

Inquiry into Elder Abuse in Queensland

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INQUIRY INTO ELDER ABUSE IN QUEENSLAND

Submission by Townsville Community Law

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Background

1. Townsville Community Law (TCL) is a non-profit, community based legal centre that services clients across the Townsville SA4 and more broadly afield in some cases.
2. TCL has worked with older persons at risk of or experiencing violence, abuse and neglect for almost two decades.
3. Older people make up almost one-quarter of all TCL's clients, many of whom seek assistance because of violence, abuse and neglect in their lives. This aligns with the known (conservative) prevalence of violence, abuse and neglect at 15%.
4. TCL is funded by the Queensland Government to provide a specialist Seniors Legal Support Services (SLASS) and Seniors Financial Protections Services (SFPS). Prior to the establishment of the funded SLASS service model, Townsville operated an elder abuse service with input from a local, peer-based reference group "Mistreatment of Older People" (MOP).
5. TCL has engaged in policy and law reform advocacy around violence, abuse and neglect of older persons. This has included submissions to various forums. TCL's Principal Solicitor has published widely older persons' rights issues.¹

The Focus of this Submission

6. This submission is focused on **key legislative** and **policy issues** that the Queensland Parliament and Government can resolve to afford better protections to older persons at risk of or experiencing violence, abuse and neglect.
7. Many of the issues raised offer possible solutions to prevent or respond to drivers of violence, abuse and neglect.

Older Help Seekers

8. Encouraging older people to seek legal assistance about violence, abuse and neglect continues to be a significant challenge.²
9. Older people are not help-seekers in the way they are socially constructed through ageist stereotypes.³ The national prevalence study found that 6 in 10 experiencing violence, abuse or neglect do not seek help from a third party.⁴
10. There are many studies on older help seekers. Canvin noted a common issue, "even where participants acknowledged a need for assistance, they did not necessarily want to perceive themselves—or be perceived—as someone who needed, sought and received assistance."⁵

11. The issue of self-ageism is evident in many interactions TCL has with older persons, reflecting self-constructed ageist stereotypes so commonly reinforced by media and fostered by intergenerational tensions.
12. Increasingly, the work of governments (Qld and National) through National Plans,⁶ national days (WEAAD, IDOP) and media campaigns appears to be improving community awareness of the issue of elder abuse. An evidence base is still needed, and efforts should be made to track the uptake of help-seeking for elder abuse services. This should include all existing providers who can offer datasets on presenting issues such as domestic and family violence services, the Queensland Police Service, Queensland Health etc.

Matching the Prevalence with Responses

13. TCL acknowledges the comprehensive work that has identified the prevalence, nature and risks of elder abuse in Queensland⁷ and more broadly Australia.⁸
14. The Queensland Government Statistician's Office (the QGSO) predicts the age distribution of Queensland to be ~1.2 million aged 65 or older by 2031.⁹ This means that at least ~180,000 will experience elder abuse. That equates to the current population of one of Queensland's largest regional cities. More concerningly, more than 100,000 older people would not seek help with their experience.
15. TCL acknowledges the importance of National Plans – 2019-2023, Draft 2024-2034 but notes the National Plan remains limited in aspiration, scope and resourcing.¹⁰ Federal and State Budget allocations for violence, abuse and neglect of older people are alarmingly low when compared to other areas of interpersonal violence. As part of the 2024-2034 National Plan, Queensland has the opportunity to continue building its best practice models of response as exemplified by the SLASS program.
16. TCL notes and agrees with the Queensland Law Society (the QLS) submission that **recommended** the SLASS program should be provided with **enhanced resources** to ensure service coverage matches the prevalence of elder abuse.

Addressing Ageism

17. Ageism is a highly prevalent structural inequality that refers to the stereotypes (how we think), prejudice (how we feel) and discrimination (how we act) towards others or oneself based on age.¹¹ Ageism is rife within the Australian community and has a directly adverse impact on the lives of many older people across many areas of life.¹²
18. In Australia, ageism and age discrimination affect more than one-third of those aged 55 years or older.¹³ Ageism is a noted driver of violence, abuse and neglect against older people.

