

# COUPLES' **PRIVACY** NEEDS In Residential Aged Care

Alison Rahn

School of Behavioural, Cognitive & Social Sciences  
University of New England

[arahn3@myune.edu.au](mailto:arahn3@myune.edu.au)

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University of  
New England



OUTPOURING OF SUPPORT

Global  
NEWS 

A map of Australia is shown in a light grey color. Overlaid on the map is a large, semi-transparent grey rectangle containing text. The text is white and black, with the words 'married or de facto' highlighted in red. The text is centered on the map.

**2014-15:**

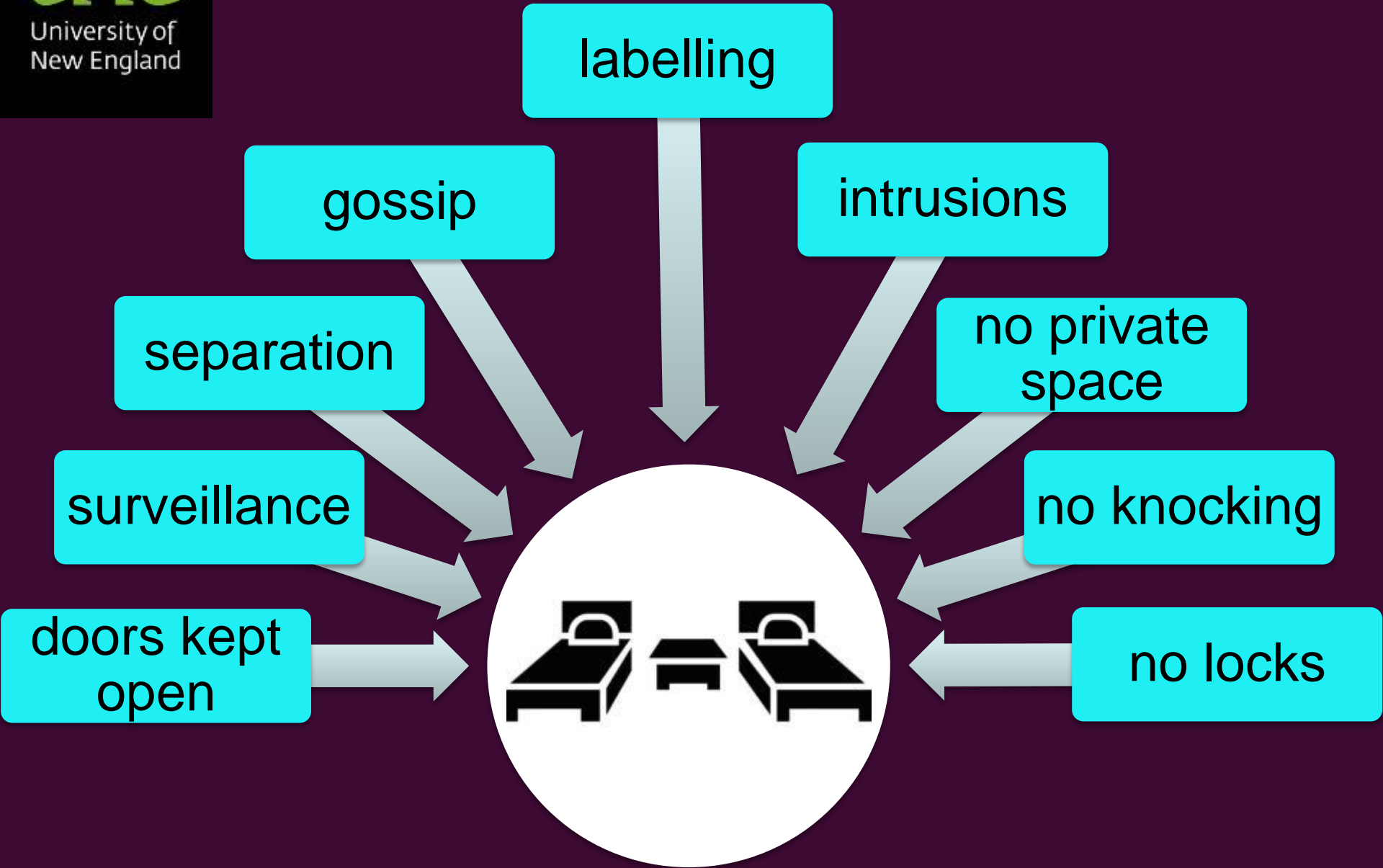
**51,444 married or de facto residents**  
(30% of permanent residents)



