

## **Man placed under guardianship order after wife's death says his rights were 'completely taken away'**

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Posted Tue 4 Oct 2022 at 6:01 am, updated Tue 4 Oct 2022 at 2:44pm



Beau said his drivers licence was cancelled without his knowledge. *(ABC News: Adam Langenberg)*

A Tasmanian man who was placed under a guardianship order, moved into a secure dementia unit and had his drivers licence cancelled just weeks after his wife's death says his rights were "completely taken away".

Tasmania's guardianship laws prevent the man from being identified, but we have called him Beau.

Beau had been travelling from an aged care home to visit his dying wife at another Hobart facility each day.

But he said his life changed when a geriatrician who was assessing his wife decided she would assess him too.

Beau never saw the results of this assessment, but shortly after his wife's death, he was transferred to a secure dementia unit, where he claimed his care deteriorated significantly.

He said he was medicated and yelled at by staff, while the unit was filthy and smelled.

"The rooms can't be locked for some reason ... every night people were in my bed with their soiled clothes and one bloke didn't wear any clothes at all and he'd jump in my bed with excrement all over him and the bed would be covered in it," he said.

"I was scared all the time ... I was scared of people coming into my room."

## **'Locked in' the dementia unit**

He later found out his drivers licence had been cancelled without his knowledge, his car had been impounded, and he no longer had permission to leave the facility.

"I asked if I could go out and I was told to go back to my room, you're locked in," he said.

### **Key points:**

- Beau said he was medicated and yelled at by staff at a secure dementia unit
- Beau has now been transferred to a new home in Hobart's northern suburbs and says he is slowly regaining his freedoms
- The Advocacy Tasmania chief executive said Beau's treatment was "terrifying" but not an isolated incident

"But one nurse, I asked her specifically, 'Why am I here, what are you locking me up for?' and she said, 'You've got dementia, you're mad and you're staying where you are.'"

He was also placed under emergency guardianship orders by the Tasmanian Civil and Administrative Tribunal after the facility argued he had lost the capacity to make decisions.

"I had no power, I knew I was dead, I was a lump of meat they didn't care about," he said.

"[My rights] were taken away completely. I had no life. Can you imagine? Everything taken off you and you're grieving for your wife.

"They totally destroyed me and I couldn't understand why. I still don't."

Beau has now been transferred to a new home in Hobart's northern suburbs and he said he was slowly regaining his freedoms.

"It's cleaner, it's bigger, I have my own bathroom, I can go for meals in the dining room, I'm free to go out," he said.

"They said, 'You can go out, you're free, you've got your life back,' and I have, but I'm still grieving.

"I'm not angry, I'm just upset. I just can't grasp the inhumane treatment I received ... there was no consolation, no treatment, no nothing."

The aged care facility has been contacted for comment.

## **'Not an isolated incident'**

Advocacy Tasmania chief executive Leanne Groombridge said Beau's treatment was "terrifying" but not an isolated incident.

"That an aged care home ... could ignore him, not be transparent about what they were doing and basically take action to have him placed on a guardianship and administration order is nothing less than terrifying," she said.

"Daily we see Tasmanians' freedoms and basic rights trashed. Urgent action is required to change the systems that allow these things to happen."

Ms Groombridge said the state's guardianship and administration act was "broken from top to bottom" and safeguards needed to be established to protect patients, including minimum assessment times.

"Residents should not be fearful that their rights can be so easily removed," she said.

"For the home to use the broken guardianship and administration system to place one of their residents in a secure facility and have them medicated is incomprehensible."

The Department of Justice did not respond to Beau's case, citing the confidentiality provisions of the guardianship act.

In a statement last month, Attorney-General Elise Archer said the next tranche of the government's guardian and administration act reforms would be released for public consultation in November.

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