

**STATEMENT BY THE GSLP/LIBERAL OPPOSITION  
101/2008**

**24 September 2008**

As is already known, the Opposition tabled a number of questions regarding some of the allegations concerning unacceptable treatment of persons with disabilities who are, or have been, in the care of the Social Services Agency.

In answer to one particular question, the Minister confirmed that there has been a complaint by the family of a service user who had been punished by the Agency by being made to stand facing the wall with heavy books on his outstretched arms. This, the complainant said, was allegedly because the child had misbehaved and a senior member of staff confirmed that this was a suitable form of punishment for a young person with disabilities.

The Government has now admitted that there was such a complaint and they say it was investigated in 2002 and the member of staff involved had been warned and reprimanded.

The answer given provides no indication as to whether other children with disabilities were punished in the same way, given that the complainant made clear that this has been approved by a senior member of staff and this has not been denied. It also raises the question of whether if such punishment was accorded to a child in one of the schools run by the Department of Education, the same procedure of a reprimand would have been used. If this treatment is not considered acceptable for children without disability then it should be considered even less acceptable when it comes to children who are disabled. This means that children with disabilities are being discriminated against by being treated in a way that would not be considered acceptable for children without disability.

In addition, the complainant has made clear that, having made the complaint to the Agency about the treatment of the child, they were not involved in any way nor were they given any information about the action being taken or any hint about the practice being discontinued. Therefore the first time that the family have had any

indication that anything has been done about the complaint was in the answer given in Parliament this week when the question was put. This is six years after the incident.

As well as this form of punishment, there have been other complaints of service users punished in other ways. In particular, one of the statements referred to the existence of a punishment room which was set up and actively used by some of the Agency staff and then closed down. The Minister stated in Parliament that there has never been any punishment room in the Dr Giraldi Home.

However, it subsequently emerged that his reply was based on his having asked the Manager of the Dr Giraldi Home and that the answer had been drafted by the employee of the Agency. This appears to have been the basis of all the answers given in Parliament by the Minister. The Minister therefore is relying on information provided by people who, given the turnover of staff in the Agency, in the majority of cases were not in post when the incident occurred.

The Minister was not able to confirm whether there was any written record or material evidence of any kind that he knew of to support the answers given, and that it might well be that the information being provided in some instances are purely the recollection of some of the people in the Agency of what they think might or might not have happened at the time of these allegations.

The information available to the Opposition is that such a place as a punishment room existed. It also should be recalled that the persons who claim it existed were prepared to say so under oath had the tribunal proceeded.

Commenting on the matter, Shadow Minister for Social Services Neil Costa said:

“The answers given to the above questions, and indeed to others tabled in this Parliament, indicate that there have been serious shortcomings in the operation of the Agency in terms of the treatment of those persons in its care and it is only now that the Government has accepted that there is public concern about this issue that some information is finally seeing the light of day. One has to nevertheless

question the reliability of the information that has been provided so far and it is clear that the matter cannot be left to rest there.”

ENDS