

INQUIRY INTO ELDER ABUSE IN NEW SOUTH WALES

Organisation: Tenants' Union of New South Wales

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The Director
General Purpose Standing Committee No. 2
Parliament House
Macquarie St
Sydney NSW 2000

Email: GPSC2@parliament.nsw.gov.au

Dear Madam / Sir

The Tenants' Union of NSW represents the interests of residential tenants in NSW and has done so since 1976. We are a not-for-profit co-operative, a community legal centre specialising in residential tenancies law and the peak resourcing body for the state-wide network of Tenants Advice and Advocacy Services. We seek to represent the interests of all tenants in NSW, including social housing tenants.

We wish to make a submission to the Legislative Council's 'Inquiry into elder abuse in New South Wales'. Indeed, we make this submission at the suggestion of a resident of Millers Point, citing what is happening to older residents of that community.

Our submission addresses Terms 1 and 2 of the Terms of Reference. These read:

1. The prevalence of abuse (including but not limited to financial abuse, physical abuse, sexual abuse, psychological abuse and neglect) experienced by persons aged 50 years or older in New South Wales
2. The most common forms of abuse experienced by older persons and the most common relationships or settings in which abuse occurs

The World Health Organisation's definition of elder abuse at: http://www.who.int/ageing/projects/elder_abuse/en/ and http://www.who.int/ageing/publications/toronto_declaration/en/ covers the psychological abuse being endured by older tenants of Millers Point.

Elder abuse is generally seen as occurring between two individuals of unequal power where there is an expectation of trust. However, we submit that the World Health Organisation's

definition is too narrow. We believe that it is reasonable to extend this to between government and individual. Parallel examples come from debates around child abuse.

Recent examples of a government being complicit in child abuse come from the Commonwealth Government's policy of keeping children in detention centres. In October 2015 hundreds of medical staff and students across the country protested against the policy of keeping children in detention. You may read more at: <http://www.abc.net.au/news/2015-10-30/medical-staff-protest-children-in-detention/6899542>

A second example is the treatment of child migrants at Fairbridge Farm in Molong in New South Wales. On 29 October 2015 the Premier, Mike Baird, said: ...

On behalf of the state of New South Wales I want to recognise all former child migrants who attended Fairbridge Farm ... They arrived here as vulnerable and trusting children, whose parents wanted nothing more than a better life than the one they could offer. ... they were betrayed by this state which did not ensure their safety. ... I acknowledge the harm and the lifelong effect Fairbridge Farm had on the residents and their families.

You may read more at: <http://www.abc.net.au/news/2015-10-29/fairbridge-farm-institutional-abuse-apology/6897376>

Elder abuse also may be a systemic problem, with a government though its policies, being the instigator of such elder abuse.

The NSW Government's decision to sell its social housing stock in Millers Point is an example of this. Prior to announcing its decision, the NSW Government engaged Cred Community Planning to undertake a Social Impact Assessment. This found that the possible negative health and wellbeing outcomes for residents with long-term or generational connections to the area have been 'clearly noted through engagement and other social research'. These include 'the stress of moving, distress of losing their existing social network and local services, and anxiety of trying to build new social connections in a new area'. It also stated that current research demonstrates the loss of social ties and support systems might lessen residents' ability to cope with hardship, leaving many feeling less secure, uncertain where to turn when they encountered problems, and often simply lonely and isolated. It highlighted the importance of older people being able to age-in-place in an area they are connected to and familiar with.

Although the State Government's 'NSW Ageing Strategy' does not refer specifically to 'ageing-in-place', a number of significant documents commissioned by it do. A basic principle underlying this is that older people know what is best for their own lives and have the right to make decisions on their own behalf. An 'ageing-in-place' friendly policy provides the incentives for

individuals to remain living in a community to which they have a strong attachment, either in their existing residence or alternate accommodation, with service supports. In full knowledge of this the NSW Government dismissed a recommendation from its consultants that some of the funds from the sale of homes in and around Millers Point be used to build new social housing properties nearby, especially for elderly residents. Again, the NSW Government's actions appear to violate its own 'NSW Ageing Strategy'.

