



Legal Aid ACT

Plan for your safety:
are you experiencing
violence or abuse?



Information for older people who may be at risk of elder abuse



Legal Aid ACT

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Legal Aid ACT helps people in the ACT with their legal problems. We provide free initial advice and assistance on criminal, family, and civil matters, and ongoing assistance to people who cannot afford a private lawyer.

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2 Allsop Street Canberra City ACT

Postal Address:

GPO Box 512 Canberra, ACT 2601

Phone: [02]) 6243 3436

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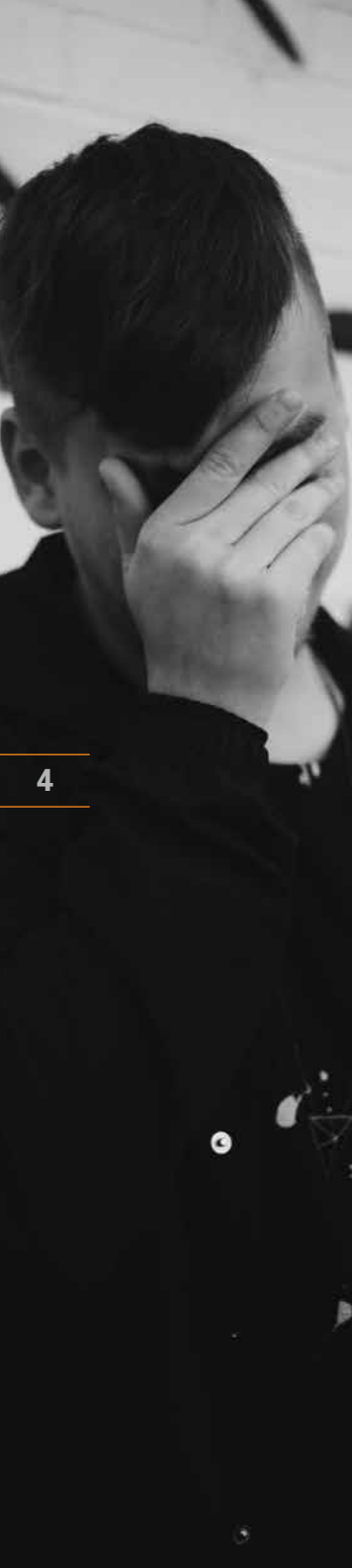
Website: www.legalaidact.org.au

This Fact Sheet is for anyone who would like to know more about what they can do to help an older person who may be experiencing violence, being mistreated or abused. It outlines what you can do and where you can go for further information.

Information for older people who may be at risk of elder abuse

Everyone has the right to live in a respectful and safe environment. However, people may not feel safe if they are experiencing abuse from a partner, a family member or another person who lives in their home, such as an adult child. But it is important to remember there are things you can do to protect yourself from violence or abuse.





What is abuse?

Abuse can be physical – when someone hurts you by slapping, hitting, pushing, sexually abusing or restraining you.

However, abuse can also include:

- Calling you names, threatening you, intimidating you, swearing and shouting at you or humiliating you
- Pressuring you to hand over money, taking control of your money or property, or forcing you to sign things you don't understand
- Refusing to let you go out and do things and stopping contact with your family, friends or support services
- Not giving you proper food, clothing or personal care. This can be intentional or unintentional.

Often more than one type of abuse will occur. Some forms of elder abuse are criminal acts, for example, theft, fraud and assault.

No one deserves to be abused. Everyone has the right to live in safety, and to have control over their own life. If you or someone you know is experiencing elder abuse, remember, you are not alone and help is available.

You don't have to deal with abuse alone

There are many reasons why you may not want to take action against an abusive person. You may have been in your current living situation for a long time and be reluctant to change. You may be afraid that the abuser will retaliate or punish you.

If you depend on the abuser for care or daily support, you may be afraid of losing this support or of being forced to move into a care facility. If the abuser is a partner or an adult child or grandchild you may not want to get

that person into trouble, and you may want to keep the relationship rather than lose it entirely. You may also feel ashamed of, or responsible for that person's behaviour and want to assist them to improve. You may even be caring for the abuser.

