Communique: Health, justice and ageing symposium

Thursday 21 March 2019

As our population ages, the impact of older people’s vulnerability to poor health and unmet legal need increases. This vulnerability, which may arise from greater isolation or dependency on others, is exacerbated by existing gaps in service accessibility or effectiveness for older people, particularly who are hard to reach or experiencing complex need. Health, legal and other services must be capable of identifying and meeting the needs of older people, to guard against these vulnerabilities and address them when they are identified.

On 21 March 2019, a landmark symposium brought together consumers and community members, health, legal and community services, policy-makers and researchers to identify priorities and opportunities for collaboration to support ageing with health, justice and dignity. Over 120 people came together to explore the systemic drivers of vulnerability faced by older people as well as the collaborations and other innovations that are improving how we meet the needs of our ageing population. Using comments and quotes from participants, this communique provides a summary of the discussions that were held over the afternoon, along with the webcasts of the keynote and panel.

The symposium organisers described their objectives for the day as giving voice to older people in how we identify and respond to vulnerabilities arising from intersecting health, legal and social needs.

‘It is said that older people have two kinds of problems: the problems professionals think they have and the problems they actually have.’ Associate Professor Nola Ries, Law Faculty, UTS.

‘This discussion provides an opportunity for different sectors to see how we can all play a role in identifying vulnerabilities and support people to keep standing up for their rights – helping people make these decisions themselves.’ Craig Gear, CEO, Older Persons Advocacy Network.

‘While we have seen strong advocacy on acute problems like elder abuse and support for people in aged care, there are many other challenges for our health, legal and human services created by Australia’s changing demographic around ageing. We want to make sure that practitioners and services are working with the communities they serve now, to prepare for these changes and ensure we can support people to age with health, justice and dignity.’ Dr Tessa Boyd-Caine, CEO, Health Justice Australia.

Liz Tobin Tyler, Professor of Family Medicine and Health Services, Policy and Practice at Brown University, outlined common goals that have emerged for the effective integration of health, legal and social services to assist vulnerable older people:

- Promote autonomy and self-determination through person centred approaches to legal, social and health care
- Focus on medical age, not legal age to support individuals according to life experience and unique needs
- Screen for unmet social and legal needs early
- Incorporate a legal health check-up
- Recognise functional limitations and other barriers
- Support the development of an elder care workforce

A range of social and systemic factors that determine vulnerability among older people were identified, including:

- Ageism and discrimination
- The role of human rights instruments
- Distance and geographical disadvantage
- Risk of homelessness
- Difficulty navigating systems

- Changes in cognitive and physical abilities
- Capacity and capability in institutions and services
- Importance of supported decision-making
- The need for community control and social connectedness
Theresa Flavin shared her experience of younger onset dementia and the vulnerability created by the immediate assumptions people make about dementia. She gave an impassioned plea to recognise the role of supported decision-making, without taking away the right to make decisions.

“What I want, as someone who is vulnerable, is help making decisions. I don’t want them made for me.’ Theresa Flavin, sharing her experience of younger onset dementia.

Practitioners across health justice partnerships talked about their experience of embedding legal help within healthcare teams and settings to identify and respond to people at risk of or experiencing elder abuse. For social workers, this approach extended the multidisciplinary healthcare model, providing a lawyer ‘as part of our toolkit’. Health justice lawyer and manager of Seniors Law at Justice Connect, Faith Hawthorne talked about her aspiration to reframe the role lawyers play in keeping people out of court by providing legal help early, to prevent disputes about property, assets or care decisions between older clients and their adult children.

Mary Anne Geronimo from the Federation of Ethnic Communities Councils in Australia spoke about the critical importance of culturally diverse and aware services and the opportunity for mainstream organisations to collaborate with diverse communities to this end.

Alison Verhoeven from the Australian Healthcare and Hospitals Association highlighted the role that workforce plays, and made a strong plea for a nuanced conversation that moved beyond number of staff to the quality and capabilities of staff according to client need.

Janet Anderson, Australian Aged Care Quality and Safety Commissioner reflected on the significant shift in aged care, where quality standards now put the consumer at the front of the picture. This standard requires collaboration with consumers for design and delivery of care for each individual – a big change from past practice. As Janet highlighted, ‘if it’s not working for the consumer, it’s not working.’

The Hon Kay Patterson, Age Discrimination Commissioner discussed a range of innovations at a local level that are supporting the needs of older people, from mediation where elder abuse has been identified within families; to community policing that taps the insights and expertise of experienced officers with strong local relationships; to networks within communities that connect a range of services to ensure problems can be identified and addressed immediately in the interests of local communities.

Robert Tickner from the ‘Every Age Counts’ campaign reflected on the importance of bringing health and justice together and the critical role of the health system in addressing systemic discrimination through ageism. This reflected comments by the symposium’s keynote speaker, Assistant Professor Liz Tobin Tyler, who noted that, as an educator, she sees a lack of people moving into a workforce that’s focused on older adults’ needs. She attributed some of this to ageism and called for teaching the next generation to think about these issues; as well as supporting problem-solving across disciplines, which requires a different kind of training than they tend to receive.

The symposium identified many barriers to effective support for older people with intersecting needs. Many of these are not new problems; communities and community organisations are already working to address them, but there is great opportunity to collaborate around these approaches. How do we share our knowledge and the lessons from what has worked – and what hasn’t? How do we build relationships across and between services, communities, sectors, researchers, practitioners and policy-makers, to better support older people? What else are you doing and where else are you collaborating to address the systemic barriers to health and justice in ageing?

Key opportunities to continue this conversation include the National Elder Abuse Conference (22-23 July) 2019 and Health Justice 2019. Beyond that, let’s continue to use the networks that connect us all, to support ageing with health, justice and dignity.

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