One local resident is documenting the impact of forced relocation on the tenants. She writes:

Amidst Housing NSW's glossy brochures and promises of better opportunities in a new home, Millers Point residents have heard many stories that tell a different tale about what being relocated is really like. Some were initially positive about moving and for others the idea was palatable as they were hoping for a house without steps or somewhere bigger, to be closer to family or with a yard for their dog, but even for these people it seems, forced eviction has been a very negative experience. The new house often has problems apparent only after moving in and some have been surprised at what it means to be in a place where no one knows your name. For those for whom Millers Point was very important for their well-being it seems that it has been at best traumatic, sad and a massive change, resulting in unexpected new stresses and loss. At worst it has resulted in tragedy. ...

We have seen a dramatic spike in hospitalisations, serious injury and illness and indeed the process is killing people as predicted. Within weeks of the announcement an elderly neighbour who was somewhat reclusive but functioning well having lived with her son in Millers Point for over 30 years, took her life. A woman who had been battling cancer for some time and living in a house with mould that Housing NSW never remedied was moved out of her home on the Wednesday, went to hospital on the Friday and died on the Monday. We have lost at least three others ... '

You will find a discussion of these issues and the impact on older residents in the article entitled 'When older people are forced to move'. An electronic copy may be found starting at page 18 in Shelter NSW's newsletter [Around The House \(No. 101\)](#)

We also draw the Standing Committee's attention to the documentation of the situation of older residents that may be found on the website of 'Friends of Millers Point' at:<http://millerspointcommunity.com.au/>

We ask the committee to consider the contents of these documents in its deliberations.

The Australian Concise Oxford Dictionary, Fourth Edition, Oxford University Press, 2004, p. 1451 defines 'systemic' as: 'of or concerning the whole body, not confined to a particular part'. Wikipedia (viewed on 9 November 2015 at: https://en.wikipedia.org/wiki/Systemic_problem) states: 'A systemic problem is a problem due to issues inherent in the overall system, rather than due to a specific, individual, isolated factor. ... A change to the structure, organization or policies in that system could alleviate the systemic problem.'

We ask that the final report of the General Purpose Standing Committee No. 2. include a recommendation that the NSW Government allow the remaining older residents of Millers Point to age-in-place in their current housing.

I refer to the announcement on 22 October 2015 by the Minister for Social Housing, the Hon Brad Hazzard, when he called for interest 'in delivering the new generation of world class social, affordable and private housing in NSW': 'Communities Plus is a new generation of integrated housing developments, delivered in partnership with the private, non-government and community housing sectors in Macquarie Park along with six locations in metropolitan Sydney and regional NSW,' You may read more at: http://www.facs.nsw.gov.au/about_us/media_releases/communities-plus-boosts-social-and-affordable-housing

The impact of this program is picked up by Ms M, a resident of the Ivanhoe Estate at Macquarie Park which is one of the affected communities. She writes under 'Comment' at the end of the blog at: <http://tunswblog.blogspot.com.au/2015/10/millers-point-and-rocks.html>:

We here at Ivanhoe Estate received our "marching orders" two weeks ago after a wait of 3.5 years ... The people here are just shocked and silent and I suppose the 3.5 years of waiting has worn them down. 2750 units to be put here with a few Public Housing units, so who wants to move back to a concrete jungle? ... Another Community torn down to make way for the people who can afford upward of \$800,000. Sydney, you cannot afford to keep tearing the souls out of these Communities without cost, you must stop moving people around like a chess game, think about what this means to so many elderly vulnerable tenants and what about the children of Ivanhoe who are having nightmares about changing schools and losing friends, do you care Sydney and the State Government?

Given that 30 percent of public housing tenants are in receipt of the Age Pension and 34 percent are over the age of 65 years (as reported by Ms Kathy Roil, General Manager Strategy, NSW Land and Housing Corporation, at the Industry Briefing on 'Communities Plus' on 4 November 2015), it greatly concerns my organisation that the New South Wales Government runs the risk of repeating the mistakes of Millers Point by denying elderly tenants the

opportunity to age-in-place, with the possible consequence of what can only be described as institutionalised elder abuse, as currently experienced by the older residents of Millers Point. Before the individual developments proceed, it is essential that Social Impact Assessments are undertaken in each instance and that the Government act upon any recommendations made in relation to alleviating the impact on older persons.

Please don't hesitate to contact me at should you wish to discuss this submission. I am happy to organise for some older residents of Millers Point to address the Standing Committee if that is its wish.

I would appreciate an acknowledgement that you have received this submission.

Yours faithfully

Julie Foreman
Executive Officer