There are many services that can support and help you find ways to change the situation and address your concerns. These services are free and confidential (contact details are listed page 18).



The law can also protect you

Some abusive behaviour, such as physical or sexual assault, is a crime. That type of behaviour can be reported to the police and the person who is violent towards you can be charged with a criminal offence.

Also, Family Violence Orders (FVO) can be made by a Court that prohibit or restrict the person from abusing you. If you are successful in getting a FVO, the person can sometimes be made to move out of the home you share, if that is what you want. If you want them to stay, they will have to change their behaviour towards you or they can be charged with breaching the FVO, which can be a criminal offence.

Some types of behaviour, such as taking money from your bank account without

your consent or forging your signature on a document, are also crimes and the person can be charged with theft or fraud.

Other behaviours, such as insisting on having access to your identity documents or the certificate of title to your property, can put you at risk of losing money and even your home.

You may be entitled to counselling and/or financial assistance



If you have experienced a physical or psychological injury as a result of an act of violence, you may be entitled to counselling and/or financial assistance from the Victims of Crime Commissioner.

You usually have three years from the date of the act of violence to apply for financial assistance, but this time limit can be extended in certain circumstances. You should get legal advice about whether you are eligible to apply for financial assistance.

You can contact Victims Support ACT on 1800 822 272.



What is a safety plan?

A safety plan is a plan of action covering what you can do to protect yourself if you are faced with an abusive situation. It includes who to contact for help and what to take if you have to leave in a hurry.

Of course, safety planning is not a guarantee of safety, but being prepared will help you protect yourself in an emergency.



My safety plan

In an emergency

It can be a good idea to have a plan to access your essentials if you have to leave your house quickly. You could have these packed in a bag or stored at a trusted friend or family member's house where you can go. Your personal safety is your first priority – everything else can be sorted later.

Money

- ATM/ Credit cards
- Bank/cheque books
- Pension card
- Taxi card

Essentials

- Mobility Aids
- Medication/prescriptions
- Eyeglasses
- Hearing aids
- Change of clothes
- Toiletries

Identification

- Medicare card
- Driver's licence
- Concession cards
- Passport
- Birth certificate
- Immigration Papers

Other things to consider

- House and car keys
- Will
- Title deeds to house/ rental agreement
- Insurance papers
- Power of Attorney documents
- Photographs

My safety plan

Keep this page in a safe place. Check it from time to time to remind yourself what's in it, keep it up to date and provide a copy to someone you trust.

My name:

Date plan made/checked:

My escape route out of the house is:

My code to signal others that I need help is: (a word or phrase)

The people who will respond if I use the code are:

Name

Phone number/mobile

The places I can go in an emergency are:

My emergency bag is located at:

I will/ have placed items I may need with a trusted person:

Name

Phone number/mobile

My safety plan for my pets is (if needed):

What I need to take in the event of an emergency:

My emergency numbers

Police / Fire / Ambulance	000
My Case Manager	
My GP / doctor	
My specialist doctor	
My home care service	
My home nursing service	
My personal alarm provider	
Taxi	
Hospital	
Chemist	
Friend/family/neighbour	

