Mr Edward O’Donohue, MLC
Chairperson
Scrubtuny of Acts and Regulations Committee
Parliament House
Spring Street
EAST MELBOURNE VIC 3002


Please find enclosed a submission from the Council on the Ageing Victoria (COTA)

This submission is based on consultations with COTA Policy Council and other older people and uses case examples from our services for older people such as Seniors Information Victoria and Seniors Rights Victoria.

COTA is Victoria’s leading senior advocacy organisation and engages with over 60,000 senior Victorians annually. COTA is highly regarded as an advocate for older people and has extensive experience in policy development and community education, particularly peer education by and for older people. COTA believes all people have the right to dignity, security, access to high quality services and equality in participation in the community regardless of their income, status, background, location or any other social or economic factor.

We present this submission to you in support of the Victorian Charter of Human Rights and Responsibilities and of initiatives to extend its coverage and increase its effectiveness.

Yours sincerely

Sue Hendy
Chief Executive Officer

10 June 2011
Inquiry into the Charter of Human Rights and Responsibilities

Submission to the Scrutiny of Acts and Regulations Committee
June 2011

COTA Victoria

Council on the Ageing Victoria
Level 4, Block Arcade
98 Elizabeth St
Melbourne 3000

Contact
Debra Parnell
Ph. 9655 2106
COTA’s Position
Council On The Ageing Victoria (COTA) welcomes this opportunity to contribute to the Victorian government’s initiative to strengthen the Charter of Human Rights and Responsibilities Act 2006 (The Charter). We commend the action of the Attorney-General in referring this review to a joint investigatory committee, the Scrutiny of Acts and Regulations Committee thereby enabling consideration of these critical issues by all parties.

COTA supports the Charter and urges the Committee to ensure that its capacity to effect change in public authorities whose work impacts on the lives of older Victorians is continued and enhanced through the outcomes of the review.

COTA Action on Human Rights
COTA was established in Victoria in 1951 to protect the rights and improve the circumstances of older people particularly those experiencing disadvantage and discrimination. It is now Victoria’s leading senior advocacy organisation engaging with over 60,000 senior Victorians annually. (For further information about COTA and its work see Attachment B).

COTA believes that it is appropriate to have both human rights legislation that includes everyone in the community and specific legislation for particular sections of the community to ensure that the rights of some groups e.g. older people, people with disabilities, women, are not overlooked.

We believe that all the rights recognised in the United Nations Principles for Older People should be protected in legislation in Australia and Victoria (see Attachment A for a list of these rights and examples of experience of older people).

COTA has a long and increasing involvement in issues of human rights of older people. We:
- supported the establishment national Commissioner for Age Discrimination and Aged Care Commissioner.
- convene a Human Rights and Older People Network of officials across several jurisdictions and community leaders to share ideas and progress.
- participate in initiatives of the International Federation on Ageing urging the United Nations (UN) to adopt a convention on the Rights of Older People. We note that the UN has set up an Open-ended Working Group on Ageing to consider and improve the existing international framework of the human rights of older persons.
- support action to implement the UN Madrid Action Plan on Ageing that includes specific reference to support by human rights conventions.

The Importance of the Charter
The Charter plays a valuable role in COTA’s work to realise its mission to mobilise older people and those who work with them, to age well in a just society.

Ageism
The most powerful force adversely impacting on the rights and opportunities of older people is ageism which is based on negative stereotypes of age. Ageism does not necessarily involve an intention to harm. Nevertheless it is so embedded in our understanding of reality that we take for granted beliefs, attitudes and actions that reinforce structural inequalities and shape patterns of behaviour in older people that are inimical to their own interests.

Ageism was first named over 40 years ago. It has been thoroughly described and its effects have been well documented in a substantial international literature. Yet it is still endemic in all sectors of the community including amongst health professionals, politicians, service providers, public servants, families and older people themselves. Successive Victorian governments have
engaged the Parliament in addressing the challenges posed by an ageing population where increasing numbers of older people are experiencing old age in less than optimal health and levels of participation in the society. The latest is the current Inquiry into Opportunities for Participation of Victorian Seniors.

Despite this scrutiny and the programs that have followed older people still face discrimination in employment, in rental accommodation, in language and in being heard as individuals and in policy debates. The rights of older people are continually overridden by decision-makers who believe that they are better placed to make judgements about their clients or relatives interests than the older person themselves. Public authorities frequently underestimate the need to provide recreational, educational or cultural activities and facilities that are inclusive of the interests and capacities of older people.

