

Sexual Assault of Older Adults: Information for Clients and Victims

What is sexual assault?

Sexual Assault includes any behavior of a sexual nature which:

- Makes you feel uncomfortable or afraid, or
- Is unwanted, or
- Occurs without your consent or agreement

Sexual assault may include:

- Any unwanted touching such as, pinching, patting, embracing, rubbing, groping, kissing and fondling or being forced to touch someone.
- Someone showing private parts of the body or flashing genitals.
- Putting a penis, object or other body part in your vagina or anus, or any contact between the mouth and genitals.
- Being made to look at, or pose for, pornographic photos/videos.
- Being watched while you are made to perform sexual acts.
- Being forced to watch anyone perform sexual acts.
- Rough or inappropriate cleaning or treatment of your genital area.
- Unwanted sexual talking or language suggestive of sex.
- Enforced nudity-intentionally leaving you undressed or with your breasts or genitals exposed

It is also sexual assault if:

- You are too frightened to say “NO”.
- You are confused about the activity, such as believing it is a medical or care procedure.
- You are incapable of giving consent for any reason.
- The identity of the sexual partner is not who you expected it to be.

Your rights and reporting

Everyone has the right to feel safe, regardless of age

If someone's sexual behaviour is making you uncomfortable, you should make this known and talk to someone that you trust.

Sexual assault is a crime and is usually committed by someone known or someone in a position of trust.

You have the option to report sexual assault to the police. Sexual assault can be reported at any time, but the sooner it is reported, the easier it is to investigate.

Examples of people that you can talk to

- Family members or friends that you trust
- Carers and Residential Care Workers
- Police officers
- Doctors and healthcare workers
- Centre Against Sexual Assault (CASA) counsellors

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What if the sexual assault takes place while I am receiving care at home or at my Residential Aged Care Facility?

Older Adults who are receiving Commonwealth funded aged care services are protected by the Serious Incident Response Scheme (SIRS) that mandates care providers to report all sexual assaults to the Aged Care Quality and Safety Commission (ACQSC) and the Police.

Following a report the care provider should ensure that immediate actions are taken to keep you safe and prevent further harm. They should also provide regular updates and communications to you and your trusted friends or family members.

If you are not happy with how your care provider has responded to your report of sexual assault you can contact Elder Rights Australia for support or the Australian Care Quality and Safety Commission complaints division.

Help and support is available

- Sexual Assault counselling services provide free and confidential crises support and ongoing counselling.
- They can discuss options and provide information on contacting the Police.
- They can support victims who require a forensic examination following a sexual assault.
- They can also provide information and counselling to non-offending family or friends who require additional support.

Other support services

- Sexual Assault Crisis Line (SACL): Call 1800 806 292 (Free call Victoria)
- 1800 Respect (1800 737 732)
- Elder Rights Australia Victoria 1800 700 600 (free call)
- Seniors Rights Victoria 1300 368 821
- Victims of Crime Helpline: Free call 1800 819 817
- Aged Care Quality and Safety Commission Complaints 1800 951 822

References

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Barrett, C et al (2024) The [Un] Silencing of Older Women, a Life Stages Approach for the National Plan to End Violence Against Women and their Children.

Qu, L et al (2021) National Elder Abuse Prevalence Study: Final Report.

National Plan to End the Abuse and Mistreatment of Older People 2024-2034. Public Consultation Draft. Attorney Generals Department.