**COUPLES:**  
what are the **privacy needs**  
of partnered aged care residents?

[arah3@myune.edu.au](mailto:arah3@myune.edu.au)

Image Source: BBC News



**Phase 2**  
Review of parliamentary  
documents & print news  
1974 - 2015

**STUDY  
DESIGN**

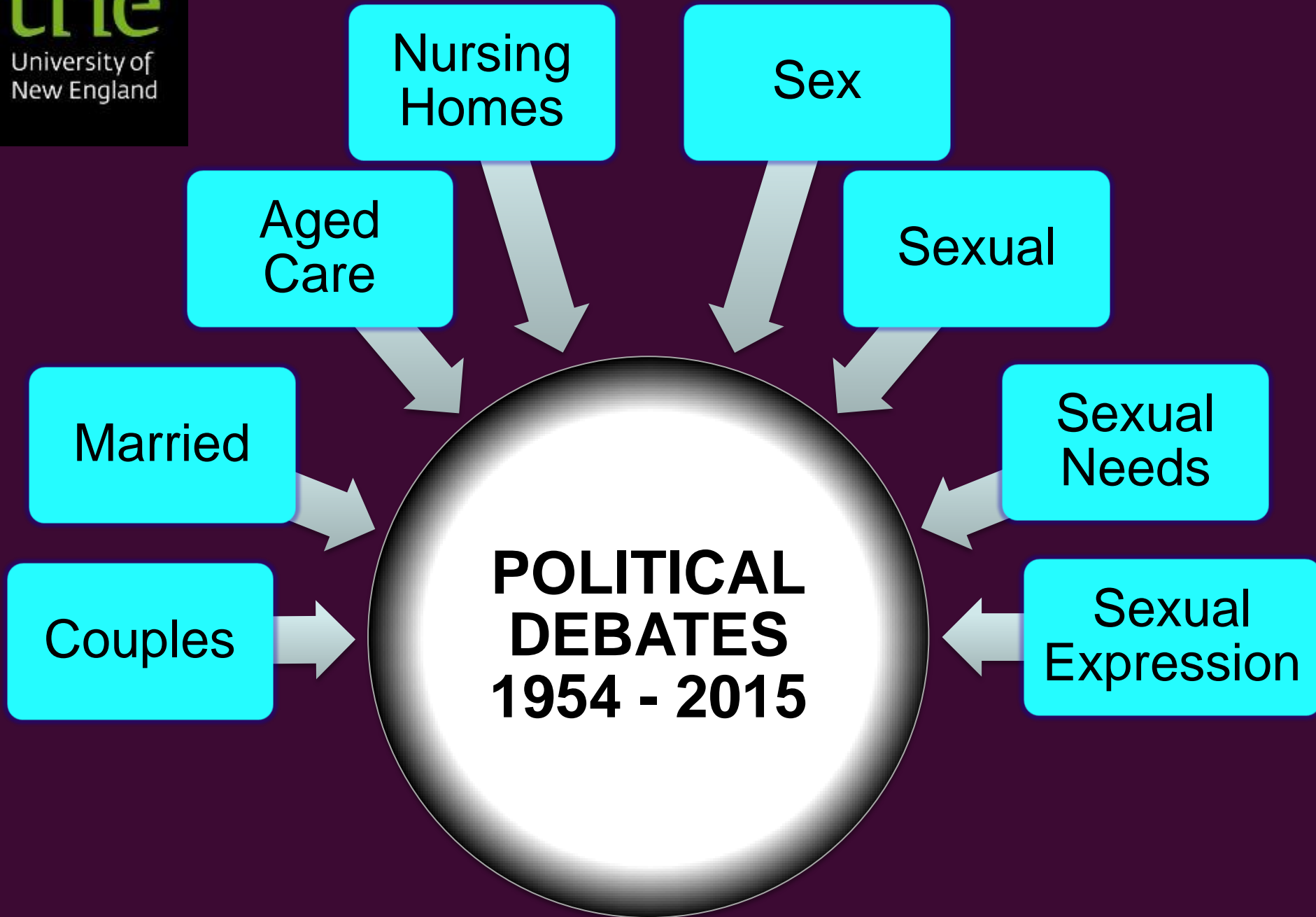
**Phase 1**  
semi-structured  
interviews  
29 participants  
(purposive sampling)

