



They aren't. The Government guidelines make it clear that visiting should be enabled whenever possible, but ultimately the final decision rests with the care homes and they are interpreting the guidelines to suit them, which means restricted and controlled visits.

This basic human right needs to be enshrined in law otherwise many more care home residents will die without ever having reconnected with their families and being able to enjoy time with them during their last precious years of life.

**How effective are regulators in protecting residents from human rights breaches in supporting patients and residents who make complaints about their care provider?**

I have contacted my MP on several occasions but it has made absolutely no difference. Government guidelines are just that, they are not mandatory. They have left the final decision with care homes and this is the problem. This is the latest response I received on 1<sup>st</sup> October 2021:

██████████

*I have raised the issue of visiting ██████████ again with Cllr Hopfensperger and Jo.*

*Both have reiterated that privately run care homes are allowed to adopt visiting practices that protect their most vulnerable residents and are not compelled to follow Government guidance. The Government is unable to dictate how private businesses should be run and can only interfere if practices are against the relevant legislation, for example Health and Safety contraventions.*

*Cllr Hopfensperger and Jo are attending a Care Homes roundtable meeting in the middle of this month and will air this problem again then with all the local care homes.*

*Jo completely appreciates that this is a distressing situation for relatives but can also understand the reasoning behind the decisions of the individual care homes.*

*We will let you know if there is any news after the meeting.*

*With kind regards,  
Carolyn  
Office Manager  
Office of Jo Churchill MP (Bury St Edmunds)*

This response shows a clear lack of understanding of the plight of care home residents and their families and the fact that Mum has been deprived of her right to a family life without her consent.

**What lessons need to be learned from the pandemic to prevent breaches of human rights legislation in future?**

We have learned a lot since the start of the pandemic. Decisions made in March 2020 should not be the same as decisions made now.

We know that being double vaccinated offers some protection as does catching COVID.

We know that we cannot protect care home residents completely. Even without COVID if care homes have unrestricted visiting, there will always be a risk of people bring in viruses like colds and flu. All we can do is protect them as best we can with vaccines and asking people not to visit if they are unwell.

We know that despite regular testing of staff and mask wearing it has not stopped COVID getting in to care homes even during lockdowns. The staff are still going home to families and mixing outside the home, they can now go to pubs and restaurants, to concerts and festivals so there will always be a risk. All care homes can do is mitigate risk, but that should not mean restricting visits. I know my Mum would prefer to see me regularly rather than be kept alive in an environment where she is deprived of contact with her family and friends. She is not able to live her life, she is existing and this is not acceptable.

18 months is too long. Care homes are not prisons, they are homes and we are their family, not visitors.

I want someone not just to listen to me and all the families in the same situation as me but to act, because I can't bear the alternative, which is that my Mum will continue to deteriorate and eventually die, without every experiencing again the life in a care home we chose for her because we thought that we were doing the right thing.

My Mum has suffered enough now. The way care home residents are being treated is inhumane and cruel and you have the power to do something about it where we, the families, have failed.

Now 18 months on, there is no sign of the restrictions on care homes being lifted and I, like many other people with loved ones in care homes, am struggling with the prospect of facing months and possibly years of this. Mum has deteriorated dramatically and I want to be able to spend the precious last years of her life with her.

Care homes residents do not have a voice – they have had restrictions imposed on them without having any say as have their families. Ruthie Henshaw has been brilliant at highlighting the plight of care home residents as has the charity Rights for Residents but no one is listening.

**Please help us and put right a terrible human rights abuse which is being committed on a daily basis in the UK.**

*01/10/2021*