Diversity
The Charter should recognise the diversity of the population and the need for differential strategies to ensure that the rights of all are protected. Older people are the most diverse sector of the population and their treatment as a homogenous group is one of the most destructive forms of ageism. The Charter must specifically protect the rights of Indigenous people, people of non-English speaking background, people with disabilities and chronic diseases and people living on low incomes with limited economic capacity to pursue their own rights. Older people are found in all these categories.

Role of the Charter
The Charter not only places on obligation on public authorities to change the way they work it is a powerful community education tool legitimising the work of advocates like COTA who enable people to stand up for their own interests and to maximise their health and participation. The Charter is relatively new and it will be some time before we are able to make a full appraisal of its significance. Yet we are already beginning to use it in a number of ways including:

- spreading awareness of the Charter and the rights in it to hundreds of seniors’ groups through our network of voluntary Peer Educators who recently won a Minister of Health award
- Advising people on how to act on issues of concern through Seniors’ Information Victoria
- In supporting people experiencing elder abuse through Seniors’ Rights Victoria

SRV works to respond to and prevent elder abuse amongst older Victorians. In its submission to the Review of Guardianship provisions in Victoria SRV stated

A human rights framework empowers individuals, especially those who are marginalised or disadvantaged, such as those at risk of or experiencing elder abuse. Identifying elder abuse as a human rights issue and responding within a rights framework empowers older people to take action and enables them to live their lives with dignity and respect.

In our submission to the National Human rights Consultation 2009 we affirmed the value of the Charter in the following terms:

*Already there is considerable evidence that the Charter is successfully used to protect and ensure human rights in these areas, especially for vulnerable people who are often dependent on services and support of government and community organisations.*

*The Charter promotes a consciousness of human rights. Service providers are being challenged to reorient their services to consider the human rights of their clients. They are under considerable financial pressure and may be driven by liability insurance, occupational health and safety concerns and the work style or preferences of staff. Often through discussion and negotiation, they find that they can meet clients’ human rights with no change in service quality or cost, while maintaining their duty of care, and the client’s quality of life is greatly enhanced.*
COTA Response to Selected Terms of Reference

COTA has responded only to those Terms of Reference where we have specific knowledge and experience. These are items 1(a), 1(c), 5(c), 6 & 7

1. Whether the Charter should include additional human rights under the Charter, including but not limited to, rights under the
   (a) International Covenant on Economic, Social and Cultural Rights;
   (b) Convention on the Rights of the Child; and
   (c) Convention on the Elimination of All Forms of Discrimination against Women?

1(a) International Covenant on Economic, Social and Cultural Rights

COTA strongly supports the inclusion of the rights enunciated in the International Covenant on Economic, Social and Cultural Rights.

These rights, particularly rights to, a decent standard of living, to health, to work and to education are highly valued by older people and are essential to enable healthy and positive ageing. In our consultations with older people on What constitutes a decent life they identified social connectedness as their life blood and Independence, Financial security, Housing, Health, Transport, Discrimination as six of the 8 most important elements. These are the very rights which are the underpinnings of many government policies and program that seek to increase the participation of seniors in the community. They are also the rights that give rise to most claims of age discrimination.

In its submission to the National Human Rights Consultation SRV noted

These rights [advocated in their submission] are a combination of civil and political rights and economic, social and cultural rights. SRV does not distinguish between the two, as the absence of one type of human right affects an individual’s ability to enjoy the other.

COTA understands the inclusion of these rights would place the obligation on government to take reasonable steps to ensure the progressive realisation of these rights within the maximum of available resources. The criterion for implementation is one of reasonableness not of an absolute right to government funding. As well as placing an obligation on government they would provide a rationale to promote government decisions on priorities. For example the inclusion of these rights would underpin the current government’s policies of supporting the inclusion and engagement of all members of the Victorian community.

1(c) Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)?

