

NEWS

As elder abuse increases, can you trust your kids?



Trinette Stevens | 27th Feb 2017 6:00 AM



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HIDDEN ISSUE: Kirsty Mackie, Current Chair of the Queensland Law Society Elder Law

IMAGINE reaching your golden years and welcoming a visit from your most beloved family members.

Now imagine them cutting off the oxygen supply to your breathing tube, refusing to stop until you had relinquished both your keycard and your pin number.

This is a real story, as told by Chair of the Queensland Law Society Elder Law, Kirsty Mackie, about the horrible reality of elder abuse.

Newly released figures show a 19% increase in reported cases of people aged over 65 seeking legal support over the issue.

The figures, which were compiled over a five-year period, show older people reaching out to community legal centres for a range of reasons including financial abuse, psychological abuse, neglect and physical abuse.

But Ms Mackie says Central Queensland is a "black hole" on the radar.

"In particular there is a fairly big black hole between Brisbane and Hervey Bay, and Hervey Bay to Townsville," she said.

"When I worked with the seniors' service in Brisbane I would get a lot of telephone inquiries, there was a really big struggle in trying to service the people up in Central Queensland.

"The concern we have raised in submissions to the government is that the Bundaberg and Rockhampton areas have a very high population of over 65s, and these issues just can't be sorted out over the phone."

Elder abuse holds similarities with domestic violence, but there are a few key differences.

DV perpetrators are almost always male, and offend for the purpose of control.

But those committing acts against the elderly are usually the victim's own daughters and sons, and almost always for their own financial gain.

"There are three types of financial abuse. Selling assets and moving in, misuse of powers of attorney, and the third, which is more prevalent in regional areas, is pension theft," Ms Mackie said.

"You can go to the Centrelink website and you nominate someone, and there are no requirements or checks, so there is a real abuse of people taking a carer's pension and then they become the nominee and siphon that money into their own account.

Ranging from the under or over-medication of the elderly in order to seek hospitalisation and power of attorney, to the mortgaging of assets, the stories are as shocking as they are varied.

Even to Ms Mackie.

"These are the ones that stick with you," she said.

"One of the worst I have come across is a client in hospital having cancer treatment, and a family member took her to the bank while highly medicated.

"She signed a transfer for half the value of her house to this family member, who then refinanced the house for the full value.

"By the time I spoke to her the mortgage was \$30,000 more than the value of the house that she had paid off in 1975. The family member had just taken off. The length that people will go to to access funds on their elderly relatives, unfortunately, keeps surprising me."

But those reporting elder abuse remain in the minority, with many afraid to lose the relationship with their loved ones.

"This is probably where DV was 25 years ago, all behind closed doors and not talked about," she said.

"I have a lot of clients that come to me and they just want me to hear their story and be validated, but when I give them advice on what to do, they don't want to do it.

"The consequence of acting on it is destroying their relationship with their child. That's the end of it. It is a quick decision no one wants to make.

"But if I could say one thing it is to speak up. We need to get this out from behind closed doors."

Community Legal Centres Queensland are calling for new laws to protect older Queenslanders against elder abuse, including implementing the recommendations from the Queensland Law Reform Commission's Review of Guardianship Laws and the criminal codes relating to this issue.

It is also calling on the State Government to better fund seniors legal services.

Anyone with these issues or if you wish to help someone struggling, call the Elders Abuse Prevention Unit on 1300 651 192.

If you are in immediate or personal physical danger call 000.

The Bulletin