



CARE LEAVERS AUSTRALASIA NETWORK

CLAN is a National, Independent, Peak Membership Body which supports, represents and advocates for people who were raised in Australian Orphanages, Children's Homes, Foster Care & Other Institutions.

October 2018

Draft Charter of Aged Care Rights: Consultation Paper

"I'd die before I would go back in to a Home"

– NSW Care Leaver

CLAN - Care Leavers Australasia Network is the national, independent, peak membership body which represents and advocates for Care Leavers who were raised in Australia's and New Zealand's Orphanages, Children's Homes, Missions and Foster Care. CLAN's main objective is to assist and support Care Leavers and their families through the wide variety of work we do including, but not limited to, advocacy for a National Redress Scheme, support throughout the Royal Commission, the Senate Inquiry, searching for family, counselling, casework, records, and publishing Care Leaver's stories in the national newsletter.

CLAN would like to thank the Department of Health for requesting our input in to the further development of a single Charter for people receiving Aged Care.

CLAN has a strong position on supporting and understanding Care Leavers who are faced with the undesirable decision of being placed back in to an institutionalised setting of a Nursing, or Aged Care Home. For the majority, this concept is petrifying as they began their lives surrounded by abuse and neglect in Orphanages, Children's Homes, Training Schools, Missions and Foster Care.

Care Leavers greatest fear is finishing their lives the same way as it started in their childhood. There must be the uttermost importance placed upon treatment and understanding of Care Leavers and their experiences whilst transitioning them into Aged Care; and must be maintained whilst they remain there.

Firstly, CLAN feels that the vital way in which we can be certain Care Leavers histories of abuse and neglect in institutionalised settings can be respected and understood, is through detailed and adequate training. For Care Leavers, the daunting idea of *again* putting their 'care' and lives in to the hand of an organisation is overwhelmingly frightening.

A 2011 survey conducted by CLAN on its members, "*Struggling to keep it together*", found 79% of respondents claimed going in to a nursing home would be their absolute last option. Only 1% of CLAN members said they would like to finish their lives in a nursing home.

"I truly fear ending my life how it started"

"I would rather be dead"

This clearly outlines the fear associated with Care Leavers thoughts of re-institutionalisation. We draw attention to the significance of educating those who work in Aged Care facilities on the terror that Care Leavers experience with the idea of being placed in another Home, as a Care Leavers greatest fear in life, is being re-abused.

Within the 12 Consumer Rights of this Charter, CLAN wants to see the history of Care Leavers recognised. Part C outlines 'the right to have my identity, culture and diversity valued and supported'. CLAN believes this should be altered to include, 'history'. The understanding of a Care Leavers history is vital to ensuring they feel understood and supported upon entering Aged Care.

For this reason, CLAN strongly advocates for a Care Leaver, trauma-informed training approach to be provided to ALL workers within Aged Care.

The Draft Charter of Consumer Rights outlines 12 vital aspects of human rights of those in Care. In order to adequately achieve all of these for Care Leavers, the fundamental key is to ensure Care Leaver-training is supplied to any carers, as well as Aged Care providers and their staff.

Being informed and educated on Care Leaver histories will ensure the purpose and desired outcomes of a single Charter is effectively met.

Care Leavers will distrust and fear those working in Aged Care due to their previous experiences of abuse and neglect in Homes.

As a part of this training, we encourage the following materials be read:

- ✚ Orphans of the Living – by Joanna Penglase

- ✚ The 2004 Senate Inquiry Report '*Forgotten Australians*'

CLAN also encourages people who are not Care Leavers, but are sympathetic and supportive of the aims and objectives of the association to become Friends of CLAN. Similarly we encourage Government Departments and Past Providers (organisations which have been providers of Care to State Wards, including Foster Care and Home Children) to also become members of CLAN.

CLAN sees it as crucial that Aged Care facilities guarantee Care Leavers needs are respected, heard, and understood because in their childhoods they were so very often neglected, abused and given no voice.

Additionally, a major trigger for Care Leavers are the names of the Nursing Homes. Some Nursing Homes have the SAME names as the Orphanages that Care Leavers were once in e.g. St Joseph's, Roslyn Hall and St Catherine's, to name a few.

We face the issue of many Nursing Homes being run by the same Churches and Charities that once abused Care Leavers in their childhoods. It creates an enormous amount of anxiety and anger for Care Leavers if they are put in a Nursing Home with the same name as their Orphanage. CLAN wants the Churches and Charities who run these Aged Care facilities to be more understanding, aware, empathetic and sensitive and make urgent changes to these names. We question if these organisations have learnt, or taken notice of the Royal Commission. Over 43% of the evidence given at the Royal Commission was from Care Leavers. For Care Leavers the association to childhood experiences with Nursing Homes is incredibly distressing.

“I do not want to be put in a Home! If I had to go in a Home, I will take an overdose and no one will stop me” – Bev 80

It is vital all staff are informed of Care Leaver histories and the findings of the Royal Commission, and trained upon these issues to avoid re-traumatisation.

