

Case studies

Meet Bill

Bill is 86 years old and a grandfather of two. When Bill's wife passed away he became forgetful, a little disorientated, confused and depressed. Bill didn't really want to move away from his friends but his daughter, Sally persuaded him to sell his house, transfer the money into her and her husband's account and move in with the family. Sally said they could both benefit from this course of action. Bill sold his house and transferred \$250,000 in exchange for his care. There was no formal record of the arrangement. Sally also held Enduring Power of Attorney for Bill. Everything was fine until Sally used the money to take her family on holidays, leaving Bill home alone, unable to buy his diabetes medication or go to the shops. Sally began verbally berating Bill and refused to give him back the money when he asked for it, claiming it was a gift and kicked Bill out of the house, leaving him homeless.

Bill's story adapted from Senior Rights, Victoria and available from <http://www.sbs.com.au/news/article/2014/09/03/elder-abuse-victims-fear-family-backlash>

Note: the answers listed here are a guide only. Other options or actions may be appropriate.

Types of abuse: indicators

- Financial – Bill sold his house and Sally used all the money.
- Neglect – Bill was unable to buy his diabetes medication, go to the shops and was left homeless.
- Psychological – Sally verbally berated Bill.

Social issues and responses

- Support Bill in finding alternative accommodation such as accessing social housing and a community support worker. Also consider short-term respite until a plan is in place.
- Ask Bill whether he wants to attend counselling and repair his relationship with his daughter and consider referrals to the Community Justice Centre or Relationships Australia for mediation.

Health issues and responses

- Bill has depression/confusion and may need an assessment via the Aged Care Assessment Team and/or Specialist Mental Health Services for Older People.
- Support Bill in accessing specialist medical help via referrals that can be made at a visit to his GP.
- Diabetes management.

Legal/financial issues and responses

- Bill has the right to legal help to try to recover his money. Referrals for Bill to the Seniors Rights Service or another community legal service could be made.
- Arrange for Bill to speak to a social worker and financial management service at Centrelink.

- Support Bill in revoking the Power of Attorney if he has the cognitive/mental capacity to do so.
- An application to the NSW Civil & Administrative Tribunal (NCAT) may be necessary for a Public Guardian to be appointed and to review Sally's Enduring Power of Attorney.

Contact the NSW Elder Abuse Helpline & Resource Unit for further information and support.

Meet Shirley

Shirley is 79 years old and lives in social housing. Shirley has mobility problems and emphysema. Shirley relies on oxygen and finds cooking and household chores difficult. Shirley's son, Allan moved in when his marriage failed five years ago. Allan doesn't work and is on a carer's payment. Allan has a mental health problem (Bipolar I), is non-compliant with medication and has developed a gambling habit. Shirley relies on Allan for most things. Allan has Power of Attorney and is signatory to her account. Shirley has cancelled Meals on Wheels and help with her personal care because she cannot pay the accounts. Shirley doesn't ask where the money has gone because Allan gets angry.

Note: the answers listed here are a guide only. Other options or actions may be appropriate.

Types of abuse: indicators

- Financial – Shirley doesn't ask where the money has gone and is unable to pay for necessary services.
- Psychological – Allan gets angry and Shirley is fearful.

Social issues and responses

- Consider a review meeting with Shirley to discuss her cancellation of services and concerns about abuse. Check if Shirley is comfortable with Allan living at home. Discuss with Shirley the steps in the Legal Aid fact sheet: 'Adult children living at home: what to do if you want them to leave?'
- Explore what Shirley means by Allan getting angry. Provide information on safety planning for Shirley.
- Explain Shirley's right to ask Allan where her money has gone and determine what she wants to do about her situation.
- Ask Shirley if she would like a volunteer to take her shopping and help her with the banking.
- Would counselling for Allan be helpful?

Health issues and responses

- Support Shirley to see her GP. Explore options for some respite for Shirley outside of the home so she can be medically assessed.
- Consider Allan's needs in relation to his mental health and make some suggestions.

Legal/financial issues and responses

- Suggest to Shirley that she cancel/revoke the Power of Attorney if she is being financially abused. Shirley could seek support from a legal service.
- Suggest Shirley consider paying her bills using Centrelink's Centrepay service.
- Suggest Shirley monitor her bank balance via bank statements. The bank manager could be informed of potential financial abuse and put some safeguards in place for Shirley.
- Consider your duty of care to report physical abuse if it has occurred to NSW Police and/or explain to Shirley about gaining an Apprehended Domestic Violence Order for personal protection.

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Meet Olivia

Olivia is 86 years old and has dementia. Two years ago, Olivia moved in with her son, Tommy, his wife, Sarah and their two children. Olivia speaks English well but it is her second language and at times she reverts to Italian. Tommy has Enduring Guardianship and Enduring Power of Attorney. Sarah is in receipt of the carer's payment and in the past Tommy has been reluctant to accept aged-care community services for his mother so support is minimal. Over time, Olivia, has told workers that Sarah screams at her and Olivia keeps pointing to her head saying there is a lump. Olivia's clothes are dirty and Olivia appears to be losing weight. The house is very untidy with bills piled on the table. Sarah tells workers she is coping well, although Olivia had been admitted to hospital a couple of times for falls.

Note: the answers listed here are a guide only. Other options or actions may be appropriate.

Types of abuse: indicators

- Psychological – Sarah screams at Olivia.
- Physical – Olivia indicates she has a lump on her head and has been admitted to hospital for falls.
- Neglect – Olivia is losing weight, her clothes are dirty, bills are piled on the table and Sarah's past reluctance to accept services.

Social issues and responses

- Arrange a meeting with Olivia to ask her questions about her situation at home and if she is comfortable with her living arrangements.
- Arrange a service review and involve Olivia's family. Explain your concerns to them about what can constitute abuse and discuss any additional support services such as dementia care, day respite, and personal care.
- Inform Sarah and her family of support offered by Carers NSW as well as financial support services.

Health issues and responses

- Review files from aged-care service provider and the hospital to see if there have

been prior concerns about Olivia and speak to the hospital social worker, if appropriate.

- Arrange for Olivia's GP to go through the Elder Abuse Suspicion Index questions. Also arrange for a full physical assessment of Olivia, as well as a capacity assessment.
- A referral for a new Aged Care Assessment may be needed as well as some temporary respite outside of the home.
- After the assessments, discuss the future accommodation options for Olivia and convene a case conference.

Legal/justice issues and responses

- If physical abuse is evident, report to NSW Police.
- An application to the NSW Civil & Administrative Tribunal (NCAT) may be necessary to have Guardianship and Powers of Attorney reviewed.

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