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CARER'S ABUSE OF BLIND WOMAN

Shocking video reveals soiled cloth was used to wash the face of a frail pensioner

THE HSE left an elderly patient in the care of an abusive home carer for several days - even after the carer was caught on video allegedly assaulting the vulnerable woman.
Sickening footage shows the HSE-funded home support worker using a facecloth to wipe herself after

EXCLUSIVE
By Michael O'Farrell
INVESTIGATIONS EDITOR
urinating, and shortly after using the same cloth to clean the fragile woman's face.
Other harrowing footage, caught on

secret video by a niece of the victim, reveals the carer swearing aggressively at her client and letting her fall roughly back onto a commode.
The shocking revelations come amid continuing concern at repeated Government failures to regulate those who care for the elderly and

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Neeson's son: Dad hid his grief at mum's death

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HSE LEFT CARER

➔ From Page 1

most vulnerable in their homes. Law Reform Commission recommendations that the Health Information and Quality Authority be empowered to regulate home care standards, and that carers be registered like other medical employees, has remained on the shelf since 2011.

Meanwhile, there have been mounting concerns about the safety of those being cared for in their homes – as well as the conditions of those employed to care for them.

Last night, Hiqa revealed it has been told about 10 home care cases of concern this year but it is powerless to investigate them.

The HSE was made aware of the videoed incidents, which could amount to criminal assault, on June 10, during the Covid-19 lockdown. But the carer, an employee of Dublin firm All In Care, was left in place until she resigned herself.

According to the carer, who the Irish Mail on Sunday has tracked down and spoken to, she left between June 14 and 16. A niece of the alleged victim has said the carer was still in place for a week after a complaint was made. This appears to be a breach of the HSE's National Policy & Procedures for Safeguarding Vulnerable Persons at Risk of Abuse, which says it should 'immediately ensure the safety of the client' and 'contact An Garda Síochána as appropriate', within three days of a complaint being raised.

The niece, who is appalled at her experience with the HSE, told the MoS she wanted to speak out to help change the law and protect

Hiqa told of 10 cases, but it has no power to investigate

others. 'There are no words to describe the magnitude of what happened to this woman,' she said. 'She didn't deserve what happened to her. She didn't deserve that. No human being deserves that. The woman can't stick up for herself. She can't see. She can't even stand on her own two feet.'

In order to protect the identity of the victim, who remains unaware of what happened to her, the MoS is not naming her or her niece.

The niece, who has a background in healthcare in the US, travelled to Ireland in February when she became concerned about her elderly aunt's care.

In the following months she repeatedly complained about the standard of care being given by the HSE and All In Care.

Others, including volunteers providing a meals-on-wheels service in the area, had also been complaining about unsanitary conditions and the standard of personal care being delivered for more than a year. 'My aunt has been so let down by your system,' the niece said. 'I was brought up to believe that if you make a mistake, you own up to your mistake and you do the best you can to correct it. That's the way it should be.'

So far neither the HSE nor All In Care have apologised for the disturbing incidents caught on video.

'Where matters are the subject of ongoing review/inquiry, All In Care cannot prejudice outcomes by way of apology,' a spokesman told the MoS this weekend.

The company said it would 'unhesitatingly' apologise 'on conclusion of any such review establishing any duty of care deficiencies'. All In Care said all 'complaints are taken very seriously, investigated and reported as a matter of priority to the relevant regulatory authorities'.

The spokesman said: 'Given its duty of confidentiality, All In Care cannot comment on individual clients, staff or former staff and those

constraints substantially limit its ability to defend its good name and exemplary track record, not least in the context of allegations that substantially relate to a former staff member.'

The HSE and All In Care launched investigations but neither inquiry spoke to the carer, or even informed her that her behaviour had been secretly caught on camera. There is currently nothing to stop the carer from taking up another role in the care industry.

The MoS understands that All In Care was unaware of the existence

of a video until June 24, more than a week after the carer had left.

Prior to resigning, the carer had already been the subject of a previous disciplinary process at All In Care, relating to completely separate concerns about her behaviour.

The carer confirmed this previous disciplinary sanction to the MoS but said it did not relate to client care.

