

# Knee-Jerk Reactions and Myopia in Aged-Care Policy



(Care Protect CCTV hub in Belfast, UK - <https://www.nursingreview.com.au/2019/04/eye-in-the-sky-sa-to-run-cctv-pilot-in-aged-care/>)

## Key Findings

- The trial of CCTV surveillance in Residential Aged Care Facilities (RACFs) will commence in South Australia later this year. It is largely a response to the Royal Commission into Aged Care Quality and Safety and the much-publicised incidences of elder abuse in the media.
- The trial will involve using CCTV surveillance coupled with real-time monitoring and responding to incidences of abuse or potential abuse, which is a costly and resource intensive exercise that has very little evidence to support its efficacy.
- There is evidence that the use of CCTV surveillance in various settings, including RACFs, can have a detrimental effect on workforce and undermine the culture of care that is necessary for promoting the quality of life and well-being of residents living in RACFs.
- The prevalence of elder abuse and neglect in RACFs arises from a complex range of systemic problems in the aged care sector, particularly a lack of workforce supply and a lack of adequately skilled and trained workforce.
- Resources and funding would be better allocated to addressing those systemic problems rather than implementing band-aid solutions like CCTV surveillance that will do very little to resolve complex problems.

## Introduction

Shelter SA's vision is for every South Australian to have an affordable, safe, secure and appropriate place to call home. Shelter SA has a focus on systems and policies that affect people living with housing need, living on low incomes and who are vulnerable members of society. Residential aged care facilities (RACFs) are a form of housing for vulnerable older people that should be home-like and safe where people are treated with care, respect and dignity. Shelter SA is deeply concerned about the ongoing resident abuse that has been occurring for many years in RACFs and we welcome the Royal Commission into Aged Care Quality and Safety.

The recent announcement about a trial of CCTV surveillance in RACFs in South Australia caused an understandable outpouring of support. People with loved ones in RACFs have seen how cameras installed in bedrooms have caught and exposed perpetrators committing acts of abuse. However, this only took place after suspicions of abuse were raised, not before the abuse took place. Public debate has been superficial in focusing on the most obvious of concerns, the privacy of residents. This paper reviews the evidence behind the use of CCTV surveillance and takes a closer look at the risks and benefits associated with it to conclude that there is no evidence that it will prevent the abuse of vulnerable residents and we urge caution in its implementation and a very careful evaluation. While we await the results of the Royal Commission and associated recommendations, the aim of this paper is to provide materials for a deeper public debate on the efficacy and cost of the CCTV trial, what is needed to improve the model of care for vulnerable people and take a best practice approach to the prevention of abuse.

## Background

The use of closed-circuit television (CCTV) surveillance for security purposes has in recent decades become more pervasive in Western nations. In Australia we have seen a significant increase in the use of CCTV surveillance as a security measure in both public spaces and residential areas. According to the Australian Institute of Criminology, CCTV surveillance has three general applications. Firstly, CCTV is used with the intent to limit or prevent clandestine activity and serve as a deterrent for potential offenders. Secondly, CCTV is used as a forensic tool to identify offenders, eliminate suspects and as evidence for criminal prosecution. Thirdly, CCTV is used to enhance perceptions of safety, develop public confidence and reduce fear of crime within the community.<sup>1</sup> In addition to security and crime related applications, CCTV is also used in various workplaces, organisations and institutions as a means of monitoring various activities for quality management, training and safety.

The use of CCTV surveillance raises issues and concerns about privacy and civil liberties and there has been much public discussion and debate about this. However, an issue that has not attracted as much public attention or debate is how effective CCTV surveillance really is in reducing crime and antisocial behaviour and what risks are associated with its use in various settings. Such an oversight is perhaps due to an intuitive belief about how constant video surveillance of our movements will necessarily deter potential offenders, which then translates into the assumed efficacy of such a measure. What many

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<sup>1</sup> Australian Institute of Criminology (AIC) (2009). Using CCTV to reduce antisocial behaviour. AICrime reduction matters No. 80, Canberra: Australian Institute of Criminology. <https://aic.gov.au/publications/crm/crm080> (accessed 14/05/2019)

people may be unaware of is that measuring the effectiveness of CCTV surveillance in preventing crime and antisocial behaviour is a highly complex and difficult task, one that has previously yielded mixed results and equivocal conclusions.<sup>2 3 4 5 6 7</sup>