19. Ageism interventions are noted to be a valuable and effective method of changing community perspectives.¹⁴ The Australian Human Rights Commission (the AHRC) conducted workshops in Queensland in Brisbane and Ipswich as part of its national study.
20. TCL **recommends** the development of a Queensland-wide Plan of Action on Ageism that assists Government to invest in effective, evidence-based strategies that prevent and respond to ageism.¹⁵
21. In addition to a Plan of Action on Ageism, Queensland's status as an age-friendly community¹⁶ **needs re-emphasis** and **re-alignment**, with the extant principles and provisions of the *Human Rights Act 2019* (Qld) (the HRA). Human rights and age-friendly principles are simpatico and mutually reinforcing. We note that an age-friendly city should be at the forefront of putting in place mechanisms to ensure elder abuse is appropriately managed.¹⁷ Surprisingly, little work has been done anywhere to align these obviously complementary policy imperatives.
22. TCL has done some work comparing how age-friendly principles align with access to justice.¹⁸ As noted, we view the SLASS model as exemplifying a service that is age-friendly, and human rights informed.

Financial Abuse Reforms

23. In this regard we refer to and support the QLS submission as it relates to Powers of Attorney, including the need for model, national laws, a national register, attorney education and other stakeholder training.
24. TCL **recommends** that Government engage actively in discussions with the Standing Council of Attorneys-General to ensure critical measures to combat financial abuse are developed within a uniform national model laws approach.

Age Discrimination

25. Older age discrimination is an aspect of ageism. Unfortunately, the number of complaints lodged by older people appears to remain low, given age as a ground includes all age cohorts.¹⁹
26. Workplace discrimination and bullying based on older age is a particularly insidious issue²⁰ and is identified as such by WorkSafe Queensland.²¹ Older workers require embedded strategies to enhance their recruitment, participation and retention.²² Employment offers many protective factors of older people's including feelings of self-worth, financial independence and increased close social networks. TCLS **recommends** that Government incorporate measures around older workers in a broader plan against ageism.

27. Queensland’s 2024 amendments to the *Anti-Discrimination Act 1991* (Qld) (the ADA) include important new protections for older people, including extending protections against vilification on the ground of age. TCL reiterates the comments made to previous Parliamentary Committee Inquiries about the need to address ageist hate speech and vilification.²³ Howsoever achieved, TCL **recommends** these amendments should be enlivened.

Older First Nations People

28. TCL has noted ongoing need to identify the experiences of older First Nations people in respect of violence, abuse and neglect, including the intersection with community ‘elder’ status. This issue is identified as part of the 2024-2034 National Plan.
29. Older First Nations people are 9.5% of our SLASS client cohort over the past 20 years. We continue to work with First Nations elders and older people to understand their unique experience of violence, abuse and neglect. TCL **recommends** Government take a leading role in the 2024-2034 Plan’s focus of co-design with older First Nations people.

Domestic and Family Violence Laws

30. We note that the *Domestic and Family Violence Protection Act 2012* (Qld) (the DFVPA) regards older people (‘elderly people’) as vulnerable to domestic violence.²⁴ We agree with this principle but note that the language of “elderly people” is antiquated²⁵ and can reinforce negative social constructions.²⁶
31. Older people can obtain orders if they are in a relevant relationship under the Act. In this regard their access to protection orders can be impacted by barriers to accessing law enforcement, legal and justice related processes.
32. Significant barriers include:
- Impact of health or age-related conditions on functional capacity and legal capacity
 - Ageist attitudes and approaches, including the impact of stereotypes
 - The timeliness and potential for delay of legal proceedings
 - Accessibility of courtrooms, and other justice-related facilities
 - Access to reasonable accommodations in law enforcement processes and in legal proceedings and
 - Adequate and appropriate training to those working in the administration of justice and law enforcement.
33. The QGSO reported that older people are underrepresented as aggrieved on applications under the DFVPA, although the rate was increasing over time.²⁷ TCL notes the stark absence

of 'informal care' applications²⁸ under the DFVPA, which accounted for only 62 (0.3%) of 17,757 applications in 2024-2025 YTD (to 28 Feb 25).²⁹

34. The number of Informal care relationships in Queensland that might fit the statutory criteria cannot be estimated with any real precision.³⁰ In our view there is clear mismatch between the number of likely informal care relationship that involve violence, abuse and neglect and the number of applications for protection.
35. The implications of the failure deal with violent, abusive and neglectful informal care relationships flow through to other areas that depend on DFVPA definitions, including the offence of coercive control and coronial processes.

