

# CORRECTED VERSION

## LAW REFORM COMMITTEE

### **Inquiry into access to and interaction with the justice system by people with an intellectual disability and their families and carers**

Melbourne — 20 March 2012

#### Members

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Ms J. Garrett  
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Mr R. Northe  
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#### Witnesses

Ms D. Leigh, parent,  
Dr B. Donovan, parent,  
Mr J. Patterson, parent, and  
Mrs M. Patterson, parent, Geelong Parent Network.

**The CHAIR** — Thank you for coming today. This is one of several committees the Parliament sets up to investigate particular terms of reference, and we have people from both sides of politics on the Committee. We call for submissions, have hearings and then write a report which goes to Parliament, then hopefully some of our recommendations will be picked up in legislation down the track. We are looking for good ideas and for answers to the terms of reference that we have been given.

The process is fairly informal. You can speak in whatever order you like and give whatever evidence you like. Your evidence will be recorded, you will get a copy of the transcript and you will be able to make changes if there are mistakes. You cannot change your evidence. You are protected by parliamentary privilege in here, so everything you say you cannot be sued for, but that does not apply outside the room. Perhaps we could start with each of your names and addresses for the purposes of the transcript, and then you can talk in whatever order you want to talk in.

**Dr DONOVAN** — Dr Brian Donovan.

**Ms LEIGH** — Dot Leigh.

**Mr PATTERSON** — James Patterson.

**Mrs PATTERSON** — Mary Patterson.

**The CHAIR** — All right. So who is going to speak first?

**Ms LEIGH** — I might start first. I have written mine down so I can get it in some order. As I explained, our contributions today do not represent any group; we are speaking as individuals, as parents of people with disability over many years. To begin with I will quote from *An Introduction to Intellectual Disability in Australia* by Errol Cocks. It states:

In 1939, the government speaker in the Victorian Parliament introduced a bill which contained a power whereby children with intellectual disabilities could be compulsorily detained in institutions. He said:

This bill aims primarily at an endeavour to prevent defectives and retarded children from becoming a menace to the community because of their absolute dependence on the state or others, and the frequency with which such persons are found in the ranks of derelicts, prostitutes, criminals etc.

Powerful stuff. Policies and attitudes of the past meant people were isolated and forgotten, so there was little need for any systems — justice, education, health et cetera — to be concerned about for people with intellectual disabilities.

Fortunately today we recognise that people with intellectual disabilities have the same rights as all other citizens. They are entitled to live and participate in the community to the greatest extent possible. However, to quote from the *Shut Out* report of 2009:

There are still widespread misconceptions and stereotypes about people with a disability. These include that they are a danger, a burden, and a threat.

An example of this concerns my daughter; when she was attending a regular local school a teacher said to me, ‘Wouldn’t she be better with her own kind?’.

People may become involved in the justice system as perpetrators, victims or witnesses. Policies have been neglected because of little contact experience of people with intellectual disabilities prior to the closure of institutions in recent years. Kew closed in 1996. Police, courts and lawyers have limited awareness of how to treat people with intellectual disabilities. An example of this is a student who was unable to explain an injury who was reported to the police; the police then raided his home at 10 o’clock at night, terrifying the family.

There are many reasons why people are likely to become involved in the justice system, such as misunderstanding, being unaware of consequences, peer pressure, the desire to belong and exploitation. An example of this is a young man who lived independently with minimum support who was befriended by an overseas visitor who took him out on the town to nightclubs et cetera. This did not get to the justice system because by the time it was discovered that \$7000 was missing from his bank account the visitor had left the country. Other reasons are taking the blame, self-defence, bullying, frustration, balance between independence

and support, reputation, communication problems, social and economic problems, and inappropriate behaviour and public nuisance may also appear to be criminal behaviour.

Considerations during police interviews include that people may be unaware of their rights, not understand what is happening or why they are being questioned, knowledge of the system, capacity to give evidence, the willingness to please, and fear and anxiety. An example of this is a person who gave a statement after a reportable incident who kept changing his story because I think he wanted to get it right.

