

The Seven Roadblocks to Combating Abuse, Neglect, Exploitation and Violence

A submission to the Family and
Community Development
Committee's Inquiry into Victoria's
Disability Sector

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The Seven Roadblocks
- To Combating Abuse, Neglect, Exploitation and Violence in Victoria's Disability Sector -

An Explanation

This submission is a companion to a previous submission as already submitted by Max Jackson and Margaret Ryan (29 May 2015).

This submission emphasises what the writers argue are the seven deadly sins or critical factors associated with abuse, neglect, exploitation and violence as occurring across the disability sector in Victoria. Although these factors have been referenced to some degree in their primary submission, the writers have felt compelled to explore them further through this supplementary submission.

They argue, in the strongest way possible, the significance of these factors cannot be overly emphasised.

The Seven Roadblocks and Associated Critical Considerations

The following are presented as matters that must be front and centre in the considerations and recommendations of the Parliamentary Inquiry.

Roadblock 1: Diversion - the 'more principle'

1. The call for 'more' has increasingly become the mantra trotted out by those who hold positions of power and influence.
2. The 'more' call is resounding in arguing that what is required in order to address abuse, neglect, exploitation and violence against people with disabilities is a combination of more of what the writers argue are the soft targets. That is more principles, more policies, more procedures, more pilots, more research, more legislation and power, and of course always more money.
3. The writers argue that the 'more call' should be dismissed for what it is – a failure or lack of willingness to call it as it really is – that is to recognise the incompetence and reluctance of individuals and entities to do, or be able to do their jobs.
4. As such, the writers contend that any submission that makes the 'more call' should be dismissed as a lazy submission, unless the submission writers have been able to objectively support the claim of the need for 'more' with evidence based information.
5. Further, that unless the submission writers also demonstrate with evidence that they are maximising the application of the power and resources already available to them.

Roadblock 2: Complexity is not the answer

6. The writers contend that over recent years a growing tendency in many areas of activity has been to promote complexity as the answer to issues that require addressing.
7. Certainly, in the disability sector it can be reasonably argued that the sector has taken on the worst of the marketing of complexity evident in other sectors. This is highlighted by the use of language that adds to the complexity rather than truly addressing it. Indeed, the writers submit that the language of disability has become weighed down by meaningless language aimed more at more promoting complexity by those driving it, than simply using language that explains.
8. While the writers do not deny that abuse, neglect, exploitation and violence in the disability sector has complexities, nonetheless they argue that this does not mean the solutions must therefore be complex.
9. By contrast, the writers submit that making complex issue more complex by seeking to address them through complex strategies and so-called solutions only leads to the issues remaining unresolved.

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10. As such, the writers argue that submissions that advance complex solutions must be treated with caution by the Inquiry, on the basis that the more complex the supposed solution the less sustainable is its longevity.

Roadblock 3: Not knowing the rules – application and policing

11. Contrary to the suggestion of complexity as being the 'answer', the writers submit that to a significant degree the answer to the abuse neglect, exploitation and violence occurring in the disability sector is knowing the rules and their being policed.
12. In terms of the disability sector the rules are clear. They already exist in legislation, in the myriad of principles and policies and procedures. They exist in the multitude of guidelines and codes of conduct.
13. However, even more than the above, the writers argue they exist in knowing right from wrong.
14. While it may well be that abuse neglect, exploitation and violence may never be completely eradicated, nonetheless, the writers argue that knowing and practising 'right' when working with, and being responsible for people with disabilities, is neither complex nor should be treated as though doing the right thing holds some sort of mystery.
15. The writers argue that in terms of the many cases of which they are aware where abuse, neglect, exploitation or violence have been perpetrated against people with disabilities, the most glaring deficit has been the failure to adequately police service delivery – as in ensuring tight management of services and hands-on supervision.

