Inquiry into Elder Abuse in Queensland

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To the Education, Arts and Communities Committee,

Submission to the Inquiry into Elder Abuse in Queensland

Firstly, thank you for this opportunity to input into the important work of the committee.

I write this submission in my capacity as an independent researcher on ethics and social philosophy of ageing and aged care. The submission is informed by my doctoral research as a PhD candidate at the Queensland Bioethics Centre, Australian Catholic University and eight years of professional experience in the Queensland aged care sector.

This submission aims to provide an account of the social environment in which elder abuse arises. I speak to the social attitudes and principles that drive our societal treatment of older people. In doing so, I hope to provide to the committee a useful framework to conceptualise the problem of elder abuse and inform potential solutions.

This submission addresses the nature of elder abuse, with particular focus on the role of community and relationships (Terms of Reference 1(a)(ii-iii)), and comments on opportunities to proactively address elder abuse (Terms of Reference 1(c)). This submission does not address the extent of elder abuse nor the effectiveness of current responses to elder abuse, which are addressed in the submissions of other parties available in transcripts and on the inquiry website.

Summary

Insidious social issues, such as elder abuse, are tied to underlying assumptions about how people *are* what makes a person a person (their personhood). When making policy decisions to address elder abuse, decision-makers should endeavour to empower older people in (and through) their vital attachments to community. This contrasts with popular societal perceptions of older people that portray them as diminished or no-longer-valuable persons, which may underpin abusive attitudes.

When drafting its final report and recommendations, the committee should consider:

1. Problems of elder abuse are connected to how older people are framed in societal contexts (by policy, institutions, and social attitudes);
2. Older people are generally perceived, and treated, as if their societal value is expired and their only worth is as a consumer or a prior contributor; and
3. Reframing this underlying perception to frame older people as actively relational beings, constituted by community connections, can suggest potential interventions for combatting elder abuse.

1. **What is the relevance of 'personhood' to the problem of elder abuse?**

The way personhood is framed impacts the way people are treated in society. 'Personhood' denotes the qualities of a person (i.e., what characteristics/traits/roles comprise beings we think of as 'persons'). When considering institutional or systemic decisions that relate to *people*, certain societal roles or traits of persons are likely to be seen as more central than others. In other words, certain framings of personhood will be preferred over others.

Systemic and institutional decisions relating to people, as well as social attitudes, will reflect the framing of personhood that is held by decision-makers (or by society in general). If certain roles or traits are seen as more important than others, people will be treated in line with those beliefs and decisions will be made that prioritise that framing.

Two broad examples of alternative framings of personhood and how they may influence decision-making may be:

- Example 1: A person is centrally framed as an economic agent (as a producer or consumer in the economy), and their economic participation is thus a priority in decision-making. A problem that negatively impacts a person may be framed as impacting their capacity to economically participate (to produce or consume), and thus solving such a problem is an economic concern.
- Example 2: A person is centrally framed as a community-constituted being (formed as a person by the roles they occupy in various social and ecological communities), and their relationships and interactions with their attached communities are the focus of decision-makers. When a problem negatively impacts a person, it may be framed as undermining their dignity in the context of their community attachments, and thus solving such a problem becomes a matter of justice.

Personhood may be framed differently in different circumstances, with their various roles and traits centred according to the context.

Elder abuse is a societal problem, but it is also a *human* problem (a problem of *persons*). In their submission to the committee's public briefing, representatives from the Department of Families, Seniors, Disability Services and Child Safety reference a consistent increase in the prevalence of elder abuse reporting since 2000 (Public Briefing, 19 Feb 25, 2). Members of the committee, as well as other submissions from the public, have noted that the problem is insidiously interwoven with other societal structures and issues (such as domestic and family violence).

It is worth considering whether framings of personhood have played a role in the increasing prevalence of elder abuse. How are older people currently framed in society? Can we identify social roles or certain traits that are central in our thinking about older people (as policymakers and as members of society)? Does this framing contribute to negative treatment of older people, and/or can we cause a shift in the treatment of older people by articulating and prioritising an alternative framing of personhood? It is important to specifically and meaningfully consider which societal roles and traits are centred, both when looking at the underlying causes of the insidious problem of elder abuse as well as in considering how it is to be combatted.

2. **How are older people framed in society?**

The personhood of older people is, in many instances, perceived as 'diminished' or 'less than' that of other members of society. One potential explanation for this comes from rhetoric that prioritises the person as an economic agent (as a participant in the production and consumption functions of the economy), which is common in contemporary western society (including in Australia). This was the view simplistically presented in example 1 under section 1. Older people may be viewed as no longer working or contributing and may even require care or support in their daily life (requiring additional resources

from others). There is a common perception that older people cost economies more than they contribute to them – a questionable belief according to Healy, 2004. If such a framing is dominant in a person's (or society's) thinking, perceiving someone as less of an economic agent may be unconsciously linked to a perception that their personhood has diminished alongside their economic participation. This framing has real implications on how that person will be treated in decision-making.

