

Elder Abuse and Coercive Control in Australia



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Acknowledgement of Country

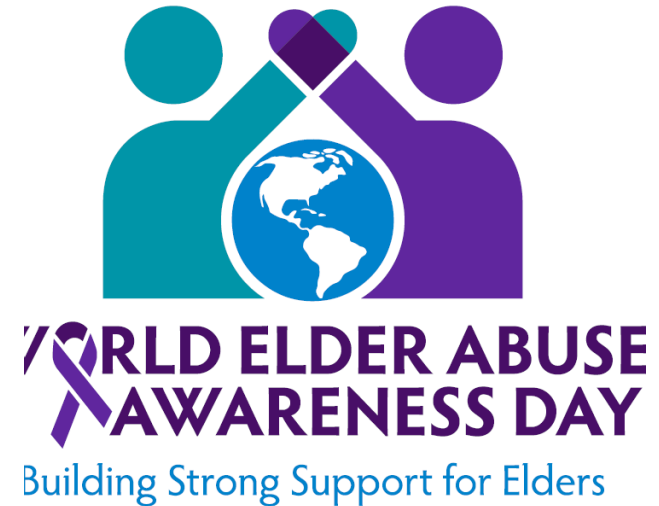
We acknowledge the Traditional Custodians of the lands and waters on which we are speaking from today. For HopgoodGanim, that is the Turrbal and Jagera people, and for Townsville Community Law, that is the Gurambilburra Wulgurukaba, Bindal, Nywaigi, and Gugu-Badhun people. We pay our respects to their Elders, past, present and emerging, and extend that respect to any First Nations people joining with us today

Image credit: Yaegl visual artist, Frances Belle Parker, 'Wilaarrawa Dugulaarra' (Growing Together).



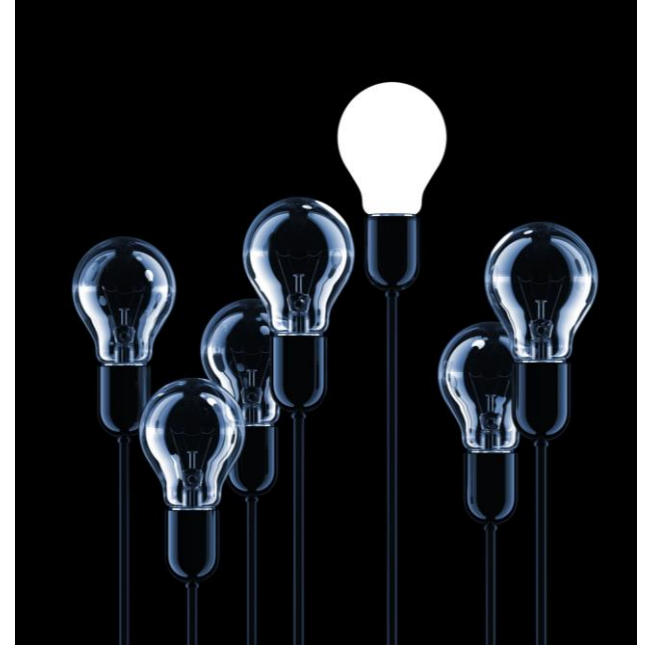
Purpose of this presentation

- Awareness raising & education.
- More specifically:
 - Examine where elder abuse sits within broader recent discussions in Australia about coercive control law and policy reform - [HG Special Report: Elder Abuse & Coercive Control Reforms](#)
 - Encourage key stakeholders to include elder abuse in these important reforms
 - Provide case examples to demonstrate how to identify elder abuse in practice



Why does this matter?

- **High prevalence & set to increase:** Almost 600,000 Australians were affected by elder abuse in the twelve months leading to July 2021. As our population ages, we can expect elder abuse to increase ([National Elder Abuse Prevalence Study: Final Report July 2021](#) see also [Joint Issues Paper, Feb 2022](#) and [2020-2022 NSW Ageing & Disability Commission Data Report](#) June 2023)
- **Nature of the abuse and abuser:** most commonly psychological abuse committed by adult children.
- **Serious, yet reluctance to report:** Most people who experience abuse described it as serious, however have a reluctance to report.
- **Lack of awareness:** Some adults with impaired decision-making capacity may not be aware the elder abuse they are experiencing is wrong.
- **Lack of perpetrator accountability:** Often no repercussions or consequences for perpetrators.