Roadblock 4: Separation as avoidance of responsibility

16. The structures that exist across the disability sector and within individual entities in it have become more bureaucratic than ever before.
17. Those with the power and influence have also taken on more of the guise of marketing executives and politicians.
18. Those in positions of power and influence in direct service entities, including senior bureaucrats, Boards and senior managers in funded sector entities, have developed a tendency to separate their roles and responsibilities from the actions of those who fail to do their jobs as well as those who perpetrate abuse, neglect, exploitation and violence. Essentially they avoid taking responsibility for operational activities.
19. Watchdog entities have developed a tendency of dispersing their legislative obligations through Protocols. They have developed a tendency to address issues around the fringe rather than take up the cudgel of their position and show forthrightness.
20. Essentially, the power players seem only too willing to ignore the full range of their authority and instead use separation as avoidance of dealing directly with abuse, neglect exploitation and violence.

Roadblock 5: Avoiding transparency and consequences

21. Despite the frequent claims by those responsible for entities that they are transparent in their dealings with people with disability, their families and other seeking information, the reality is vastly different.
22. An array of strategies and tactics are used to hold on to information and hence power.
23. Such strategies and tactics include only giving part information, elongating processes, subtle and not so subtle threats such as the termination of a client's placement or applying for

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guardianship, straight-out refusal, directing an inquirer to Freedom of Information, or claiming privacy.

24. The result is the reality of abuse, neglect, exploitation and violence is often hidden from the full glare of public scrutiny. These strategies and tactics then become a shield in terms of the power players having to address consequence for those who failed to protect and those who have abused.
25. The writers submit that until such time as those in authority toughen up and apply consequences befitting the 'crime', abuse, neglect exploitation and violence will continue unabated.

Roadblock 6: Superiority and authority

26. The growth that has occurred in the disability sector, in terms of the number of service agencies and other entities has, as noted in 16 above, lead to the creation of a greater degree of bureaucracy.
27. Aligned to this growth in bureaucracy has been, in many instances, a concomitant expansion in the number of highly paid individuals whose titles carry with them a sense of superiority.
28. The writers submit that this growing sense of superiority and self-importance has lead to a distancing of the heads of organisations from the grass roots of their service provision.
29. While not always necessarily the case, the writers nonetheless, submit that often there is a correlation between the sense of superiority that some demonstrate and the way in which authority is exercised.
30. The writers submit that there would be value in the Inquiry addressing the matter of structures and comparative remunerations of heads of organisations. They submit that this would provide a means of seeking to establish a benchmark of whether large structures and the composite remuneration of senior officials, necessarily equates to an efficient and effective service.

Roadblock 7: An absence of compassion and understanding

31. The Disability Act 2006 is unambiguous in promoting the rights of people with disabilities. The Act is also unambiguous in detailing the significance of families.
32. Yet, despite the clarity provided by the legislation and despite the fact that families still represent the largest cohort of service providers to people with disabilities, the sector at the service and bureaucratic levels lack a real understanding of the plight of families.
33. The saga of ageing parents unable to acquire a residential placement for their family member with disability is rife throughout the state. The attention of the Inquiry is drawn to the attached press articles of current situations occurring in Bendigo. These are just two illustrations of the absence of compassion and real understanding.
[http://www.bendigoadvertiser.com.au/story/3066638/a-lifetime-of-care/?cs=80;](http://www.bendigoadvertiser.com.au/story/3066638/a-lifetime-of-care/?cs=80)
<http://www.bendigoadvertiser.com.au/story/3018165/elderly-parents-forced-to-act/>
34. Despite the rhetoric spoken by politicians, senior bureaucrats, heads of service providers, advocacy organisations and watchdog entities about rights, and concern, and planning and that terrible diversionary word 'investment', the plight of ageing parents continues and the service gaps get wider.
35. The writers argue the first cousin of expansive rhetoric is self-protection. Compassion and real understanding, by contrast, has become the poor cousin. The Inquiry must seek to expose the rhetoric for what it really is, a narrative aimed at self-promotion and protection.

End of Submission

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