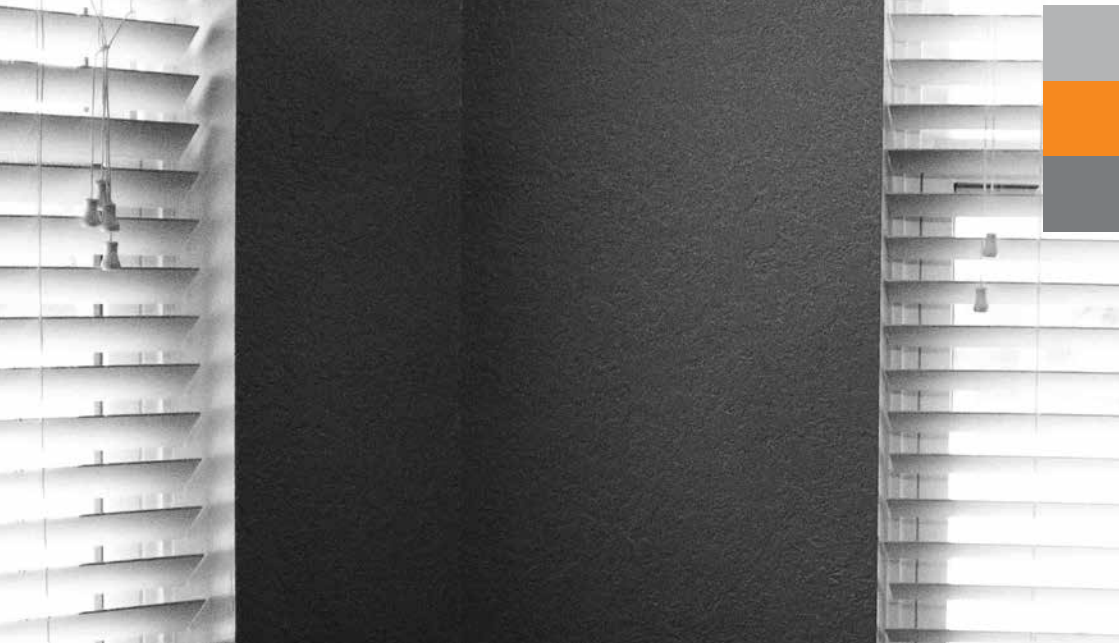


Call Legal Aid ACT

If you are experiencing abuse or violence, call Legal Aid ACT for confidential and free advice about your legal rights and options. We can also help you with developing a safety plan and make referrals to other organisations which may be able to assist if you do not want to take legal action.

Steps you can take to improve your personal safety

- Call the Domestic Violence Crisis Service on 02 6280 0900 (24 hours/7 days)
- Consider getting a personal safety alarm
- Ask neighbours to be alert for any signs of a problem
- Make a code-word to signal neighbours or friends that they need to call 000
- Keep a list of up-to-date telephone numbers
- Think about supportive people in your circle of friends and family that you can call on if you feel you need to talk. Ask if you can leave spare keys, clothes and copies of essential documents with them
- Contact Dementia Australia ACT on 1800 100 500 for support if your partner is becoming or is violent as a result of dementia.



Steps you can take to improve your financial safety

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- Review who has access to your bank accounts and to your Centrelink pension or other investments
- Review or set up a Powers of Attorney
- Seek independent legal advice before transferring property or assets or signing a Power of Attorney
- Avoid keeping cash in the house, or lock it up along with other valuables
- Open your own bank account that only you can access
- Set up direct debits or Centrepay so that bills are automatically deducted in affordable, regular amounts
- Save a bit of money if possible in case of an emergency
- Seek financial support from a reputable advisor. You can receive free financial counselling from CARE Financial Counselling on 1800 007 007.



Steps you can take to improve your home safety

- Improve outside lighting
- Consider a security alarm system, or change your code if you have one
- Change the locks to your home
- Consider adding a second phone perhaps in the bedroom. This phone could have automatic dialling and/or large numbers.

A CASE STUDY



Lola's story

Lola, a widow, is 85 years old. Her son, George, has lived in the family home all his life. George is unemployed and has an alcohol problem. He doesn't pay rent or contribute financially to the household.

When George is drunk he is violent and verbally abusive to Lola. He threatens her with violence, yells and swears at her and pushes and hits her. He also pressures Lola to give him money. He has debts and threatens to put Lola in an aged care facility if she doesn't help him pay them off.

Lola cannot sleep well at night as she is stressed about her future and feels depressed. She does whatever she can to stay out of George's way. She feels powerless and does not know what to do.

Information and Resources

Emergency '000' information in the person's own language (www.triplezero.gov.au)

Legal Aid ACT Plan for Your **Safety Help Sheet** available at www.legalaidact.org.au

Legal Aid ACT

[02] 6243 3436

9am–4pm Monday to Friday

www.legalaidact.org.au

Free legal advice and support services

Domestic Violence and Personal Protection Unit Legal Aid ACT

[02] 6207 1874

9am–4pm Monday to Friday

Legal advice and assistance for applying for family violence or personal protection orders.

