

Submission
No 49

**INQUIRY INTO SERVICES PROVIDED OR FUNDED BY
THE DEPARTMENT OF AGEING, DISABILITY AND
HOME CARE**

Name: Mr Reg Mason

Date received: 05/08/2010

Partially Confidential

The Hon Ian
West Committee
Chair
Standing Committee on Social
Issues Parliament House
Macquarie Street
Sydney NSW 2000

Dear Mr West

My name is Reg Mason. I am the father of Ms Amy Mason who is 20 years of age who has a moderate intellectual disability, autism and a severe anxiety disorder.

Amy is 20 years of age in chronological terms, however is functioning intellectually and cognitively at the level of a young child.

She lives at home with her mother and younger brother and attends a community participation programme five days per week.

Although her mother and I are divorced I still see and spend quality time with my daughter on a regular basis.

My former wife and Amy's mother, M/s Carolyn Mason was personally requested by the Parliamentary Chairperson Mr Ian West, to tender a detailed submission to the inquiry in regards to Amy's abuse and mismanagement by both ADHC and a non government funded organisation who acted in the chain of responsibility in regards to the negligent, inappropriate and unprofessional behaviour of both organisations towards our daughter.

Perhaps this submission would be best addressed by marrying it up with the submission tendered by my former wife.

I will not repeat the information and evidence tendered in Carolyn's submission as I concur and agree with the contents of that document. I support it totally in every context and respect.

I will reiterate a segment from Carolyn's submission, i.e.: that whilst Amy was in the care of staff she was left alone in the care of a male person employed by company. During a session with her clinical psychiatrist, Amy voluntarily alleged that this male person had touched her inappropriately and indecently assaulted her.

Amy has developed Post Traumatic Stress Disorder as a result of this incident and the management and staff of centre based respite had been informed about this occurrence prior to Amy commencing to stay at the facility.

However I would now like to express to you a recent occurrence of unprofessional behaviour and extremely concerning advice and information received from overnight respite manager for who amongst other services also provides centre based respite care for people with disabilities living in the and is a ADHC funded service.

The is located in . The building has two levels and the bottom level consists of a approx four individual two bedroom self contained motel style rooms to accommodate disability clients with a separate staff bedroom/office. The upstairs level is used top house aged care respite.

We have only recently been successful with Amys attendance at respite because she has been able to attend the services with a group of girls she knows and likes and feels safe and comfortable with. She is extremely reluctant to stay away from the family home and will only attend if she can be reassured she will with her friends and not left alone.

After our daughters second visit to respite she returned with a gift of jewellery and mobile phone apparently gifts from a male person who lives at the respite centre.

Amy's mother immediately telephoned staff at the centre including the house manager who confirmed that a male person was permanently residing in a apartment upstairs in what we had been previously told was for aged care respite.

This male is forty years old man has a intellectual disability but attends work and has lived in a boarding house independently previously.

I did express my concerns that this persons interest in my daughter seemed to be more than friendship and that we where not made aware that the facility was anything more than a respite centre.

The facility manager spoke to the male person about the gifts and he claimed he liked our daughter as a friend and gives gifts to all his friends.

The next week my daughter received a letter from this man. He had given an envelope to another respite client to pass on to my daughter at her day programme .My daughter showed the letter and photos to us, it was a "love letter "which he 'expressed his love forever for my daughter and went on to say they will never break up, be with her forever and that she should ring him on the phone he had given her because he missed her' etc. My daughter can't use a mobile phone. This man appears to be much higher functioning than our daughter.

Amy's mother immediately rang the respite centre and expressed our concerns and that Amy herself "said she was not his girlfriend." It seemed obvious that his man had rather rapidly developed an obsessive passionate interest in my daughter.

Amy's mother expressed concerns that our daughter is quiet vulnerable and could be at risk, because she has the intellectual and emotional maturity and innocence of a young child, but the physical appearance of an attractive young women.