COTA recognises the significant contribution CEDAW has made to the promotion and realisation of the rights of women. It notes the increasing and changing needs of older women given the increasing numbers and proportions of older people in the population. Social and economic changes that have supported increased life expectancy and the years of healthy active living have not been universally experienced. Changing patterns of work and of relationships and families (including divorce rates and birthing patterns) have resulted in vulnerable older women experiencing higher levels of homelessness, and economic insecurity. Rights of older women are not specifically recognised in CEDAW. The inclusion of the rights of older women in The Charter would add to the protections available.
5. What have been the effects of the Charter Act on –
(a) the development and drafting of statutory provisions;
(b) the consideration of statutory provisions by Parliament;
(c) the provision of services, and the performance of other functions, by public authorities;
(d) litigation and the roles and functioning of courts and tribunals; and
(e) the availability to Victorians of accessible, just and timely remedies for infringements of rights?

5(c) the provision of services, and the performance of other functions, by public authorities

As citizens older people have an interest in all aspects of public life. In the main COTA interacts with those public authorities that make policy which provides explicitly for older people and/or effects older people in specific ways and those authorities who deliver services to older people. It advocates for the rights of older people to be taken into consideration in many areas of government policy and practice for example access to and use of acute, sub-acute, and preventative health services; public transport that meets their needs; the provision of affordable utilities and services, recognition that many older people experience disabling conditions caused by chronic diseases/conditions or injury not age. COTA finds it helpful to refer to the human rights base of particular subjects of advocacy. Conversations can be more productive resulting in more effective outcomes when the obligation to consider human rights is recognised by public authorities.

The following example illustrates how it has contributed to change.

A Victorian welfare organisation refused to visit Robert, whose house was considered in a state of squalor and uninhabitable. The organisation made an application to VCAT for the appointment of a guardian for Robert. VCAT found that Robert did not have a disability and refused to appoint a guardian. The response from the service provider was to suspend its services to Robert. No other service providers agreed to assist Robert in the home. Seniors Rights Victoria assisted Robert in finding an alternative service provider, raising the following Charter Rights and Principles: Equality before the law; Right not to be treated in an inhuman and degrading way; right to respect private life; the principle of proportionality.

5(e) the availability to Victorians of accessible, just and timely remedies for infringements of rights?

Formal access to just and timely remedies is not sufficient unless all citizens are aware of those remedies and use them. Many existing consumer protection avenues for example ombudsman services are underutilised because for a range of reasons people do not feel confident or able to use them. Vulnerable people frequently do not complain or pursue their rights because of fear of reprisals, lack of information in a language they can understand (including plain English) or permanent or temporary incapacity. Older people who have accepted negative stereotypes may be complicit in the infringement of their rights as they have been conditioned to accept that such treatment is a normal part of ageing or they may feel powerless to change the situation. Older people on low incomes cannot afford private legal services and frequently experience difficulty in accessing public legal services due to their asset level in ownership of their home. To complement the remedies available to individuals public authorities should be required to monitor and report on their own initiatives to implement the Charter.
6. What if any, have been the overall benefits and costs of the Charter?

COTA believes that the benefits of the Charter are only beginning to be realised. As previous inquires demonstrate, there is significant support for the protection of human rights in law. We concur with the view of the Human Rights Law Centre that the Charter provides a necessary and complementary layer of accountability. It is an efficient and cost-effective way to fill gaps in human rights protections.

7. What options are there for reform or improvement of the regime for protecting and upholding rights and responsibilities in Victoria?

COTA recommends three initiatives that would improve the Human Rights regime in Victoria:

- The Charter of Human Rights and Responsibilities Act 2006 should be strengthened by amendment to include protections so that all Victorians can exercise their rights in a just society.
- Education and training programs should be provided for all public authorities bound by the Act to increase their capacities to advance the objectives of the Act. Specific components on identifying and combatting ageism should be included in such programs. Programs should also reinforce initiatives to redress other forms of discrimination towards other vulnerable sectors.
- Anti-ageist and culturally appropriate public education campaigns should be mounted to ensure that vulnerable people understand how they can secure their rights.

Conclusion

COTA strongly affirms the Charter and looks to increased activity around it for the confirmation of the often unrecognised rights of older people.

Human Rights have been the subject of increased focus by governments over at least a decade with Age discrimination being amongst the last to be recognised. Various jurisdictions have introduced reforms such as equal opportunity legislation, anti-discrimination commissioners and a range of consumer protections including ombudsmen. The Charter is an important tool for embedding this approach in future policies and practices.

The Charter does not stand alone but plays a significant role in an international, national and state network of instruments that educate communities, protect the rights of individuals and provide opportunities for them to seek redress of discrimination.

