

# The NSW Government will establish a new **Ageing and Disability Commissioner** to better protect our vulnerable adults



**The NSW Government will establish an Ageing and Disability Commissioner from 1 July 2019, to better protect adults with disability and older people from abuse, neglect and exploitation in home and community settings.**

## Why is the Commissioner needed?

The NSW Government takes its responsibility to safeguard the most vulnerable members of our community seriously. Unfortunately, people with disability and older people can be more vulnerable to abuse, neglect and exploitation.

A number of reviews and inquiries have highlighted opportunities for the NSW Government to do more to address this issue. These include the recent Parliamentary Inquiry report into the implementation of the National Disability Insurance Scheme (NDIS) and provision of disability services, the Ombudsman's recent report *Abuse and neglect of vulnerable adults in NSW – the need for action*, the Law Reform Commission's Review of the Guardianship Act 1987 and the 2016 Parliamentary Inquiry into Elder Abuse.

The establishment of the Commissioner will address the concerns raised in these reports, by strengthening our ability to respond to abuse, neglect and exploitation of adults with disability and older people in home and community settings.

## What will the Commissioner do?

The main role of the Commissioner will be to:

- investigate allegations of abuse, neglect and exploitation of adults with disability and older people in home and community settings
- provide support to vulnerable adults and their families or carers following an investigation
- report and make recommendations to government on systemic issues related to abuse, neglect and exploitation
- raise community awareness of abuse, neglect and exploitation, including how to prevent, identify and respond to matters
- administer the Official Community Visitors program, in relation to disability services and assisted boarding houses.

## What powers will the Commissioner have?

The Commissioner will be given strong powers to ensure they are able to properly investigate matters. These include:

- the power to initiate investigations on their own motion, or following a referral or complaint
- the power to apply for and execute a search warrant, and seize evidence, as part of an investigation
- information gathering and sharing powers.

Importantly, the Commissioner will be independent and not subject to Ministerial direction and control in exercising its investigation functions and ability to report and make recommendations to government.

## How will the Commissioner work with other agencies?

The Commissioner will be supported by new Specialist Elder Abuse Officers in each NSW Police Force command. These officers will work closely with the Commissioner to investigate matters involving criminal behaviour, and to undertake crime prevention activities.

The Commissioner's focus will be on what happens to people in their homes or in the community. However, they will work closely with the agencies responsible for protecting people when they are receiving disability and aged care services (the NDIS Quality and Safeguards Commission and Aged Care Complaints Commissioner).

## Will the Commissioner replace the NSW Elder Abuse Helpline & Resource Unit?

Responsibility for the Elder Abuse Helpline & Resource Unit will move to the Commissioner. The helpline will be strengthened by the addition of an investigative function.

### WHERE CAN I REPORT CONCERNS ABOUT ABUSE, NEGLECT AND EXPLOITATION BEFORE 1 JULY 2019?

If you require assistance before the establishment of the Commissioner, you can seek help from one of the following bodies:

For elder abuse call:

**Elder Abuse Helpline & Resource Unit  
1800 628 221**

For abuse of a person with disability call:

**National Disability Abuse and Neglect Hotline  
1800 880 052**

For conduct of a disability service provider call:

**NDIS Quality and Safeguard Commission  
1800 035 544**

For conduct of an aged care service provider call:

**Aged Care Complaints Commissioner  
1800 550 552**

For a matter which requires urgent assistance call:

**NSW Police  
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For more information please visit

**[www.facs.nsw.gov.au](http://www.facs.nsw.gov.au) or call (02) 9377 6000**