Where to from here? Prevention is probably the best bet. We need to investigate the causes, which could mean changing environment, removing temptation, providing more support, getting professional advice from psychologists et cetera, and educating people about their rights and responsibilities. While we acknowledge that we need the support of experts when dealing with the justice system, it is really important to have people who are familiar and non-threatening to support people with intellectual disabilities and that family and advocates are respected as such. For example on a recent *Four Corners* program — I am not sure whether any of you saw it — a father insisted that his son, who was shot by the police, would still be alive if he had been allowed to stay at the scene.

It is important for police and emergency services officers to be trained to identify and work with people with intellectual disabilities as they are usually the first port of call. The other day in a shopping centre I got a copy of this, which is a new initiative from the Victorian government called the Geelong Community Support Register. People can voluntarily register, their information is kept at the police station and they are presented with an ID card, which I think would be a good idea. We have to be careful about labelling people, but if we go with an ID card, it is quite a good idea.

**The CHAIR** — Have you thought about how that ID might be administered? Are you talking about the government providing an ID card?

**Ms LEIGH** — It comes with this; it comes here. This is just a Geelong thing now. I got that in the shopping centre last Friday as I was walking through. I thought it can be for aged-care people or people with disabilities. It is kept at the police station so that if somebody has a fall or is unconscious or cannot speak and they are registered and they have got that card in their pocket, I think that is a great idea.

**The CHAIR** — And that is supported by the police with the people with mental disabilities?

**Ms LEIGH** — Mental disabilities, aged — it has got a list there. I do not know. I only got it on Friday.

**Dr DONOVAN** — It is facilitated by volunteers connected with the police.

**Ms LEIGH** — The Neighbourhood Watch people were handing it out.

**Dr DONOVAN** — I registered with it in January.

**The CHAIR** — Do you have any examples of it being used in a situation for somebody with a mental disability having trouble communicating with the police?

**Ms LEIGH** — No, but if they have got the card in their pocket, people can ring up and at least find out they have got an intellectual disability. We need to distinguish between mental illness and intellectual disability. That is another thing which sometimes confuses people. If somebody is behaving erratically, police do not know what the cause is, but at least if they are carrying that card, they can investigate.

**The CHAIR** — We have discussed the idea of a card on a number of occasions, so it is good to see someone is actually doing so.

**Dr DONOVAN** — There is an application form that sets out the background.

**Ms LEIGH** — I am going to fill it in for myself and for my daughter.

**The CHAIR** — Some people have raised concerns when we have raised the idea at committee meetings that it may not be supported due to being a stigmatising of the person.

**Ms LEIGH** — I think that is if you are wearing a wristband or something around your neck, but I do not think any sort of a card in your purse or wallet. I have got all sorts — a lot of cards.

**Ms GARRETT** — That is the thing; it has to be the choice of whether you have it.

**Dr DONOVAN** — I have got the Seniors Card. That is stigmatising, is it not? But we all carry them around.

**Mr NORTHE** — I think the discussion was around that some believe it is a good idea and others may have some reservations, but a compulsory requirement for somebody to have it is different to voluntary.

**Ms LEIGH** — And it is not tagging somebody. And it is anybody in the community; it is not labelling people with disabilities as separate from others. I am nearly finished now. We need to understand how to negotiate through the maze and what to do and where to go in a crisis. An example of this was a young man who assaulted his mother during the night — a migrant family. The mother and two sisters did not know what to do. They were aware of several police shootings at the time, so they rang an ambulance, which took him to a psychiatric hospital, which was not the ideal.

I also feel that courts should be the last resort. All possible means need to be used to solve the problem in the best interests of all concerned through collaboration and mediation. Victims with intellectual disability do not need to be further victimised by the system. I could have said a lot more. It is a big area.

**The CHAIR** — All right. Who is next?

**Dr DONOVAN** — I am the parent of a 47-year-old woman with intellectual disability and physical disabilities. My wife and I are in our mid-70s, and Sarah continues to live at home with us. Concerns of families — you would be aware that that is what this is all about — are around safety of people yet at the same time promoting opportunities for people to engage more with the community. There is a real struggle that happens within all of that, and there are fears and concerns of parents and then fears in the community on how you integrate with people.

