



Community visitor programs - what we can learn from Oakden

[Oakden residents] lacked any voice themselves. They were entirely dependent upon others for their care and their safety". - Commissioner Lander, p190¹

There are many lessons to be learned from the report by Commissioner Bruce Lander QC on the events at the Oakden nursing home, many of which can be applied to other facilities in our state.

Residents of the Oakden facility should have been protected from abuse and mistreatment by layers of overlapping protections in the domains of many people at different levels of government, administration and service provision. They, their families and the community, would have expected government and senior departmental officers to provide adequate resourcing and oversight and have policies and procedures in place to ensure suitable levels of care, management and supervision. The training and professional standards of the staff working there should have provided another level of protection. Effective complaints procedures for residents and concerned others should have provided additional safeguards as should have accreditation inspections by external bodies. Finally, the residents of Oakden relied on community visitors to bring an independent and critical eye to the conditions they experienced.

Commissioner Lander set out in forensic detail how each of these layers of protection failed and his report sounds a warning for any organisation that provides care for vulnerable people in a closed or secure environment. He considered the operation of the relevant community visitor scheme (CVS) -

...consideration needs to be given as to whether the CVS in its current form is an appropriate safeguard for those suffering mental illness who are housed or treated in treatment centres, limited treatment centres, or authorised community mental health facilities. [p307]

Commissioner Lander's critique of aspects of community visiting at Oakden raised questions for all such schemes, not just those visiting mental health services. The Guardian's Office is currently in the process of establishing two separate community visitor schemes, so the issues he described are instructive as we attempt to craft models for the protection and wellbeing of young people in residential care and youth detention.

Should schemes use volunteers or paid visitors?

Volunteers are assumed to bring into the institution a set of expectations and standards reflective of those held within the broader community. Because volunteers are not paid, there can be potentially larger numbers of visitors within a given budget allowing more, and more frequent, visits. But is it reasonable or possible to expect volunteers to have or accept the rigorous selection process, training and complex tasks required of the role? Commissioner Lander noted that some visitors to Oakden may not have had the necessary skills and support to identify problems and to report and to intervene on behalf of residents. He favours a model in which visitors are paid, comprehensively trained, and operate within a rigorous model that has sound documentation and clear and effective accountability mechanisms.

¹ [Oakden: A shameful chapter in South Australia's history.](#)

Should we visit or inspect?

There is a useful distinction to be made between visiting and inspecting. Visitors primarily interact with the residents, listening and observing from the perspective of the resident and reporting on the quality of the experience from the resident's point of view. But what produces those outcomes is a complex of activities and systems that may not be immediately obvious from only a resident's experiences. Inspecting the physical environment, being privy to the basis for staff numbers, rostering, recruiting and training, as well as reviewing policies and records and management systems and so forth all give a deeper understanding of what is going on for residents. Lander identifies 16 such areas for Oakden.² These matters fall in the domain of inspection which is a rigorous, time consuming and demanding process that goes beyond, but does not ignore, listening to residents. Any scheme must decide where to set the balance between visiting and inspecting to get the maximum benefit for residents.

Should we conduct unannounced visits?

Commissioner Lander states

"In my opinion, the PCV [Principal Community Visitor] and the community visitors should have made random, unannounced visits. It can be expected on any announced visit that the institution under inspection will present itself as best it can. The purpose of an unannounced visit is to see how an institution operates without the glare of an announced visit." [p226]

Noting this, it also is important to recognise that unannounced visits can appear as an intrusion into the residents' home, an act of rudeness that implicitly undermines their dignity. Unannounced visits also have connotations of catching staff out and could contribute to an oppositional culture between visitors and staff which may be to the detriment of a collaborative approach to addressing issues and making improvements.

Is it possible to balance visitor independence and cooperation with the system?

Lander describes a situation in which individuals who ideally should have been aware and active in protecting and promoting the wellbeing of Oakden residents did not identify serious issues. Ideally, external visitors can provide insights and perspectives that are valuable to an institution that is genuinely devoted to the wellbeing of residents. In that situation, mutual respect and collaboration in sharing and acting on their insights can be beneficial to residents. Serious, systemic and entrenched issues may require the visitor to take formal steps that create tensions for what, hopefully, is a collaborative relationship with the service provider. Managing this situation requires a maturity and robustness on both sides.

In an ideal world, ministers and governments share the ideal of good care for vulnerable people and the insights of a community visitor would be welcomed and valued. Lander analyses the way in which problems at Oakden were consistently deflected and avoided at the political level. Maintaining a respectful and robust relationship between the visitor and the minister and government of the day can be especially difficult when community opinion and political or budget

² They were: *The physical state of the facility; the state of equipment; the level of funding; the level of nursing staff; the quality of nursing staff; poor nursing practices; the level of allied health staff; the use of seclusion and restraints; the culture that existed amongst staff; the level of medical staff; the management structure; the state of clinical documentation; the existence of medication errors and over medication; physical and sexual assaults on consumers; the availability of activities; and the availability of treatment to consumers.*

considerations come into play. But that relationship remains vital in promoting effective independent oversight and real reform. Both have defined responsibilities to Parliament and the public and a well-conducted visitor scheme can alert a minister to circumstances that could give rise to charges of maladministration.

Do visitor programs work?

In the case of Oakden, Commissioner Lander is clearly of the opinion that it did not work as well as it should have. However, visitor programs are new in this state and the Oakden example points to some of the factors that may make future incarnations of the community visitor idea more effective. Community visitor programs that are well conceived, managed and resourced may be complementary to the work of an institution. They may produce a benefit to the residents but only when the institution itself is committed at all of its levels to the wellbeing of residents and so is able to make use of the unique perspective that the visitor can provide.

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