What is coercive control

Coercive control is a pattern of behaviour that typically results in perpetrators controlling the victims' daily activities, restricting their financial means and isolating them from family and friends. Coercive control is a dangerous form of domestic and family violence used to instill fear in victims. Fundamentally it is about **power and control** and perpetrators use tactics such as isolating a person from their friends and family, tracking their movements, controlling access to money, where a person goes and even what they wear. ([QLD Government response to Hear Her Voice - Report One](#))

What is elder abuse

Elder abuse is defined as a single or repeated act or failure to act, including threats that result in harm or distress to an older person. These occur where there is an expectation of trust and/or where there is a **power imbalance** between the party responsible and the older person. ([National Elder Abuse Prevalence Study: Final Report July 2021](#))

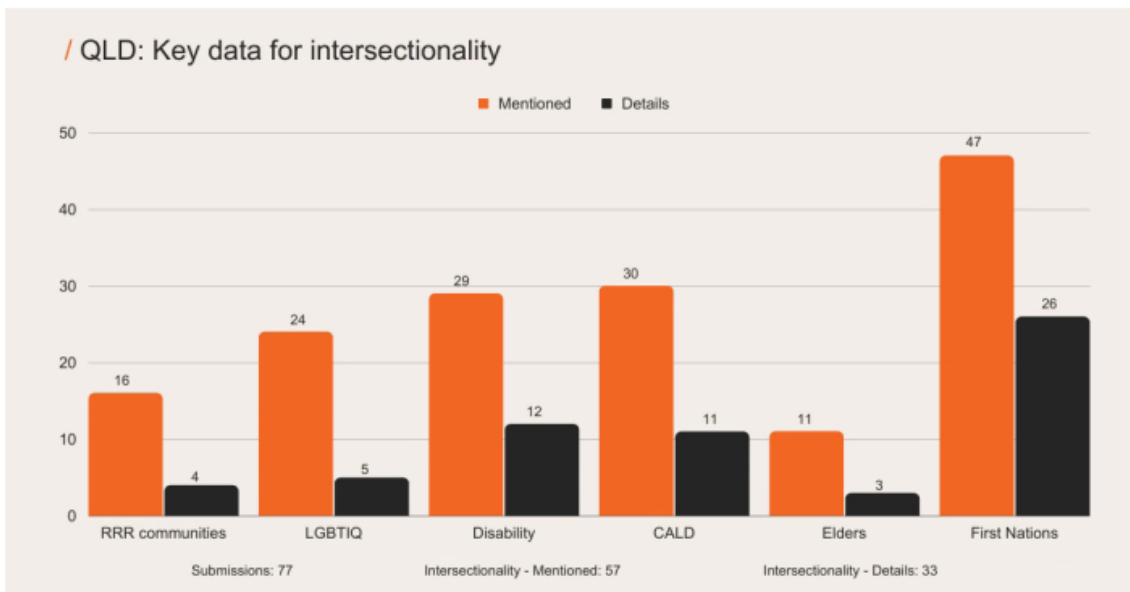
Coercive control reform across Australia

HopgoodGanim's Coercive control reform tracker: Australia 2023

Google search results for "coercive control australia".

Search results include:

- Advance Diversity Services: Coercive control brochures aim to ...
- White Ribbon Australia: 70% OF AUSTRALIANS BELIEVE COERCIVE CONTROL SHOULD BE A CRIMINAL OFFENCE.
- Are Media: latest Activist Agenda...
- Facebook: Coercive control is ab...
- Change.org: Petition - Criminalise Coercive Control ...
- ABC: criminalise coercive control ...
- Facebook: Relationships Australia Qld ...
- White Ribbon Australia: Criminalising Coercive Co...
- One in Three Campaign: criminalised in South ...
- Australian Psychol...: The invisible cage | A...
- Parliament of Victoria: Coercive control gains greater ...
- Marie Claire Australia: Coercive control campaign | Marie ...
- Domestic Violence: Domestic Violence
- Coercive Control Warning Signs
 - Isolating you from your support system
 - Monitoring your activity throughout the day
 - Denying you freedom and autonomy
 - Gaslighting
 - Name-calling and putting you down
 - Limiting your access to money
 - Reinforcing traditional gender roles
 - Turning your kids against you
 - Controlling aspects of your health and body
 - Repeating your sexual relationship
 - Humiliating your children or pets
- One Woman Project: Why criminalising coercive control in ...
- SheSociety: New QLD Polling Data sho...
- Home - Greens NSW Coercive Control Bill
- Law Society Journal: Criminalising coercion - Law Society ...



