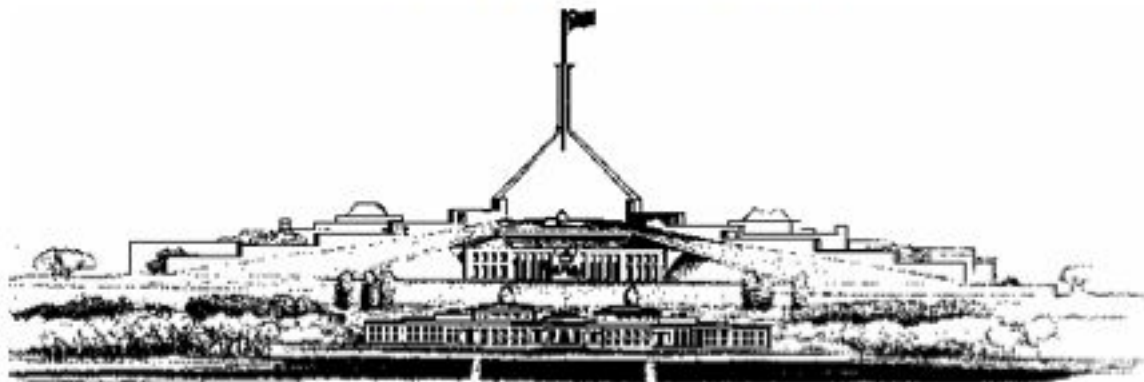




COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



HOUSE OF REPRESENTATIVES

PROOF

BILLS

**Aged Care Quality and Safety Commission
Bill 2018, Aged Care Quality and Safety
Commission (Consequential Amendments
and Transitional Provisions) Bill 2018**

Second Reading

SPEECH

Wednesday, 19 September 2018

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

SPEECH

Date	Wednesday, 19 September 2018	Source	House
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Questioner		Responder	
Speaker	O'Brien, Ted, MP	Question No.	

Mr TED O'BRIEN (Fairfax) (18:49): I'm delighted to rise today in support of the Aged Care Quality and Safety Commission Bill 2018 and its companion, the Aged Care Quality and Safety Commission (Consequential Amendments and Transitional Provisions) Bill 2018. While these bills are relatively straightforward and their provisions far from complex, the issues they will help to address and manage into the future are immense and, in time, will touch the lives of most Australians. The purpose of these bills, considered together, is simple enough: to bring existing aged-care agencies together into a new, consolidated agency and to make the necessary provisions to accommodate that agency.

This bill has a special significance for me as the member for the Sunshine Coast seat of Fairfax. The Sunshine Coast region has one of the highest concentrations of older Australians anywhere in the country, with 20.9 per cent over 65 years of age at the last census. That compares to 15.2 per cent for Queensland and 15.8 per cent nationally. The feedback I get from older Australians and their families across my electorate, from our annual Fairfax seniors forums and from regular meetings of the Fairfax Seniors Advisory Committee, is that more needs to be done to improve the quality of care; to provide better access to care, especially for those suffering dementia; and to weed out abuse and substandard care, wherever it is found. It is for these reasons that I stand here today in strong support of this bill.

Older Australians have no better friend than the Liberal-National coalition. Under the leadership of the Prime Minister and, in particular, the Minister for Senior Australians and Aged Care, we are resolutely committed to providing older Australians with access to care that supports their dignity. In so doing, we recognise the great contribution they have made to our society and to building the Australia that we all enjoy. To that end, the first bill seeks to establish a new Aged Care Quality and Safety Commission and, in so doing, marks a significant reform in the regulation of aged-care providers. While the aims and achievement of the bill should not be understated, it must be said at the outset that this is but a part of the government's broader agenda to strengthen and enhance aged-care regulation to provide the highest-quality care for older Australians. This newly created commission will by its existence consolidate existing accreditation, assessment, monitoring and complaints-handling agencies and platforms into a single point of contact for aged-care consumers and providers. The commission will be led by a statutory appointed Aged Care Quality and Safety Commissioner, who will in turn be supported by an advisory body, the Aged Care Quality and Safety Advisory Council.

Aside from directly establishing the commission as a prescribed agency, the bill also details the functions of the commission, the commissioner and the advisory council. The bill further describes various appointment processes, together with protocols for the sharing of personal information, including the protection and disclosure of such information. Operational matters are also treated by the bill in some detail, including right of entry to aged-care facilities, search powers, reporting and also disclosure requirements, all of which, together with other aspects of the bill, were the subject of an extensive public consultation with a range of stakeholders to comprehensively inform the recommendations of last year's Review of National Aged Care Regulatory Processes. This review, undertaken by Kate Carnell and Ron Paterson, was requested by the minister following revelations of the tragic circumstances surrounding the Oakden aged-care facility in South Australia.

The second bill, which deals with consequential amendments and transitional provisions, will repeal the original enacting legislation for the former Australian Aged Care Quality Agency and amend the Aged Care Act 1997 to replace references to previous agencies with references to the new Aged Care Quality and Safety Commissioner. This bill also facilitates an efficient transfer of functions and operations from the former agency and complaints commissioner to the newly established Aged Care Quality and Safety Commission. Importantly, the bill provides for a continuation of current appointments from the former advisory council to the newly constituted Aged Care Quality and Safety Advisory Council. This provision will allow for the new advisory council to start work immediately, with no service gaps, while also ensuring stability, a continuity of experience and expert advice.