I noticed that Mary Wooldridge and Wendy Lovell did a foreword recently to *The Case for Change*, a publication that was put out that was re-looking at the structures within Human Services, and within that foreword they refer to the ongoing rigidity of the silos. They are kept separate — all the different parts of departments and government that deal with people. That is so true, but it has been said over and over. When one goes back through the history, that continues to be there, and then people are saying how they must do something about it. But when you are on the receiving end of that, you do not notice the changes; it is like rearranging deckchairs.

Having said that, one should not be so pessimistic. We would not want to go back all those years ago, but nevertheless dealing with systems is still a major issue in how people can be supported rather than separated from communities, and there are still ways we struggle with all of that. I think a temptation from your side of the desk is to be so optimistic about the informational systems and exchange of information that that is somehow going to make that enormous difference. It is an important element, but the attitudinal and the awareness one by the people who are managing is as important, or probably more important, as a foundation for that change. When there are limited resources I think it is easier to put them into informational things that seem to parade change rather than really get down at the level where it needs to be.

As an example, my wife and I have over the years been involved with a whole range of people with disabilities who have stayed with us. One example was there had been a young man who travelled down from Sydney who had an intellectual disability. He was not travelling to us, and we knew nothing of him until the police arrived. He had got a bus down from Sydney to Melbourne, got a train at Melbourne, headed to Geelong, got off at Lara and then proceeded over a period of time to block trains. He got in the lane close by the station, so they were not tearing through, and he would not let them go. The police were called. They took him off to the Lara police station and did not know what to do with him. About 9 o'clock at night we had a call from Lara police saying they were desperate to find somewhere for him and would we take him. One wonders where all the systems within all of this were, so we did for about four or five days. The police did not know how to deal with him, and we have subsequently found community police coming to Geelong Parent Network — our group — hardly have a clue. They are so far removed from understanding how to interact with people with intellectual disability it is just not funny. It is a serious issue, and that is why I refer to informational systems not going to change that.

When Mary Wooldridge and Wendy Lovell are talking about breaking down the silos and what is happening between the police and the various other sections of government departments or even not-for-profits, that might have been able to have been brought in if there was the knowledge about those that the police could utilise. I feel sorry for the police being left there because they happen to have the person, and one would have thought that within Human Services there is some group who could put up their hand and say, 'We are there. Leave it to us' in order to have that happen.

There is a real issue with police too. At least the police recognised this person and their intellectual disability; that put them ahead of a range of other situations. Let me just say that there are things that are happening that could be utilised by people who do not have that awareness. For example, in Geelong, BacLinks — that stands for Business And Community Links — has workplace big days out twice a year. There are about 150 people with intellectual disability who come from Colac and the various agencies in Geelong who are linked one to one with about 150 people from business and industry, working through a range of activities that are mainly recreational sorts of activities. It is hugely confronting at the start for those people in business and industry, who largely have had no contact at all with a person with intellectual disability. For someone like my daughter, she cannot wait to have her volunteer and loves the day and looks forward to it, but for people on the other side, they are talked to about it before they are introduced to the person they are going to work with during the day. By the end of the day their feedback is overwhelmingly about how they got beyond the exterior features, the communication thing and the preparedness to wait the time to get responses to really interact.

That is one day that is put aside by all these business, and there have been a couple of hundred businesses over the nine years the thing has been running. There are about 3000 businesspeople and whatever in Geelong who work through that — not police. There are a whole range of people who really ought to be there and using this sort of thing. The feedback is that it makes a profound difference. I know it is just a start, but it is not a big undertaking to participate in something like that. We can, as a community, make a difference without loading on all sorts of academic-style training that is supposedly about that awareness. There are things that can be done, and if people with intellectual disability are to genuinely be socially included, we need a breakdown of all of these things.

