

## “Quotable Quotes”

A submission to the Victorian Parliamentary Inquiry  
into Abuse in Disability Services

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**Quotable quotes**

1. This submission presents what are described as quotable quotes. These quotes are used to illustrate what some are saying is wrong with the disability sector in Victoria and why abuse, neglect, exploitation and violence have been allowed to fester and spread across the sector like a disease.
2. In some instances the quotes have been extracted from other submissions. In others they have arisen as result of 'focus groups' undertaken by the writers. The writers use the term 'focus groups' to describe the process undertaken by them in collecting the quotes. Essentially, this process comprised telephone conversations with families, meeting with groups of families and discussing concerns with individual families and other with a significant interest in the sector.
3. Other than quotes attributed to the writers, where their names are listed, the anonymity of others who have been quoted has been preserved.
4. Essentially the quotes depict anger, frustration and distrust of the processes and the power players involved in the disability sector. The quotes are an indictment on how those in positions of responsibility, power and authority have allowed abuse and neglect to become what the Public Advocate has described as *"systemic."*
5. They are also illustrative of how, despite the catch cry promoted by the Disability Services Commissioner that "It's OK to complain" - In reality *"It is not OK to complain"*. The reality is that many people contacted by the writers expressed the views captured by the quotation that, *"The process for dealing with complaints is unnecessarily elongated, investigations are not invoked and no one is called to account."*
6. Many of the quotable quotes are also reflective of how the rights of people with disabilities and their families have been pushed aside. Many of the quotes reflect the view as expressed by one respondent that, *"There is a greater focus by those with the power protecting their clubby relationship and preserving their own patch at all costs."*
7. The following quotable quotes are but a smattering of those conveyed to the writers. Many more could have been included in this paper. However, the writers submit that those that follow are representative of the anger and frustration prevailing among families and those involved in the field who have a desire to see the necessary changes, but have neither the position nor the power to activate such change.
8. The quotable quotes have been grouped under particular headings as represented by well-known quotes that depict the theme of the individual grouping.
9. The writers have provided a critical comment under each grouping, whereby such comments emphasise the significance of the quotations in the context of Committee's task.
10. The writers emphasise that the Committee must be alert to not being seduced by the myriad of self-interests and protectionism that pervade many of the submissions. Instead, it is absolutely essential that the Committee remain focussed on putting people with disabilities and their families first. Addressing abuse, neglect, exploitation and violence is more than about fixing up cracks and gaps in the system and filling holes, it is about holding people to account.

**Maintaining the focus**

**11. The Peter Principle - "*Managers rise to the level of their incompetence.*"**

Laurence J. Peter

- *"The problem is that many of those people who hold positions of responsibility for oversighting lack the ability to meet the obligations of their positions."*
- *"The level of incompetence displayed by some people in high places is frightening."*

**A Comment**

As a somewhat insular service system, the disability sector places great reliance on players in key positions moving from one entity to another. In the context of the safeguarding system and the link between watchdog entities and senior management of service entities, this presents as a major concern. It creates a high potential for some of these individuals failing to maintain objectivity because they have difficulty in holding former colleagues to account. Of equal concern however, is the potential that because of the positions held, there is lack of, or in some instance an absence of, public accountability and scrutiny – despite the level of competence or incompetence.

**10. Secrecy – "*The small man said to the other: "Where does a wise man hide a pebble? And the tall man answered in a low voice "On the beach."***

*G. K. Chesterton*

- *"Whenever I have sought information from the DSC or a representative of DHHS every conceivable tactic is used to avoid giving me an answer. It would be easier to find the proverbial needle in the haystack."*
- *"How convenient are privacy and Freedom of Information in that these are the excuse whenever I seek information about why particular actions have either been taken or not been taken, and as concerning my son's service."*
- *"Despite the title as Victoria's Public Advocate, it seems as though families like mine who have a family member with a disability are not considered as being members of Victoria's public. The Public Advocate is more concerned about protecting her Community Visitors rather than providing me, as mother and guardian, reasonable access to speak with Community Visitors on my son's behalf."*

**A comment**

The negative experiences of many families are compelling and indisputable. Rather than deal with presenting issues in a timely and transparent manner where progressing complaints and issues are facilitated, those in positions of power and to whom such matters are reported instead seek to hide behind self-protective actions.