Despite uncertainty about its effectiveness and potential risks, the Federal Government has decided to invest \$500,000 into a trial of CCTV surveillance in several RACFs in South Australia. The trial is in large part a response to the Royal Commission into Aged Care Quality and Safety and the much publicised incidences of elder abuse that have been exposed by covert filming.<sup>8 9 10 11</sup> The trial will be conducted by SA Health in partnership with a company from the United Kingdom called Care Protect who specialise in the use of camera and audio technology (combined with independent monitoring) in health and social care settings. Care Protect will use their technology to monitor common areas for a period of time each day, while also monitoring residents' rooms when a trigger system is activated by noise, movement and light changes, which then alerts a reviewer who can view the footage within seconds and initiate a response.<sup>12 13</sup>

It is important for the public to have a good understanding of the different purposes of CCTV surveillance and their effectiveness. For example, there are differences between the use of CCTV surveillance as a tool to prevent violent or abusive behaviour, the use of CCTV footage as a forensic tool for criminal investigation and criminal justice, and the use of CCTV surveillance for incident monitoring, quality management and training purposes. These differences can easily be forgotten, obscured or conflated in the discussion and debate about the effectiveness of CCTV surveillance in RACFs.

It is also important for the public to understand the potential risks associated with using CCTV surveillance in RACFs. One of those risks is that CCTV monitoring can undermine the culture of care that is necessary

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<sup>2</sup> Armitage, R. (2002) To CCTV or Not to CCTV: A review of current research into the effectiveness of CCTV systems in reducing crime, *Nacro Crime and Social Policy Section*:

<https://epic.org/privacy/surveillance/spotlight/0505/nacro02.pdf> (accessed 14/05/2019)

<sup>3</sup> Australian Institute of Criminology (AIC) (2004) Closed Circuit Television (CCTV) as a crime prevention measure. AICrime reduction matters No. 18, Canberra: Australian Institute of Criminology

<https://aic.gov.au/publications/crm/crm018> (accessed 14/05/2019)

<sup>4</sup> Welsh, B. C. and Farrington, D. P. (2003) Effects of Closed-Circuit Television on Crime, *The Annals of the American Academy of Political and Social Science*, 587(1); Pp: 110-135

<sup>5</sup> Welsh, B. C. and Farrington, D. P. (2008) Effects of closed circuit television surveillance on crime, *Campbell Systematic Reviews*, 17; Pp: 1-73

<sup>6</sup> Welsh, B. C. and Farrington, D. P. (2009) Public Area CCTV and Crime Prevention: An Updated Systematic Review and Meta-Analysis, *Justice Quarterly*, 26(4); Pp: 716-45

<sup>7</sup> Alexandrie, G. (2017) Surveillance cameras and crime: a review of randomized and natural experiments, *Journal of Scandinavian Studies in Criminology and Crime Prevention*, 18(2); Pp: 210-222

<sup>8</sup> <https://premier.sa.gov.au/news/australian-first-trial-of-cctv-in-aged-care-facilities-to-begin-in-sa> (accessed 16/05/2019)

<sup>9</sup> <https://www.australianageingagenda.com.au/2019/04/11/government-to-trial-cctv-in-aged-care/> (accessed 16/05/2019)

<sup>10</sup> <https://www.abc.net.au/news/2019-04-11/cctv-to-be-used-in-aged-care-homes-in-australian-first-trial/10992192> (accessed 16/05/2019)

<sup>11</sup> <https://agedcare.royalcommission.gov.au/Pages/default.aspx> (accessed 16/05/2019)

<sup>12</sup> <http://www.care-protect.co.uk/care-protect-secures-first-private-sector-client-in-australia/> (accessed 16/05/2019)

<sup>13</sup> <http://www.care-protect.co.uk/about/> (accessed 16/05/2019)

to promote quality of life and well-being for people living in RACFs. In recent decades aged care researchers have been advocating for fundamental changes in the way service providers offer care for older people, particularly people with dementia. The changes represent a shift away from previous medical and institutional models of aged care to a model now commonly referred to as “person-centred care” (PCC). PCC is an evidence-based model of care that recognises the dignity and humanity of older people and gives primacy to their psychosocial needs.<sup>14 15</sup> Creating an appropriate living environment in RACFs and promoting positive interactions and relationships between care staff and residents is essential to PCC.<sup>16 17 18</sup> In recent years policy makers in Australia have made a concerted effort to transform the way that aged-care is delivered so as to be more evidence-based and person-centred.<sup>19 20 21</sup>

While the incidences of elder abuse and neglect in RACFs have motivated the government to take steps towards addressing this very serious problem, the idea that CCTV surveillance might prevent elder abuse and neglect in RACFs is not an evidence-based approach nor is it consistent with PCC. In fact, this type of approach heralds a return to the old institutional model of aged care repudiated by most, particularly aged care researchers and advocates. It is a knee-jerk reaction demonstrating a short-sighted view of the real causes of elder abuse and neglect in RACFs.