**Ms GARRETT** — Do you think something like that with police or justice personnel would be helpful?

**Dr DONOVAN** — Yes.

**Ms GARRETT** — That is very interesting.

**Dr DONOVAN** — TAC use it.

**Ms GARRETT** — TAC have been doing it down here?

**Dr DONOVAN** — Yes, but it needs to get into some of these justice system people. There is all the publicity around; it is for people to say, 'Yes, we could use that'. This is one of the disappointing things we had at the Geelong Parent Network — around the police representative who came in the last couple of years. It was like ignorance personified in this area. It must have been awfully difficult for him to come to it.

**Ms LEIGH** — It was difficult for him.

**Dr DONOVAN** — But that just should not be happening when we have all these great commitments, and then we are talking about silos and all of this. We perpetuate it, and we do parade our advances in informational systems. When we look at that community support register, it is being run by the volunteers, so I wonder how the police themselves who do the encounters — it remains remote. It needs to be integrated, and there needs to be awareness.

**Ms GARRETT** — That is very helpful.

**Mr PATTERSON** — I suppose we would speak to you as parents of an intellectually handicapped young fella. I am 86 years of age at the moment. My wife is getting close to me. We adopted our young man, and he is now — it would be 42, wouldn't it?

**Mrs PATTERSON** — Forty-two, yes.

**Mr PATTERSON** — He is 42 years of age. We took him on as a foster child. They asked us if we would like to adopt him, and yes, we did. I suppose when you look back and consider all the problems you are going to have in the future — you do not know about all those. Nevertheless, he is a wonderful young man. He does not look on himself as intellectually handicapped.

**Mrs PATTERSON** — He is borderline.

**Mr PATTERSON** — He is borderline, and he can be quite clever in lots of ways, but he has had a pretty rugged sort of existence over the years. He went to various schools and things in Geelong. For instance, his first experience was in a kindergarten. I suppose, to a degree, you would call him a loner, wouldn't you?

**Mrs PATTERSON** — He did not fit in.

**Mr PATTERSON** — He did not fit in, and we had to take him out of there.

**Mrs PATTERSON** — He was expelled. We knew we were in for a really long haul then.

**Mr PATTERSON** — After going to the Geelong Special School, where he went as far as he possibly could — they had nowhere else to put him, and the department had nowhere else to put him — they said, 'The only option we have is to send him up to Pleasant Creek'. We thought, 'That is probably a good idea'. We sent him up to Pleasant Creek, which was at that stage run by the education department and the health department. They were both separate. At Pleasant Creek he was sexually assaulted. This went on for a considerably long time before it was discovered. This again had a lasting effect on his life, because when he left Pleasant Creek and went out under the care of the Department of Human Services he was given work with various people and again found the situation of sexual harassment. It has taken a long time. It went to the stage, for instance, where I think we felt the Department of Human Services, in a letter they wrote to us, had done about as much as they possibly could, because he was too hard to handle. He had trouble with the police, his mother was an alcoholic — —

**Mrs PATTERSON** — That's not me!

**Mr PATTERSON** — His mother was an alcoholic, and we believe — and that seems to be a general opinion — that had an effect on him as far as he was concerned.

**Mrs PATTERSON** — Before he was born.

**Mr PATTERSON** — He finished up with a lot of trouble with the police over various times. We also discovered that there were good police and bad police. He really appreciated the good police. For instance, he always said, 'Well, why can't I do this? Everyone else can do it; why can't I do it?'. I can remember one occasion when he was outside a nightclub in Geelong and they must have said something to him. He is one of these people who say, 'Well, you can't do that to me'. They in their wisdom, of course, took him off around a corner and belted the hell out of him. But you have no redress over that sort of thing. On one occasion he was verbally sexually assaulted in the Geelong police station, with suggestions from — while he was in there on remand, I suppose you would call it. Eventually we ended up — —

**The CHAIR** — How long ago did those incidents happen?

**Mr PATTERSON** — Well, let us put — —

**Mrs PATTERSON** — He would have been in his 30s.

**Mr PATTERSON** — In his 30s.

**The CHAIR** — Because there is redress for police acting inappropriately.

**Mrs PATTERSON** — Jim did complain, and he went to the sergeant who said he would go into that matter, you know. Yes, I think they did follow it up a bit.

