

SELECT COMMITTEE INTO ELDER ABUSE

INQUIRY INTO ELDER ABUSE



**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
MONDAY, 9 APRIL 2018**

Members

**Hon Nick Goiran, MLC (Chair)
Hon Alison Xamon, MLC (Deputy Chair)
Hon Matthew Swinbourn, MLC
Hon Tjorn Sibma, MLC**

Hearing commenced at 9.53 am

Mr GRAHAME SEARLE

Director General, Department of Communities, sworn and examined:

Mr SCOTT HOLLINGWORTH

Assistant Director General, Department of Communities, sworn and examined:

The CHAIRMAN: On behalf of the committee, I would like to welcome you to the meeting. Before we begin, I must ask you to take either the oath or affirmation.

[Witnesses took the oath or affirmation.]

The CHAIRMAN: Thank you. You will have signed a document entitled "Information for Witnesses". Have you read and understood that document?

The WITNESSES: Yes.

The CHAIRMAN: These proceedings are being recorded by Hansard. A transcript of your evidence will be provided to you. To assist the committee and Hansard, please quote the full title of any document you refer to during the course of this hearing for the record. Please be aware of the microphones and try to talk into them, ensuring that you do not cover them with papers or make noise near them.

I remind you that your transcript will become a matter for the public record. If, for some reason, you wish to make a confidential statement during today's proceedings, you should request that the evidence be taken in closed session. If the committee grants your request, any public or media in attendance will be excluded from the hearing. Please note that until such time as the transcript of your public evidence is finalised, it should not be made public. I advise you that publication or disclosure of the uncorrected transcript of evidence may constitute a contempt of Parliament, and may mean that the material published or disclosed is not subject to parliamentary privilege.

Before we proceed with the questions we have for you this morning, would you like to make an opening statement?

Mr SEARLE: Yes, please. Elder abuse is a deeply personal complex issue. Frequently, the perpetration of the abuse is by family members and close friends trusted by the person experiencing the abuse. When adult children abuse their parents, feelings of parental love and responsibility, and concern over their potential failure as parents that this should happen and come to pass, is a real limitation on older people reporting on elder abuse. We are very encouraged by the Australian Law Reform Commission's report in terms of providing more publicity and more awareness within the community, and I think this select committee has the opportunity to do exactly the same. It is an issue we think is particularly under-reported. It is good to see that the commonwealth has started to lead in terms of preparing a national plan, with an announcement by the commonwealth Attorney-General. One of the working parties that has been set up under that proposal from the Attorney-General is actually co-chaired by Scott, so we are deeply involved in the work that is happening with the commonwealth in this space. The plan is for that committee to report by December, so hopefully by the end of the year there will be a national plan in this space. We have worked for a long time, both in our former guises and now as the Department of Communities, to try to raise awareness about elder abuse, and there is a number of services that we fund to try to progress those issues.

“Age-friendly” has become an issue that has become very appropriate for our department going forward as the Department of Communities. The whole idea of inclusive communities of a range of people is becoming increasingly important, whether it is young people, seniors, CALD groups, women or those with disabilities. There is a whole range of groups our community has to be more thoughtful of in terms of both the physical design of our communities and the way they work, and this is something that the new department is taking very seriously in terms of the path forward.

The CHAIRMAN: It has been the practice of the committee during these public hearings to work our way through each of the terms of reference, so we propose to do the same thing this morning. Having said that, I acknowledge that the Department of Communities has made a submission for the committee’s consideration dated 14 November 2017, which is publicly available and in which the department has helpfully commented on each of the terms of reference. The first four terms of reference deal with the committee determining an appropriate definition of elder abuse, identifying its prevalence and identifying the forms of elder abuse and identifying the risk factors. It is not the intention of the committee to spend too much time with you on that this morning because your submission does usefully deal with that, but I wanted to give you the opportunity to make any comment on those four terms of reference should you wish to this morning.

Mr SEARLE: I might deal with the first one, which is the definition. Although I am a career bureaucrat, arguing about definitions of things seems to me to be a fairly futile exercise, because we are talking about impact here. The World Health Organization definition seems to me to be perfectly appropriate for 99.9 per cent of cases, so my view would be that we should just adopt the existing definition rather than try to wordsmith to account for some outliers that might concern some people.

The CHAIRMAN: Sure, and the committee acknowledges that APEA has recently put out its latest protocol and, of course, the department is a member of APEA and the definition now reflects that of the World Health Organization, whereas it did not previously, so, yes, that is acknowledged. If there are no questions about the first four terms of reference, I am going to move to term of reference (e), which is to assess and review the legislative and policy frameworks. The first question the committee has for you this morning is: can you explain the role that the department plays, if any, in formulating policy or proactively responding to elder abuse in our state?

[10.00 am]

Mr SEARLE: With the creation of the Department of Communities in the middle of last year, the department has policy responsibility for seniors and as such elder abuse falls into that bailiwick. We recognise there is some work occurring already on a whole range of levels, but we do not believe anywhere near enough in terms of where we need to get to. It is an issue that we think, like a number of others in our community, is significantly under-reported and trying to get a handle on it is very difficult. We already fund a number of services in this space, but we are hoping in conjunction with the work that is happening at a commonwealth level with the national plan we will have something that can be integrated and we can adopt as a framework going forward that will cover most of the issues involved.

Hon ALISON XAMON: Do you have any FTE that are dedicated to addressing the issue of elder abuse specifically?

Mr SEARLE: Yes.

Hon ALISON XAMON: How many and what are those positions?

Mr HOLLINGWORTH: We have about two people who are working on elder abuse, but that is not their full duty. They also work on seniors issues as well.

Hon ALISON XAMON: So there are two people, but is that two FTE?