The aged care sector (which is governed by the Commonwealth but still populated by Queensland citizens) can provide significant insight on societal perceptions of older people, as a space created for and populated by older people. In 2024, the paper *A community within social and ecological communities: a new philosophical foundation for a just residential aged care sector* was published in the Medical Journal of Australia (MJA), written with A/Prof Bridget Pratt (Mater Associate Professor in Healthcare Ethics, Queensland Bioethics Centre) and A/Prof David Kirchhoffer (Director, Queensland Bioethics Centre). In this paper, we identify that aged care is dominated by a perception of older people as consumers, and services are framed as merely transactions:

> In practice, services delivered across the sector tend to treat RAC residents as consumers rather than with a broader sense of human dignity or personhood. The standards frame dignity as upholding a resident's choices and preferences in all aspects of their care. Currently, an affluent resident in a RAC home that is right for them may be able to attain this vision of dignity and meet all their needs. However, the framing may also compromise holistic human dignity. For example, upholding residents' consumer rights may mean a RAC provider reduces each resident's services to a list of tasks. This may lead to the perception of residents as no more than a sum of tasks, instead of as people, which, in turn, results in care described as commercialised and transactional, where physical care needs are prioritised over psychological or social needs. (Green, Pratt & Kirchhoffer, 2024)

A predominantly economic framing of older people in aged care prioritises the role of a resident as a consumer, even though all facets of their life (all social roles and characteristics) are influenced by their institutional context.

As a brief second example, consider a sentiment regularly used to justify or frame policy for older people: *We give them this because of all they gave to us. We care for them because they cared for us.* This is a common appeal to *past* value. While the sentiment is generally positive in nature, it still relies on an assumption that what is provided to older people is done so because they earnt it. Older people once provided value, so in turn we value them. Their value is perceived to be in the past.

In the aged care example, the value of the older person is limited to their role as consumer whereas the policy sentiment frames them as previously valuable (or retaining some value because of previous contribution). Both are examples of a portrayal of the older person as a diminished version of the person.

3. <u>**How does this framing influence treatment of older people?**</u>

Perceiving older people as having diminished personhood lays a foundation for interactions that *can* diminish key aspects of their personhood. If our view of older members of our community is limited to their role as a consumer or as a prior contributor of value, then we establish the basis for interactions and decisions that will only treat them as such, failing to support/empower/acknowledge any other role or characteristic that may be present in their personhood. In this way, such a view is a self-fulfilling prophecy; treating people as if they are diminished leads to outcomes in which they are diminished.

In the space of residential aged care, a consumer framing of older people creates conditions the Royal Commission into Aged Care Quality and Safety describes as "transactional" (RCACQS, 2021).

- In their own inquiry into elder abuse, the Australian Law Reform Commission describe the "marketisation" of aged care, and outline submissions that voice concern over how aged care will always be doomed to be an imbalanced, failed market due to the vulnerability of people

receiving care services (ALRC, 2017). Essentially, a person can be reduced to a sum of tasks to be completed.

- The eventual outcome of this limited framing of the person in aged care is <u>a neglect of social, cultural and environmental needs, and an exclusion from broader society</u> (Green, Pratt & Kirchhoffer, 2024).
- As I outline in section 4, there are important social and ecological roles that a person occupies that constitute part of their personhood. A framing of the person that excludes, undermines, or hinders these roles, or encourages interactions that hinder these roles, will have a damaging effect (a diminishing effect) on an individual's personhood, essentially wounding them at the deepest level.

Returning to the problem of elder abuse, evidence presented to the committee by the Department of Families, Seniors, Disability Services and Child Safety identifies family relationships as the perverted relationship of trust at the centre of elder abuse in 95% of cases (Public Briefing, 19 Feb 25, 2). The 2021 National Elder Abuse Prevalence Study (referenced as the best source for prevalence data by Department representatives) identifies psychological abuse as the most prevalent form of elder abuse, followed by neglect and financial abuse. Psychological abuse includes being social excluded or repeatedly ignored as well as being prevented from seeing or contacting important people (such as family). A person's role in their family, as a grandparent for instance, is a critical social role that contributes to the formation of their personhood. It is not uncommon for people to proudly self-identify by their familial roles

I encourage the committee to reflect on the framings of a person that would encourage, or allow, a family member to be treated in such an abusive manner. We can ask:

- Are there assumptions about the person that underpin such treatment?
- Are there certain characteristics or roles centred while others are overlooked?