That covers the broad strokes of the bill and the proposed legislation. Essentially, it's about bringing together all the relevant agencies, with no silos, to focus sharply on providing the highest-quality aged care within both residential care and home care streams. While these reforms make sense and align with key recommendations to government, we must never forget that they are really about people. They are about all aged-care consumers, both those in care and their families and friends. The challenges that impact on the provision of quality aged-care services in Australia are not only very personal when it comes to quality of life of older Australians and peace of mind for their families but also immense in scope.

I commenced my contribution to this debate with an indication of the high number of older Australians living in my electorate and across the Sunshine Coast. Of course, it's not just the Sunshine Coast that's witnessing an ageing population. The average Australian is getting older—in fact, much older. Over the 20 years from 1996 to 2016, the proportion of Australians aged 65 years or over increased from 12 per cent to 15.3 per cent. This group is projected to increase even more rapidly over the next decade, as the bulk of the baby boomer generation reaches 65 years of age. However, the critical pressure building on our aged-care system becomes even more obvious—and, worryingly, more immediate—when you consider the rapid increase in those aged over 85 years, a time of life when care becomes a reality for many Australians. Over that same 20-year period up to 2016, the number of Australians aged 85 years and over increased by 141 per cent, compared with a total population growth, including immigration, of just 32 per cent over that same period. Even on today's population numbers, we face a significant challenge. But come 2060, Australians aged 65 and over will, on current projections, account for one-quarter of the population, while two million Australians will be over the age of 85.

There are many reasons for Australia's ageing population, including sustained low fertility and increasing life expectancy. The significance of life expectancy was starkly illustrated by the Productivity Commission in a 2013 report entitled *An ageing Australia: preparing for the future*, in which it was claimed that for every Australian reaching 100 years of age there are 100 babies in their first year of life. However—and this is where the rubber really hits the road—by 2060 there'll be 25 centenarians for every 100 babies. The reality of an increasing life expectancy will effectively mean that, instead of living for an additional 19 years beyond the age of 65, a child born today can expect, on reaching 65, to live a further 29 years. This is a prospect that raises powerful issues around optimal retirement issues, superannuation and, of course, aged care.

While funding for aged care is at record levels under this government, we simply can't ignore the pressure that will be placed on the system in the decades to come. We must nail the issues that guarantee high-quality aged care, not just because we face a demographic challenge on a scale never seen before in Australia, but because we're talking about our mums and our dads, our uncles and our aunts, and our brothers and our sisters. We all deserve the peace of mind that comes from knowing that when time catches up with us, and those we love, there will be dignified, quality and affordable aged-care solutions available.

Last Sunday the Prime Minister and minister announced a royal commission into the aged-care sector. I welcome this announcement, because it reinforces the determination of this government to comprehensively address reported abuse and critical noncompliance in the aged-care sector, including the care of younger Australians with disabilities living in residential aged-care facilities. Damning new data suggests an alarming spike in assaults, including rape, and other serious risks to residents' health and safety that if proven demonstrate a clear abrogation of the duty of care at some aged-care facilities.

While the vast majority of aged-care facilities and their staff consistently provide the highest level of professional care, the nature and extent of these claims are clearly shocking. They have shocked Australians and, I believe, every member of this House. While the reported abuses are in themselves confronting, it's the sheer number and dramatic escalation in reported incidents that is especially appalling.

I don't want to dwell on this, frankly, but to ensure this House is clear on how grave this situation really is, let me raise some disturbing statistics. New data recently released by the Department of Health shows that reportable assaults in residential aged-care facilities have increased by 32 per cent in the last financial year to a record 3,773 reported cases. That's one for every 55 aged-care residents nationally. There was a 177 per cent increase in the number of residential aged-care facilities deemed to be a serious risk to residents' health and safety. There were 61 locations identified in the serious risk category by the Australian Aged Care Quality Agency in 2017-18, while at the same time reported incidents of significant noncompliance in aged-care services has skyrocketed by 292 per cent.

Despite the shocking nature of a growing number of seemingly isolated incidents, incidents that should not be and will not be tolerated, the overwhelming evidence from government agencies is that the vast majority of aged-care workers and associated professionals are committed to supporting older Australians in a respectful and caring way. This, too, has been my experience as I have engaged with aged-care providers and their staff across my electorate of Fairfax and the Sunshine Coast. We must, therefore, be careful not to draw conclusions that unfairly tarnish the reputation of so many wonderful care providers. Nevertheless, we cannot afford to leave a single stone unturned as we fine-tune Australia's residential care and home care system.

As a community we rightly expect the highest standards for the quality and safety of aged-care services. The Australian government shares these expectations. And whether it be by the reforms enacted by this bill, or indeed by the rigour of a royal commission, this government stands by the rights and upholds the dignity of older Australians. It is for these reasons that I take great pleasure in commending this bill to the House.