

Areas of opportunity

Area 2

Increasing Responses



MEDIATION

Mediation is an approach that can support people to have important conversations about their needs and wants.

Mediators with specialist skills and knowledge can assist older people, their families and significant others with difficult conversations, to make plans and to reach mutually agreed outcomes to disagreements – outcomes that work for the older person, respect their rights and enhance their safety.

In some cases, mediation may assist families to resolve issues early on, while still maintaining the relationships of the people involved, and preventing further abuse occurring in the longer term.

ELDER ABUSE – A NATIONAL LEGAL RESPONSE

Australian Law Reform Commission Inquiry into Elder Abuse Final Report

The Australian Law Reform Commission was asked to consider Commonwealth laws and legal frameworks and how they might better protect older persons from misuse or abuse, and safeguard their autonomy.

The Report includes 43 recommendations for law reform.

The overall effect will be to safeguard older people from abuse and support their choices and wishes through:

- improved responses to elder abuse in residential aged care;
- enhanced employment screening of care workers;
- greater scrutiny regarding the use of restrictive practices in aged care;
- building trust and confidence in enduring documents as important advanced planning tools;
- protecting older people when 'assets for care' arrangements go wrong;
- banks and financial institutions protecting vulnerable customers from abuse;
- better succession planning across the self-managed superannuation sector;
- adult safeguarding regimes protecting and supporting at-risk adults.

- The Australian Law Reform Commission Inquiry into Elder Abuse Final Report was released on 15 June 2017 – World Elder Abuse Awareness Day.
- It sets out a long-term approach to addressing elder abuse prevention and response.
- The Report attempts to balance two framing principles: dignity and autonomy on the one hand, with protection and safeguarding on the other and recognises these are not mutually inconsistent.
- The majority of the recommendations fall under the portfolio responsibility of the Commonwealth Government or the South Australian Attorney-General, with implications for a number of other State Government departments.
- Office for the Ageing, SA Health and the South Australian Attorney-General's Department are working with the Commonwealth Government on a cross-jurisdictional working group to consider the report's recommendations.

Read the full Report:

www.alrc.gov.au/publications/elder-abuse-report