Without speculating over the motives for abuse, it is feasible that perceiving an older family member as a diminished person (of prior or limited value) obscures other current valuable roles and characteristics of that person. Losing sight of the older person in their current context (a context explored further in section 4) may open the door for substandard, possibly abusive, treatment. This can be likened to the aged care example, in which a predominant perception of the resident as consumer contributes to a neglect of social, psychological and cultural needs. Some abusive actions, such as preventing contact with family, may reflect a degree of carelessness regarding the deep moral significance of social roles which could be influenced by a perception of the older person's personhood that does not centre such roles. This attitude (and the actions it may inspire) would, in turn, diminish the personhood of the older person.

When a person has a cognitive impairment, such as dementia, it may be even easier to view their personhood as already comprised or diminished (as they may begin to be unrecognisable as a family member). This may be a contributing factor in the 863 reports of elder abuse in Queensland in 2023-24 (of 2,674) that were reportedly perpetrated against a person living with dementia (Public Briefing, 19 Feb 25, 3).

4. **<u>How should older people be framed?</u>**

Developing strategies for combatting elder abuse should be preceded by an explicit articulation of a renewed framing of personhood to underpin social and political action. I suggest older people, like all people in society, should be seen as relational beings, partially constituted by community. We wrote in our MJA paper, "Social and environmental justice philosophers argue that relationships to other people, society and nature are in part constitutive of human personhood and are core aspects of human experience and wellbeing" (Green, Pratt & Kirchhoffer, 2024). There are various ways in which people

are shaped by their place in communities, but each person's identity is meaningfully impacted by their community roles. This remains true regardless of age. As outlined in section 3, damage to the core of the person can occur when these community roles are neglected or severed.

In our MJA paper, we illustrate how aged care homes should be reframed as "community within communities". This is depicted in Figure 1.
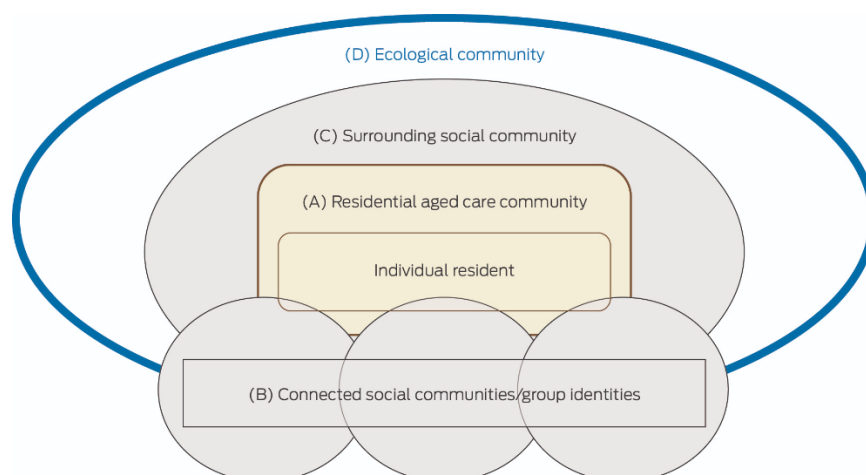

Figure 1: An illustrated model of residential aged care as a community within, and connected to, social and ecological communities (Green, Pratt & Kirchhoffer, 2024).

While the model of community within communities does not have direct relevance to the whole of society, it is one interpretation of an underlying principle that remains relevant regardless of context. Personhood (or existence as a person) is tied to community, both the ones we choose (e.g., clubs, associations, friendship groups, neighbourhoods) as well as the ones we are born into or are situated within (e.g., family, culture, ethnicity, city, state, environment). We can take a few more key points from this framing of the person:

- Social communities are comprised of numerous unique individuals;
- The personhood of community members is partially constituted by community. A person's community composition (the quantity and specificity of community influences) is unique to each individual person; and
- When seeking to make decisions about people, decision-makers should consider they are not making decisions about discrete, isolated entities but rather entities that are embedded in and partly constituted by a complex interweaving of social and ecological communities.

Utilising such a framing to inform and underpin responses to a problem such as elder abuse can provide potentially useful insights, such as:

- Interventions for the community-constituted person can focus on ensuring a continued connection with their relevant communities which can support the integrity of their personhood;
- The responsibility for combatting elder abuse can be shared with communities, meaning that policy and funding can encourage and empower communities to connect with, and support, their older members; and
- When combatting social forms of abuse (such as types of psychological abuse, neglect, and financial abuse – which may stem from a limited perception of the older person), interventions may seek to challenge societal framings of older people and encourage people to interact with older members of the community in a more holistic manner.

Conclusion

When approaching insidious social challenges like elder abuse, it is important to consider the assumptions and framings that underpin the treatment of people in the community. It is also important to consider how shifting those underlying assumptions can inform decision-making. I encourage the committee to consider how older people are broadly perceived in society, both when identifying the root causes of elder abuse as well as when making recommendations for future policy and programs.

If I can clarify or expand on any points raised in this submission, please contact me via email ████████████████████

I thank the committee again for considering the immense societal challenge that is elder abuse.

Yours faithfully,

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Lachlan Green

References

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