Case records show that the HSE held a multidisciplinary team meeting to discuss the care of the elderly woman on March 12 and that Margaret Campbell, HSE Manager of Services for Older Peo-

ple, Dublin South East, was there. Dissatisfied with the meeting, and still concerned for her aunt,

Both launched inquiries but didn't speak to carer

the niece installed cameras in her aunt's home on March 19, and informed all parties of the move.

This sparked concern amongst HSE managers and at All In Care.

Grotesque sequence of shame

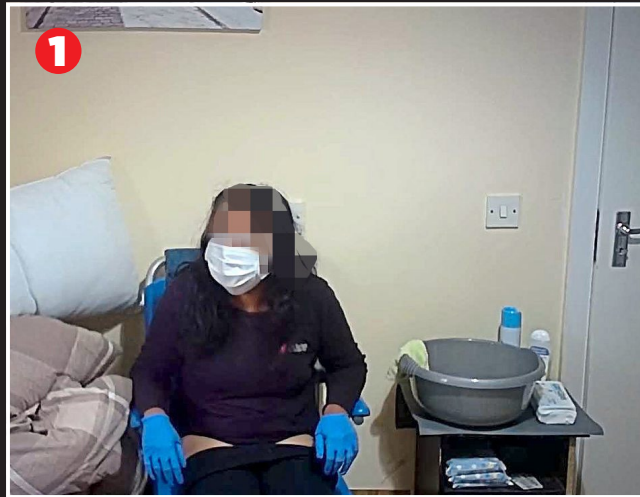
VIDEO 1: JUNE 4

1 Arriving for work the carer, wearing a facemask and gloves because of coronavirus, greets her client. The carer proceeds to pull down her own trousers and urinates in a portable commode, as the blind client lies in bed beside her. A lime green facecloth is folded on a basin sitting on a nightstand. The carer would know what the cloth is used for.

2 As she finishes urinating, the carer looks at the facecloth for a few seconds and then reaches out to take it into her hands.

3 Standing up, the carer uses the facecloth to wipe her private parts before tossing it into the basin.

4 Having moved the client from the bed to the commode, the carer briefly takes the basin (and facecloth) out of the room to fill it with water. She returns and uses the facecloth to wash her client's face. The carer herself, as well as a relative and a friend familiar with the client's care routine have all confirmed there is only one lime green facecloth of this type in the home.



ER IN PLACE



4

Sinister insight into mentality

VIDEO 2: JUNE 6

ENTERING the room on the morning of June 6, the home care worker appears annoyed at the location of the commode and silently throws her hands up in the air. Then she moves her elderly client from the bed to the commode and the following can be heard over the course of about 10 minutes:

Home care worker: 'F***ing...' in an otherwise angry but inaudible sentence as she sits the vulnerable client down on the commode.

30 seconds later - HCW (Angrily): 'Every time I come here they change the f***ing things - they don't do... they just do that... every time.'

Over a minute later - HCW (Again angrily): 'Interfering, interfering - for God's sake. Interfering...'

Within 30 seconds - HCW: 'That was there - the chair. I don't know why she put it here for f*** sake. It was easy for me to do it there.'

Within another 90 seconds - Client: She just moved the commode. That's all she's done.

HCW (Angrily): 'But why is there too much interference?'

Client: 'There's not.'

Just over a minute later - HCW: 'It was real nice what happened today - real nice.' She lets the client drop back on the commode in an apparently rough fashion. 'Why they don't just let us do our work - for God's sake?'

Client: 'What?'

HCW: 'Why we can't do our job by ourselves? People have to be interfering in our job. Why that?'

Client: 'They're not.'

HCW (Angrily): 'They are.'

Client disagrees

HCW: 'But who put the commode here?'

Client: 'I don't know.'

HCW: 'You don't know?'

Five minutes later - HCW (dressing client after wash): 'Where did she put the pads now, for f*** sake.'

Client: 'I don't know.'

continuing concerns about personal care and household chores.

As she became increasingly concerned for her aunt, the niece installed a further nanny camera at the end of May.

Several days later, on June 4 and 6, the apparent abuse was recorded.

