

Public Hearing  
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The experiences I will discuss relate to South Australian systems. *in daos.*

*NH*

My 86 year old mother says she was scared to say how she felt for fear of retaliation by the nursing home doctor, the home and my sister, the perpetrator of elder abuse. 3 years after mum's then 96 year old husband died, and her independent lifestyle was ended, mum still has not been told what of her belongs have or haven't been sold nor what money she has left since her house and car were sold. Allowed by the use of a highly dubious \$3.95 Newsagency EPA alleged to have be signed by my mother in 1997. After about 12 months in the Nursing Home mum submitted to her incarceration because as she put it she; 'could be put out in the street or someone might do something to her'. Her experiences are distressing to hear, we can only wonder how she coped during the past 3 years having been forced into in a lock-up Nursing Home against her wishes and without proper medical assessment.

- Without choice my mother was removed from her home by my sister the day her husband died. 2 days after against her wishes she made arrangements to put her permanently in a lock-up nursing home.
- Before legalised the dubious financial only EPA was used to gain guardian like control, sell her house, car and property and bond her into a Nursing Home far from friends and close family.
- As a result my mother experienced Elder Abuse which included:
  - Psychological / emotional abuse
  - Financial abuse
  - Social abuse
  - Neglect
- The financial only EPA prevented mum a key to her nursing home room, a phone and restricted family short excursions without approval.
  - Mum was assaulted, and items stolen from her room.
  - Mum's medication was changed and unwise drug combinations put her near death 3 times in accident and emergency. Medication is being investigated as a major cause of the claimed cognitive incapacity.
  - The EPA re-lent mum's own money back to her for profit and hid personal loans.
  - Mum was prevented the basics such as clean clothing that fitted her.
  - Mum is refused keepsakes now used by the EPA and sentimental items which provide happy memories.
- I requested the Guardianship Board and Office of Public Advocate investigate: they ignored clear evidence before them and did not contact close family who knew what the EPA had done. The OPA 'recommended that the current arrangements should not be disturbed' and in doing so enabled further Elder Abuse. Even today the Public Advocate refuses to review or correct his departments' botched, inaccurate and misleading report. The known to be inaccurate and misleading OPA report was presented as fact and used in judgement at both the Hearing and District Court Appeal. I was the applicant in both cases.

*Board*

The Guardianship <sup>Board</sup> consciously followed the grossly incorrect OPA report rather than investigate claims before them that would clearly discredit their sister department. The GB in

making their Orders did not adequately investigate, follow procedure, nor as they admitted consider the claims and evidence before them.

- **The fact that false, incomplete and misleading information can be presented, subpoena directions ignored makes me believe the State Government can act above the law and through self investigation achieve immunity.**

During the 3 year 'battle' I found government incompetence and a non-caring bullying culture. I have had legal action threatened against myself and my family: every step was made difficult because the Government Departments wanted to hide their stuffed up early investigation and prematurely close the file. **The system by operating above the Law and Review hid evidence of fraud and abuse which contradicts its own earlier incorrect assumptions.** There is no real legal assistance available to the elderly. **I took on the departments supposed to 'protect the protected'.**

**The District Court consequently directed review actions to the Guardianship Board 4 months ago which to date have not been abided by. Today the determination of 'mental incapacity' resulting in mum's liberties being taken away remains a key issue.**

**The State Government to the Attorney General and Premier level choose not to investigate their department's actions which include fraud. Both should reconsider their roles and responsibilities.**

**Inadequate EPA/legal safeguards, medication errors and mis-diagnoses when added to government in-competence and manipulated outcomes promotes and facilitates elder abuse.**

**When at State level the people or organisations we are told we should trust can't be trusted, then what will the Federal Government do to protect the elderly?**

The complex systems in place are not fair or just and require resources, understanding and skills most elderly people do not have. I believe a capable new central system with 'real' review safeguards is required to protect the elderly who slip through the cracks, soon to be forgotten and left to die.