Mr HOLLINGWORTH: No, it would not be two FTE; there is a portion of that. But the amount of effort that we put increases and decreases over time, so is not a constant proportion all of the time. In other words we have a group in our policy area, it is called strategies, research and initiative, and there are about 35 people. That group of people is used to attend to a range of portfolio matters and so the effort can be increased or decreased over time. We have two people who are particularly focused on elder abuse along with seniors, and we can increase the pool of people working on it or decrease it over time depending on the workload and the importance of the issues we are dealing with.

Hon ALISON XAMON: Particularly with the national focus now coming into play, is this an area that is receiving increased attention by the Department of Communities?

Mr HOLLINGWORTH: Yes, is the answer to the question, and as a case in point, I am co-chair of the national group looking at the strategy, so that of itself means there has been an increase, because I am very much focused on a whole range of issues coming out of that work as well.

The CHAIRMAN: Further to that then, Mr Hollingworth, you are the co-chair of that committee, and I think I heard during the opening statement that is due to report in December this year?

Mr HOLLINGWORTH: Yes, the time frame we are working to at the moment is that the commonwealth is working on that we will put out probably somewhere about late April and that will be out for public consultation. We are formulating what that consultation will look like across Australia. The intention is that then there will be a draft ready to go to the Council of Attorneys-General in November, leading then hopefully to ratification by state cabinets, if that is where they wish to take it, probably in December this year.

The CHAIRMAN: Okay, so there will be a discussion paper out in April, some form of consultation and then a draft report?

Mr HOLLINGWORTH: A draft strategy, a plan.

The CHAIRMAN: A draft strategy, yes, okay. What month will that be, sorry?

Mr HOLLINGWORTH: The draft will be in October.

The CHAIRMAN: Then publicly available for December?

Mr HOLLINGWORTH: Yes.

Hon TJORN SIBMA: Mr Hollingworth, with respect to the two people within your policy division who are tasked with looking at elder abuse issues, is it a fair conceptualisation to say that those two people are basically assisting your participation in the national plan, or are there other state-directed activities that they are engaged in as well?

Mr HOLLINGWORTH: Yes. There has been other state-directed work to be done as well. For example, you have mentioned already, APEA. There is work that comes out of APEA that we attend to. There is a whole range of other things that we do but, picking up the director general's comments, I think it would be reasonable to say that now we are the lead agency, which before we were not, we probably need to step up a bit more than we have and we need to take a leadership role, which in the past, frankly, we did not have. It was more of a diffused responsibility for acting in relation to elder abuse among the various member constituents of the association for the prevention of elder abuse. Now that we have the pre-eminent, if you like, leading role, we do have to increase our efforts in that area. Certainly, the work that we are doing currently with the commonwealth government is an example of that, but that needs to continue into the future.

The CHAIRMAN: When you say that you are now the pre-eminent body statewide to deal with this, is that because of the amalgamation of the department?

Mr HOLLINGWORTH: In part, but it was also a specific election commitment of the current government that there would be a single department that would be appointed. It has been decided that that is us.

The CHAIRMAN: Who was dealing with elder abuse policy previously?

Mr HOLLINGWORTH: All the members of the association for the prevention of elder abuse—the health department, ourselves—all the members that are on that particular group.

Hon ALISON XAMON: But there was no lead agency then?

Mr HOLLINGWORTH: No, there was not a lead agency. You would know this from hearing from Diedre Timms, but she is the chairperson of that particular group and has responsibility for driving that—Greg Mahney, of course, before her term of appointment. It was diffuse, which I am assuming would have led to the election commitment in relation to appointing a lead agency so there was a particular area of focus that would look at how all this integrates.

Hon ALISON XAMON: Can I just unpick this a little bit more. Obviously, we have heard from Advocare and the Northern Suburbs Community Legal Centre who, I think on a shoestring budget, are providing some pretty extraordinary services. I am interested, though, in the way that the overall government response to elder abuse is being formulated. As I understand it, APEA effectively recommends to government; is that correct? If you could just correct me if I have got that one wrong—I am not sure that I see that they can direct the way that priority is given within an overall government response.

Mr HOLLINGWORTH: Yes, it does not direct. The terms of reference for that group talk about consensus decision-making. The senior members that go along—they are senior members on the whole—discuss and strategise, if you like. Then it is their responsibility to go back to their individual departments and take action that accords with the decisions that have been made at APEA.

The CHAIRMAN: Who represents the Department of Communities on APEA?

Mr HOLLINGWORTH: Vanessa Harvey; she is the director of strategy, research and initiatives.

The CHAIRMAN: She was not available to attend this morning?

Mr HOLLINGWORTH: No.

The CHAIRMAN: The committee has information that in New South Wales the Department of Family and Community Services has an interagency policy on preventing and responding to elder abuse. Is there a similar policy in place WA?

Mr HOLLINGWORTH: No.

The CHAIRMAN: Are there intentions to have a policy along those lines?

Mr HOLLINGWORTH: As far as I know, Mr Chairman, that matter has not been discussed, but I think it would be reasonable to conclude, given our leadership responsibility now, that that is something we would need to turn our attention to, so yes.

Hon ALISON XAMON: Would you envisage that it would be Communities that would be taking the lead in terms of progressing such a strategy?

Mr HOLLINGWORTH: Yes, but we would need to do that in consultation and in conjunction with APEA. That would be a good mechanism, in fact, to help produce such a document.

Hon ALISON XAMON: Yes, I agree. I suppose, though, seeing government agencies proactively taking a lead in this area also sends a clear message about how seriously the government is going to take this. I am also aware that we are operating within a constrained fiscal environment at the moment, yet we have had evidence tendered about increased rates of, particularly, reporting around elder abuse and concern around the prevalence of elder abuse. Again, I point to the work being done by Advocare and, particularly, OPRS and how difficult that task is without the additional funding coming its way. I suppose I am trying to get an indication of how much of an increased priority this may or may not be for Communities—apart from contributing to what is happening federally.