The niece discussed her concerns with the victim's GP and an advocate from the SAGE advocacy group for vulnerable adults, before making a complaint to the HSE on June 10. The complaint was acknowledged in writing by a HSE social work team leader the following day.

'I am mandated to raise these issues with the management of the care agency concerned,' the HSE reply reads. 'They will then investigate with their staff and report what their action plan is and what they are doing to safeguard your aunt. The HSE will work in partnership with all parties to safeguard

your aunt from further abuse.'

However, the correspondence also told the niece: 'As the care agency is a private company, contracted by the HSE, we cannot investigate complaints against their staff directly.' This left the carer in place for several days until she resigned, having never been spoken to about

the events caught on video.

On July 30, All In Care director Bryan Meldrum informed the niece that the firm had 'taken internal disciplinary action against the employee concerned'.

He wrote: 'In that context, we can confirm that the employee will not be returning to work with your aunt

in the future. We are satisfied that the matter has now been dealt with in the appropriate way.'

He never mentioned the fact that the carer had been the subject of previous disciplinary action, unrelated to this case, or that she had already left her job of her own accord before being questioned about this case.

The HSE continued its investigation, while informing the niece that it was also investigating bullying allegations against her that appear to have been made by the carer.

'They're trying to turn me into a bully or make me a freak because I put cameras in and caught them,' the niece, who denies any bullying, told the MoS.

This week the MoS asked the HSE's Ms Campbell why no one appears to have reported the apparent abuse to the gardai and why no one has apologised. She did not directly answer the question.

'I suppose really, in terms of the process that we have, the communication has been directly between the provider and client and family through solicitors,' she said.

The MoS then asked whether it had yet been deemed appropriate to inform the gardai.

'It had to go through the process that it would normally go through and it has been explained and resolved,' Ms Campbell replied.

Asked about the apparent assault Ms Campbell said: 'That's all being

'Matter has been dealt with in appropriate way'

investigated. It's all gone through due process. The HSE and our safeguarding team have been involved. There has been huge, huge involvement... it's just not as straightforward as it would appear.'

To date it remains unclear whether or not the case has been notified to the gardai, something the HSE and All In Care have not clarified.

The Garda Press Office was unable to locate any record of a safeguarding notification relating to the case. In response to queries from the MoS, the HSE issued a statement to say it was 'aware of a safeguarding concern raised in respect of a client in receipt of home support', but could not comment on individual cases. 'Our primary consideration is the continued care and welfare of the persons at the centre of these safeguarding concerns.'

The HSE Safeguarding Team were notified and a preliminary screening of the incident was undertaken. All appropriate measures have been taken in accordance with the Safeguarding Vulnerable Adults policy,' the statement continued.

'The HSE cannot comment on the management of individual employees of external agencies, other than to confirm the agency has complied with HSE safeguarding requirements. The matter is subject to an ongoing investigation under the HSE Incident Management Framework.'

The HSE did not address questions on the number of other clients the carer, in this case, was responsible for and whether families have been informed of the situation.

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THE CARER SPEAKS ■ THE NEED TO IMPLEMENT REGULATIONS RECOMMENDED 10 YEARS AGO Pages 6&7

Neither the HSE nor All In Care questioned carer captured on

By Michael O'Farrell

INVESTIGATIONS EDITOR

THIS week the Irish Mail on Sunday spoke at length to the former All In Care employee who was captured on video cleaning her client's face with a soiled facecloth that she had just used on herself as toilet paper.

In a series of phone calls, the carer said she did not know of the video and initially denied the incident completely.

'I never did that. I was looking after [her] so well. I never did that,' she said of her elderly client. 'I never used any facecloth on her,' she continued.

She also denied swearing aggressively at her client, which was captured in other video footage.

When confronted with the precise details of the facecloth incident, the carer then claimed that she could not remember what had happened.

'I don't remember. I don't remember,' she claimed, adding that she got on well with her client, with whom she has been working for five years.

'[She] was very happy with me,' the carer said. '[She] was very, very happy with me to be honest with you.'

At this point we asked the carer to address her actions.

'You can understand - can't you - that to

'Police can't do anything like put me to jail'

clean someone with a cloth like that is not normal. It's not acceptable. It's not safe,' we told her.