Graph 1: Shows the number of submissions in Queensland out of a total 77 that mention or provide detail about the relevant marginalised group and intersectionality generally

What about older people?

Case Study 1 - Paula

Paula is a woman in her 70s. She is on an Aged Pension, she owns her home, and her husband passed away approximately 20 years ago. Paula's son, Mark, in his 50s, also lives in the house. Mark is unemployed and receives Jobseeker. Mark moved back in with Paula about 3 years ago, having been evicted from his rental a few hours out of Townsville for disruptive behaviour. Paula offered for Mark to stay with her, as he has done on and off for most of his adult life. Mark has struggled in his life and Paula, feeling a sense of guilt as his mother, felt that she had to support her son to get him on his feet again.

After a few months, Paula noticed that Mark seemed angrier than he once was – he's always had a bit of a temper and he's upset her many times before, but he would explode at the smallest of things. Mark refused to contribute to the cost of food, electricity or internet even though he had agreed to do so. When Paula reminded him that he had to contribute, Mark yelled at her and said, "you got a big profit from dad dying and I got nothing, you pay for it". Mark began drinking daily and spending his time watching TV or playing video games. Mark started refusing to shower, refusing to do his laundry and on some occasions, he refused to use the toilet.

Case Study 1 – Paula

Over time, Mark's aggression continued and evolved:

- Regular yelling, name-calling and put-downs;
- Telling Paula that he wished she'd "hurry up and die";
- Waking Paula in the middle of the night;
- Breaking Paula's bedroom door so she could not seek refuge;
- Continued refusal to contribute to household expenses;
- Guilt-tripping and gaslighting.

Case Study 1 - Paula

- Reporting to police
- Seeking Court Intervention – Ouster Order
- Safety planning, safety upgrades and enforcement of DVO.

Case Study 2 - Kenneth

Kenneth is a single man in his mid 80s living in a small North Queensland beach community between Townsville and Cairns. His declining health led him to take on a boarder to help share household tasks such as cooking, cleaning, shopping and yard work in exchange for rent and utilities. The advertisement was clear that the position was an informal care position but that no 'personal care' was needed. It also made clear that the arrangement included the use of 1 Bedroom and shared living areas and equal contributions were expected for food and general living expenses such as toiletries, cleaning agents etc.

Gary came recommended by associates of Kenneth's and moved in shortly after Christmas. He was mid 40s and needed a place to stay having recently moved north from a central Queensland town. Gary started out helpful and caring to Kenneth, but he became spiteful, aggressive and threatening. Gary ceased doing any work around the house or contributing to food and other shared living expenses.

Case Study 2 – Kenneth

Over time Gary's aggression and conduct escalated:

- Within 1 month, Gary was hoarding – attracting vermin
- Within 2 months, Gary had begun making threats of violence, name-calling and verbal abuse
- 3-4 months in, police had been called however no action was taken, with police viewing Kenneth as a landlord
- Kenneth's health declined further and he began to suffer anxiety
- Kenneth began locking himself in his room, or leaving the house for long periods

Case Study 2 - Kenneth

- Police inaction, refusal to acknowledge relevant relationship
- Remoteness from QPS, Courts and supports, including family
- Waiting on home care package which increased social isolation

Case Studies

- Jess is in her mid-80's and divorced. Jess's adult daughter returned to reside with her. Out of concern for her daughter, who Jess believes has mental health issues, Jess transferred her home and an investment unit into their names as tenants in common.
- The daughter became increasingly aggressive towards Jess. Initially the abuse was verbal and emotional-name-calling and manipulation. But it escalated to a physical attack that left Jess covered in bruises and in fear of losing her life.
- It was after this that Jess sought legal intervention. An ouster order was made, and eventually, after months of delaying tactics on the part of the daughter, a Final 5 year no contact DV order was made. Now the problem for Jess is that she can't sell her properties to raise money for aged care.

Case Studies

- Henry was in his early 70's. His daughters noticed memory problems and changes in his behaviour. A woman, who he had an on/ off relationship, started to interfere in the daughters' ability to contact him.
- His mobile phone number changed, his contacts were wiped from his phone, notes were put up around the house telling him not to let in family members.
- After 6 months, this woman married him and became his Enduring Attorney. Neighbours reported hearing the woman yelling at Henry. One neighbour (too afraid to speak up later) told them she'd seen the woman shoving Henry.
- Eventually QCAT, on the basis that elder abuse was occurring, appointed the OPG and the PTQ. But the marriage continued and the isolation from family continued right up to Henry's death.

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