ACT Health, Alcohol and other drugs

(02) 6207 9977

www.health.act.gov.au/our-services/alcohol-and-other-drugs
We offer services for individuals, their family and friends, general practitioners, other health professionals, and business and community groups.

Carers ACT

1800 242 636

www.carersact.org.au

Free services and programs to help carers including information, counselling, workshops, referrals to other services and supports.

Conflict Resolution Service

(02) 6190 7100

Provides mediation services in the ACT.

COTA (ACT)

(02) 6282 3777

www.cotaact.org.au

Peak organisation for all issues relating to older Canberra citizens, seniors, those of mature age and their families.

Domestic Violence Crisis Service

(02) 6280 0900

24 hours/7 days

www.dvcs.org.au

Provides a variety of services from crisis intervention to community education.

Lifeline

131 114 24 hours/7 days

www.lifeline.org.au

Support in a crisis and suicide prevention.

Relationships Australia Elder Relationships Service

(02) 6122 7100

www.relationships.org.au

Counselling and mediation service to support families who need help negotiating complex issues related to ageing.

The A.C.T. Disability, Aged and Carer Advocacy Service (ADACAS)

(02) 6242 5060

www.adacas.org.au

ADACAS provides help and support to people with disabilities, the elderly and their carers.

Women's Legal Centre

(02) 6257 4499

www.womenslegalact.org

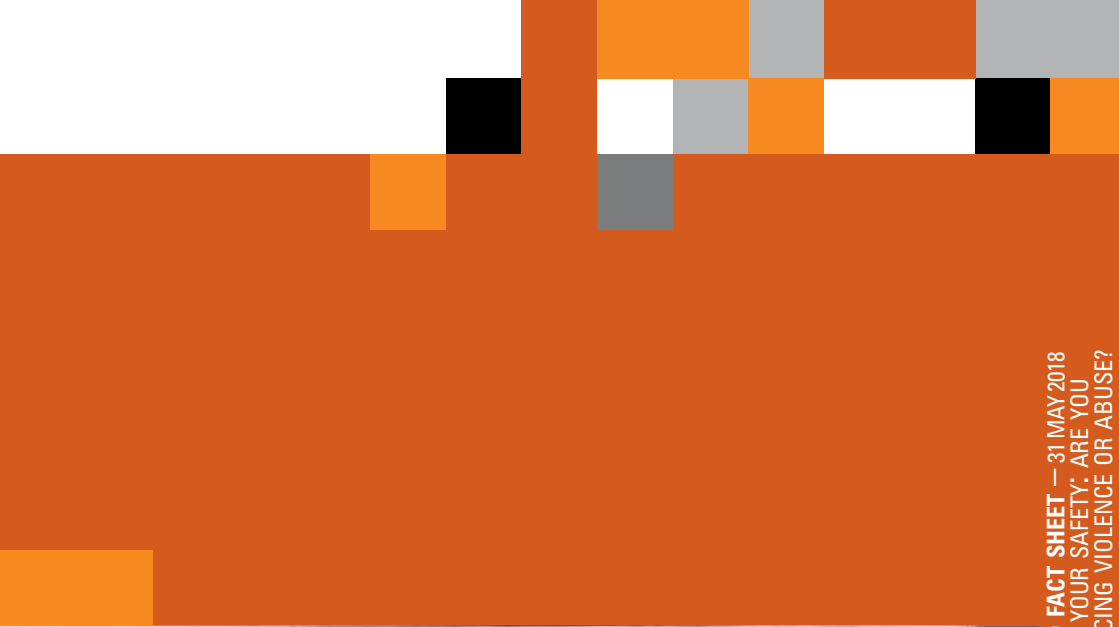
Free legal advice for women on issues concerning family and employment.

1800 RESPECT

1800 737 732

www.1800respect.org.au

National sexual assault, domestic and family violence counselling service.



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EXPERIENCING VIOLENCE OR ABUSE?



IF YOU NEED HELP PLEASE CALL
[02] 6243 3436

**FREE LEGAL ADVICE AND
SUPPORT SERVICES**

Legal Aid ACT