Ouster Orders

36. TCL notes older aggrieved parties face difficulties in obtaining ouster orders³¹ against informal care providers (whatever family or not) who perpetrate violence, abuse and neglect. In our view, the Court's traditional approach to the interpretation of the balancing factors in section 64 does not adequately address the complexities faced by older people in the system.
37. The DFVPA need reform to address the approach to treatment of adult informal carers,³² particularly those who are of middle-to-older age themselves. In many cases the circumstances of the perpetrator of abuse militates too strongly against ouster. This is particularly the case where the perpetrator and aggrieved have a level of co-dependency, which is to be expected given the relationship.
38. All too often, the informal carer is not actually providing informal care and may be creating barriers to external care opportunities. In these cases, the circumstances of violence, abuse and neglect have become the defining character of the relationship. In these cases, the question of what orders should be made also necessarily involves considerations of continuity of care, even establishing care arrangements if the informal carer has not been providing care.
39. Additionally, questions often arise about the legal rights of the perpetrator, including whether they have rights under other laws such as the *Property Law Act* or the *Residential Tenancies and Rooming Accommodation Act*. Clarifying the rights of informal carers can be complex, as can arranging alternative accommodation for them, which should not be the role of those acting for the older person.
40. No appellate attention appears to have been given to how the balancing factors ought to be construed when considering older people's rights and interests where the perpetrator is an informal carer.

41. Section 64 is not drafted to take account of the complex considerations that arise for people with disability and older persons. We **recommend** section 64 is reviewed to ensure that it adapted to achieve the Act's objects, including protection of older persons.

Neglect

42. TCL notes that 'neglect' is not contained within any of the definitions within Division 2 of the DFVPA. While it is a crime in Queensland,³³ its import is not canvassed within protective regimes other than with the scope of laws such as the *Public Guardian Act 2014* (Qld) (the PGA).
43. TCL notes that the changes to Queensland's laws to recognise coercive control have potential application to the circumstances of violence, abuse and neglect of older people.³⁴ This includes protective applications and criminal offences. We caution that the limitations of relevant relationships may also impact on the utility of these laws for older people.

The Coronial System

44. TCL has noted that Queensland's coronial system could play an enhanced role in identifying characteristics of individual and systemic violence, abuse and neglect of older people, including within community and institutional settings.³⁵
45. Generally speaking, investigations and inquests into death of older people are less common than other population cohorts and at times law and policy can play a limiting factor. Coronial investigations into older deaths have revealed issues of national importance about preventable deaths from falls, choking, and suicide.³⁶
46. A central issue is that deaths in aged care, whether at home or in residential aged care are not reportable in the way other deaths in care are. The State Coroner's Guidelines confirms: "[I]t is important to note that the death of an aged care resident per se is not reportable as a death in care (disability). The deaths of aged care residents become reportable for other reasons, most commonly, because they have died from mechanical fall-related trauma or its complications."³⁷ Further, provisions that capture NDIS deaths exclude residential aged care residents.³⁸
47. The referral processes of the Coroner's Court include referring to the Office of Aged Care Quality & Compliance.³⁹ Unfortunately, that federal process does not have the same statutory functions and powers of the Coroners Court, and in our view, outcomes do not have the same systemic influence.
48. TCL recommends that Government consider whether Family Violence Death Review processes should be expanded to ensure that they capture older people's deaths. Limitations

with the current process include the disconnection between forms of violence, abuse and neglect experienced by older persons and the DFVA's 'relevant relationship' definitions.

49. TCL has noted an important trigger for a Family Violence Death Review exists for an 'informal care relationship'.⁴⁰ The definition of informal care relationship excludes parent/child and commercial care arrangements; however, a death review can be triggered in a home-based informal care setting. It may also potentially apply to an informal care relationship within an institution. TCL **recommends** that Government considering whether an expanded or additional criteria can be used to trigger a death review.
50. Overseas models might assist in identifying best practice in reportability of deaths in aged care. Ontario uses a 'Geriatric and Long Term Care Review Committee' (GLTCRC) to assist and advise a coroner investigating deaths of older people in residential aged care.⁴¹ It has a focus on all homicides involving residents of long term care or retirement homes. The GLTCRC also reviews cases where systemic issues may be present or where significant concerns have been identified by the family, investigating coroner or the Regional Supervising Coroner.

Places of Detention

51. TCL has long contended the importance of institutional settings being subject to human rights oversight.
52. For example, in submissions on the Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Bill 2022 we noted we consider that Australia (and thereby Queensland's) have state-party obligations require that older people are not deprived of liberty, and are to be protected from torture and cruel, inhuman or degrading treatment in institutional settings. In some instances, residential aged care will be a place of detention and enliven these obligations.⁴²
53. This issue takes on a greater impetus given that the HRA applies to state-run aged care facilities. Specific obligations are owed under the HRA in State-operated residential aged care.⁴³ The Explanatory Note to the Human Rights Bill 2018 explicitly noted that section 17 (then clause 17) implements our obligations under the International Covenant on Civil and Political Rights (the ICCPR) and the Convention Against Torture (the CAT).⁴⁴
54. TCL recommends that Government work with the Inspector of Detention Services to clarify Queensland's obligations within residential aged care settings, noting that additional obligations arise for state-run institutions.

