this case, effective measures to address the elder abuse required a lawyer, a social worker and a mental health professional. To provide only a legal response to Liz's problem would have done little to ensure her ongoing safety and would not have addressed the effect the elder abuse had had on her mental health and wellbeing.

Multiple paths of referral

The importance of this approach is illustrated by the way most clients come to the service.

In the main, we get referrals from a range of community and government organisations who work with older people and are trained in identifying elder abuse risk factors.

Although Covid-19 has complicated matters, we have used our first year in operation to get the word out that we exist, set up referral pathways with key stakeholders, develop our own framework, identify systemic issues, and raise awareness of elder abuse with our poster campaign Speak Up and our podcast series Age, Abuse & Justice.

Conclusion

It is important to recognise that approaching the issue of elder abuse from a single perspective or practice model is neither client-centered, nor does it provide a holistic response to the myriad of the client's needs.

The multi-faceted nature of elder abuse lends itself to the need for a multi-skilled task force to address the various issues that present within elder abuse.

The marrying of ideas and perspectives between lawyers and social workers further supports a shift in the paradigm of how we support vulnerable clients with complex needs within a legal setting.

In our first year of operation, we quickly came to value and appreciate the importance of an interdisciplinary approach to effectively assist older persons experiencing abuse.

Other topics you might be interested in that you can find on [Compass.info](https://compass.info)



[Financial elder abuse and the importance of enduring documents by The Hon Dr Kay Patterson AO](#)



[Creating your financial support team](#)