Mr SEARLE: It is, in fact, Communities who fund the two services you refer to. We do fund them currently. My understanding is that APEA's funding comes from the health department via their HACC funding. The nature of the HACC funding is about to change so one of the issues we are currently debating is how should that group be funded and what should its brief be in a post-HACC world in terms of how it is funded and how it actually operates.

Hon ALISON XAMON: Is there a concern that that funding might actually cease?

Mr SEARLE: Yes, there is a concern. One of the options we were discussing as the Department of Communities is that this is something we are going to have to adjust our budget to include budget coverage for.

Hon ALISON XAMON: Can I get an idea of how much money we are talking about?

Mr HOLLINGWORTH: This is the money that comes from HACC to fund the work of —

Hon ALISON XAMON: Yes.

Mr HOLLINGWORTH: I do not know the answer to that question; I am sorry.

[10.10 am]

Hon ALISON XAMON: Okay. Are we able to get that on notice so we have an idea of the sorts of figures we are talking about?

The CHAIRMAN: That will be the first matter taken on notice. Speaking of funding, obviously the Department of Communities does provide funding for the moment to agencies in Western Australia to deal with older people. Who are these agencies and how much funding is given to them?

Mr HOLLINGWORTH: We fund a whole range of different services. Even things we do not fund are still of relevance. For example, it might not be apparent immediately, but things like the Seniors Card actually do help—the discounts and the activities that are under the Seniors Card do help in this because one of the big issues for people suffering from elder abuse, of course, is social isolation and the capacity to move around. The Seniors Card provides free transport to seniors to be able to move around and, in addition to that, the capacity to attend a whole range of different activities or coffee shops and things like that. The Seniors Card is an example of a social participation program, which is actually very helpful. There are over 400 000 members of that particular card over 60 years of age. That is important to remember. We also fund a range of other services too. The director general has already spoken about the funding we provide to the Older People's Rights Service and also to the elder abuse helpline, which is run by Advocare. We also, of course, funded, as the director general has said, the protocol that you have referred to today. That funding also includes some money for awareness raising about the protocol as well. We have a program called "Seniors", which is about half a million dollars a year, which goes into a range of seniors programs around the state as well. That is about to be re-tendered and we are currently considering how we will best spend that money going into the future. In addition, we do not always have allocated money for some

things either. For example, issues to do with awareness raising do not have a particular budget allocated to them. We absorb that in the normal operations of the department. In the past, for example, we have had posters and different things that we put out to doctors' surgeries, seniors' centres, all those sorts of things, which we are going to restart just now, which we do not have an allocation for but we will nonetheless absorb into the role of the department.

The CHAIRMAN: You spoke about the hotline. Is it currently expected that the department-funded hotline will continue after 31 December this year?

Mr HOLLINGWORTH: Yes.

The CHAIRMAN: That is good news. The funding to the Northern Suburbs Community Legal Centre to deliver the older people's rights service—how much is that funding?

Mr HOLLINGWORTH: I am not sure off the top of my head, but I am sure it is in my notes. I will find that for you and I will be able to give you the answer.

The CHAIRMAN: Okay.

Hon ALISON XAMON: As part of that, I would be interested to know, in terms of the forward estimates, what sort of money has been allocated to that service as well.

Mr HOLLINGWORTH: The Older People's Rights Service is receiving \$250 000 per annum in the current financial year. That service is funded out of a broader program. I am trying to remember the program that it is out of, but it is part of a larger pool of moneys that we fund a whole range of different services out of. Yes, it is \$250 000.

The CHAIRMAN: The \$250 000 comes from the Department of Communities?

Mr HOLLINGWORTH: Correct.

Hon ALISON XAMON: And what is that projected to be in the forward years?

Mr HOLLINGWORTH: When we go out to tender again, we will be tendering for a range of services. It is up to the services to come forward and tell us what it is that they think they need to deliver what it is that we want, but at the moment we are very happy with what we are getting for the money we are providing to the service.

The CHAIRMAN: What is the current tender period?

Mr HOLLINGWORTH: It has not commenced yet. It is going to commence later on in the year.

The CHAIRMAN: The funding for the Northern Suburbs Community Legal Centre to deliver this service is \$250 000 a year. When does that run out?

Mr HOLLINGWORTH: I am not sure. I think they have all had an extension and I do not know when that extension is up, so I could take that on notice if you like.

The CHAIRMAN: Let us make that question on notice 2 to find out what period —

Mr HOLLINGWORTH: Sorry, Mr Chairman; it is in my notes here. It has been extended to 31 December 2018.

Mr SEARLE: In line with our current policies, the expectation is that the new tender period will be five years.

Hon ALISON XAMON: Can I just check: is it anticipated that there is going to be an increase in the budget that is made available for that new tender?

Mr SEARLE: It will depend on the responses we get to the tender.

Hon ALISON XAMON: So there is an opportunity—I am trying to gather—for a case to be made that there is increased need and hence there might be a need for additional investment in this area.

Mr HOLLINGWORTH: Yes.

The CHAIRMAN: That particular service is going to be up for tender. It runs until the end of December this year. Prior to that time, a tender will be made available and either that organisation or somebody else will provide a substantially similar service. Is that also the case with the hotline?

Mr HOLLINGWORTH: The hotline is currently funded as a grant. It is actually one of the things we need to look at because we need to convert that into ongoing funding rather than a grant because that is one of the things that causes some concern about continuity of funding, and we will be doing that.

Hon ALISON XAMON: When does that grant expire?

The CHAIRMAN: On 31 December this year.

Hon ALISON XAMON: So does Advocare's grant expire on the same date?

The CHAIRMAN: Yes.

Mr HOLLINGWORTH: I am not sure. It says here that it goes through to 2018, so I am assuming that the answer is December. Once again, I could confirm that on notice.

Hon ALISON XAMON: Thank you.

Hon TJORN SIBMA: Mr Hollingworth, with respect to the grant currently provided to Advocare to run the hotline, does the department evaluate whether or not certain service standards are being met or whether there is demand being met? Would you look at getting somewhere close to the end of this year and then perhaps, for argument's sake, sort of revise your KPIs to address increased demand?