**11. Power and Politics – "*Power corrupts and absolute power corrupts absolutely.*"** Lord

Acton. *"In politics the middle way is none at all."* John Adams

- *"I have no confidence in the inquiry. It is simply a political exercise. If any change is to occur then the only real impact will be for a Royal Commission to be established."*

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- *“A major problem in disability is the power imbalance between those who are on the inside and hold key positions and those who are on the outside and are the recipients of the self-serving decisions of those on the inside. Unless this imbalance is redressed power and politics will always dominate and control.”*
- *“It is important to recognise that corruption is not only about or restricted to fraudulent or dishonest behavior. The failure of individuals to meet their legislative obligations, the failure of people to report abuse, the failure of consequences being applied, the failure of staff to meet their duty of care and the failure of managers to require staff to do their jobs are all forms of ‘corruption’. Just as corruption has many forms so does politics. The disability sector is now simply a political plaything where spin has taken over from honesty and transparency.”*

**A Comment**

The demise of the concept of ‘frank and fearless advice’ being replaced by spin and the ‘never explain and never apologise’ modus operandi is now endemic in the disability sector. Indeed, the political imperative of representing thy-self as beyond reproach, despite evidence to the contrary, now pervades the power block that controls the disability sector – the Public Advocate, the Disability Services Commissioner, the Secretary of DHHS, advocacy agencies and the peak employer body as in the National Disability Services, along with Boards and Chief Executive Officers of funded entities. The power of these entities has been allowed to translate into the politics of influence and control. A major problem with power and politics is that self-promotion and self-preservation take precedence over what is best for others and on whose behalf the power brokers should be acting.

**Justice – “Justice is truth in action.”** Benjamin Disraeli

- *“Given the DSC has refused to investigate my complaints about abuse and neglect and a failure of staff to meet their duty of care to my daughter, the Commissioner has denied me and my daughter justice.”*
- *“There is no justice for families. Staff and manager can bully them and yet those responsible for service provision get away with it. No one is brought to account. It is a sick joke.”*
- *“I can relate actual instances where complaints have been ignored, ‘painted over’ and simply denied and then been allowed to continue. You are more likely to receive unwarranted scrutiny if you are a known complainer, than if you are a known abuser.”*
- *“The brick-walling of families who have loved ones with disability, particularly those who do not effectively communicate, has in my experience become par for the course despite the principles of the Disability Act 2006.”*
- *“There appears to be a culture of hostility to whistleblowers that must be addressed. Our members advise that some levels of management are not acting on allegations of abuse and this view is supported by the recent Yooralla cases.”*

**A Comment**

Like many areas, while a great deal has made of the rhetoric of rights and justice, the disability sector is no different. All this of course counts for nought unless truth and justice are translated into action. Despite it being over a

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quarter of a century since legislative focus was brought to bear on disability as through the 1986 Intellectually Disabled Persons' Services Act, truth and justice are still far from being activated into reality.

