

PE1841/TT

Katie Allstaff submission dated 16 March 2021

I am writing in support of this petition on behalf of all relatives who have family members in care homes in Scotland.

I am shocked and deeply saddened that the Government in Scotland has such a one-dimensional view of the care needs of residents in residential and nursing care homes. The sole objective – which I see as a purely political imperative – has been to minimise deaths from Covid 19. The fact that many lonely, confused and abandoned elderly people have simply turned their faces to the wall and let go of life does not appear to be an issue for the Health Secretary or this government. These deaths are acceptable collateral it would seem, since Covid 19 deaths amount only to about 20% of the total numbers of care home deaths, as I understand the figures.

Care home residents' fundamental human right to a family relationship has been grievously and studiously ignored. Every plea to government has fallen on deaf ears. Care Home Relatives Scotland launched a petition in 2020 seeking support for Anne's Law which garnered over 92,000 signatures. This petition was seeking the right for a designated visitor to be allowed into the care home with all due PPE and testing. The overwhelming support calling for designated indoor visiting resulted in PE 1841 being formulated and submitted to the Scottish Parliament.

Much of the pressure to maintain this inhumane state of affairs comes from the Care Home Operators themselves who have pleaded every possible reason to limit visitation as much as possible, or, when granted, visits are so short time that it they are almost invariably of limited success or value to either party. Despite clear government guidelines being issued on 24th February 2021, many care home operators are still not admitting relatives as of mid-March 2021. Legislation is therefore required to ensure that ALL care home operators comply with the law and admit designated visitors.

Covid outbreaks in homes have *not* been caused by visitors in the main; they have been caused by staff bringing the virus into homes. Most designated visitors are of an age where they have been taking great care of their own health and safety and, were they to have had the opportunity to visit regularly, they would have had even greater motivation to maintain their virus-free status. Indeed, by going into a care home, the visitor would most likely have been at greater risk of catching the virus there than bringing it into the home.

The Scottish Government must bring in legislation to establish, beyond doubt, residents' rights to a family life. No other group in society – other than perhaps disabled people – has been without any voice and without agency in this pandemic. Furthermore, their legal representatives are also powerless and voiceless. Anne's Law is a start in the wider process of changing the law in Scotland to ensure elderly people's human rights are protected. This law urgently needs to be enacted before this government demits office, so that, when further Covid outbreaks occur - as they undoubtedly will - care homes cannot close their doors to visitors again.

Vaccination of residents, staff, designated visitors and other older family members has transformed the playing field already. Evidence is growing that vaccination not only protects those who have received it, but it also limits transmission of the virus. Testing and appropriate PPE may still need to be an accepted part of the background environment, for a time at least, but there can be no excuse now for not enshrining in law the human right to a family life for those who live in care homes.

The 92,000 people who signed the CHRS petition represent over 35,000 residents in care homes who currently have no rights and no voice in terms of family contact. Care home residents had no choice over whether they would risk infection and possible death by seeing their relatives; most are well-acquainted with their own mortality and would have chosen the additional risk in order to see their loved ones. Instead, they have been consigned to a long, lonely, empty existence where their mental health and cognitive and physical abilities have declined dramatically. All over the country, relatives have heard statements such as: "I'm not living anymore; I'm just existing. There's nothing going on; no one cares anymore."

This is residential and nursing care in 21st century Scotland! This government needs to redeem itself now by enacting Anne's Law, thereby ensuring that the doors of care homes will stay open throughout future Covid outbreaks with relatives able to care for their family members on an equal basis with staff, thereby allowing elderly people to enjoy safe contact with their families and a fulfilling end to their lives.