### **Does CCTV Surveillance Prevent Violent Behaviour?**

A systematic review on the effectiveness of CCTV for crime prevention published this year provides evidence that CCTV is associated with a significant though modest reduction in crime in public and residential areas (particularly vehicle and other property crime, and drug crime). However, the authors of the review found that there were “no significant effects observed for violent crime or disorder”, which is also consistent with findings from previous studies and reviews. In order to combat violent crime, the authors suggest that resources could be better allocated to measures other than CCTV surveillance. Alternatively, they hypothesise that actively monitored CCTV surveillance in which incidents can be

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<sup>14</sup> Kitwood, T. (1997) *Dementia reconsidered: The person comes first*. Buckingham, U.K.: Open University Press.

<sup>15</sup> Brooker, D. (2007) *Person-Centred Dementia Care: Making Services better*. Jessica Kingsley Publishers. Pg. 83

<sup>16</sup> Nolan, M. R. Davies, S. Brown, J. Keady, J. and Nolan, J. (2004) Beyond ‘person-centred’ care: a new vision for gerontological nursing. *International Journal of Older People Nursing*, 13(3a); Pg. 46

<sup>17</sup> Nundy, S. and Oswald, J. (2014) Relationship-centred care: A new paradigm for population health management, *Healthcare*, 2(40); Pp: 216-219

<sup>18</sup> Ryan, T., Nolan, M., Reid, D., and Enderby, P. (2008) Using the Senses Framework to achieve relationship-centred dementia care services, *Dementia*, 7(1); Pp: 71-93

<sup>19</sup> “Caring for Older Australians” (2011) Australian Government Productivity Commission: <https://www.pc.gov.au/inquiries/completed/aged-care/report> (accessed 17/05/2019)

<sup>20</sup> <https://agedcare.health.gov.au/aged-care-reform> (accessed 17/05/2019)

<sup>21</sup> <http://www.health.gov.au/internet/ministers/publishing.nsf/Content/health-mediarel-yr2019-wyatt044.htm> (accessed 17/05/2019)

detected in real-time, paired with police officers on patrol and standing by to be deployed when required, might help to reduce violent crime.<sup>22 23</sup>

This model appears to be the kind of model that will be used in the CCTV trial in South Australia. Therefore, in the absence of any substantive evidence to support the efficacy of CCTV surveillance in preventing elder abuse or other acts of violence within RACFs, the rationale for implementing this type of measure seems to be based on two ideas. One is the idea that actively monitored CCTV surveillance by health care professionals in real-time, coupled with security or law enforcement officials on standby, can facilitate immediate intervention to prevent an impending incident of abuse or limit its severity. The other idea is the assumption that all of this will act as a deterrent for potential offenders. However, the lack of evidence for CCTV being effective in preventing violent crime raises doubt as to whether this will be an effective measure in preventing elder abuse in RACFs.

Research on the effectiveness of CCTV in preventing violence in other contexts yields similar conclusions. For example, in the context of prisons, the use of CCTV has a number of different purposes including identification, coordinating responses to incidences, gathering evidence, improving safety, and detecting or preventing certain specific behaviours amongst prisoners (such as the smuggling of contraband, self-harm, suicide and escape).<sup>24</sup> While there is some evidence that CCTV can prevent violent prisoner behaviour, in a much cited study by Allard et al (2008) it was found that CCTV surveillance has a greater effect on non-violent prisoner behaviour than violent prisoner behaviour, and where it has an effect on violent prisoner behaviour it was greater for planned violence compared with unplanned or spontaneous violence. The authors argue that these findings support the view that “the inability of CCTV to affect violent behaviour is due to the spontaneous nature of much violence”.<sup>25</sup> Such findings raise questions about the nature of elder abuse in RACFs, whether it is planned or spontaneous, whether it reflects a criminal or malevolent propensity on the part of abusers, and the extent to which systemic problems in the aged-care sector contribute to such violence.

Much more research needs to be done in order to gain a more sophisticated understanding of the complex causes of elder abuse so that we can properly address this issue. As it currently stands there is very little evidence to support the idea that CCTV will necessarily act as a deterrent for potential offenders in RACFs. Likewise, there is very little evidence to support the idea that actively monitored CCTV surveillance by health care professionals in real-time, coupled with security or law enforcement officials on standby to intervene, can prevent an impending incident of abuse or limit its severity. At best the empirical evidence indicates that CCTV works in specific contexts for specific kinds of crime and antisocial behaviour, but it is not clear whether these outcomes are transferable to RACFs and how CCTV surveillance might translate in that context.

