

Supplementary
Submission
No 48c

**INQUIRY INTO INQUIRY INTO ELDER ABUSE IN NEW
SOUTH WALES**

Name: Ms Basima Rabie

Date received: 2/03/2016

Partially Confidential

Recommendations:

- 1) NCAT Guardianship Division members have their discretionary powers removed from them;
- 2) NCAT Guardianship Division members can only make decisions based on procedural fairness, substantiated and tested facts;
- 3) "Professionals" cannot give any evidence unless they are willing to have all their evidence tested and substantiated;
- 4) Public guardians cannot make decisions based on anything but facts substantiated with material evidence and not the fabricated "words" of "professionals" (whether written or spoken).
- 5) All decision making factors that contributed to the health, welfare and wellbeing of the elder which can be misused to harm them are taken out of the hands of the carer living with the elder, when there is a dispute involved. These include access, food and hydration, care (where neglect can lead harm), treatment and medication, service provision.
- 6) The public guardian cannot override the authority of the NCAT Guardianship Division's decision to give him functions involving these factors by giving the "carer"/abuser authority over them. The law should remove this authority from them.
- 7) Protection never happens through in-access and removal of freedoms and human rights. Wherever these occur there is abuse and the will never ensure protection but guarantee continued abuse.
- 8) Where the public guardian does override authority of the NCAT Guardianship Division's decision and gives authority to the "carer"/abuser to make decisions relating to his (public guardian's) NCAT determined functions , the police are given full authority to override the public guardian in his decisions where violence including psychological violence and manipulation occurs to the elder in his own house by a carer who is blocking access to them.
- 9) To eliminate financial gains after the death of the elder as an incentive for elderly abuse:

- a) No one, by merely occupying an elder's house and gaining advantage, financial or otherwise, through having occupied the house with the elder as their carer/guardian (or anything else), is permitted any occupancy rights unless their name is on the title deed to the property prior to becoming occupants of the house.
- b) Regular urine and faecal samples are covertly collected by independent care staff to ensure that those committing crimes against our elderly such as attempted murder and/or, indeed, murder through covert methods for their own financial gains are, hopefully, caught before they succeed in their attempts and prosecuted for such crimes.