

## Aged Care Royal Commission hears of almost 300 serious assaults at Japara Healthcare homes

By Rebecca Turner

Updated Tue 25 Jun 2019, 10:14am

**A whistleblower whose elderly father was physically assaulted by his carers was accused of stalking, had her application for his guardianship undermined and never had her claims thoroughly investigated by the managers of his facility, a Royal Commission has heard.**

The case of the late Clarence Hausler, a former resident of Japara Healthcare Limited's Mitcham aged care facility, and his daughter, Noleen Hausler, dominated the opening day of the Perth hearings of the Royal Commission into Aged Care Quality and Safety.

The commission has now turned its focus to person-centred care, an industry term to describe aged care where the needs of individual patients are the overriding priority.

But the senior counsel assisting the commission, Peter Rozen, said the treatment of Mr Hausler and his daughter Noleen Hausler was an example of an aged care provider failing to meet this standard.

Mr Rozen said the commission would examine whether Japara was an isolated case or symptomatic of a broader problem.

He said almost 300 serious assaults were made on Japara residents between September 2015 and May 2019, with at least one suspected assault at every one of the company's 49 homes.

"Japara did not live up to its stated and published values of honesty and integrity in either its dealings with Mrs Hausler or its dealings with the regulator," he told the hearing.

"It was more concerned to look after its own corporate interests."

In her evidence, Ms Hausler said she installed CCTV in her father's room in August 2015 after noticing strange bruises on him and having "a gut feeling" about "silent misconduct".

At the time Mr Hausler was 89 years old, had dementia and was bedridden and mostly nonverbal.

---

**RELATED STORY:** Secret camera captures nursing home 'suffocation'

---

**RELATED STORY:** Thinking about a secret camera in grandpa's nursing home? This is what you should know

---

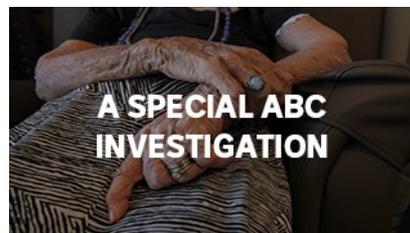
**RELATED STORY:** Aged care system 'financially unsustainable' for care providers

---

### Key points:

- The royal commission into aged care is examining person-centred care
  - Noleen Hausler gave evidence of the abuse her father suffered in a Japara Healthcare facility
  - The hearing also heard she was threatened with charges of stalking for installing a CCTV camera in her dad's room
- 

### Our stories on aged care



- Australians are sharing their experiences of aged care. **See our full coverage**
  - Do you have a story you would like to share? Please email [aged.care@abc.net.au](mailto:aged.care@abc.net.au).
  - For more information on how the ABC is covering aged care, subscribe to our newsletter [here](#).
-



**PHOTO:** Noleen Hausler told of how aged care managers failed her father at the Royal Commission into aged care hearing in Perth. (ABC News: Rebecca Turner)

His daughter, a nurse, made many visits each week to his room, reading him stories, playing him music and keeping an eye on his health.

In just 10 days, the cameras captured three cases of physical abuse against her father, clips of which were played at the hearing.



**PHOTO:** Noleen Hausler with her father Clarence Hausler. (Supplied: Noleen Hausler)

In one of three assaults, an employee Corey Lucas flicked her father's nose, forced a spoon into his throat, and held a napkin over his mouth and nose and twisted his nose.

Lucas was later convicted of two counts of aggravated assault.

The commission heard despite Ms Hausler informing management of one of the assaults in September 2015, it was not reported to the Department of Health until late November.

Under aged care laws, an unreasonable assault must be reported by a facility within 24 hours of being notified.

A former facility manager, Rachael Musico, could not explain to the commission why an assault on Mr Hausler was not reported until after the department told them to make the mandatory report.

---

'They're all someone's mum, someone's dad...'



Yet the form reporting the abuse marked the date of the assault as November 2015.

Current and former staff speak out about what it's like to work in aged care across Australia.

---



**PHOTO:** Japara Healthcare Limited CEO Mark Andrew Sudholz (right) is due to give evidence. (ABC News: James Carmody)

The hearing also heard about two emails that warned Ms Hausler not to use CCTV in her father's room and threatened her with charges of stalking.

"It is also unlawful for you to keep our staff under surveillance without their permission and with the intention to cause our staff serious apprehension or fear," one email from now-retired Japara executive Julie Reed said.

Other emails between Ms Reed and Japara quality manager Diane Jones showed how they had tried to find examples of how Ms Hausler was jeopardising her father's care, which could be presented to a tribunal considering her application for his guardianship.

"There is not as many as I had hoped unfortunately," Ms Jones wrote.

"Every little bit helps," Ms Reed replied.

Giving evidence via videolink from Adelaide, Ms Jones agreed with Mr Rozen's suggestion that they were trying to undermine her application, saying: "I suppose it seems that Julie didn't want Noleen to have any special powers."

Ms Hausler said she hoped the commission would shine a light on incidents happening behind closed doors.

"These are the most vulnerable people that it's been happening to — they can't speak, they can't raise the alarm," she said.

Japara chief executive Mark Andrew Sudholz will give evidence on Tuesday.

**Topics:** aged-care, royal-commissions, community-and-society, perth-6000, wa

*First posted Mon 24 Jun 2019, 10:57pm*