The existence of instruments at these various levels should not be regarded as unnecessary duplication. Each of the instruments has a specific purpose. The recognition of the importance of human rights and the need for global change demonstrated by the existence of a range of instruments increases the understanding and commitment of the community. They are mutually reinforcing giving people confidence that there are ways to have their concerns heard and to participate in changing the society in the interests of all. The Charter gives form to rights, which could be regarded as distant and hard to realise, in a tangible way that enables people to act.

The Charter is one of the pillars for the profound changes that are necessary for older people to enjoy the full range of human rights essential for full participation in a just society.
Excerpt from Council on the Ageing Victoria Submission to National Human rights Consultation 2009

Ageism and Human Rights

Ageism, negative discrimination against an individual or group on the basis of their age (particularly if they are of older age) is an entrenched feature of Australian society. The community, including older people themselves, are often not aware of the myths and stereotypes they have accepted about the abilities and capacities of older people.

Older workers often struggle against ageist attitudes of employers to be accepted for jobs for which they are well qualified. Their age is not mentioned but they are told they are over qualified or not suitable in some unspecified way. If they receive Centrelink benefits, they suffer the ageist attitudes of the much younger staff who have little respect for their experience but require them to attend training courses when they may be better qualified than the trainer.

Planning of public facilities, access to public transport, including safe bus stops and accessible vehicles, and location of services do not take the needs of older people seriously. For example, retirement villages are approved and built in isolated locations with no pedestrian access to shops or services. On a bus route used largely by older residents and school children in a semi-rural area, the bus stops have no shelter or seats, are mud puddles when it rains and dust bowls in the dry. A public library is relocated to a school campus several kilometres from its current site, away from the shops and services that older people visit at the same time as the library. Public seating is removed because shopkeepers do not want people sitting outside their shops when the seat may be a convenient place for older people who are now reluctant to walk to do their shopping because they cannot face the whole distance without stopping.

COTA argues that addressing these issues from a human rights perspective benefits all members of a community. It shows respect and consideration for the most vulnerable, least able while providing services and facilities that everyone can enjoy.

In December 1991, the United Nations adopted a set of United Nations Principles for Older Persons, recommending that all member governments incorporate them into their programs for older people. The Principles are based on the following Declaration on the Rights and Responsibilities of Older Persons. The United Nations General Assembly summarised the Declaration as follows:

'Add life to the years that have been added to life by assuring all older persons independence, participation, care, self fulfillment and dignity'

The human rights set out in the Principles for Older Persons are as relevant today as in 1991 and COTA Vic believes they should form the basis of a Human Rights Act that will protect the human rights of older people, and in doing so, protect the rights of all Australians.

The following table sets out the UN Principles for Older Persons and some cases stories to illustrate how these Principles are ignored so that the rights of older people are abused. These stories come from Seniors Information Victoria, Seniors Rights Victoria and other contacts COTA Vic has with older people.
The UN Principles are: | How they are not protected by existing legislation
--- | ---
**Independence**
Older persons have the right:

1. to access to adequate food, water, shelter, clothing, and health care through the provision of income, family and community support and help;  
   I am 78 and living alone. Some time ago when I was faced with the prospect of surgery I tried to register for some help with house cleaning if or when I might need it. What was offering was not particularly helpful. Here are some of my thoughts about caring for the aged in their own homes.  
   Firstly it seems impossible to register or make arrangements ahead of time so that if or when the need might arise suddenly due to illness or some other catastrophe, one would be able to access home help immediately. It seems that you have to wait until you actually need the service, then be prepared to go on a long waiting list, by which time the need may no longer exist or you have collapsed in a heap.  
   Secondly, only light house cleaning is available, such as dusting etc. I was told that cleaners were not allowed to move furniture or do any cleaning above head height due to occupational health and safety regulations. Most elderly people can manage the light cleaning chores themselves. When I asked who I could get who would do the heavier cleaning such as pulling out the bed to clean behind it, or doing the cobwebs on the ceiling, I was told this cannot be done as the cleaners are all women. What about some male cleaners who can do what we elderly people can’t manage ourselves?