'Yeah,' she replied. 'But if you are going to put that in the newspaper are you going to mention my name?'

Later, in a second phone call, the carer said she had spoken to a solicitor friend.

'About the police, my solicitor said to tell you that the police can't do anything,' she told the MoS.

'If, if it has been proved that I used the toilet or anything like that, the only thing is I would not be able to get more work, that's it,' she said.

'They will fire me from my work because I didn't do my job properly but police can't do anything like put me to jail because of that,' she said.

The carer declined to provide the name of her solicitor friend, saying the solicitor did not want to talk to the MoS.

'She said to me to tell you that I should not be afraid of police or anything like that. Even if I did what you said about the facecloth or anything. I can't be chased about that.'

The carer said she had been told that the only consequences for her would be that All In Care could have sacked her.

The point appears moot since the carer says that she voluntarily left her job around June 14 and has never been questioned about the videos by anyone from the HSE or All In Care.

This appears to raise questions as to the extent of any investigations carried out by All In Care and the HSE.

The MoS understands that the HSE, which has been aware of the video since June 10, did not inform All In Care of its existence until after the home care worker had left its employ.

However, the carer did admit to having been disciplined by All In Care for other matters. 'I got my letter about being disciplined but it was not because of the commode or anything like that. It was not for my care - it was for other things. It was not for that. It was for other things.'

Asked what the letter says she replied: 'It says lots of things, like I was disciplined - but it was nothing with my care and nothing with [the client]. It was just general - you

know. Something that I shouldn't do. It was not because of a client - in a client's house or anything like that. It was just outside.

'You know... it was my behaviour, you can put it like that, but was general, you know, it was never with any clients,' she told the MoS.

Asked whether the behaviour she was disciplined for was enough to get fired for, the carer replied: 'Yes it was, it was.'

However, the carer also went on to allege that she herself had been bullied by her client's niece and she had become frustrated with her.

'Yes, I was because my way had been changed,' she said. 'I had my way and she wanted me to do it her way... So I was getting very, very frustrated and I was telling that to All In Care, to remove me from that and they didn't.'

The client's relative has strongly

denied these bullying allegations.

'It was just frustration for me,' the carer claimed.

'I was not able to do my job properly to be honest with you,' she told the MoS.

The carer - who said that she has been trained to a Fetac Level 5 standard - added that she used to

THE CARER

'I love my job. I did not do anything bad. It was just in a moment of frustration. I am sorry'



THE HOME CARE WORKER

WHAT CARER TOLD MoS

Irish Mail on Sunday: You know the yellow/lime green facecloth in the house? It sits on the basin all the time.

Home care worker: Yes.

Irish Mail on Sunday: There is one facecloth like that in the whole house. It's the only one.

Home care worker: Yes.

Irish Mail on Sunday: That

facecloth is the cloth I am talking about.

Home care worker:

Yes.

Irish Mail on Sunday:

You had a pee - then you used that facecloth to clean yourself and then a few minutes later you cleaned [her] face and body with the same facecloth.

Home care worker:

I don't remember. I don't remember.

'I was very stressed. I didn't like to go there'

enjoy her work with the five All In Care clients that she was responsible for daily.

'I love my job,' she said. 'I didn't do anything bad.'

'It was just in a moment of frustration - things like that. I didn't have any complaints.'

However, the carer has also claimed that in recent times the intervention of the client's niece had impacted on her wellbeing.

'I was stressed. I was very stressed. I didn't like to go there. And I am happy that I left. I'm happy that I'm gone.'

When asked if she was sorry that her frustration had led to the events captured on video, the carer replied: 'I am sorry. Yes I am.'

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video wiping an elderly woman's face with a urine-soiled cloth



COMPANY BOSS: Former central heating firm owner Linda Murphy has made millions out of the care industry

The super-rich owner a fan of Ryanair chief

By Michael O'Farrell



All In Care
CARING ABOUT YOU

INCORPORATED in 2004, All In Care has made millionaires of its owners – Linda and Ray Murphy from Balrothery in Co. Dublin.

Prior to forming the company Ms Murphy – who the Mail on Sunday was told, is on holiday at her Spanish home – and her husband ran a central heating business together.

