

Abuse of Older People



KEEPING MONEY AND ASSETS SAFE

This information is from the **Seniors Legal and Support Service** at Caxton Legal Centre. The service is funded by the state government. It offers free, confidential legal and social work services to older people to help them deal with harm or neglect by trusted family members or friends.

HOW TO GET FREE HELP — STEP BY STEP

Abuse can be financial, verbal, emotional, physical or a combination of these. It is often hard to talk about these problems, and it is common to feel shame about what is happening. If you are worried or fearful and want to know about your options to improve your situation, you can call the statewide helpline on 1300 651 192 and ask for help.

COMMON STORIES

where seniors' money and assets may be misused

Every day many older Australians make decisions that jeopardise their money or assets. Sadly, it is often family members who pressure seniors into making these bad decisions. Common situations that may put your finances at risk are:

- lending money to your family or friends
- signing bank documents that make you responsible for the loan of another person (e.g. a guarantee or mortgage secured over your house)
- borrowing money from the bank for another person when you get no financial benefit from that loan
- lending money for your family or friend's business
- giving away money without understanding how this affects your age pension or decisions you can make about aged care services
- putting money into a joint bank account without any restrictions on how money can be withdrawn
- giving someone else authority to operate bank accounts or manage Centrelink payments
- selling your home and paying for a granny flat or shared accommodation, especially if this involves promises made by your family to provide physical care for you as you age
- not receiving your own legal advice before signing a legal document (enduring power of attorney) about your finances
- agreeing to someone receiving a Centrelink payment to look after you but you are not receiving adequate care
- online, phone or door-to-door scams .

WHY THINGS GO WRONG

Older people have the right to make financial decisions that suit them, including how to deal with money and assets, and how to manage that for the family's benefit if they wish to. However, problems may arise when or if:

- you become vulnerable due to frailty, poor health, dependency for care, loneliness and isolation, lack of expertise in handling finances, increasing confusion, recent loss of a partner
- a family member has personal hardships such as mental health issues, a relationship breakdown, unemployment, addictions
- it is the family norm to treat your money and assets as if they belong to all family members
- you have not obtained your own legal or financial advice before making key financial decisions
- there is no signed written agreement, just verbal promises
- you do not feel strong enough or safe enough to say 'no' to pressure placed on you
- traditional family and community dynamics stop you from speaking up about your concerns
- family members have expectations about their inheritances or are greedy
- there is no-one else who is noticing your problems and is able to say something
- the person you trust to help with finances is not consulting you about decisions or showing you the paperwork
- the banks are not taking the steps they should to protect you
- an interpreter is not used to overcome your language barriers
- the enduring power of attorney document has not been set up properly to avoid it being misused by the attorney.

HOW TO KEEP MONEY AND ASSETS SAFE FROM MISUSE

The best ways for you to keep your money and assets safe are to:

- understand your finances better by having conversations about it with trusted friends, family, finance experts, seniors groups, financial helplines
- speak to a financial resilience worker (for better understanding of how to manage money) or financial counsellor (for dealing with financial problems caused by debt)

- get your own legal advice and financial advice before you enter into arrangements (do not go to the same adviser as the family member or friend)
- ensure your enduring power of attorney document contains provisions that fully protect you. The Public Trustee or a private lawyer can help you with reviewing this document
- insist on an interpreter being used, on large print letters or whatever is needed so that you understand all arrangements and documents that need to be signed
- speak with Centrelink (financial information officers) to understand how your pension or aged care services may be affected
- put family agreements in writing and have them signed by everyone
- visit your bank to discuss how to keep your money safe, especially with internet banking, PIN numbers, joint accounts and third party authorities.

If financial stress or family pressures are keeping you awake at night, talk to your doctor about it and ask about a referral to a counsellor—stress can make it harder to stay healthy.

You may be experiencing financial loss because someone you trusted has done the wrong thing. You can get help from the services listed in *Useful Contacts* to protect or recover your money.



WHERE TO GET FREE HELP

SENIORS LEGAL AND SUPPORT SERVICE

at Caxton Legal Centre for legal advice and social work support and advocacy

Tel: (07) 3214 6333

ELDER ABUSE PREVENTION UNIT

Tel: 1300 651 192

ADA AUSTRALIA

for help to speak up for your decision-making rights or your concerns with aged care services

Tel: 1800 818 338 or 3637 6000

DIVERSICARE

for help with quality in-home care services for culturally and linguistically diverse people

Tel: 1300 348 377

FINANCIAL COUNSELLORS

for help with common debt problems

Tel: 1800 007 007

POLICE LINK

Tel: 13 14 44 or 000 for emergencies

PUBLIC TRUSTEE OF QUEENSLAND

for drafting of free wills and EPAs (for a fee)

Tel: 1300 360 044

TELEPHONE INTERPRETING SERVICE

Tel: 13 14 50

OFFICE OF THE PUBLIC GUARDIAN

for allegations of abuse against an adult who has impaired decision-making capacity

Tel: 1300 653 187

QUEENSLAND ADVOCACY INCORPORATED

for legal advocacy for people with disability

Tel: 1300 130 582

QUEENSLAND LAW SOCIETY

for contact details for private lawyers

Tel: 1300 367 757

SENIORS ENQUIRY LINE

when you are not sure where to go with a question or problem

Tel: 1300 135 500

Caxton Legal Centre Inc.

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1 Manning Street

South Brisbane Qld 4101

Telephone: (07) 3214 6333

Facsimile: (07) 3846 7483

Internet: www.caxton.org.au

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