**13. Trust, Treachery and Accountability - "Who is to guard the guards themselves?"** Juvenal

- *"I have lost complete trust in the Inquiry. Unless the Committee is prepared to name those in key positions and detail their failures to meet their statutory obligation, then the inquiry will achieve nothing."*
- *"Where is the accountability? Who holds those who are employed to protect and deliver services to account? People in high places talk about the failures of the system, yet they are not brought to account for their failures. It is a disgrace."*
- *As a mother now well into my seventies and with my son with a disability living at home, I have lost all trust in those responsible for the system. I have been waiting since 1986 for my son to get an accommodation place, yet none has been offered. Am I not being abused?"*
- *"In Victoria, if you love your child and care about their safety, well-being and quality of life, you may be, as I have been, ignored, patronised and threatened."*
- *"My personal experiences over recent years have led me to believe the disability sector has a culture of cover-up and victimising direct care workers and family members who make notifications on behalf of people who lack the capacity to notify abuse and neglect themselves."*
- *"The public advocate told me that Community Visitors "observe". I asked the public advocate if they were "observing" while Yooralla clients were being raped? The public advocate did not answer my question."*
- *"I want to put my views forward as a client of disability services. I have gone to over 7 different service providers over the last 2 years, all attempting to find one who will provide staff who did not insult and ridicule me or who would actually be willing to do their job. Over 40 workers, I've given up and accepted that if I am to eat and walk out my front door then I have to accept being abused and sworn at."*
- *"Abuse in the industry is rampant and the norm and every single service provider consider it the job of their staff to abuse and ridicule people. While it is true that they consider rape and murder to be bad, they do not consider the low level stuff they do each and every day as wrong. You only have to spend time in most of these agencies listening to how they talk about clients to know the level of disrespect they have for them."*
- *"In 2014 the previous secretary was found in breach of duty of care by the courts. The then minister Mary Wooldridge gave her support to the secretary Gill Callister and her position was maintained until the new government arrived. If the secretary is found guilty of breaching her duty of care dismissal should be immediate and the appropriate sentence given - Being allowed to continue to hold this position - is a disgrace and shows an acceptance of accommodating abuse within service provision."*

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- *“The failure in investigation and related disciplinary action by services in response to abusive incidents perpetrated by staff is a crucial issue. The (DHHS) Residential services practice manual 3rd edition does not specify what action must be taken during an investigation of staff to resident violence. Notwithstanding, the analysis suggests that many cases fall well short of normative procedural expectations, with staff failing to be stood aside allowing continued contact with the complainant.”*
- *“... asks the Parliamentary Committee to advocate for the inclusion of a Community Visitors program within the new NDIS quality and safeguarding framework, and for the strengths of the Victoria model to inform the Victorian Government’s position on appropriate quality and safeguards for the NDIS.”*
- *“The Committee must be forthright and uncompromising. Where appropriate and necessary, the Committee must be prepared to identify those people in the system who have failed to meet their statutory obligations and responsibilities. This must be so, whether the failure relates to an entity watchdog, an individual role, a Departmental Secretary, a Board of governance or a Chief Executive Officer.” JacksonRyan*

**A Comment**

Trust is not enough; it can only be rewarded with the presence of accountability. The treachery of the abuse of trust, unless brought to account, will always blossom.

**14. Words – “Words without actions are the assassins of idealism.” Herbert Hoover**

- *“The ideologues, the academics and the senior bureaucrats are high on moral platitudes but they are never challenged to put forward practical solutions. Ideology is the easy part.”*
- *“The ultimate test for the Committee in terms of its overall findings and recommendations is to demonstrate the leadership necessary to go beyond simply providing commentary on the problems. The Committee must instead be bold in stating what is needed to fix them. The Committee must do this even though it would involve recommending significant changes to current oversighting and governance entities and their personnel. The Committee cannot ignore the reality that moral choices are at the core of all cases of abuse, neglect, exploitation and violence. The moral choice for the Committee therefore is to either call to account the people elements of Victoria’s current oversighting and safeguarding system or to go down the immoral path of diverting to and blaming the system.” JacksonRyan*
- *“I am sick to death of hearing about aspirations and how all people with disability can, with the right level of support, contribute to decisions affecting them. How stupid is it of Community Visitors to suggest they can determine what a person’s needs simply by ‘observing’. Let’s see those who promote the unattainable demonstrate their magician skills.”*

**A Comment**

The pages of modern history of disability in Victoria are littered with high-sounding rhetoric. However, many of those who consider themselves as being the leaders of progressive thinking, while at the same time operating as the thought police, often expose a huge gap between the well crafted language of

their ideology and a dearth of explanation of how their ideology translates in the practical solutions necessary to address the system and people failures.