In interviews Mrs Murphy, who has spoken of being inspired by Ryanair's Michael O'Leary, said she entered the care industry 'to bring quality care into people's

convalescent care facility in Drumcondra in 2015. According to its own filed accounts, All In Care currently has €6m in assets and €4m in retained profits.

Together the Murphys received remuneration of more than €337,000 last year and more than €361,000 the previous year.

In all, the remuneration received by Linda and Ray Murphy amounts to more than €3.3m since 2008.

In addition, the accounts show that All In Care pays an annual rent of €90,000 to Mr and Mrs Murphy, while Mrs Murphy has received a €220,000 interest-free loan from the company that, according to the accounts, has yet to be repaid.

Furthermore a software firm, Care Software Solutions, which is half-owned by Mrs Murphy was paid €91,000 by All In Care last year.

All In Care's filed accounts also indicate that at times the firm has been penalised and incurred surcharges for the late filing of tax returns. For example, according to last year's accounts, interest charges on overdue tax in 2019 amounted to €65,000.

According to High Court lists there are currently three personal injury cases listed against All In Care – two of which were launched this year.

The firm did not address the Irish Mail on Sunday's questions about the nature of these cases or the firm's overdue tax issues.

More than €87m in HSE funding since 2007

homes, and bring innovations into the industry before they were required'.

She said: 'I could see it could be done 10 times better in terms of regulation and Garda clearance, none of which was required 10 years ago,' she told an interviewer in 2014.

According to the HSE's annual financial statements, All In Care has received more than €87m in HSE contracts since 2007.

In 2016 alone the health executive paid All In Care more than €10m while the figure for last year was €7.6m.

The firm employs about 300 carers who mind the elderly in their own homes in the greater Dublin area. The firm, which is 80% owned by Mrs Murphy, launched a respite and

OWNER OF CARE PROVIDER FIRM

A long time coming – regulation first recommended a decade ago

ALMOST a decade ago – in December 2011 – the Law Reform Commission published a landmark report on home care.

The Commission's report called for the Health Information and Quality Authority (HIQA) to be given additional regulatory and inspection powers to allow it to monitor standards across the home care sector.

It also called for a new register of professional carers to be established.

None of that has yet happened, despite the best efforts of some.

The most active champion for regulation has been Fine Gael's Colm Burke.

In 2014 Mr Burke – then a senator – published The Health (Professional Home Care) Bill.

The proposed legislation provided for an 'appropriate

regulatory framework and legal standards to be put in place for professional carers'.

The Bill went nowhere, even after Mr Burke 'press released' the proposed legislation again in 2015.

After the 2016 General Election, with a new Government and Cabinet in place, Senator Burke resubmitted his Bill and tried again.

This time his legislation got as far as the Seanad floor for a first reading.

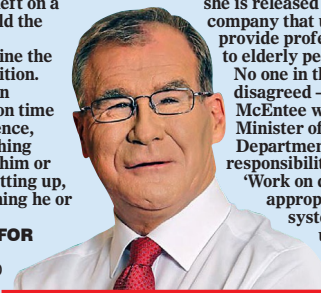
'When a Law Reform Commission report is brought forward, it is important that it is

not simply left on a shelf,' he told the Seanad.

'I will outline the current position.

'If a person serves prison time for any offence, there is nothing preventing him or her from setting up, on the morning he or

PUSHING FOR CHANGE:
Fine Gael TD
Colm Burke



THE CAMPAIGNER

she is released from prison, a company that undertakes to provide professional home care to elderly people.'

No one in the Seanad that day disagreed – not even Helen McEntee who was then Minister of State at the Department of Health with responsibility for older people.

'Work on developing an appropriate regulatory system is already well under way,' she assured those present, before proposing that the Bill be put

on hold for 12 months to allow this work to continue.

Four years later the issue has still not been legislated for, though the Government held a public consultation to help inform policy in 2017/18.

Meanwhile, Colm Burke – now a TD for Cork North Central – is still trying to address the issue through legislation.

Three weeks ago – on July 21 – he introduced the Health (Amendment) (Professional Home Care) Bill 2020 to the Dáil.

The accompanying press release, sent to every news outlet in the state, was widely ignored.