



Catholic Social Services  
**Victoria**

5 November 2015

Inquiry into abuse in disability services  
Community Development Committee  
Parliament of Victoria  
[fcde@parliament.vic.gov.au](mailto:fcde@parliament.vic.gov.au)

Dear Committee Members,

Catholic Social Services Victoria is pleased to make this submission to the Parliamentary Inquiry into abuse in disability services. We welcome the Inquiry, and the aspiration of the Parliament to ensure that abuse and neglect of people with disabilities is prevented, reported and appropriately responded to.

Catholic Social Services Victoria (CSSV) is the peak body for Catholic social service agencies in Victoria. A list of our member agencies, which range widely across the social services sector, is attached to this submission. These agencies work in metropolitan Melbourne and regional Victoria, and are engaged in many aspects of care and support for vulnerable members of our community. Several of our member organisations work in disability services.

This submission will focus on Term of Reference (c) - *'the powers and processes of Victorian investigation and oversight bodies with jurisdiction over abuse of people with a disability, and the ongoing role of these bodies in the context of the NDIS.'*

***The establishment of a single robust and independent body to oversee and investigate complaints and critical incidents.***

The current system has a number of positions/bodies with the legislative or administrative power to monitor and investigate abuse, violence and neglect of people with disabilities, but the evidence of recent reports is that they have failed to proactively use these powers.

While we strongly support the establishment of a single robust and independent body to oversee complaints and critical incidents involving people with a disability, as recommended by the recent Ombudsman's report, we recognise this will not in itself be sufficient to prevent and respond to abuse.

As no single issue has caused the seeming breakdown of accountability over the last few years, no single strategy will be sufficient to build a stronger system. A number of systemic safeguards and cultural factors need to come together if we are to build a safe service system for people with disabilities.



These include

- There is a need for greater professionalisation and accountability in the sector at all levels.
  - All people working in the sector, including direct care staff, management and those overseeing organisations (such as DHHS and DS Commission) must be committed to reporting and investigation of abuse and neglect within the service system.
  - The Accreditation requirements need to be strengthened to hold organisations to account in relation to evidence of governance of complaints and critical incidents.
  - This is particularly critical while there is a transition process to the new Quality Framework to be implemented by the NDIA.
- Strengthening the Disability Workers Exclusion Scheme, so that it is a more objective system and ensures justice and consistency across the sector. (As it stands the Disability Workers Exclusion Register only applies to staff working in registered residential services so does not impact on staff working in other service types.)
  - The DWES also needs a speedier resolution to the investigation process which could be undertaken by the independent body recommended earlier – this is in the interests of all parties, including to provide natural justice for suspended workers.
- While service providers are required to undertake numerous checks on staff, these are not integrated, so do not ensure perpetrators will not gain access to some of Victoria's most vulnerable citizens. As some of the checks are state based (DWES and working with children check) there is still the risk of people moving across state lines. Victoria must support the development of a national system of security checks (which could include a vulnerable persons check or register).
- The establishment of a properly funded registration board, with the power to independently investigate complaints of abuse, violence or neglect, should be considered. Should serious complaints and systemic failures within an organisation be proven, registration of the service provider's right to service delivery should be withdrawn.
- More attention needs to be paid to the role of investigators.
  - Internal investigations of abuse and neglect are neither robust nor transparent.
  - External investigators require specialised training in interviewing of people with disabilities, including children and adults with communication or cognitive difficulties.
- At present many people employed in the sector have minimal



qualifications. A registration board could also be responsible for determining and requiring a minimum set of qualifications and competencies, thereby raising the quality and standing of staff across the sector. These qualifications need to reflect content not certification due to the cost of staffing under NDIS and the modern award.

- A culture of professionalism and accountability must be built into the training, organizational cultures and structures of all parts of the disability service sector.

***The role of Victorian protections in the context of the NDIS*** – During the NDIS transition phase, as well as in the longer term, it is crucial that there is no diminution of the rights of people with disabilities once they have transferred to the NDIS - people with a disability have a right to expect the highest standards of protection will prevail under any system.

***Concluding comment*** - Ultimately, the best safeguard to the rights and dignity of people with a disability are an environment which respects autonomy and voice, and that the person with a disability have a range of people in her/ his life (rather than only staff). These are issues which go more broadly to the way the service system operates and the place of people with disabilities in the community.

Denis Fitzgerald  
Executive Director

## Members of Catholic Social Services Victoria

Aboriginal Catholic Ministry	Mary Aikenhead Ministries
Assisi Centre	Mary MacKillop Aged Care
Australian Catholic Religious Against Trafficking in Humans (ACRATH)	McAuley Community Services for Women
Brigidine Asylum Seeker Project	Missionary Sisters of Service
Catholic Chaplains Association for Health Care	Nazareth House/ Sisters of Nazareth
CatholicCare Melbourne	Office for Justice and Peace, Archdiocese of Melbourne
CatholicCare Victoria Tasmania	Order of Malta Hospice Home Care Victoria
Centacare, Diocese of Ballarat	Pregnancy Assistance Frankston
CentaCare Sandhurst	Rosies Oblate Youth Mission
Corazon	Sacred Heart Mission
Corpus Christi Community	Shekinah Homeless Services
Don Bosco Youth Centre and Hostel	Society of St Vincent de Paul
Edmund Rice Camps	Solo Catholics
Edmund Rice Refugee & Community Services	Southern Cross Care (Victoria)
Good Samaritan Inn	St John of God ACCORD
Good Shepherd Australia New Zealand	St Joseph's Flexible Learning Centre
Griefline	St Joseph's Home for the Aged – Little Sisters of the Poor
Jesuit Social Services	St Mary's House of Welcome
John Pierce Centre for Deaf Ministry	The Way Community
Kewn Kreestha - Rest Home for Mothers	Vietnamese Catholic Family Mutual Assistance Network
Keysborough Learning Centre	Villa Maria Catholic Homes
Larmenier Child & Family Centre	VincentCare Victoria
MacKillop Family Services	Wellsprings for Women
Marillac	
Marist Youth Care	