Mr HOLLINGWORTH: We did do an evaluation last year and that evaluation found that, in fact, it was providing a very useful service. It is actually quite expensive per call, if you would like to put it like that, but, nonetheless, it is providing a valuable service and the evaluation suggested we should continue to fund the service.

The CHAIRMAN: Sorry if we have already mentioned it, or you may be taking this on notice—I cannot recall; what is the funding for the helpline?

Mr HOLLINGWORTH: The funding for the helpline is \$90 000 per annum.

Hon ALISON XAMON: Peanuts!

The CHAIRMAN: In terms of what the Department of Communities funds on elder abuse, it is \$250 000 a year for the Older People's Rights Service and \$90 000 a year for funding of the Advocare helpline.

Mr HOLLINGWORTH: Yes.

The CHAIRMAN: Is there any other funding?

Mr HOLLINGWORTH: Once again, just things like the occasional money for the protocol, which we also funded, plus, in addition to that, any publicity or awareness-raising materials that we produce as well.

The CHAIRMAN: With the protocols, I think there was talk about some workshops being undertaken to educate people on the updated protocol guidelines. Are those workshops being funded by the department?

Mr HOLLINGWORTH: Yes. We have provided \$18 000 to Advocare to produce both the protocol and also to run the awareness-raising sessions. The protocol too, by the way, was a refresh not a redo, so I would assume that it was pretty cheap. So there is quite a bit of money available for the awareness-raising activities.

The CHAIRMAN: Was it a grant to Advocare for that?

Mr HOLLINGWORTH: Yes.

The CHAIRMAN: Do you know when the workshops are going to be delivered?

Mr HOLLINGWORTH: No, I do not, Mr Chairman.

The CHAIRMAN: Do you know if any have been delivered so far?

Mr HOLLINGWORTH: No, they have not been because the protocol actually has not been announced yet. It is going to be announced by the minister for seniors soon.

The CHAIRMAN: Right—officially announced.

Mr HOLLINGWORTH: Correct.

The CHAIRMAN: There was an unofficial announcement during our Advocare public hearing, which we were grateful for.

Mr SEARLE: There is an international awareness-raising day for elder abuse coming up.

The CHAIRMAN: Yes; 15 June, is it?

Hon ALISON XAMON: Yes.

Mr SEARLE: I think we could assume there will be a range of activities sponsored by the department during that week.

The CHAIRMAN: Yes.

Hon ALISON XAMON: We have heard from the Public Advocate and the Public Trustee, who both indicated concerns around the area of elder abuse. What sort of collaboration is the Department of Communities undertaking with those two agencies around this issue?

Mr HOLLINGWORTH: We work very closely with the Public Advocate and indeed, in the work that we are currently doing on the national plan, we are working very closely with her in particular because there is a whole range of issues of course around enduring powers of attorney and the like that she has particular responsibility for and which I need to take into account. So we always work closely because she is also a member of the Alliance for the Prevention of Elder Abuse. We enjoy a close relationship with her. Who was the other organisation you mentioned?

Hon ALISON XAMON: The Public Trustee.

Mr HOLLINGWORTH: The Public Trustee, I must say, we work less closely with. I think it is probably the nature of the work that suggests that that is the case. Yes, less so.

[10.20 am]

Hon ALISON XAMON: The Public Trustee seems to have a particular interest in, obviously, the issue of financial elder abuse and processes around managing to avoid that. There was very interesting evidence tendered through those hearings.

The CHAIRMAN: And hosting a lot of education forums.

Mr HOLLINGWORTH: It might be worth just pointing out a couple of other things, too. The first one is we do, during the course of each year, run a series of sessions with the Public Trustee and the Public Advocate where we ask seniors along to talk about enduring powers of attorney and related

matters. They are usually very well attended. So we do those sorts of things in conjunction with the Public Trustee. In addition to that, it just also might be worth pointing out that we are also responsible for funding the financial counselling services around the state as well. There is a very significant investment in those—I think in the order of about \$10 million a year—which, of course, seniors can also access.

Hon ALISON XAMON: But they are only one portion of people accessing those services.

Mr HOLLINGWORTH: Sure; I am just pointing out that they are available and they are able to provide advice on those sorts of issues.

Hon ALISON XAMON: I suppose what I am particularly interested in is trying to get an idea of how much we have an all-of-government response to the issue of elder abuse because it would appear that there are a number of agencies that have a particular interest in this. We already know that early intervention and prevention establishing those legal frameworks in the first instance are a key way that you can minimise the possibility of elder abuse, particularly financial elder abuse, later. I am curious to know the degree to which there is a concerted effort to consolidate those efforts.

Mr SEARLE: There is certainly an intent to consolidate that activity. Have we done enough yet? Probably not, but it is certainly something our minister has been very clear about his expectation of the role that we will play going forward. We are in the process of increasing our efforts. The launch of the protocol and other things that we associated with that are sort of the start of the next generation of activity. Can I just stress, though, we have talked about two or three things that we fund that are particular to elder abuse, but there is a whole range of activities undertaken by the department that directly impact on —

Hon ALISON XAMON: On the social determinants?

Mr SEARLE: And people having somewhere to go when things go wrong. Things like the tenancy support program that Housing runs, a significant percentage of the people who get engaged with that program are elders who are subject to humbugging, which has caused their tenancy to come at risk. Whilst it is not itemised here, it is a significant part of the work that happens in that support and advice program. Particularly, we find elders and seniors have people visiting who cause disruption and play up, which causes grief with their tenancies, so whilst that does not figure anywhere in what we have reported, a significant bit of that program is about helping seniors protect their tenancies by understanding how to deal with visiting relatives and friends that cause disruption in their community. There is everything from individual responses to a case I know of in Meekatharra where we had a seniors' complex which became the local drinking spot for people who came to town. Everyone drank in the common areas of the complex. We worked with the residents and the police to get an alcohol prohibition around that complex, so it moved the problem away from the seniors' complex. This thing has all sorts of forms and shapes, but that sort of response does not appear anywhere in the papers we have given you because it is part of our general response to people with challenges and difficulties, rather than something that was very specifically around elder abuse. So whilst this is the dedicated funding, there is a range of other funds, even things like citizens advice bureaus that get used by people all the time who have challenges, as distinct from an elder abuse-specific hotline.