**Phase 3**  
anonymous  
online survey  
168 participants  
(volunteer sampling)



*“where in a nursing home can you...lie down on the bed next to each other...and just cuddle? Let alone any form of sexual activity...someone’s always around...not all the rooms have doors”*

*Dr Anthony Brown, Health Consumers NSW*





1954

- *Aged Persons' Homes Act*

1974

- *Royal Commission- Human Relationships*

1987

- *National Aged Care Standards*

1990

- *Charter of Residents' Rights*

1994

- *The Human Rights (Sexual Conduct) Act*

2015

- *Anti-Discrimination Amendments*




1954

*“...in conditions approaching...normal domestic life...with proper regard to the companionship of husband and wife”*

*Aged Persons Homes Act 1954*

# 1990 Proposal



*“the right to be treated with dignity and respect... including the right to have religious, cultural, sexual and emotional needs ... treated with respect”*



*“We wouldn’t be able to implement our homes’ philosophy. The draft agreement aims to give residents the right to indulge in **adultery, fornication and sodomy** in our homes”.*

Mother Mary John, Little Sisters of the Poor

# Charter of Residents' Rights 1990-2016

personal, civil, legal and consumer rights

dignity and respect

**personal privacy**

safe, secure and homelike environment

select and **maintain personal relationships**

control over his/her daily life

# SEXUAL PRIVACY

*“Sexual conduct involving only **consenting adults** acting in private is not to be subject... to any arbitrary interference with privacy”*

*Human Rights (Sexual Conduct) Act 1994*

# Accreditation Standards

## Standard 3

Care recipient

Principles

legal

act

ser

## Privacy and dignity

Each care recipient's right to privacy, dignity and confidentiality is recognised and respected.

3.1

The org

3.2

Regul

The organisation's

to identify and ensure compliance with all relevant

legislation, regulatory requirements, professional

standards, and guidelines, about care recipient lifestyle.

## Standard 4

Management

Principles

leg

act

ser

4.1

The org

4.2

Regul

The organisation's

to identify and ensure compliance with all relevant

legislation, regulatory requirements, professional

standards, and guidelines, about physical environment and safe systems

“...to get any real shift in the industry it has to be legislated...we need...explicit statements in standards...At the moment there's no measure...it's very subjective”

3.6

Privacy and dignity

Each care recipient's right to privacy, dignity and

4.6

Fire, security and other emergencies

Management and staff are actively working to provide an

environment and safe systems of work that minimise fire,

security and emergency risks.