Safeguarding

55. A noticed gap in service provision is where providers cannot assist because the older person experiencing violence, abuse and neglect has impaired decision-making capacity⁴⁵ or where a community member or institution becomes aware of violence, abuse and neglect and wants to bring that to the attention of a relevant authority.
56. We **recommend** the establishment of an independent statutory officer such as an 'Adult Safeguarding Commissioner' or 'Adult Ombudsman' (**Ombudsman**) with power to properly investigate allegations of elder abuse or suspected elder abuse (and which could be extended to investigating harm or suspected harm to other adults under a legal disability).
57. TCL notes the important interplay of human rights in this possible developing model and notes that existing models in New South Wales⁴⁶ and South Australia⁴⁷ operate without the backdrop of human rights laws.

Restrictive Practices

58. TCL **recommends** enhanced regulation of restrictive practices and coordination of state and national regulation of restrictive practices with a view to minimising their use across all health, aged care and disability settings.
59. We reiterate the QLS submission that further work is needed to ensure that service providers adequately understand and apply the legislative framework for restrictive practices.
60. A wide-reaching education initiative is essential to ensure that all service providers, stakeholders and attorneys understand what restrictive practices are and their impact. In particular, education and training should promote alternatives to restrictive practices and emphasise the importance of reducing and eliminating their use; and alignment with human rights principles and supported decision-making principles.

ENDNOTES

- ¹ Mitchell, B. (2018). Identifying institutional elder abuse in Australia through coronial and other death review processes. *Macquarie Law Journal*, 18, 35–56; Mitchell, B. (2020) *Statutory Protections against Financial Abuse in Combating Elder Abuse in Australia and India*. In: Shankardass, Mala, (ed.) *Combating Elder Abuse in Australia and India*. Geriatrics, Gerontology and Elderly Issues . Nova Science Publishers Inc, New York, United States, pp. 39-83;
- ² Mitchell, B. *Access to Justice and Legal Assistance in an Age-friendly World*. In Gardiner, C.M., & Webb, E.O. (Eds.). (2022). *The Age-friendly Lens* (1st ed.). Routledge. <https://doi.org/10.4324/9781003038658>; Mitchell, B. "Access to justice for older Australians" [2019] Precedent AULA 56; (2019) 154 Precedent 18.
- ³ Teo K, Churchill R, Riadi I, Kervin L, Wister AV, Cosco TD. Help-Seeking Behaviors Among Older Adults: A Scoping Review. *J Appl Gerontol*. 2022 May;41(5):1500-1510. doi: 10.1177/07334648211067710. Epub 2022 Feb 13. PMID: 35156428; PMCID: PMC9024019.
- ⁴ Qu, L., Kaspiew, R., Carson, R., Roopani, D., De Maio, J., Harvey, J., Horsfall, B. (2021). National Elder Abuse Prevalence Study: Final Report. (Research Report). Melbourne: Australian Institute of Family Studies: Australian institute of Health and Welfare at <https://www.aihw.gov.au/family-domestic-and-sexual-violence/population-groups/older-people>
- ⁵ Krysia Canvin, Catherine A MacLeod, Gill Windle, Amanda Sacker, Seeking assistance in later life: how do older people evaluate their need for assistance?, *Age and Ageing*, Volume 47, Issue 3, May 2018, Pages 466–473, <https://doi.org/10.1093/ageing/afx189>
- ⁶ National Plan to Respond to the Abuse of Older Australians (Elder Abuse) 2019-2023; Draft National Plan to End the Abuse and Mistreatment of Older People 2024-2034.
- ⁷ Blundell, B., Clare, J., Moir, E., Clare, M. & Webb, E. (2017). Review into the Prevalence and Characteristics of Elder Abuse in Queensland. Perth, WA: Curtin University and Murdoch University; Blundell B, Warren A. Reviewing the extent of rural and remote considerations in elder abuse policy: A scoping review. *Aust J Rural Health*. 2019; 27: 351–357. <https://doi.org/10.1111/ajr.12549>; West, Tracey, Risk Factors Associated with Elder Financial Abuse (May 31, 2021). Available at SSRN: <https://ssrn.com/abstract=3856751> or <http://dx.doi.org/10.2139/ssrn.3856751>; Queensland Government Statistician's Office, Queensland Treasury, Insights into the abuse of older Queenslanders, 2023;
- ⁸ Kurrle, S., & Naughtin, G. (2008). An Overview of Elder Abuse and Neglect in Australia. *Journal of Elder Abuse & Neglect*, 20(2), 108–125. <https://doi.org/10.1080/08946560801974521>; Chesterman, J. (2015). Taking Control: Putting Older People at the Centre of Elder Abuse Response Strategies. *Australian Social Work*, 69(1), 115–124. <https://doi.org/10.1080/0312407X.2015.1076868>; Kaspiew, R., Carson, R., & Rhoades, H. (2016). Elder abuse: Understanding issues, frameworks and responses. Melbourne: Australian Institute of Family Studies; Australian law Reform Commission, Elder Abuse – A National Legal Response, ALRC Report 131, 2017; Dow, B., Gahan, L., Gaffy, E. *et al*. Barriers to Disclosing Elder Abuse and Taking Action in Australia. *J Fam Viol* **35**, 853–861 (2020). <https://doi.org/10.1007/s10896-019-00084-w>; Blundell, B., Clare, M. (2020). Designing Australian Responses to Elder Abuse: Issues and Challenges. In: Shankardass, M. (eds) *International Handbook of Elder Abuse and Mistreatment*. Springer, Singapore. https://doi.org/10.1007/978-981-13-8610-7_29; Qu, L., Kaspiew, R., Carson, R., Roopani, D., De Maio, J., Harvey, J., Horsfall, B. (2021). National Elder Abuse Prevalence Study: Final Report. (Research Report). Melbourne: Australian Institute of Family Studies: Australian institute of Health and Welfare at <https://www.aihw.gov.au/family-domestic-and-sexual-violence/population-groups/older-people>; Qu, L., Kaspiew, R., Carson, R., Roopani, D., De Maio, J., Harvey, J. *et al*. (2024) Elder abuse prevalence among older people living in the community in Australia. *Australian Journal of Social Issues*, 59, 164–185. Available from: <https://doi.org/10.1002/ajs4.284>; Luong, Q. H., & Petersen, M. (2025). Elder Abuse in Migrant Communities in Australia: A Scoping Review. *Australian Social Work*, 1–21. <https://doi.org/10.1080/0312407X.2024.2424167>
- ⁹ <https://www.qgso.qld.gov.au/statistics/theme/population/population-projections/overview/qlds-population-future-data-visualisation>

