

**Supplementary
Submission
No 110a**

INQUIRY INTO ELDER ABUSE IN NEW SOUTH WALES

Organisation: Aged Care Crisis

Date received: 18/03/2016

18 March 2016

The Director
General Purpose Standing Committee No. 2
Parliament House
Macquarie St
Sydney NSW 2000

Re: Inquiry into elder abuse in New South Wales

Supplementary submission

Aged Care Crisis (ACC) would like to draw attention to recent events highlighting problems related to elder abuse in aged care.

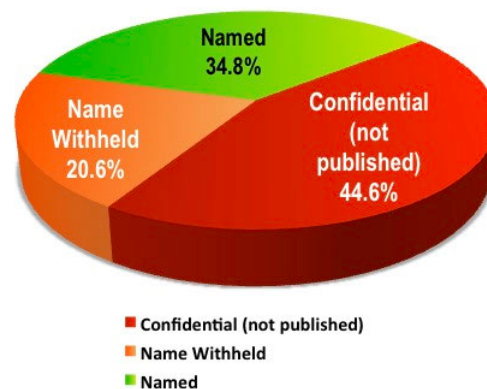
In our initial Submission to the Committee, we illustrated the difficulties family members face when trying to negotiate care for their loved ones, or for aged care staff that may speak out¹. We emphasized the importance of staff in nursing homes and community for the prevention and exposure of elder abuse.

We would also like to draw attention to the *Inquiry into the Future of Australia's aged care sector workforce*². Nearly half of the submissions published (so far)³ by the Commission are marked as "confidential" (therefore, not published) and a large proportion of published submissions have their names redacted. The majority of these are from aged care staff (mostly Registered Nurses). Some RNs have submitted with their names, but very few.

This can only be because of a fear of retribution, because the allegations made are so strong as to be defamatory, or perhaps because some submissions would anger the community and produce a critical community response similar to that that resulted when providers and government in NSW pressed to remove the requirement that at a minimum all nursing homes should have a registered nurse on duty at all times. If this is so, then we find the unwillingness to stand behind your beliefs worrying and not democratic.

In only a little over 30% of all submissions do we know who made the submission. This is the opposite of open government and not truly democratic.

The figures reinforce our argument that nurses (and families) are frightened of speaking out for fear of retribution and just possibly, that some in the industry would rather the public did not know what they were doing.



¹ Aged Care Crisis - submission - Inquiry into Elder Abuse in NSW - 3. *Elder abuse: speak out ... if you dare* (pg 6)
<http://www.parliament.nsw.gov.au/prod/parliament/committee.nsf/0/9C048DFE66F02D36CA257EB30081BF4A>

² http://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Community_Affairs/Aged_Care_Workforce

³ http://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Community_Affairs/Aged_Care_Workforce/Submissions (as at 17 Mar 2016)

Speaking out about failures and institutional elder abuse is always stressful and confronting. Because the only oversight system, "accreditation" is failing so badly, we have no choice but to depend on whistleblowers for the information we get.

The Aged Care Complaints system has not been productive in resolving these types of issues, leaving many family members and staff traumatised. Sadly, the system frustrates the exposure of deficiencies instead of supporting it.

The stories below, illustrate the points we made in our initial Submission. They are further examples of situations where vulnerable people experience elder abuse and neglect, family or staff were not listed to, were disregarded and discredited, or blatantly bullied:

- **18 Mar 2016: Disabled people experience violence, elder abuse and neglect in 'epidemic proportions', says rights group:** *"... Other case studies outlined in the submission include allegations of staff at an aged care group home stuffing tissues into the mouth of a resident to prevent them from calling out and multiple claims of boarding house proprietors sedating and drugging disabled residents ..."*
<http://www.abc.net.au/news/2016-03-18/disabled-people-experience-violence-abuse-and-neglect/7256198>
- **7 Mar 2016 : Newcastle nursing home accused of failing to deliver care, resulting in elderly resident's death:** *"... The Newcastle nursing home at the centre of a year-long police investigation, where a staff member was charged with poisoning three elderly residents in late 2013, has now been accused of failing to deliver the proper standard of care in another elderly resident's unrelated death earlier that year ... I think the failures in care that we believe have occurred in this facility broadly reflect the failures in care that we have seen up and down the state and across the country ..."*
<http://www.abc.net.au/news/2016-03-07/newcastle-nursing-home-summitcare-wallsend-another-death/7213038>
- **7 Mar 2016: Former aged carer speaks out at parliament meeting:** *The carer said she witnessed failures of duty of care "on a daily basis and when I lodged formal complaints to supervisors I was told leave it with them, but they only went through the motions". The carer resigned in 2015 in heartbreak and frustration after just under 12 months. "If some of the the staff took a set against a client, they would neglect them, for example deliberately make them miss out on a bath or a shower, or not perform other care tasks," "People like me who were prepared to stand up got bullied and ostracised," she said.*
<http://www.ulladullatimes.com.au/story/3767475/resigned-in-heartbreak-and-frustration/>
- **6 Mar 2016: My Dad was given drugs 'like potato chips': how the elderly are being restrained:** *A palliative care clinical nurse consultant and lecturer in nursing, said her dad was given a lot of olanzapine, a lot of risperidone. "He just kept getting it like potato chips," she said. She said it took 10 days to detox her father when he was moved to another health facility that took a different approach to the use of drugs.*
<http://www.theage.com.au/victoria/my-dad-was-given-drugs-like-potato-chips-how-the-elderly-are-being-restrained-20160218-gmxc3o.html>