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<sup>22</sup> Piza, E. L., Welsh, B. C., Farrington, D. P. and Thomas, A. L. (2019) CCTV Surveillance for crime prevention: A 40-year systematic review with meta-analysis, *Criminology & Public Policy*, 18: Pg. 144

<sup>23</sup> Piza, E. L., Caplan, J. M., Kennedy, L.W., and Gilchrist, A. M. (2015) The effects of merging proactive CCTV monitoring with directed police patrol: A randomized control trial. *Journal of Experimental Criminology*, 11: Pp: 43–69

<sup>24</sup> Allard, T., Wortley, R. and Stewart, A. (2006) The Purposes of CCTV in Prison, *Security Journal*, 19(1); Pp: 58–70

<sup>25</sup> Allard, T., Wortley, R. and Stewart, A. (2008) The effect of CCTV on prisoner misbehavior, *The Prison Journal*, 88(3); Pp: 404-422

The CCTV trial itself constitutes an interesting experiment but even if it can be demonstrated that CCTV surveillance reduces or prevents elder abuse and neglect, any perceived or potential benefits of CCTV surveillance in RACFs must be weighed against any negative effects. This is because there is evidence that CCTV surveillance can undermine a RACF's capacity to provide quality aged care and thus compromise the well-being and quality of life of residents.

### **The Effect of Surveillance in RACFs**

CCTV does not constitute a physical barrier against elder abuse. It is a psychological barrier that operates by affecting a person's attitude and motivations for certain potential decisions and behaviours and is specifically intended to have a coercive effect on individuals. Such coercive measures create interesting and complex power relations between surveillance authorities and individuals under surveillance.<sup>26</sup> In this regard, CCTV surveillance has the potential to significantly shape a person's attitude and motivations towards their role in the workplace and this might lead to various negative outcomes. For example, research on the effect of CCTV surveillance in the workplace indicates that employees often respond to these kinds of coercive measures by engaging in resistance strategies that include ways of avoiding surveillance or ways of hiding the truth, which can undermine and reduce their sense of duty or responsibility to their task.

A recent study by Anteby and Chan (2018) investigated the effect of CCTV surveillance on transport security officer (TSO) employees working in baggage check rooms and other baggage checkpoints at a large urban airport in the United States.<sup>27</sup> The reason for the use of CCTV surveillance was to address recurring accusations of theft of traveller's belongings. In this study the researchers interviewed a total of 89 employees (55 TSOs and 34 other airport screening employees), many of whom reported that they felt overly scrutinised, spied upon and always visible to someone. However, paradoxically, they also reported that they felt unnoticed and uncared for, with some reporting that they felt devalued as individuals or persons. Overall, the employees interpreted the use of CCTV surveillance as a punitive measure that places them under risk of disciplinary action and jeopardises their prospects of continued employment or promotion. Their response was to find ways of avoiding surveillance by seeking out means of becoming invisible, for example, by keeping a low profile and being as inconspicuous as possible. What was particularly interesting were the numerous reports of TSO's becoming more reserved and emotionally disconnected when interacting with travellers and viewing them as non-persons.

*This is ironic because TSOs had felt like they were not cared for and essentially were mostly treated as objects by management, and in this practice, TSOs imposed on travelers a similar dehumanization to more easily portray the emotional absence they felt they needed to remain unnoticed. (Anteby and Chan, 2018; pg. 257)*

The researchers argue that if surveillance is used for beneficent purposes, such as developing and protecting the observed, employees interpret it as *caring*. However, if it is used for contentious purposes, such as punishing the observed, employees interpret it as *coercive* and thus engage in resistance strategies

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<sup>26</sup> Zureik, E. (2003) Theorizing Surveillance: the Case of the Workplace. In David Lyon (Ed.) *Surveillance as Social Sorting: Privacy, Risk, and Digital Discrimination*. New York and London: Routledge

<sup>27</sup> Anteby, M. and Chan, C. K. (2018) A Self-Fulfilling Cycle of Coercive Surveillance: Workers' Invisibility Practices and Managerial Justification, *Organization Science*, 29(2); Pp:247-263

or “invisibility practices”. Management interprets this as justification for further surveillance efforts which employees interpret as further coercion thus motivating further resistance and invisibility practices. The authors describe this as a “self-fulfilling cycle of coercive surveillance”.<sup>28</sup>

In a recent study by Berridge et al (2019), 273 staff from aged care and assisted living service providers were interviewed to gain an understanding of their concerns about CCTV surveillance. Many of those staff thought CCTV surveillance had the potential to “demoralize, offend, stress, add undue pressure, intimidate, and show lack of confidence in staff” and some claiming that it undermines the potential for a “home-like” experience, likening it to a process of institutionalisation.<sup>29</sup> These concerns highlight the fact that quality aged care is fundamentally based on the kind of relationship that exists between staff (particularly care support workers or “carers”) and residents, which is a central tenet of PCC.