**Mr PATTERSON** — They did follow it up.

**Mrs PATTERSON** — They were not all like that; some were very, very good.

**Mr PATTERSON** — There are some really wonderful police, I can assure you.

**Mrs PATTERSON** — Because he is very likeable and those who can just realise that are home and hosed.

**Mr PATTERSON** — We eventually were a bit disgusted with the Department of Human Services — not the people who were working there. I will say this: there are some wonderful people working at the DHS, particularly at the moment; his current case officer is absolutely brilliant.

**Mrs PATTERSON** — She has been with him a while.

**Mr PATTERSON** — We were forced into the situation of going to the Ombudsman to try to get some satisfaction. This was probably the best thing we ever did. We went to the Ombudsman and VCAT, which came into the picture. Over a period of time he spent quite a deal of time in prison. On one occasion, would you believe, he was sexually assaulted in the Marlborough unit in the Port Phillip Prison. I think he was sort of counselled out of doing anything about that. I do not know what the facts were. He told us about it. He went to a place in Fairfield for a while; this was after he came out of prison. That was the last time he was in prison, and this is going on to nearly three years now. They sent him to different places; he went down to Morwell and so forth. They always put him in the wrong place. They put him into places where there were all these deadbeats. In Morwell, for instance, they put him into a place that was about three doors away from where a lot of alcoholics were living. I mean, he is a young man and he did not want to drink, but he did drink. He is a binge drinker once he gets going. If you give him a cask of wine, he is not satisfied until the whole bloody lot has gone. Then he suffered with depression because he could not do the things that other people did. Three times he attempted to take his own life. It is hard, isn't it?

**Mrs PATTERSON** — Yes, it is. Fortunately the girls who have been working with him, a couple of them from the department, have really persevered. The last one was determined to get some organisation that would help him, and she got onto a crowd called Ermha. You probably know about them. They came from Melbourne and now they are in Geelong. He has been with them for over 12 months now, and it has made a big difference. They are very consistent, and that is very important. At a lot of other places he has been with the people move in and out. He will make a friend with somebody and then they move on. This crowd is very consistent, and we are consistent with what we do. We have him down for a meal twice a week. That is important. They look forward to that. When we go away we always explain well ahead of time, 'We're going away for a week', and let them know. This crowd has been very good. He is 42 and we are only now just starting to realise that we do not have as much worry as we did have. He has been to psych — while he was living in Geelong — he has been in his own house; that was another problem: where to put him.

There again, the girl at the department insisted with the housing commission that he had somewhere, and they got him a house. But then he had this man calling on him. We did not know until a long time after that this fellow was plying him with alcohol for sexual gratification. That went on for a long time. I could not understand why he was in such a bad state. He would not tell me. I said, 'Why didn't you tell me?', and he said, 'You wouldn't have believed me'. If I had known, you see — in the past he has told a few lies and I said, 'Look, people won't believe you if you don't tell the truth', but anyway.

**The CHAIR** — You said he has been in and out of prison for a long time. Do you have any comments in relation to how he has handled the justice system and what improvements could be made to help someone in his position with access to justice?

**Mr PATTERSON** — We can only speak from his point of view. Mary and I were well known up at Port Phillip Prison because we continued to get up there; we were up there about once a month. He was well known up there too, because he is one of these people who is always talking to people.

**Mrs PATTERSON** — They quite liked him.

**Mr PATTERSON** — They liked him.

**Mrs PATTERSON** — I would say, 'How was your day?', and they would ask me and I would say, 'He's quite happy', and they said, 'He's always happy'. In a way when people like that go to prison they do not have to worry about anything; their meals are there and everything is set out for them. It is not a good place, but it has its advantages in that regard.

**Mr PATTERSON** — And it has its disadvantages in the things that the people around the prison do, for instance. He had access to sexual magazines and all that sort of thing, which I did not agree was right, particularly in a prison.

