



Protection before Privatisation – Safeguards needed for group homes for people with disabilities

Issued April 2018

The Victorian Government is moving quickly to privatise the supported accommodation (commonly known as ‘group homes’) for people with disabilities, which will offload the responsibility for this support to the Commonwealth Government through the National Disability Insurance Agency (NDIA). The problem is that there are currently inadequate safeguards to protect people with disabilities in supported accommodation from severe abuse and neglect. The Victorian Government has so far failed to put in place a new system to provide protection to people in the supported accommodation after the privatisation and the NDIA has also failed to put in place such safeguards.

Supported accommodation is where staff are available to support the needs of the people living there. Currently around 70% of supported accommodation in Victoria is provided by the State Government. To privatise such a large amount of service in such a short time increases the risks that there will be inadequate protection for the people with disabilities living in the supported accommodation.

The supported accommodation service helps people with disabilities learn life skills, make choices about their life and get active in the community. It helps people with disabilities:

- Look after the house, like cleaning and shopping;
- Care for themselves, like cooking and getting dressed;
- With personal hygiene, like bathing and going to the toilet;
- Be part of the local community.

Staff can also help with other things, like going to the doctor or to social activities.

On 26 May 2016 the Victorian Parliamentary Family and Community Development Committee handed down their report into abuse in disability services. The Committee heard evidence of physical and sexual assault, verbal and emotional abuse, financial abuse and neglect endangering the lives of people with disabilities. The Committee found reports of these forms of abuse occurred in residential accommodation, in services operated by both the Victorian Department of Health and Human Services and non-government disability service providers. Disability providers had sometimes employed predators who repeatedly assaulted people with disabilities in residential facilities.

‘Josie’ an intellectual disability and she lives in a group home ‘village’ style complex. There are a number of other residents with intellectual disability living in other units on the site – some live in units on their own, whilst others share. Josie was raped by a male co-resident within the grounds of the complex. She immediately disclosed the rape to an on-site support worker who advised her to “just keep out of his way”. The rape was not reported to the police and Josie was not offered any support or counselling.

Victorian Parliamentary Family and Community Development Committee, ‘Inquiry into abuse in disability services’, May 2016, pp. 3-4.

The Victorian and Commonwealth Governments signed an agreement for the transition of disability services from the state level to the Federal level in 2016 for the transfer to be completed by 30 June 2019. Under the new system the provider of the accommodation (known as the 'Specialist Disability Accommodation' provider) will be separate from the provider of support to the people living in the accommodation.

As an example of why tougher safeguards are needed to prevent abuse, on 10 April 2018 Minister Foley wrote to for-profit supported accommodation provider Autism Plus to inform them they would be placed into compulsory administration. This followed one resident of the supported accommodation being sexually and physically abused multiple times despite his parents' pleas he be protected. The Minister informed Autism Plus it was "inefficiently or incompetently managed" and had failed meet the conditions of its funding agreement.

Autism Plus group home resident Matthew Thomas – who has autism and is non-verbal – was the subject of multiple assaults from a fellow resident, including an alleged rape. In the months before the alleged rape, the young perpetrator had made threats of serious violence towards Matthew and his family. Matthew's mother, Maria Thomas, repeatedly begged the Department of Health and Human Services to remove the youth, but it was only after Matthew was assaulted for a third time that the other resident was relocated.

The alleged perpetrator disclosed to his psychologist that he may have sexually assaulted at least five other co-residents, but Autism Plus failed to notify some families of abuse until forced to by the Victorian Ombudsman.

What you can do

Write polite and respectful letters or e-mails to:

The Hon Martin Foley MP
Minister for Housing, Disability and Ageing
Level 22, 50 Lonsdale Street
Melbourne VIC 3000

The Hon. Daniel Andrews, MP
The Premier of Victoria
1 Treasury Place
Melbourne Victoria 3002

Salutation: Dear Minister

Salutation: Dear Premier

E-mail: martin.foley@parliament.vic.gov.au

E-mail: daniel.andrews@parliament.vic.gov.au

Points to make in your letter:

- Express deep concern that the Victorian Government is rushing to privatise supported accommodation for people with disabilities without having put in place adequate safeguards to protect people living in supported accommodation.
- Note the very disturbing findings of the 2016 Victorian Parliamentary inquiry into abuse in disability services that found reports of rape, other sexual assault, physical assault, verbal abuse, neglect and theft from people in residential care settings.
- Welcome the steps the Victorian Government has so far taken to implement the recommendations from the Parliamentary inquiry, including the passage of the *Disability Amendment Act 2017*.
- Ask that the Victorian Government not proceed with privatising the supported accommodation until it and the National Disability Insurance Agency have put in place robust regulatory systems to ensure the protection of people living in supported accommodation. The outline of the new regulatory regime should be made publicly accessible and the staff implementing the regulatory regime should be in place so the community can have confidence that there will be a thorough system of oversight of supported accommodation providers and support service providers and their staff. As per recommendation 7.1 of the Victorian Parliamentary inquiry into abuse in disability services, this should include making public how many inspectors the Disability Services Commissioner will have to ensure Specialist Disability Accommodation providers and support service providers maintain high quality service.