*...respect for persons is based on respecting relationships of care and that surveillance practices risk denigrating these relationships. In the worst-case scenario, practices that dehumanize workers will also dehumanize patients. (Berridge et al, 2019; pg. 59)*

It is also important to consider how people living in RACFs themselves might respond to CCTV surveillance. A study by Niemeijer et al (2015) looked at how various forms of surveillance technology (such as motion sensors, acoustic monitoring, electronic bracelets, GPS tags and video surveillance) affected people living in RACFs. It demonstrated that there are risks associated with the way residents respond and react to those technologies. For example, Niemeijer et al (2015) reported that residents felt stigmatised by being monitored by various forms of surveillance technology. They also felt that it restricted their privacy and autonomy, which motivated them to adapt and limit their actions and behaviour. Some even reported that they would cease doing activities they enjoyed, such as stepping outside for a walk or for a smoke.<sup>30</sup> This study highlights what many aged care providers already know, which is that surveillance can have a negative impact on resident quality of life and well-being. However, what is not as obvious is the way in which those negative impacts on residents also put a strain on the relationship between carers and residents and become a barrier to providing quality aged care.

Within a RACF there are numerous forms of surveillance, often associated with various operational processes and internal governance, but there are also surveillance mechanisms associated with external governance. For example, in Australia there is a legislated validation process to substantiate and justify the allocation of government subsidies that RACFs can claim under what is known as the Aged Care Funding Instrument (ACFI).<sup>31</sup> Validation consists of at desk reviews of supporting documentation and onsite reviews (which include interviews and observations) conducted by review officers from the Department of Health. The validation outcomes can often lead to an aged care provider having their ACFI claim “downgraded”, which can often lead to a retrospective reduction in funding. Another mechanism of surveillance consists of the Aged Care Accreditation Standards. In order to receive government

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<sup>28</sup> Ibid. Pg. 258

<sup>29</sup> Berridge, C., Halpern, J. and Levy, K. (2019) Cameras on beds: The ethics of surveillance in nursing home rooms, *AJOB Empirical Bioethics*, 10(1); Pg. 57

<sup>30</sup> Niemeijer, A. R., Depla, M. F. I. A., Frederiks, B. J. M. and Hertogh, C. M. P. M. (2015) The experiences of people with dementia and intellectual disabilities with surveillance technologies in residential care, *Nursing Ethics*, 22(3); Pp: 307–320

<sup>31</sup> <https://agedcare.health.gov.au/funding/aged-care-subsidies-and-supplements/residential-care-subsidy/basic-subsidy-amount-aged-care-funding-instrument/aged-care-funding-instrument-acfi-user-guide> (accessed 24/05/2019)

subsidies, aged care service providers must undergo an independent assessment against a set of legislated Accreditation Standards. The assessments involve periodic audits and unannounced visits to monitor continuing compliance with standards.<sup>32 33</sup> These surveillance mechanisms have the effect of forcing management to focus much of their effort and resources on preparing for Accreditation, which might even involve hiring external consultants who have made an industry out of assisting understaffed and under-resourced facilities with preparing the required documentation for Accreditation. However, the response to these kinds of surveillance mechanisms is often to present a façade of compliance rather than to present the true state of a RACF, which is an outcome that detracts from the goal of providing quality aged care for residents.<sup>34</sup>

Hence, there are risks associated with CCTV surveillance that must also be understood as part of the cumulative effect of the various mechanisms of surveillance that already exist in, and are imposed upon, RACFs. As surveillance becomes more pervasive, particularly in the workplace, such concerns and risks will need to be considered and this is why more and more organisations are developing and implementing their own Surveillance Impact Assessments (SIA), which not only address issues of privacy and data protection, but also issues relating to the ethical, social, economic, and political impact of surveillance.<sup>35</sup>

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### **A Culture of Care versus a Culture of Coercion**

If the efficacy of surveillance was only ever considered within certain contexts, then the question of whether surveillance is an appropriate way of addressing that particular issue is perhaps more easily resolved. However, the context of RACFs is a highly complex one requiring us to consider a multitude of factors that affect the quality of care that residents receive. On one hand, there is very little substantive evidence to support the view that CCTV surveillance will be effective in preventing elder abuse. On the other hand, there is evidence that CCTV surveillance can have a detrimental effect on the relationship between care staff and residents and undermine the culture of care that aged care providers, researchers and advocates have been trying to promote for many years now. The research into the impact of surveillance in various contexts highlights the need to consider how CCTV surveillance will shape the kind of workforce that we depend upon to provide care for older people living in RACFs.