**15. Pride and Arrogance- “Pride goeth before destruction, and an haughty spirit before a fall.”** The Bible

***He was like a cock who thought the sun had risen to hear him crow.”***

*George Eliot*

- *“Regardless of views about the implementation of safeguarding measures, a resounding message from the evidence the Committee received was that in moving to a national safeguarding framework, Victoria should not lose any of its existing safeguards.”* Interim Report p. 60
- *“Victoria currently has a well-developed disability Quality and Safeguarding Framework. This includes (but is not limited to) the legislative framework of the Disability Act 2006, the Office of the Disability Services Commissioner, Office of Professional Practice, Office of the Public Advocate and community visitor program, reporting of incidents to the Department of Health and Human Services (DHHS), Quality Standards and independent accreditation, and the recently introduced Disability Worker Exclusion Scheme (DWES). This framework includes some valuable elements that have helped position Victoria as being a national leader in terms of safeguarding.*

*The modern legislative framework of the Disability Act 2006, which emphasises the rights of people with disability and clearly sets out the responsibilities of disability service providers has been a good guide to the sector. The active role of the Office of Disability Services Commissioner (ODSC) in encouraging people with disability to speak up, with the ‘It’s OK to Complain’ campaign, coupled with the on line complaints recording system, has widespread recognition amongst disability service providers and has helped improve the culture and practice of disability service organisations. The independence of the Commissioner from the DHHS, and its applied focus on disability, unlike other statutory offices around Australia, have been strengths of the system.”*

- *“To suggest there is some process or practice yet to be discovered that will stop abuse occurring is rejected as nonsense. ‘Best practice’ in terms of identifying early indications of abuse, strategies to prevent abuse occurring and the specific needs of particular cohorts is located in the concept of duty of care. Best practice is about always acting to ensure that duty of care is carried out as the best practice.”* JacksonRyan
- *“Essentially, Recommendation 1 in the Committee’s Interim Report has largely ignored the fact that Victoria’s system and those responsible for it have failed. Yet, even in the face of this failure the Committee has still been prepared to suggest that the quality and safeguarding system “should not be diminished.” This is quite ludicrous and suggests that the Committee has been more intent on protecting the interests of the key players in the system rather than acknowledging that many of the key players have failed in their duty of care to people with disabilities.”* JacksonRyan
- *“Frustrated with the way my complaint was treated by the Disability Services Commissioner I checked the written submissions to see what the Commissioner had to say about why he manages complaints the way he does. His four paragraph submission told me nothing.”*

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**A Comment**

An unholy arrogance seems to have gripped Victoria over recent years. Entities ranging from successive State governments, educational establishments, business entities to sporting codes are not shy in telling us 'we', or more often that not 'they' are the best. We are told that this that and the other is the best in Australia or constitutes world's best practice. And so it is with the disability sector. Many submissions including watchdog entities never seem to tire of telling us how good Victoria's safeguarding system is. They never seem to tire in promoting the suggestion that Victoria's system is leading the way and in effect should become the framework on which the NDIS safeguarding system should be based.

Yet, how come these same self-promoters seem to conveniently want to ignore the facts? How come they ignore the fact that despite many of the elements of our system having been in existence for over a quarter of a century and many of the key individuals having been in their position for several years, the Public Advocate spoke of abuse and neglect being "systemic"? How come the Ombudsman initiated her investigation? And, How come this inquiry has been established?

We cannot be proud or arrogant about the systems and processes in Victoria and those responsible for them. Nor can we be complacent. The only way to combat the gaps in the system and the failure of watchdogs to watch and protect, and service providers to provide services free of abuse and neglect, and the DHHS Secretary to monitor and to act fearlessly, is to firstly be fully aware of the deficits. However, of even greater import is to fully acknowledge that alleging to be the 'best' carries no weight given the Senate inquiry. Being the best of a poor lot is no advertisement. The real issue is to be honest about what needs to be fixed and who needs to be removed from his or her position.

A 'papering over' exercise will not address the abuse, neglect, exploitation and violence occurring in Victoria's disability sector. The Parliamentary Inquiry must not be allowed to turn into a 'feel good' exercise. No one wins from such a weak approach.

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**End of Submission**