Furthermore, Care Leaver training should be extended as optional for friends, relatives or support people who are paid a Carers Allowance. Training should be conducted by groups, such as CLAN who hold lived-in experiences of a childhood in “Care” and have worked with Care Leavers for nearly 20 years. It is essential that those with a comprehensive understanding of the issues that arise from Care Leaver experiences deliver this education and training. Those working with Care Leavers need to understand:

- Fear of working with authority figures
- Post-Traumatic Stress Disorder – potential triggers and flashbacks
- Fear of punishment for incontinence (many Care Leavers were punished for bedwetting as children)
- Anxiety
- Importance of keeping their possessions safe (many had very little possessions as children)
- Understanding of food requirements and fussier eaters (many Care Leavers were malnourished, forced to eat rotten food, or force fed their own vomit)
- Petrified of being handled by strangers and dressed (due to an extensive history of sexual abuse, humiliation and physical beatings)
- Hesitation for medical examinations (violations of their bodies as children)
- Depression surrounding yearly events such as Birthdays, Christmas, Mothers and Fathers Day (many Care Leavers were not allowed to celebrate these in the Homes nor did they enjoy them in adulthood)

Most importantly, it must be understood that Care Leavers have grave fears of being neglected or re-abused psychologically, sexually, physically and emotionally.

CLAN also feels that it is essential that current services such as the NDIS are effective and beneficial for Care Leavers. For many, the use of Aged Care facilities can be avoided if they receive adequate home supports. The longer we can support Care Leavers in their homes, where they feel safe, the better the outcome.

In a recent 2016 CLAN survey ***“My family only knows what I want them to know”*** it was stated that 54 of 517 respondents felt going in to Aged Care was their greatest fear in life. Especially following recent media coverage, where nursing homes are projected as unsafe and uncaring environments, where abuse occurs and residents are taken advantage of.

In 2011 a Central Coast Nursing Home, William Cape Gardens, deprived a dying man of food and photographed his genitals. One of the suspended nurses was reinstated. For many Care Leavers, this story among many others is extremely terrifying as it reshapes the abuse and neglect they suffered in the Care system.

Just this year alone there has been a handful of complaints of abuse in Nursing Homes. Families have resorted to hiding cameras in rooms to monitor their loved ones, due to suspicions of abuse. This clearly outlines the prevalent issues within the Aged Care Sector, changes must be made.

CLAN is concerned about Care Leavers, as many do not have families who can monitor them and their care, who will check on them? Aged Care placement IS growing. We need to ensure Care Leavers are safe in these final years of their lives.

“I see other sicker patients around me “comatose” because they are being drugged to keep them quiet, what will happen to me?” – E.B Vic

The Aged Care Charter that has been proposed must be strictly adhered to, ensuring Care Leavers entering the Care system once again, don’t feel as if they will be re-abused.

There is a significant importance to be placed on the use of home care supports, as it provides peace of mind for Care Leavers who are getting older, sicker, and less capable of caring for themselves solely.

“I would like to see a push for services to help the Aged to stay independently living in their own homes”

“I would rather be on the streets than in a Nursing Home!”

The above responses are from CLAN’s 2016 Members survey.

Elder abuse often goes unreported. Similar to the experiences that Care Leavers as children suffered, they try to speak up and are not acknowledged, or are incapable of doing so. For Care Leavers, this raises the concern that they will be again silenced in their experiences, and go unnoticed. While there are no definite numbers, The World Health Organisation (2015) has estimated prevalence rates of elder abuse to range between 2% - 14%. They also acknowledged the likelihood of this number increasing, as many countries are experiencing rapidly aging populations.

Many Care Leavers feel they cannot trust the government or any other organisations run by churches or charities due to past experiences.

“I hate getting old, and I would hate to be put in a Home again, because I have worked in Nursing Homes for 30 years, and I’ve seen so much abuse” – Yvonne NSW

Following this, we find it imperative that similar to the need for children in Care in today’s society, Aged Care residents must have an independent Aged Care advocate. We are pleased to see this is incorporated in the Charter of Rights (part i).

It is important Care Leavers are educated on their rights and provided information about various support systems and organisations that can support them. Furthermore, the advocate could routinely visit elderly Care Leavers, to assess their condition in Aged Care homes, and advocate for their needs. Particularly this is vital for those with disabilities and those with sensory or cognitive impairments. Unannounced visits by an external advocate are likely to deter or detect any mistreatment or neglect.

Additionally, CLAN believes much like the checks mandatory for working with children, they should also be applied to those that are working within the Aged Care Sector. With appropriate screening applied to workers within the sector, it will minimise abuse.

CLAN insists on a further extension to this, of incorporating Mandatory Reporting to authorities of abuse and neglect for all workers in Aged Care.

Another Consumer Right to be added to the Charter must be:

"I have the right to be cared for by only those who have been appropriately screened, and have a legal obligation to report any abuse or neglect."

It is important to note that the proportions of frail, ill or disabled Care Leavers in Aged Care are likely to be higher than the general population. The Adverse Childhood Experience Study (ACE's) noted that the more adverse childhood experiences, the higher the chance of illness and disability in older age, thus the need for aged care and home assistance.

Adverse childhood experiences contribute to chronic health and early death. Therefore, these chronic illnesses increase the likelihood of Care Leavers requiring Aged Care and assistance. We must acknowledge Care Leavers will represent a significant proportion of people in Aged Care. Thus, we must ensure their needs are adequately met and understood.

Conclusion

The concept of being re-institutionalised petrifies Care Leavers, so as a country who failed them in their childhoods, we must not allow the cycle of abuse and neglect to be repeated. Adequate support, training and education will assist those working with Care Leavers to understand their complexities, and potentially alleviate some of the distress and anxiety that Care Leavers hold about entering Aged Care.

Furthermore, the understanding of a Care Leaver 'history' must be included in to the Charter. Alongside this CLAN wishes to see a 13th consumer right encompassing the requirement for mandatory screening and reporting.

Finally, by providing Care Leavers with an Aged Care advocate to minimise the likelihood of abuse, and provide them with further vital support.

By incorporating this in to the Aged Care System, we can ensure Care Leavers feel safe, confident and comfortable in their final years.

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