The CHAIRMAN: You have touched on the issue of humbugging. I want to acknowledge that the department has provided some information to us, but it has just come in and the committee has not had an opportunity to digest it yet, but since you are here in a public session and it has been a difficult issue for the committee to be able to get evidence on, could I just get you to make some comments on this issue of humbugging? Perhaps just start for the public record with: what is

humbugging; to what extent is it an issue; and what is the department doing to try and address this problem?

Mr SEARLE: It absolutely is an issue. Despite the fact that I am a bureaucrat, I am not great on definitions, but, fundamentally, it boils down to people—usually family members or relatives—putting pressure on elders to fund things on the basis that they are the ones who have got some cash, or in the period in the immediate lead-up to payday when everyone else has run out of cash, quite often it is the elders and seniors in the community that still have some cash. It involves people putting pressure on them to access that cash for a range of reasons and purposes. We think it is a significant issue. Again, we think it is hugely under-reported because it usually involves family members or relatives and a sense of obligation, but the reality is that it disempowers elder people and takes advantage of them quite regularly in some cases. We are very concerned about it in terms of its impact on their lives and their lifestyle given the potential to impoverish them.

We were heavily involved in the introduction of the cashless card in Kununurra. One of the unintended consequences of that, given pensioners were not included, was that they were the only ones with ready access to cash and it effectively painted a target on them in terms of other community members. So we worked very hard with the commonwealth during that introductory period to encourage pensioners in particular to choose to go on the card in order to limit their exposure. The Department of Housing, as it was then, or the Housing Authority, worked very closely with the commonwealth to try and identify pensioners and how we might go about that. So it absolutely is an issue. How to address it is always going to be tricky and difficult. I do not have a solution; I do not pretend to, but it is certainly about how we can best protect people from the risk. That is why we thought the example of the card is a pretty good one because by having them on the same regime meant they did not have a disposable income that was available for alcohol or gambling, which, on some occasions, was the purpose of the humbugging.

The CHAIRMAN: Would it be possible for a person on the card to access those products at all?

Mr SEARLE: The purpose of the card was to limit the amount of cash that is available for those purposes, so 20 per cent of the payment is available in cash to spend as people like; the other 80 per cent cannot be spent on gambling or alcohol and that is the key bit of the deal.

The CHAIRMAN: So you cannot eliminate the humbugging with the card; you just mitigate it to a maximum of 20 per cent?

Mr SEARLE: Exactly, so people still have money available for food and clothes and the other essentials of life, which sometimes we are led to believe people do not have left after the humbugging occurs.

The CHAIRMAN: Is any new work being done by the department? You talked about obviously an important initiative that you were involved in there, working with the commonwealth, identifying there was a problem. Are there any new initiatives in this space?

Mr SEARLE: None that I am aware of, Chair, but, again, it is just this general awareness of how do we actually protect those members of the community who need protecting, regardless of who they are.

[10.30 am]

The CHAIRMAN: I would like to perhaps move on to the next term of reference. I think we have done well on term of reference (e). Just briefly to touch on (f), you did address it in your submission and term of reference (f) is to assess and review service delivery and agency responses. Has the department assessed and reviewed the community service organisations that it funds for work in elder abuse?

Mr HOLLINGWORTH: “Reviewed” has a particular meaning for me, so I am just sort of wondering about that. Certainly, in relation to any contract that we award there is a specification that you put out, and then we hold the services to account for delivering on that particular specification. They have key performance indicators and things that they are meant to be doing. In relation to if that is a review, then yes we do, because that is an ongoing process right throughout the course of the five years of the contract. We have officers whose job it is to be closely related to those services and work with those services to make sure they are meeting the needs of our clients.

The CHAIRMAN: In terms of those five-year contracts, is anyone on one of those five-year contracts? Because Advocare’s helpline is a grant of \$90 000 and the protocol guidelines was an \$18 000 grant.

Mr HOLLINGWORTH: The Older People’s Rights Service is on a service agreement, as is, as the director general mentioned, the Citizens Advice Bureau, which does also get into this space, and that is about \$457 000 or \$480 000 in addition, which we have not spoken about. That is also a service agreement.

Hon ALISON XAMON: My background lends me to the view that community-managed services can often be the best deliverer of services in this space in terms of knowing what they are doing and how nimble they can be with needing to respond to demand. I am also aware, though, that they often simply are stretched to a point where they are not even close to meeting demand. One of the things that has come up has been concerns, particularly about the capacity to deliver necessary services in regional Western Australia. I was wondering if you could make any comment? I again come back to the earlier question I had about whether there was increased moneys on the horizon, whether you could make any comment about what is happening in terms of delivery of services specifically within regional Western Australia?

Mr SEARLE: I think this question is mine. Two things: as part of the creation of the new department, we have fundamentally changed the structure of the department—fundamental changes, to not reflect its historical basis. As part of that there is a division created within the department that is solely about commissioning procurement and sector support, with my direct reports of which there are, I think, seven. One of them is solely around that. We think there will be a much greater focus on both the contracting or commissioning process and more particularly the outcome statements attached to those and the evaluation of those services against the outcome statements. That is a significant body of work that we have literally just started, but we are in the process of doing that right now. As part of that, there is also a recognition in terms of the creation of the department of the reality of the importance of place in the delivery of services. When you are in Canberra or Perth, it gets very easy to have a nationwide or statewide view of how you deliver services. When you spend some time particularly in the north west, it becomes apparent very quickly that those models are fundamentally flawed. So, the department, in terms of its new structure, is going to very much a place-based regional model with regional directors, I think is the title they are being given, at an SES level who will sit within each of the regions of the state with as much decision-making as possible over time being handed back to that local regional director. That is a huge shift in approach. It will also mean over time, I think, a transfer of a lot of our contracts from the larger NGOs to more small locally based NGOs delivering very localised services. That is not going to happen overnight—I do not pretend it will—but in terms of direction of travel, that is absolutely the path we are headed down.