2. to work and pursue other income generating opportunities with no barriers based on age;  
   - I was on NewStart for 8 years – do you know how humiliating that is? The attitude of Centrelink staff, some young thing who tells me I need to do this or that course! I’ve already done that training, I could run the course myself. And then the employers who won’t say it, but they think I’m too old. I really need to, want to work.  
   - Visitor’s friend suggested he come in to SIV to see about housing options. Currently in private rental in Footscray, 65 next year, & looking for work. His rent is just affordable but if he doesn’t find work & the rent increases he will have to move. No assets, would like to stay in western suburbs, but there are very few options in the not for profit housing sector, so he’s looking at an area in eastern suburbs where he has lived before.

3. to retire and participate in determining when and at what pace withdrawal from the labour force takes place;

4. to access education and training programs to enhance literacy, facilitate employment, and permit informed planning and decision making;  
   - I’d do a course but everything I’m interested in is too expensive when you’re on a pension.

5. to live in environments that are safe and adaptable to personal preferences and changing capacities;  
   - Caller said she was a “bit stressed”. She lives in a caravan park, mainly seniors, and the owners are “picking on her” because of her little dog. Feels she is being harassed and it is making her feel stressed, and she would like to move but can’t afford it. The owners are applying pressure about her dog, which she believes is unfair & untrue.  
   - Caller’s friend is aged 97. Has lived on another friend’s property for 11 yrs, and arrangement was for him to
live there permanently. Owner of property died, and daughter is selling. Friend wants to be able to stay in home until sold and maybe be able to stay on with new owners, but owner’s daughter wants him to move out now.

6. to reside at home as long as possible;

- I have an elderly tenant living in half my house. She asked for a railing to be installed to help her up the outside steps to her home. An occupational therapist came to assess her situation and she was told aged care would not provide the necessary aid for a renter. Also even if they did there would be a 6 month wait, and it would cost about 3 times as much as a quote I had already obtained from a builder. Surely, many elderly people who need support are renters, and such a long delay must be due to underfunding. One wonders also why they would not be able to offer an equally high quality but cheaper option.

Participation

Older persons have the right;

7. to remain integrated and participate actively in society, including the process of development and the formulation and implementation of policies which directly affect their well-being;

- My friend is the primary carer for her husband but when he was in hospital, the staff ignored her. She thinks the reason she’s being treated like this is because she’s old, too.
- The daughter told the nursing home staff that her mother was not to have any visitors and her mail was to be sent to the daughter. And the staff did it, even though the daughter had no authority.

8. to share their knowledge, skills, values and life experiences with younger generations;

- Older people value such opportunities, such as literacy, history and environmental programs that allow them to share with children and younger people.

9. to seek and develop opportunities for service to the community and to serve as volunteers in positions;

- Older people provide thousands of hours of voluntary work in their communities each year. Many services and programs would not survive without their contribution, therefore governments and agencies relying on older people must ensure they are resourced and supported with training, coordination and re-imbursement of costs where appropriate.

10. to form movements or associations of the elderly.

Care

Older people have the right

11. to benefit from family support and care consistent with the well being of the family;

- Caller wanted to know if a person in a nursing home whose husband has died has a right to be told. The person has dementia.
- The caller is a grandmother who has not seen her grandson from several years and has never seen his younger sister. The caller’s daughter (children’s mother) had broken off contact. [This seemed to be the typical situation.]
- Worker has a client in her 80s who lives in outer eastern suburb and wants to be able to visit her brother who is approx 90 years old and lives in western suburbs. How can she do this? Neither drives.
- Last year my 12 year old grand daughter came to live with us because her mother, my daughter has mental
Council on the Ageing Victoria (COTA)