With regard to the CCTV trial in South Australia, the question of the efficacy of CCTV surveillance in preventing elder abuse may be the foremost concern for many people, but it is just as important to consider the possible negative impact that CCTV surveillance can have on the workforce and overall culture of care. This is something that family members with loved ones living in RACFs, the general public, and elected representatives must bear in mind and weigh up against any perceived or potential benefits

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<sup>32</sup> <https://agedcare.health.gov.au/quality/current-standards#Accreditation> (accessed 24/05/2019)

<sup>33</sup> <https://www.agedcarequality.gov.au/consumers/about-accreditation> (accessed 24/05/2019)

<sup>34</sup> Bernoth, M. A. (2009)'... and the word was made flesh'. *The impact of discourses of embodiment in promoting safe manual handling practice in aged care*. Australia: Monash University Publishing.

<sup>35</sup> Wright, D. and Raab, C. D. (2012) Constructing a surveillance impact assessment, *Computer Law & Security Review*, 28(6); Pp: 613-626

<sup>36</sup> Wright, D., Friedewald, M. and Gellert, R. (2014) Developing and testing a surveillance impact assessment methodology, *International Data Privacy Law*, 5(1); Pp: 40-53



of CCTV surveillance in RACFs. The issue of elder abuse in RACFs is a legitimate and grave concern but it must be considered in the context of improving the quality of life of people living in residential aged care.

In recent years, aged care providers have transformed their model of care services so that it is more consistent with “person-centred care” (PCC), which is a model of care that is synonymous with best practice and constitutes the “gold standard” in aged care. PCC is essentially based on the idea that older people, especially people with dementia, are persons and it is in virtue of their being persons (or their personhood) that they deserve to be treated with respect and dignity. Tom Kitwood, who pioneered and coined the phrase “person-centred care”, referred to personhood as “a standing or status that is bestowed upon one human being, by others, in the context of relationship and social being” and goes on to say “it implies recognition, respect and trust”.<sup>37</sup> He also emphasized that dementia is not just a biological/neurological condition affecting the brain, but is also a psychological and social condition affecting the mental health of a person with dementia and their relationships with other people. One of the most widely cited frameworks for understanding PCC is Dawn Brooker’s “VIPS” framework. VIPS is an acronym that describes how people with dementia and their carers must be “valued”, treated as “individuals”, how their “perspectives” must be considered, and how their “social environment” plays a key role in all of this.<sup>38 39</sup> Positive social interactions, authentic communication and genuine relationships between carer and residents are the keys to providing PCC.

Coercive measures like CCTV surveillance can undermine the capacity for a carer to act out of compassion, empathy, and sympathy. Instead of encouraging a carer to act from a sense of moral duty or sense of doing one’s job to the best of one’s ability, CCTV surveillance might encourage them to act out self-interest and fear of incrimination, and to become less conspicuous while more task orientated. Hence CCTV surveillance has the potential to undermine the capacity of carers to provide PCC because the focus of care is no longer based on the relationship between carer and resident (it is based on the relationship between carer and camera). These problems are exacerbated by the effect that CCTV surveillance can have on residents (as discussed above) and on the physical or built-environment of an RACF, which is supposed to resemble a home-like environment rather than an institution. In this regard, the use of CCTV in RACFs may be a crucial turning point in aged care and could mark the return to the much maligned and repudiated institutional model of care that characterized the way aged care was provided decades ago.

These issues reflect a fundamental tension between the goal of providing safety, shelter, food, medical treatment, and activities of daily living on the one hand, and facilitating quality of life and well-being on the other hand. There is a tension between providing a home-like environment for residents versus an institutional environment, which reveals itself when we consider these issues. For example, clearly there is scope for CCTV to improve incident monitoring and reporting, and to facilitate training, quality management and improvement. CCTV can be an effective way of monitoring resident behaviour as well as interactions between residents and care staff, in order to identify areas of care service in need of improvement. It can also be used to identify existing and potential hazards such as falls. However, a potentially negative consequence of this kind of use of CCTV is that it promotes a risk-averse strategy

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<sup>37</sup> Kitwood, T. (1997) *Dementia reconsidered: the person comes first*. Open University Press. Pg. 8

<sup>38</sup> Brooker, D. (2003) What is person-centred care in dementia? *Reviews in Clinical Gerontology*, 13; Pp: 215--222

<sup>39</sup> Brooker, D. (2007) *Person-Centred Dementia Care: Making services better*. Jessica Kingsley Publishers.

towards care service leading to increased restriction and limiting of resident movements and activities, which in turn contribute to problems of isolation, loneliness and agitation.<sup>40 41 42</sup>

There are obviously difficulties in dealing with residents who display behavioural and psychological symptoms of dementia (BPSD). This can be captured and monitored by CCTV surveillance and could be used to justify poor standards of care. For example, there are certain ways of addressing incidences related to BPSD that are no longer considered as part of quality aged care or PCC, such as using physical restraint on residents and/or pharmacological interventions to sedate them. CCTV footage of BPSD might also promote the view that residents are the cause of problems and perpetrators of violence against personal care workers, which is the antithesis of the kind of attitude towards residents that advocates of PCC have been trying to promote.