Hon ALISON XAMON: Of course, though, we already have two entities, in particular, that have a degree of expertise. As I am sure you would be aware, not everyone can just deliver every service simply because they are regionally based. This is what I am trying to get an idea of, and from that procurement process, how is that expertise also going to get taken into account?

Mr SEARLE: I think there are two bits to this. There is the bit about: is there a statewide service and what is it in terms of information provision et cetera? But when it comes to actually providing somebody on the ground to talk to somebody, the break-up we currently have even within our department is to treat things as though they are separate events. I am talking outside our department here, but we treat drug and alcohol, mental health, family and domestic violence and child neglect as if they are separate things. In most families they are not. The issue for me is how do we get a government response to the challenges that families have that reflects the family and location they are in and their individual challenges? Rather than, "Here are the programs the state runs and here is the service whether you want it or not", which is a bit the way government historically works. There is a significant cultural change program and discussion going on within the department at the moment about how do we remodel ourselves so we can deliver a very place-based service. The intention is to kick the first of those off in the Kimberley on 1 July. We will be taking a very different model to service delivery that is person and place-based rather than program based.

The CHAIRMAN: On that, the Older People's Rights Service run by the Northern Suburbs Community Legal Centre, I understand, is restricted to metropolitan clients. Is that right?

Mr HOLLINGWORTH: That is my understanding, Mr Chairman, but I have to say that those decisions around the contract were taken well before my time, so I would need to confer, if you wish me to, that that is the case.

The CHAIRMAN: Perhaps I will ask this question then: is there an intention to broaden the scope of that type of service to regional Western Australia?

Mr SEARLE: That has not been discussed to my knowledge at this point of time. I would expect that to be part of our discussions when putting in place a new contract for the end of the year.

The CHAIRMAN: I might move on then, members. That deals with term of reference (f). Term of reference (g) is dealing with the issue of the capacity of WA Police and, in effect, and understandably, the department has directed us to police who we hope to see soon. Term of reference (h) is initiatives to empower older persons to better protect themselves. We have covered quite a lot of that in our earlier discussion around assessing and reviewing the legislative and policy frameworks. But just one additional question I had on this was the distinction between APEA and WANPEA. The Western Australian Network for the Prevention of Elder Abuse and the Department of Communities is a member of that, but the Department of Communities is also a member of the Alliance for the Prevention of Elder Abuse, which is APEA. It just would be useful if you could just indicate to us what the benefit is of having both of those organisations?

Mr HOLLINGWORTH: If I may, Mr Chairman, my notes tell me something slightly different from that. It says here that WANPEA is facilitated by Advocare, so that is common to that and APEA. It has the Department of Health on it but it does not have our department on it. We are not a member of that particular group. The members are the Department of Health, the Umbrella Multicultural Community Care Services, Carers WA, Home Instead, Seniors Care, Silver Chain, Department of Human Services and COTA.

The CHAIRMAN: I am reading from an extract from the Department of Communities website. That extract says as follows —

The Department collaborates with government and non-government agencies to develop policies and deliver services to help stop elder abuse, including:

The first point is about the funding of the Advocare helpline. The second one states —

- Membership on the Alliance for the Prevention of Elder Abuse in Western Australia.

- Membership on the Western Australian Network for the Prevention of Elder Abuse.
- Funding the Northern Suburbs Community Legal Centre to deliver the Older People's Rights Service.

Mr HOLLINGWORTH: I would need to look into that, if I may, Mr Chair.

The CHAIRMAN: Could we just take on notice, is the Department of Communities a member of APEA and also a member of WANPEA and irrespective, what is the view of the department with regard to the benefit of both of those organisations rather than a single organisation?

Mr HOLLINGWORTH: Sure. Certainly, I can confirm we are a member of APEA.

The CHAIRMAN: That will actually be, I think, question on notice 2. Because the earlier one fell away because the answer was provided in the notes. Term of reference (i) is new proposals or initiatives to enhance existing strategies to safeguard elders. On page 5 of the department's submission there is reference made to a 2006 attitudinal study that is currently being reviewed by the department. Are you in a position to update the committee on the progress made on that review?

[10.40 am]

Mr HOLLINGWORTH: As I understand it, Mr Chairman, they are at a very early stage. We are currently waiting to see how the commonwealth initiative progresses, because the intention at the moment is that the commonwealth will fund both a national study of prevalence and also some of the attitudinal issues that relate to that. Clearly, the piece of work that we would do would need to fit in with that, if indeed there is still a requirement to do that. At this stage we do not know the answer to that question.

The CHAIRMAN: I guess, when the submission states —

In addition to current activities and initiatives underway, Communities is currently working on the following: ...

And it refers to the study, it is not really currently working on that study then?

Mr HOLLINGWORTH: At the time of the submission that was correct, but our first meeting of the group that is looking at the national plan was only last month. That was when I learned that one of the things that the commonwealth is intending to do is that broader study, both of prevalence and some of the contributing factors. That is a very recent development which has caused us to pause the work we were doing on the attitudinal study.

Hon MATTHEW SWINBOURN: Will you have input into the design of that study?

Mr HOLLINGWORTH: Some of the things I have to say around what the commonwealth is intending at the moment are a little unclear, but my expectation would be yes. But we have not had that conversation with the commonwealth just yet.

Hon MATTHEW SWINBOURN: Because I think the concern that all us parochial Western Australians will have is that a commonwealth study may not give due regard to the special circumstances of Western Australia.