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<th>12. to access health care to help them maintain or regain the optimum level of physical, mental and emotional well-being and to prevent or delay the onset of illness;</th>
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<td>Visitor concerned about friend who now lives in a hostel where &quot;everyone is asleep in their chairs&quot;, and the friend is very unhappy. Friend is living in supported accommodation after leaving private rental unit. Has been told that if she wishes to stay in Lodge, she has to come up with $125,000, visitor said her friend has no money.</td>
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<th>13. to access social and legal services to enhance capacity for autonomy and provide protection and care;</th>
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<td>An older woman from a non-English speaking background sold her house and gave the money to her son and daughter-in-law to reduce their mortgage in return for a home for the rest of her life. The son's marriage ended, the house was sold and because our client's name was not on the title, she got nothing. But Centrelink treats it as though she gave the money away in order to get a pension. She has no money, no home and waiting lists for public housing are long.</td>
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<td>Resident for 20 years in ministry housing has a neighbour who is dealing drugs from his unit. Been to the police, the ministry, and the magistrate's court without success. Would like to know what rights she has as a senior in this situation? Not afraid of her neighbour even though he is threatening, and tells lies about her. She says, &quot;he is all talk.&quot; She just wants to stop the drug dealing outside her home. Not prepared to move, believes neighbours &amp; ministry have breached their agreement to a &quot;peaceful neighbourhood&quot;</td>
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<th>14. to utilise appropriate levels of institutional care which provide protection, rehabilitation and social and mental stimulation in a humane and secure environment;</th>
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<td>Case manager - client is to be discharged from hospital next week. Is being evicted from unit - has nowhere to go.</td>
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<td>My mother was in a nursing home, in her nineties, physically dependent but mentally very alert. She was put in with mostly people with dementia and she had no one to talk to.</td>
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<th>15. to exercise human rights and fundamental freedoms when residing in any shelter, care and treatment facility including full respect for their dignity, beliefs, needs and privacy and for the right to make decisions about their care and quality of life.</th>
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<td>Independent living unit (ILU) resident where operator wants all residents to have emergency buttons, which the residents feel they do not want or need. It is not in the contracts that they signed. While the owners say that the devices will be provided free, the residents do not want to pay the yearly charge.</td>
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**Self - fulfilment**
Older persons have the right:

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<th>16. to pursue opportunities for the full development of their potential;</th>
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<td>Worker concerned about client with disability aged 59/60 living in hostel who is still mentally active &amp; being given no activities to challenge her. Provided details from Human Rights Charter re accommodation rights. Referred caller to Commissioner.</td>
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<th>17. to access the education, cultural, spiritual</th>
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| Caller lives in an ILU & wants to get an electric scooter, but has been told by the administrator that it has to
and recreational resources of society.  

be locked up. She has offered the foyer but the scooter would not be available after 8pm. Has had someone from the local service club come along & identify a place for locking up the scooter but the administrator is not happy about this.

### Dignity

Older persons have a right:

18. to be treated fairly regardless of age, gender, racial or ethnic background, disability or other status, and to be valued independently of their economic contributions;

- The people at Centrelink treat me as if I did something illegal…she stood on a raised platform looking down on us, a whole queue, all elderly folk. I asked if there was somewhere I could sit down and she said “No, you stand there!” I’ve never done anything dishonest in my life.
- Caller ringing on behalf of a friend, who is in her 80s and rejected by Multi-purpose Taxi Program (MPTP) because her disability was not considered permanent or severe enough. Friend has vertigo but also recently had a fall. Caller also added that there is no public transport in her friend’s area and she lives a distance from her doctor and shops.
- A COTA member encouraged a friend to ring about extremely poor service by “disability taxi” services. She spoke of people booking a disabled taxi and having to wait an hour, sometimes missing medical appointments.
- Caller aged 80 lives in the country, has twice applied for MPTP & been refused. Has regular doctor’s visits; cost of taxi is $20, no other option for travel. Has tried council, they referred caller to Carelink, referred to Red Cross. No assistance available.

19. to live in dignity and security and to be free of exploitation and physical or mental abuse;

- Worker assisting a couple about to be evicted from a retirement village (RV). Helping them to find alternative accommodation. Names are down at various independent living units etc, and in the meantime they have found private rental. Worker concerned that the RV will probably end up retaining $40,000 of the $70,000 deposit that they paid for their unit, which will mean that it has cost them $5000 a month to live there over the past 8 months.
  - She rents a rundown unit. Gets rent assistance, but she's finding general cost of living too much. Right now she has a refrigerator that isn't properly sealed and is costing her a lot in electricity. But there are only low-cost loans available to help her replace it. She's been on a waiting list for a couple of independent living units, but the waiting lists are very long. She also has health problems, and her private doctor doesn't seem very helpful. Her landlord lives in the unit to which her rented granny flat is connected: she's expected to do the gardening, which she can't do. Doesn't even have a separate mailbox, so doesn't always get her mail. Is afraid to make any complaint.
  - Caller concerned about mother who is living in rented accommodation without heating - landlord refuses to supply heating other than in the bathroom.