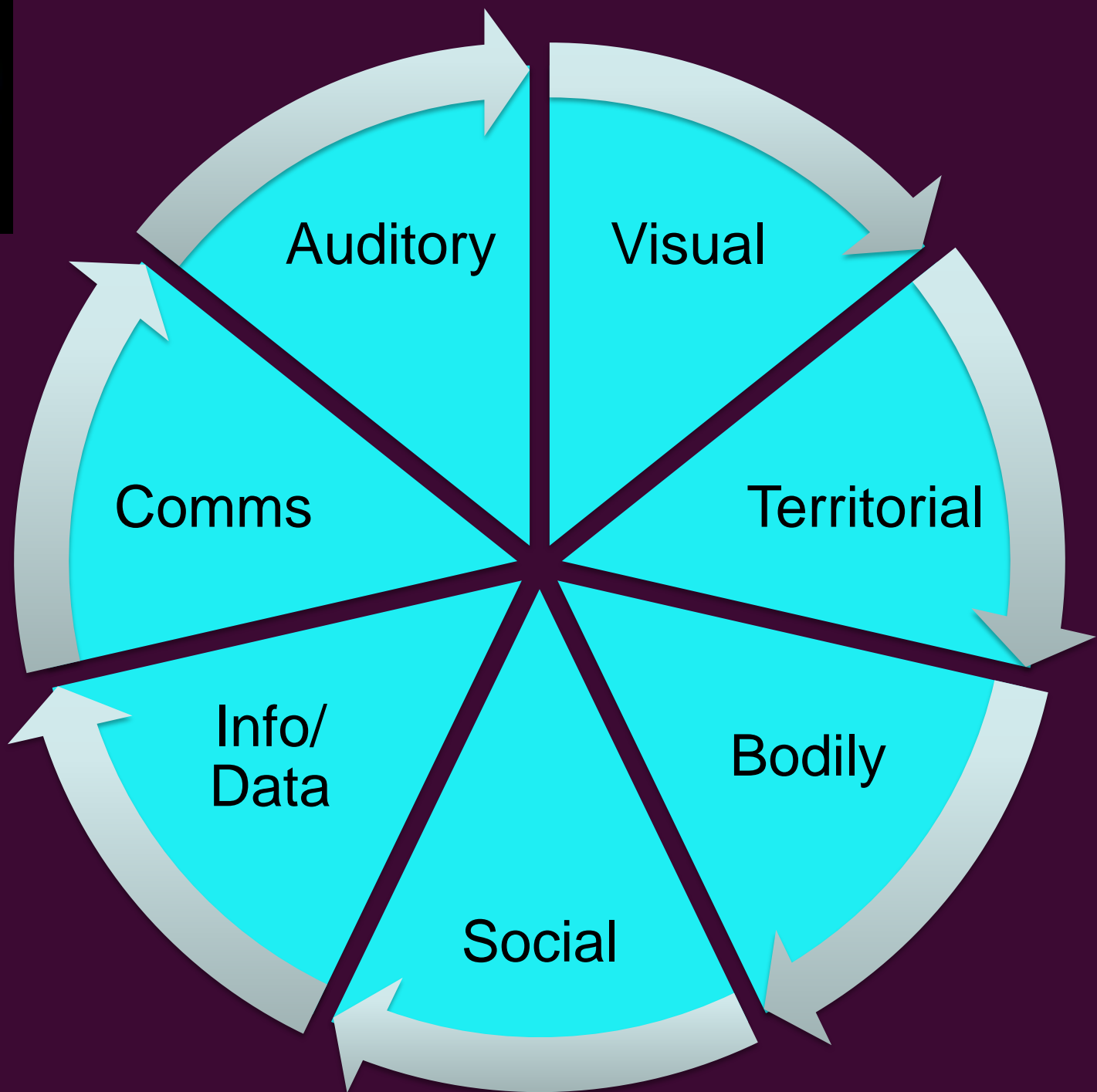
*Dr Michele Chandler, aged care consultant*

# DEFINING PRIVACY

*“...beyond the negative conception of privacy as **freedom from unwarranted intrusion**...to include the positive right **to establish, develop and fulfill one's own emotional needs.**”*

Simon Bronitt, 1995, re the European Convention on Human Rights





Resident Feedback

Resident Needs Assessment

Staff Training

Policies & Practices

Built Environment

Standards

Legislation

“Not about us, without us”



ANY  
QUESTIONS  
?