Her mother expressed concerns that she would not be left alone unsupervised with this man or have access to his upstairs apartment. Amys mother was given a guarantee that she would not be left alone with the male person again whilst she was at the respite centre and all staff where to be briefed about the situation.

A further incident occurred at the centre last visit a few weeks ago when through a telephone call Amy's mother and I established that Amy had been left in the company of this male person, albeit in company with another female respite Client. Amy's mother after many attempts made contact with a staff employee who was working the shift at the time and was advised that both staff had been working in the kitchen preparing dinner and was not sure where Amy was or what she was doing but would go and check ..

I was very upset at hearing this news and subsequently telephoned the House Manager the following morning, after firstly speaking to my daughter and establishing that she had not been touched or interfered with by this male person. Nevertheless the risk is still in place.

The centre manager, _____ was contacted and the disapproval at the lack of supervision in regards to our daughters care was expressed by both myself and Amys mother. The manager arranged for her manager _____ overnight respite manager for _____ to contact Amys mother and discuss the matter.

On Tuesday 13 July 2010, The manager _____ telephoned Amys mother, who recorded the details of that conversation in a hand written file note.

In short, _____ stated amongst other things, that it is an adult disability sevice provider and because everyone at the centre is over 18 years of age, they are classified as adults and therefore staff cannot interfere or hinder' clients from entering or leaving each others apartment and that male and female clients could share a room and that they have feelings and if they choose to have sex at the respite centre that was their decision to make.

She then went on to say they had boyfriend and girlfriends come to the facility together. Amys mother asked about clients sharing rooms when first visiting the centre and was assured by staff that male and female clients did not share rooms at respite. She then asked if the above information was written in the respite services policies and procedures? The respite manager replied, 'it was not and did not need to be'. 'Its their rights and this is view on the matter'.

To say that i was absolutely shocked, was outraged at this totally irresponsible and cavalier attitude would be and understatement.

How could an organisation condone, and support to allow the prospect of a 40 year old higher functioning man having a sexual relationship with young women with the intellectual capacity of a young child.

My daughter does not have the intellectual, capacity or maturity to understand the consequences of a sexual relationship and the reasonability placed upon such a relationship. She does not have cognitive ability to make an informed decision herself about a physical relationship or contraception.

What about the parents of other clients who attend this facility? Do they know the possibly, is available for there daughters or sons to have a sexual relationship whilst at respite? I think not!! Has it not concerned the management of respite that a female client may not have contractive protection and the possible consequences of unwanted pregnancy or of the possibly of venereal disease?? SURELY PARENTS HAVE SOME RIGHT TO KNOW THESE POSSIBILITIES EXIST.

Surely parents have some, right to be informed of the views of this services management so they can make a fully informed decision on whether this is the best respite placement for there adult child. What claim of right do parents possess in this regard to ensuring the safekeeping and wellbeing of their daughters in these facilities? How can parents take the well deserved respite break they need if they have these concerns?

I need to know if this is ADHC'S position in this regard to clarify the issues that I have raised. It effects every young girl/women staying in any of these type of facilities. Are all respite services allowed to form there own views and/ or policies and produces in regards to such matters? All respite services should be made to provide this information to parents and service users when first entering their service.

Surely in Australia in 2010 a young women such as our daughter who is extremely vulnerable because of her disability and intellectual immaturity should not be exposed to the possibility of being taken advantage of when parents think they have been left in a supervised and safe environment while they take a much needed break.

I respect the rights of any adult person with a disability to make their own decisions as to whether or not, they wish to become engaged in a physical relationship provided they have the intellectual ability and cognitive awareness to make their own informed choice and are fully aware of their decision and consequences surrounding that decision as with any consenting adult.

I forward this information as an extremely concerned father of Amy and would like to have the matter included and investigated in the current' scope and purpose of the Parliamentary Inquiry.

For any further information I can be contacted on

Respectfully

Reg Mason

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4/8/10.