Mr HOLLINGWORTH: I understand.

Mr SEARLE: We would share that concern.

The CHAIRMAN: Page 6 of the submission states —

- Communities will be developing an education program for professionals who are in regular contact with older people, such as doctors and banking staff, so that they can better identify possible abuse.

What is the current status of that education program?

Mr HOLLINGWORTH: Regrettably, my document does not have page numbers. Are you able to tell me —

The CHAIRMAN: It is the top dot point on the final page of the submission.

Mr HOLLINGWORTH: Thank you. The government actually has an election promise to introduce training for people who are doing health care or are involved in the area of elder abuse. We have had some preliminary discussions with potential service providers around what they might be able to do and the nature of that work. They are at a fairly early stage yet, but that consideration has commenced.

Hon TJORN SIBMA: May I just clarify, that was health service providers, not necessarily a range of other professional service providers, particularly in financial domains?

Mr HOLLINGWORTH: It is certainly true that we are not looking at financial domains, but those that are in the human services area we will be looking at.

The CHAIRMAN: Does banking staff include as human services?

Mr HOLLINGWORTH: No.

The CHAIRMAN: Because the submission states —

- Communities will be developing an education program for professionals who are in regular contact with older people, such as doctors and banking staff, ...

Mr HOLLINGWORTH: Apologies, I must be in error.

The CHAIRMAN: An error in the submission or an error in the comments?

Mr SEARLE: No, Scott is in error.

Mr HOLLINGWORTH: I am in error.

The CHAIRMAN: Okay. This developing of an education program must be being done by somebody in Communities. Is that the two people who we talked about earlier who are in the policy unit?

Mr HOLLINGWORTH: When we start to have those conversations we also involve, and the director general has referred to this, our commissioning people as well. It is a broader conversation if you like than just the two people, because we need to actually enter into an arrangement with somebody. We have both a policy group, if you like, who start thinking about what is the nature of what needs to be delivered, and then we have our commissioning group, which talks about how we best deliver that. It is usually a larger group than just the two that would be involved in the definition of that work.

The CHAIRMAN: Is someone given the task or the responsibility and told, “Look, we want you to drive this developing of an education program?”

Mr HOLLINGWORTH: Yes, indeed, and that is the responsibility of Vanessa Harvey, who is also a member of APEA, and, in fact, her two staff members are in the gallery today too, so they have responsibility for that work.

Mr SEARLE: If I can, Chair, I do know that there is in fact some work going on with one of the major banks about their program to educate their staff about the issues of elder abuse, and it is very Western Australian bank!

Hon TJORN SIBMA: I will not say that this committee has been frustrated, but a frustrating dimension to this pernicious social problem is the lack of capacity to measure it, for reasons that are well understood and have been elaborated upon. One of my personal frustrations, and I am not

reflecting the views of my fellow committee members, is that the banks—the financial sector generally and banks in particular—have probably the most sophisticated data bank and management techniques of anyone along, and I am not particularly seized of their desire to indoctrinate their staff and appropriate management of this issue or even devise very simplistic data management tools that might head this off. Does the Department of Communities maintain a proactive dialogue with a bank or any of the banks in Western Australia about this issue?

Mr SEARLE: There have absolutely been discussions with Bankwest about this issue.

The CHAIRMAN: If there is nothing further on term of reference (i), I have one question about term of reference (j). It is a wonderful term of reference which is “to consider any other relevant matter”! In your submission the department recommended to the committee that there would be a couple of areas that should be considered, and two of those areas were the prevalence in Aboriginal communities and among Aboriginal older people, and prevalence within multicultural communities. Since the time of the submission—the submission is dated November last year—obviously the federal government has announced its prevalence study work, so I think it is self-evident that we should not be duplicating efforts and we will wait to see what the federal government proposes. Given that there is a significant contribution made by this state, particularly in your co-chairmanship of that group, have those particular communities—the prevalence in Aboriginal and multicultural communities—been specifically raised and is it the intention, do you know, for that commonwealth-funded prevalence study to address that?

Mr HOLLINGWORTH: My understanding is yes. As you may know, there was consultation around the nation last year that the federal government led. In each state it focused on different aspects of it, and in Western Australia it was the LGBTI aspect. So, yes, there has been work done already on looking at those sorts of issues. I understand you were at the conference in Sydney and of course there were significant themes in relation to that. Then on the Wednesday, the following day, there was a meeting—I am not sure whether you were at that—of the not-for-profit and community services sectors along with some governments, and I was there for that too, where a significant emphasis and effort was discussed around groups that have particular needs, if you like, so LGBTI, Aboriginal and CALD people. I am quite confident that that will be a focus, because it requires different responses. I have to also say that country and regional issues, as our director general has mentioned, also require specific responses that are perhaps different from the mainstream.

Hon ALISON XAMON: Because we are talking about “any other matter”, I am particularly interested in the role that health–justice partnerships can potentially play to identify people at risk and provide some initial supports and referrals. Is there any work being done in conjunction with the health department, the AG’s office—anything at all—in order to look at these avenues as a way to start addressing issues of elder abuse?

Mr SEARLE: Not that I am aware of. That is not to say there is not, it is a big department, but there is not that I am aware of.

Hon ALISON XAMON: You are familiar with the health–justice partnerships, I am presuming, or maybe not, because it is something that emanates out of the health department in conjunction with the various AG offices?

Mr SEARLE: One of the things happening at the moment is that we are working very hard to establish more whole-of-government views of the world rather than the stovepipes we have used historically. Not so much in the elder area, but in the early years area we are working much closer with the health and the education departments that we have in the past. We think this is a trend in government that needs to be actively pursued so we have potentially a single government view of what the challenges are and how we all work together to deliver better outcomes. It is a challenge.

[10.50 am]

Hon ALISON XAMON: I suppose this is why I was particularly interested to find out whether there is a government intention to have a lead agency in this area that then would incorporate all of those other areas and also statutory bodies that are all working together so there can be a whole Western Australian strategy around this.