- Person gathering info for older friend, who has been renting a room for the past 15 years in a private home. Owner has developed a psychiatric illness and may need to go in to care. The older friend is concerned that the family will then sell the home.
**Council on the Ageing Victoria (COTA)**

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<td><strong>Caller, a pensioner, living in private rental. Rent has recently gone up $170 per month. He has been to Centrelink &amp; has been told he is currently receiving maximum in rent assistance. Caller said he would have to move. Has lived in the area all his life.</strong></td>
<td><strong>Caller asking for assistance with housing for both her &amp; her husband. Currently in private rental. Appeared very distressed, crying, and pleading for help. She said both she &amp; her husband were unwell.</strong></td>
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<td><strong>20. to exercise personal autonomy in health care decision making, including the right to die with dignity by assenting to or rejecting treatment designed solely to prolong life.</strong></td>
<td><strong>Caller aged 80, had pneumonia &amp; was put into coma, is now in a wheelchair - wants to die.</strong></td>
<td><strong>In the hospital in the same room with my mother, there was a woman with dementia. She was fed by tube and she was constantly pulling the tubes out, used to get very agitated when the staff put them back in. The rest of the time she was quiet, no trouble at all. To me, it was quite clear she didn’t want to be fed; she wanted to be allowed to die.</strong></td>
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<td><strong>My father’s over 80 and has been in a coma for a long time now. I know he’d hate it if he was aware of what’s going on. I’ve asked his doctor why Dad can’t be let die but the doctor says my sisters won’t agree to it.</strong></td>
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Council on the Ageing Victoria (COTA)

Council on the Ageing Victoria (COTA) is a community-based organisation of older Victorians working in the interests of older people to bring about positive social change. Our mission is to resource and mobilize older people and shape a society that enables people to age well. Our organisation has been effectively representing seniors’ views, and facilitating the active participation of older Victorians, since 1951.

COTA is Victoria’s leading senior advocacy organisation and engages with over 60,000 senior Victorians annually. COTA has expertise in policy development and community education, particularly peer education by older people. COTA has a city base with state-wide coverage through its membership and outreach activities. It is an active member of the national federation Council on the Ageing Australia.

COTA believes all people have the right to dignity, security, access to high quality services, and equality in participation in the community regardless of their income, status, background, location or any other social or economic factors.

COTA recognises that consistent with the general population, older people come from many different cultural backgrounds and have diverse social, economic and health status. The economic, health, social and cultural needs and aspirations of older people are, on the whole, no different from the rest of the community.

COTA advocates strongly for the most vulnerable and disadvantaged in the community to ensure they have access to the resources and support they need when they need them. These include access to employment opportunities, housing, information and education, health and support services necessary to live and age well, and to legal services and information.

COTA works for a just and equitable society for all, in which older people have the right to be full and participating citizens to the extent of their abilities and wishes, and is underpinned by a strong commitment to human rights and social justice.

This commitment is reflected in its services and programs which provide opportunities for older people to participate in their communities, to develop new skills and to contribute to political and social policy at all levels of government, and that support older people in exercising their rights.

COTA’s services and activities include:

- Providing information and services to older people, their relatives and the wider community
- Advocating on behalf of older people to state and local governments, service providers and the general community
- Undertaking research and policy development on issues affecting older people
- Promoting and publicising the needs and preferences of older people to the general community
- Encouraging a high level of involvement of older people in the organization and its activities.
COTA manages the Seniors' Information Victoria Telephone Service (SIV) which responded to over 20,000 calls in 2009-10 in person, by telephone, letter and email. The most frequent requests for information relate to finance, general ageing, wellbeing, accommodation and transport. In addition to personal contacts, SIV conducts an information outreach program called "Need to Know". Some of the most popular sessions include powers of attorney, reverse mortgages, legal matters and making wills.

COTA is also the lead agency in the management of Seniors Rights Victoria (SRV) funded by the Victorian State Government and the Victorian Legal Aid. SRV was established by agreement between COTA Vic, Public Interest Law Clearing House Incorporated (PILCH), Advocacy and Rights Centre Ltd, acting through the Loddon Campaspe Community Legal Centre, and Eastern Community Legal Centre Inc.

SRV is a free service to help identify and reduce the incidence of abuse of older people and to safeguard their rights, dignity and independence. It provides a range of services in relation to abuse of older people, including a telephone information and referral helpline, as well as legal services, research and advocacy regarding elder abuse. It is responsible for providing community education to older people and to the community in general as well as providing professional education to the legal community.