

ABC NEWS

Family wants answers about how son with disability was injured in care home

7.30 By Michael Atkin

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PHOTO: Eden Camac spent time in intensive care after the incident. (Supplied: Sharon Camac)

The family of a young man with a complex disability who almost died from horrific injuries sustained in care claim the system designed to protect him has failed.

Last October, 25-year-old Eden Camac broke both hips and his left leg while at the supported accommodation facility where he lives in Bundaberg, Queensland, which is run by Community Lifestyle Support.

Mr Camac has Wolf-Hirschhorn syndrome, a condition which means he has an intellectual disability and impaired physical development. He uses a wheelchair and requires assistance with all aspects of daily life.

On the night of October 9, a support worker claimed he forgot to put the bedrails up and Mr Camac fell out of bed, which caused his injuries.

The support worker did not record or report the incident and then put Mr Camac back to bed and left him to suffer with his injuries for approximately 10 hours, until another worker called an ambulance.

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Key points:

- Eden Camac, who has Wolf-Hirschhorn syndrome, broke both hips and a leg at a supported care facility
- A carer put Mr Camac back into bed but did not record or report the incident. It was only 10 hours later that another carer called an ambulance
- Mr Camac's parents say they are disappointed by the lack of action by the responsible authorities



PHOTO: Sharon Camac with her son Eden. (ABC News: Christopher Gillette)

Doctors at Bundaberg Hospital compared his injuries to those of a car crash victim and Mr Camac needed life-saving surgery before spending almost one month in hospital recovering.

His parents Sharon and Michael Camac have been fighting for answers ever since, including calling for an independent investigation into what went wrong.

They are bitterly disappointed by the lack of action from the responsible authorities.

"It really is about all the processes and systems in place and how they have failed Eden in this situation, from health to police, to department bodies," Ms Camac said.

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Queensland Government won't say what action it has taken

7.30 can reveal that Community Lifestyle Support failed to report the critical incident involving Mr Camac to the Queensland Department of Communities and Disability Services.

The department only found out about his injuries much later, when Ms Camac notified it.

Nine months on, an internal investigation by Community Lifestyle Support remains ongoing.

The compliance unit of the Queensland Department of Communities and Disability Services, which was responsible for overseeing the facility at the time, declined to investigate.

The department has the power to issue sanctions, which include compliance notices which state problems that must be rectified, monitoring an action plan, and removal of funding.

Ms Camac believes no action has been taken.



PHOTO: Michael and Sharon Camac want answers about their son's injuries. (ABC News: Christopher Gillette)

"I would have thought that the compliance unit would have been more involved in researching, investigating and understanding what's happened to Eden and to see where the failures were in their systems, and the processes that are there to safeguard people with disability," Ms Camac said.

She has lodged a complaint with the department, which it continues to look into, saying it needs until September because of its high complexity.

The department did not respond to 7.30's questions about why the compliance unit had declined to investigate, whether it had imposed sanctions on the provider or if it had sent officers to inspect the facility.

In a statement, the department said: "We are continuing to treat this case seriously and have been in regular contact with Mrs Camac to provide updates".

"As this matter still remains open, we are unable to comment further on this individual case."

The department also claimed that because Mr Camac receives funding from the National Disability Insurance Scheme, the National Disability Insurance Agency could also investigate what happened.

However, in a statement the NDIA rejected that because it said the Quality and Safeguards Commission only began operation in Queensland this month.

"As the lead agency for quality and safeguards at the time, the Queensland Department of Communities was the relevant body to take action," the NDIA said.

'There needs to be a thorough investigation'



PHOTO: Eden Camac before he was injured. (Supplied: Sharon Camac)

Advocate Luke Gale from People with Disability Australia has been helping the Camac family seek answers.

"There needs to be a thorough investigation into the whole event," Mr Gale said.

"It's fundamentally wrong. If it happened at a school, if it happened at a nursing home, if it happened at a workplace, there would be a very thorough follow-up and very serious recommendations that come off the back of those injuries."

A police investigation was closed without charges being laid because it found there was insufficient evidence to substantiate criminal neglect or assault.

The Camacs believe their son's case was harmed because Mr Camac is unable to provide a police statement as he is non-verbal, something they say the criminal justice system must address.

"I don't believe that Eden has had a right to justice. I think the system has failed him as a person living with a complex disability," Ms Camac said.

An internal review of the police investigation is now underway.

'We don't want it to happen again'



PHOTO: An x-ray of Eden Camac's hip six weeks after surgery. (Supplied: Sharon Camac)

Mr Gale says he regularly comes across cases involving people with a disability who are seriously harmed where there is a lack of appropriate follow-up by authorities.

"The statistics say someone with a disability is about 10 times more likely to experience serious harm," Mr Gale said.

"I think it's not just to Eden. This is regularly occurring and can be demonstrated by many cases within Queensland [and] within the nation.

"It does demonstrate a lot of what we call structural violence, and that denial of just fundamental need."

In a statement, Community Lifestyle Support said it had terminated the employment of the support worker involved in the incident.

Community Lifestyle Support said the worker had not followed the appropriate training and left "Eden in serious pain without seeking assistance", breaching his duty of care.



PHOTO: Community Lifestyle Support apologised for the harm and distress the incident had caused. (ABC News: Christopher Gillette)

The service provider said because Mr Camac cannot describe what happened and no-one else had witnessed the event it was frustrated it was unable to definitively say how he was injured.

It also admitted it was ultimately responsible for what had happened and apologised for the harm and distress the incident had caused.

Planning is underway for the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with a Disability, which the Morrison government announced in April.

The Camac family is speaking out because it believes structural change is needed to ensure people like Mr Camac receive justice when they are harmed.

Michael Camac said he wants his son's case examined by the royal commission.

"Sharon and I have been working on this for a good nine months, and we haven't left any stone unturned and we're physically exhausted," he said.

"I can understand why people would just give up and that's something that needs to change.

"We don't want it to happen again."

Topics: disabilities, health, community-and-society, carers, royal-commissions, bundaberg-4670