The safety and well-being of personal care workers is not as important, but given that there is still a lack of awareness, education and training on dealing with BPSD, there is a risk that RACFs may begin to regress towards the kind of institutionalised environment and model of care that characterised aged care facilities decades ago. As a worst-case scenario, RACFs might start to take on the kind of environment and culture that one might expect to find in a psychiatric ward. In those settings, CCTV surveillance is often used to identify and manage patient violence, which is often directed at staff and at other patients. Interestingly, even in this context, there is very little evidence of the efficacy of CCTV for such purposes and some researchers have also argued that it can potentially exacerbate violence rather than prevent it.<sup>43 44</sup>

Perhaps the most significant outcome of using CCTV surveillance in RACFs is that it will expose the extent to which care facilities are under-staffed and under-resourced. More specifically, it will expose how staff, specifically carers often perform their duties under duress due to the heavy workloads and time constraints associated with daily tasks, such as assisting residents with washing, toileting, dressing, eating, drinking, mobility and any other specific requests that residents may have. In addition to those tasks there is an expectation that they should also make time to socialise with residents and demonstrate care, compassion, patience and understanding in how they engage and interact with residents, particularly if those residents are struggling with behavioural and psychological symptoms of dementia.

Such standards of care are virtually impossible to achieve for many RACFs due to lack of staff numbers and inadequately trained/skilled workforce. These are part of the systemic problems in aged care that are the root causes of elder abuse and neglect. Of course, aged care researchers, advocates and service providers have known about them for many years now and have consistently called on governments to address them, which for example, the Federal Government made a concerted effort to do almost a decade

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<sup>40</sup> Berridge, C., Halpern, J. and Levy, K. (2019) Cameras on beds: The ethics of surveillance in nursing home rooms, *AJOB Empirical Bioethics*, 10(1); Pg. 57

<sup>41</sup> Niemeijer, A. R., Frederiks, B. J. M., Depla, M. F. I. A. Legemaate, J., Eefsting, J. A. and Hertogh, C. M. P. M. (2011) The ideal application of surveillance technology in residential care for people with dementia, *Journal of Medical Ethics*, 37(5); Pp:303–10

<sup>42</sup> Niemeijer, A. R., Frederiks, B. J. M., Riphagen, I. I., Legemaate, J., Eefsting, J. A. and Hertogh, C. M. P. M. (2010) Ethical and practical concerns of surveillance technologies in residential care for people with dementia or intellectual disabilities: An overview of the literature, *International Psychogeriatrics*, 22(7); Pp:1129–1142

<sup>43</sup> Desai, S. (2009) The new stars of CCTV: What is the purpose of monitoring patients in communal areas of psychiatric hospital wards, bedrooms and seclusion rooms? *Diversity in Health and Care*, 6(1); Pp: 1-9

<sup>44</sup> Due, C., K. Connellan and D. W. Riggs. (2012) Surveillance, Security and Violence in a Mental Health Ward: An Ethnographic Case-Study of an Australian Purpose-Built Unit, *Surveillance & Society*, 10(3/4); Pp: 292-302

ago by initiating major reforms to the aged care sector and introducing relevant legislation.<sup>45 46 47</sup> Since then a number of reviews have been conducted, all of which highlight the continuing need to address persistent systemic problems associated with workforce training, workforce supply, quality of care and institutional governance.<sup>48 49 50 51</sup>

CCTV may indeed expose potential or actual incidents of neglect or abuse, but it will also expose the systemic problems in the aged care sector, and in doing so, help the consumers/clients of aged care services and the broader public to understand why neglect and elder abuse in RACFs occurs. The use of CCTV surveillance for such outcomes can be regarded as positives, but this is entirely different from using CCTV to prevent elder abuse and neglect from happening for which there is very little evidence suggesting it would be effective.

