

Opinion Piece

International Day of Older Persons 1 October 2021

Human Rights for All People

In the lead up to the United Nations Day of Older Persons, I can't quite believe that we live in a society where a person's rights evaporate the older they get. People start to treat you like a child, to ignore what you want, and feel it's their right to make decisions for you. After all, they know what is best. It's like being back in kindergarten. They may be acting with the best intentions because they care about you but they are doing it to you, not with you.

This attitude is sucking the life out of many older people as they experience their right to self-determination disappear into the ether. I, for one, am sick of being treated as a lesser being. I am tired of being talked down to, and yes, I am angry at how older people's rights are being ignored.

The infantilization of older people, treating them like children, coupled with the ageism so prevalent in our community that holds older people in lower esteem, has led to a toxic culture that runs not just through our aged care system but through our society, and must be confronted head on and stamped out.

I was fortunate to be able to look after my mother, Ruth, in her last years. She always insisted on being called by her name, not mum or mummy. She was fiercely independent and never wanted to be identified as someone's 'something'. She wanted to be known in her own right as an individual, so it was always Ruth. Ruth was in her 90s and all she wanted was to stay in her own home and be able to look out at her garden through the picture window in her living room and occasionally go out for a slap-up lunch. But every aged care or health professional that we had contact with at the time, and even many of my mother's friends, felt that she would be much better off in an aged care facility, and I was made to feel dangerously negligent for not agreeing.

It really riled me that so many people thought they knew what was best for Ruth, without ever listening to her and understanding what she valued. I knew what Ruth wanted and I strongly believed that she had the right to make her own decisions about

her life, as long as it wasn't hurting anyone else, even if that decision that might not be considered 'in her best interests', as long as she knew the risks. I'm not saying it was easy to listen to and act on her wishes. But I value making my own decisions, and I knew, in my heart, that Ruth also had that right.

We must move away from a culture where we see older people as dependents who we have to manage for their own good, and start seeing individuals who we should stand beside and empower. In 2017, the Australian Law Reform Commission published their report, *Elder Abuse—A National Legal Response* that championed this approach. One of its key recommendations was to adopt a supported decision-making model throughout the aged care system where all decisions involving older people would be based on their will and preferences, rather than on what would be considered in their best interests. They argued powerfully that safeguarding the autonomy of older people would go a long way towards protecting them from abuse.

Our focus must be less on paternalism and more on empowerment. Older people have the right to support themselves and make their own decisions. Yes, it is harder and more time consuming to allow this individual autonomy, and for those who have dementia or other cognitive impairments, it might be especially hard. I am the President of Seniors Rights Service and last year alone, we responded to over 9000 enquiries from older people. One of our advocates told me about the distress of a daughter finding her mother, who had Alzheimer's, drinking weak tea with milk and sugar in her aged care home, when she had never drunk anything other than coffee strong, black and straight up. She'd told the home many times, but it obviously wasn't considered important to remember, and she didn't want to make a fuss again over what was a small thing. But seeing her mother drink that white sugary tea left her feeling as if her mother was just a widget in a system with nothing of her individual personality left. It made every visit that much more painful.

The most important question on this International Day of the Older Person is why should the rights of older people be truncated: is it for someone else's convenience; for a system's economy; a misguided protectionism: or is it because we just don't care about old people anymore?

Ask yourself, would you suddenly want your independence and individuality taken away by people who think they know what is best for you, after you have lived a long

and effective life? As we go about designing a new aged care system that better serves the real needs of older people, we must include at its heart, the human rights that are afforded to other members of our society.

Older people must have the right to make decisions about their lives, to be listened to and be heard. And they have the right to express their individuality. That is what I want you to think about on this day of the older person. And we must never forget that older people have a right to a pleasurable life, not just a safe life.

Margaret Duckett

President, Seniors Rights Service

About Seniors Rights Service

Seniors Rights Service is a community organisation dedicated to protecting and advancing the rights of older people, particularly vulnerable and disadvantaged groups.

We provide free and confidential telephone advice, aged care advocacy and support, legal advice and rights-based information to seniors across New South Wales.

Your rights. Your voice. Free and confidential.

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