

**Family and Community Development Inquiry into Abuse in Disability Services
Stage 2
Submission from David Roche**

I feel there is a need to make this submission because it seems to me that the Inquiry process has provided the opportunity for some to endeavour to discredit the work of the Community Visitors - CVs and the Community Visitors Program – CVP on the basis that the program has been ineffectual and irrelevant (to modern times), failed to carry out its functions and responsibilities (in particular reporting) and lacks the skills and professionalism to do its work. I would contend that any assertion or inference that may incline one to this view is incorrect. If anything it is likely that there has been a failure to listen to CVs. Part of this may be as a result of a fundamental misunderstanding of the role of CVs and the practical constraints of the role.

Now is not the time to criticise but the time to further strengthen the current CVP so it can continue its important work, including within the NDIS, rather than impede the good work the CVP does in frontline prevention of abuse and neglect. So it is pleasing to see that:

- the valuable work of CVs is recognised by the Ombudsman Victoria and to an extent by the Inquiry
- the government is committed to ensuring the strengths of Victoria's current system of quality and safeguards (which includes the CVP as a critical safeguard) is retained in the NDIS

Through the inquiry and subsequent recommendations there is now the opportunity to further improve the CVP to operate at best practice whereby it can continue its important role rather than reinventing the wheel or implementing a costly new system of preventions. In fact the CVP should be used as the model for prevention across Australia in the NDIS. There is an opportunity to use the current CVP as the benchmark in any research and the research a way to ensure the work of CVP is fully and properly understood.

The CVP is effective and relevant as ever. Many issues/incidents have been resolved at a local level which is the intention of agreed protocols between the CVP and government. I would strongly argue that this resolution has in fact prevented abuse and neglect. There has been little recognition in the Inquiry to date of this fact. Removal or watering down of the CVs role will in fact lead to more abuse and neglect because the frontline preventative mechanism will be removed. The removal or substantial change to the current CVP may increase the risk of abuse and neglect. It is important to understand that even the smallest change effected as a consequence of a CV's involvement can make a substantial difference to the lives of people with a disability – this occurs on a regular basis.

CVs and the CVP have carried out their functions and responsibilities, in particular relating to reporting. It is important to note that legislated role of CVs is to visit and inquire. To do anything more would be in breach of legislation. CVs have been more that diligent and rigorous in reporting and resolving matters at local level. Many of these are recorded in the CVP data base.

The Community Visitors Board does have reporting and referral powers. These have been exercised in the following way:

- Regular meetings with Parliamentary Secretaries who has represented, and reported directly to the Minister where matters have been reported, and they have been
- Regular meetings with DHS now DHHS where matters have been reported

- Successive Annual Reports to parliament, the highest level to which a matter can be reported. These reports have constantly highlighted incidents of abuse and neglect and recommended corrective action.

Any suggestion that CVs have failed in their role is wrong. What has been the case is a failure to listen and take action on the part of those to whom the reports have been made. This failure in fact prompted the two recommendations made by the Board to parliament in the 2013/2014 Annual Report to parliament that the government instigate an inquiry into abuse and neglect and that the Ombudsman Victoria conduct an investigation into incident reporting the adequacy of which is central to any effort to prevent abuse and neglect. In a way this was a “report of last resort” and borne out of successive years of inaction.

CVs are skilled and professional however they may be reluctant to talk about their skills and professionalism because of they are volunteers. However the skills, professionalism, qualifications and experience of many CVs are arguably better than those that would be held by paid inspectors. The added value of CVs is that they are independent and have a real understanding of the environment in which they operate and the people they engage with. Over many years comprehensive work has been done on ensuring that the professionalism and modernisation of CVP to enable CVs to undertake their role through:

- Ongoing training, professional development and learning
- Robust appointment and monitoring processes
- Clear statements of roles and responsibilities supported by strong policy and processes
- Structured processes for reporting and intelligence gathering

The above in my view are equal to and probably better than the supports available to many paid professionals. The contribution of the Office of the Public Advocate – OPA in maintaining these high standards, at considerable to the core functions of OPA, has been immense.

My contention is that the current CVP (and the CVs)

- is very effective in preventing incidents of abuse and neglect across the whole of Victoria
- does make a considerable contribution to making the lives of people with a disability better, which is not recognised
- has reported as it was intended to report
- is professional, expert and experienced
- undertakes the above at an extremely low cost to government
- can be provided with the necessary support and confidence as a consequence of the Inquiry’s recommendations

On this basis the CVP should:

- Be retained, supported and listened to
- Become the model of good and perhaps best practice in the role out of the NDIS noting that the geographical reach of the CVP is Victoria wide and does indeed stretch into remote areas of Victoria
- In respect of any independent oversight body, current or new, all CV’s reports are provided to this oversight body for thorough investigation and the body is resourced to a level, and with the necessary powers, whereby it can conduct these investigations