## Conclusion

It is important for the public to understand that the trial of CCTV surveillance in RACFs, as a way of addressing elder abuse, constitutes an experimental approach towards aged-care policy rather than an evidence-based approach. It is also important that they understand the significant risks associated with the use of CCTV surveillance and weigh them against any perceived or potential benefits. Those risks go beyond matters of privacy, rights or consent and go to the heart of the challenges of providing quality aged care for some of the most vulnerable members of our community. There has been virtually no public discussion or consideration of the real possibility that CCTV surveillance in RACFs could negatively affect the relationships between carers and residents, undermine the culture of care necessary to promote quality of life and well-being of older people living in RACF, use up much needed resources and funding for aged care, and contribute further to the systemic problems that led to elder abuse and neglect in the first place.

Aside from the widespread support of the general public for the use of CCTV in RACFs, there is also support coming from law enforcement officials, legal professionals and public officials.<sup>52</sup> However, it is important for them to have a clearer and more incisive understanding of the issues. While there is evidence that CCTV is an effective tool for criminal investigation and prosecution<sup>53</sup> and quality management, it is important

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<sup>45</sup> <https://www.pc.gov.au/inquiries/completed/aged-care/report> (accessed 22/05/2019)

<sup>46</sup> <https://agedcare.health.gov.au/reform/aged-care-legislated-review> (accessed 22/05/2019)

<sup>47</sup> <https://www.legislation.gov.au/Details/C2016C00170> (accessed 22/05/2019)

<sup>48</sup> <https://www.asqa.gov.au/about/strategic-reviews/aged-and-community-care-training-2013> (accessed 22/05/2019)

<sup>49</sup> [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Community\\_Affairs/AgedCareWorkforce45/Report](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Community_Affairs/AgedCareWorkforce45/Report) (accessed 22/05/2019)

<sup>50</sup> [https://agedcare.health.gov.au/sites/g/files/net1426/f/documents/09\\_2018/aged\\_care\\_workforce\\_strategy\\_report.pdf](https://agedcare.health.gov.au/sites/g/files/net1426/f/documents/09_2018/aged_care_workforce_strategy_report.pdf) (accessed 22/05/2019)

<sup>51</sup> [https://agedcare.health.gov.au/sites/g/files/net1426/f/documents/10\\_2017/review\\_report\\_final\\_23\\_october\\_2017.pdf](https://agedcare.health.gov.au/sites/g/files/net1426/f/documents/10_2017/review_report_final_23_october_2017.pdf) (accessed 22/05/2019)

<sup>52</sup> <https://sabest.org.au/media/media/major-setback-for-australian-first-initiative-to-have-cctv-cameras-installed-in-bedrooms-of-aged-care-residents-as-major-parties-tune-out/> (accessed 22/05/2019)

<sup>53</sup> Ashby, M. P. J. (2017) The Value of CCTV Surveillance Cameras as an Investigative Tool: An Empirical Analysis, *European Journal on Criminal Policy and Research*, 23(3); Pp: 441–459

to distinguish between the efficacy of CCTV as a means of preventing elder abuse, and the efficacy of CCTV as a forensic tool or as a quality management and training tool.

The model of active CCTV surveillance and real-time intervention that will be used in the CCTV trial in South Australia has been hypothesised as potentially effective, but it has not yet been empirically tested, and given that it is also costly and resource intensive, it is doubtful that it will offer a feasible way of preventing elder abuse and neglect in RACFs. In addition to this, there is potential for this type of approach to detract from and undermine the culture of care that aged-care providers and policy advocates have been trying to promote and implement for many years now.

These concerns are made more acute by the already limited resources available for aged care providers. Rather than putting resources into an experimental approach towards addressing the issues that the aged care sector faces. Resources should be directed towards aged care workforce to encourage more healthcare professionals to enter into aged care work, to provide them with adequate training and professional recognition, and to assist the aged care sector to remain financially viable.<sup>54</sup> There are also broader issues relating to the undervaluing of aged care workforce and the way that older people are devalued and marginalised in society.<sup>55</sup>

There may be some limited role for CCTV in quality improvement, staff training and incident monitoring, but the idea that we can use CCTV to deter care staff from abusing residents or to facilitate real-time interventions that we assume might prevent or limit abuse from happening will do very little to address the complex range of systemic problems within our aged-care institutions that are the real causes of elder abuse and neglect in RACFs. The trial of CCTV surveillance in RACFs as a means of preventing elder abuse and neglect is a knee-jerk reaction and a myopic response to a highly complex issue.

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<sup>54</sup> StewartBrown (2018) Aged Care Financial Performance Survey - Sector Report (2018 Financial Year) - <https://www.agedcareguide.com.au/talking-aged-care/report-shines-light-on-struggling-aged-care-industry> (accessed 16/05/2019)

<sup>55</sup> <https://theconversation.com/aged-care-failures-show-how-little-we-value-older-people-and-those-who-care-for-them-103356> (accessed 16/05/2019)