Mr SEARLE: That is certainly a space we intend to occupy.

Hon ALISON XAMON: So, it is the intention that the Department of Communities will be the lead agency pulling all of this together?

Mr SEARLE: Yes.

Hon ALISON XAMON: And receiving funding accordingly?

Mr SEARLE: Hopefully.

Hon TJORN SIBMA: I have an open-ended question. By virtue of our attendance at the national conference, it was clear, I would say, that there are better practices jurisdictionally in terms of responses to this issue, but there is probably no universal best practice and perhaps that is an ambition of the national plan. Are there responses in other state jurisdictions that are not being pursued in Western Australia at the moment that are perhaps worth considering or easier to implement? It is a generally open-ended question. I would just be interested in your views.

Mr HOLLINGWORTH: It is interesting, because you mentioned New South Wales before. New South Wales has done a lot of work, but I think in some ways that has been triggered, of course, by their own select committee inquiry as well, and sometimes shining a light on these sorts of issues causes a whole range of actions to be taken. The ALRC report is another example and this inquiry is another example as well. I have to say that the knowledge of what other states are doing around the nation is not brilliant, but one of the areas that will be focused on in the national strategy is shining a light on those practices that are leading edge and best practice that other jurisdictions can learn from as well. We of course have copies of what the other states are doing in relation to the various strategies and services they provide, but the more detailed information about how things work, what works well and what does not work well is usually a bit harder to find. I would say that one of the great advantages of the current arrangements with the commonwealth is that they are the sorts of things we are talking about, and we are learning from each other about what works well and what we should be doing that we are currently not doing.

The CHAIRMAN: Do each of the states and territories have a strategy that has manifested itself in a documentary form?

Mr HOLLINGWORTH: No. Most people have something. Queensland, for example, has an age-friendly strategy and there are a few references to elder abuse in that, but they do not have an elder abuse strategy. We have talked about the protocol in Queensland. We have an age-friendly strategy that we are in fact currently working on updating. By the way, we are the only state in Australia that is recognised by the World Health Organization as an age-friendly state because of the work we are doing in promoting age friendliness. Our new strategy will include dimensions in relation to elder abuse as well, because they are clearly barriers to seniors participating in society, so that will be part of what we are considering in relation to our update of the age-friendly strategy.

The CHAIRMAN: So the World Health Organization says there is less ageism in Western Australia than in other places.

Mr HOLLINGWORTH: Not less ageism, but that we are taking steps to make sure that the planning and delivery of services in Western Australia takes specific account of the needs of seniors. There

are protocols put out by the World Health Organization—there are seven of them—and we are using those to help inform our service delivery. In fact, we have had the secretary general of the federation come to Western Australia in the last three years to run workshops on aspects of age friendliness. We are doing a lot of work in the area, which does relate to this issue as well.

The CHAIRMAN: I have just one last question before I invite final remarks from the witnesses, if they have any. We know that there was, and I assume there still is, the Regional Services Reform Unit in place. Does that unit have any contribution to make in terms of elder abuse?

Mr SEARLE: Yes, the Regional Service Reform Unit still exists. It is now part of the Department of Communities. It has come with me to the new agency. Some of the evidence I gave earlier about humbug comes specifically from the work that the reform unit did, so the work I was involved in with the reform unit. I think it is more particularly relevant in terms of how regional and remote communities operate and the role of elder abuse within some of those committees. In fact, some of the interesting feedback from the consultation process that the reform unit undertook is the lack of aged-care facilities in remote and regional communities and the extent to which— particularly older Aboriginal people—have to move off country when their health issues or their age get to the stage at which they need full-time or permanent care because it is not available on country, and the issue that creates for older Aboriginal people in terms of disconnection from both country and family. So, yes, the reform unit is involved in these discussions and most things that the department does. It is in fact the driver for the change in service delivery models in regional Western Australia.

The CHAIRMAN: That issue of feeling forced off country, is that really a Kimberley-specific problem?

Mr SEARLE: My expectation is that it is worse in the Kimberley, but it is just as true of a number of smaller more remote communities where it is just not practical, given the current funding for aged care, to provide an aged-care facility, even to the extent that in Warmun one was built, but cannot be opened because the recurrent funding in the current funding model does not allow it to operate as an aged-care facility. So, there is a range of challenges built into that, which is again this one-size-fits-all, but it does not in regional and remote Western Australia.

The CHAIRMAN: Are there any comments, questions, members, to either of the witnesses? Are there any final remarks?

Mr SEARLE: Can I thank the committee for its interest in this area. This is something that is underdone in my view across the whole of Australia. We take it very seriously and I know our minister takes it very seriously; it is a matter close to his heart. We think there is a lot of effort needed around educating people about this issue of power, in particular, and trust in relationships, and the abuse of those positions of trust. We think that issues of respect and dignity are fundamental to the whole issue of elder abuse, and the lack of respect and dignity granted to older people in our community is part of all of this. I do not think you can separate that from the actual abuse that occurs. The Department of Communities and its predecessor agencies have been interested in and have been working in this space for a long time, more particularly around promoting awareness, but we think the whole issue of social inclusion of the various groups that are involved is fundamental to having a better community. We will welcome your report, because any look forward in terms of better ways of dealing with this is something that we are more than eager to embrace. It is something we want to actively change going forward and we welcome your report.

The CHAIRMAN: Thank you very much. With those remarks I will proceed to close today's public hearing. I want to thank you both for attending today. A transcript of this hearing will be forwarded to you for correction. If you believe that any corrections should be made because of typographical or transcription errors, please indicate these corrections on the transcript.

You took two matters on notice and we will write to you about them. We request that you provide your answers to those questions when you return your corrected transcript of evidence. If you want to provide additional information or elaborate on particular points, you may provide supplementary evidence for the committee's consideration when you return your corrected transcript of evidence. Thank you both very much.

Hearing concluded at 10.59 am