**Mrs PATTERSON** — No.

**Mr PATTERSON** — They would come around with a cart and sell them to them.

**Mrs PATTERSON** — That is all they buy.

**Mr PATTERSON** — It is all they buy. Those sorts of things I think are absolutely crazy.

**Mrs PATTERSON** — He was very confused sexually. He just likes to — and we would love to — think he could get married and have a family; it is not going to happen. It is a terribly lonely life when they are on their own and they want to do these things, especially if they are borderline.

**Mr PATTERSON** — Yes.

**Mr NORTHE** — Going right back to the start, and I guess it is an open question, Dot was referring initially to an independent third person and the importance of having a family member or somebody familiar there at the early stage.

**Ms LEIGH** — The independent third person is really no help to the person with a disability. They are there as an independent to see the process is correct.

**Mr NORTHE** — Dot, would you say that if you had an ideal model, you would not only have the ITP but a family member or somebody present on top of — —

**Ms LEIGH** — Sometimes people do not get on with their families, but they do need a person — it could be an advocate, it could be even a staff person; there are good people around who will support people. That is terribly important, because a person is frightened and scared. It does not matter what is going on half the time.

**Dr DONOVAN** — They will frequently be saying ‘No’ when they mean ‘Yes’. My daughter does it; it is just a routine part of her language — ‘I don’t want to go to the shop now’ — —

**Ms LEIGH** — I think they would be saying, ‘Yes’.

**Dr DONOVAN** — She means exactly the opposite.

**Ms LEIGH** — Yes.

**Dr DONOVAN** — Unless you know her, so if you are in an interview situation with someone like that, it is going to be awfully misleading. An independent third person does not necessarily know that either. It takes someone who is a carer or who might be from an agency who knows them — someone else connected with their lives.

**Ms LEIGH** — And that they trust.

**Dr DONOVAN** — Otherwise the mire that they are in becomes deeper.

**Ms GARRETT** — On that, can I ask: obviously you have all played and continue to play a very critical role in your children’s lives. Do you feel, as family members and carers, that you get the support you need to assist your child in these sorts of matters? Or are there things that could be done better there?

**Mr PATTERSON** — At the moment, as far as we are concerned, I would say that we are quite happy. I notice that our bloke has three girls who handle him at different times. One has been with him ever since he last came out of prison, which is going on for three years.

**Mrs PATTERSON** — They are well trained.

**Mr PATTERSON** — They are well trained; they know exactly. And I have noticed that when they tell him about something they say, 'We' including him with them — 'We're allowed to do this' or, 'No, we're not allowed to do that'. I have noticed this quite frequently with them.

**Ms GARRETT** — It is a joint — —

**Mr PATTERSON** — They are putting themselves with him, and he accepts that.

**Mrs PATTERSON** — Fortunately, he just happened to bump into a friend who is a gardener about nine months ago. He is always after work and he could probably work for him. He said, 'Will I or won't I?', because he has known him all his life. He said, 'Yes, I will put you on to do a couple of days'. John was pleasantly surprised. He said he is a good worker and he is learning skills now. The other lass from the department has also got him into Men's Shed once a week for the morning, and all those sorts of things.

**Mr PATTERSON** — He loves it.

**Mrs PATTERSON** — He likes all things now. He is not silly; he can do a lot of work. He is good in the garden.

**Mr PATTERSON** — Of course the trouble is, and I have often said this more in humour, we cannot get rid of him; he will not let us.

**Mrs PATTERSON** — But like all the parents here, what is going to happen when we are not here? But now we have Ehrma. I have said, 'Are you sure you are not going to disappear?'. They say, 'No, we will be there. We are with you'. That is a relief of sorts.

**Mr PATTERSON** — They have got him to the stage now where they think they have him at the ideal level with all the training they are doing.

**Mrs PATTERSON** — He will not improve, but he is all right.

**Mr PATTERSON** — For instance, he still has a drink, but it is at home; they have trained him to do that and it is no problem. He has other problems too. He is an inveterate collector; he will collect anything. That is just another one of his problems.

**The CHAIR** — A lot of us have those problems, don't we?

**Mrs PATTERSON** — That is the least of our worries.

**Mr PATTERSON** — That is right. It is funny, though.

**Dr DONOVAN** — You talk about support. There is plenty of room for improvement in that and in identifying situations that require support. I understand what the department has done because they are already hard pressed with a whole lot of other things. It seems like it is not much so the resources are not put there. I am thinking particularly of a young man — an 18 or 19-year-old — who is on remand. He was conned into a range of antisocial activities that turned criminal and involved burgling people's homes, daubing paint over rooms and whatever and then it got into 7-Eleven hold-ups and whatever. He was a stooge for a couple of other people. He was a foster child, and when the parents were having difficulties, he lived with us for a time over the journey — and I am talking over a 10-year journey. He is on remand right now.

If caseworkers could get people together and provide some leadership and identify crises and the potential for that — but it is easy to be blinded by the immediacy of other stuff you are doing in departments so that you cannot do it. You do not necessarily pass that on either and things just steamroll. This guy is going to use up a lot more resources as we go along. But have we not been saying that forever and a day? Things do not change. He is separated now because of inadequate support at critical times. It is not for want of people calling out for that support; it is the blindness of those with better access to the resources who did not get involved at critical times. I might add that there is a whole range of these that one could go on with.

**Ms GARRETT** — I have one more question. With a group like yours, which is obviously a terrific source of support for each other and also for your children, do you think there could be more done to help you in your

work and in some of these incidental moments when you are being called upon to take people in, et cetera? Is it a ready-made group that could use more support or — —

**Dr DONOVAN** — There probably are more things, but there is a way in which it also comes back to us.

**Ms LEIGH** — You have to have people to organise it, which is what we do. What we want is younger blood, but that is hard to get in this day and age with parents working and things like that. It is a bit of a debriefing session too sometimes, because people can come with their problems and say what they like and nobody is going to judge them. I think a lot of the trouble is that people are judged or people with disabilities are judged and expected to behave in a certain way. I think being non-judgemental is a very big thing in the whole area. We do not come to conclusions without investigating and finding out the why and what of things.

**Mrs PATTERSON** — The thing too, Dot, is that it is not a 9.00 a.m. to 5.00 p.m. situation.

**Ms LEIGH** — No, it happens at midnight and on weekends.

**Mrs PATTERSON** — And at nighttimes these people get lonely. The department would say, 'We will stay with him until 8 o'clock and give him his tablets'. But before they would finish at 5.00 p.m. That is when everyone is going out and he would say, 'Why can't I go out? It is lonely'. It is important that they be versatile in their times.

**Ms LEIGH** — This business of wanting to belong and be the same as everyone else is very strong. That is why that man has ended up in remand. That is why your son got into trouble. You see it; they just want to be the same as everyone else, and they need to be supported in that to be able to do what they can.

**Mr PATTERSON** — To make a comment about VCAT, which is still involved, particularly with his finance and administration, we have a meeting and Shane is there and the DHS is there and the financial administrator is there. They go through everything and unless they are satisfied with it — you know. Because in the past they have directed DHS, 'You will do this' and it has been very hard for the DHS to do it, but they have done it.

**The CHAIR** — Thank you very much. It was really helpful to get firsthand experience of some of these issues.

**Ms LEIGH** — Good luck.

**Ms GARRETT** — And to you. Thank you very much.

**The CHAIR** — Good luck to you.

**Ms LEIGH** — It is important; we would not be here otherwise.

**Mr NORTHE** — There is always a fear of sounding condescending, but well done in all you do both individually and collectively.

**Ms GARRETT** — Indeed.

**Mr PATTERSON** — There always seems to be a bit of embarrassment that you might have an intellectually handicapped daughter or son. You have to have them to realise that you are no different to anybody else.

**Mrs PATTERSON** — I think it takes a special sort of person to be able to work with those people. You have to have a lot of patience.

**Ms LEIGH** — You don't have a lot of choice.

**Witnesses withdrew.**