- ¹⁰ <https://www.ag.gov.au/rights-and-protections/publications/national-plan-respond-abuse-older-australians-elder-abuse-2019-2023>; <https://consultations.ag.gov.au/families-and-marriage/eamop/>
- ¹¹ Global report on ageism. Geneva: World Health Organization; 2021. Licence: CC BY-NC-SA 3.0 IGO
- ¹² See <https://www.everyagecounts.org.au/>
- ¹³ Australian Human Rights Commission, What's Age got to do with it?, 2021. See <https://humanrights.gov.au/our-work/age-discrimination/publications/whats-age-got-do-it-2021>; Australian Human Rights Commission, Talking about my Generation, 2023. See <https://humanrights.gov.au/our-work/age-discrimination/publications/talking-about-my-generation-2023>
- ¹⁴ Australian Human Rights Commission, Changing Perspectives: Testing an Ageism Intervention, July 2023. See <https://humanrights.gov.au/changingperspectives>
- ¹⁵ See Global report on ageism. Geneva: World Health Organization; 2021. Licence: CC BY-NC-SA 3.0 IGO
- ¹⁶ <https://www.families.qld.gov.au/our-work/seniors/an-age-friendly-queensland>
- ¹⁷ Boersig, John; Illidge, Dominic --- "Addressing Elder Abuse: Perspectives from the Community Legal Sector in the ACT" [2018] MqLawJl 7; (2018) 18 Macquarie Law Journal 93
- ¹⁸ Mitchell, B. *Access to Justice and Legal Assistance in an Age-friendly World*. In Gardiner, C.M., & Webb, E.O. (Eds.). (2022). *The Age-friendly Lens* (1st ed.). Routledge. <https://doi.org/10.4324/9781003038658>.
- ¹⁹ Queensland Human Rights Commission, Annual Report 2023-24.
- ²⁰ The Australian Human Rights Commission's work on older age related discrimination is longstanding, see <https://humanrights.gov.au/our-work/age-discrimination/publications>
- ²¹ See <https://www.worksafe.qld.gov.au/safety-and-prevention/health-and-wellbeing/supporting-an-ageing-workforce>
- ²² <https://humanrights.gov.au/our-work/age-discrimination/publications/employing-and-retaining-older-workers-2021>
- ²³ See Submissions on Criminal Code (Serious Vilification and Hate Crimes) Amendment Bill 2023 at <https://www.parliament.qld.gov.au/Work-of-Committees/Committees/Committee-Details?cid=170&id=3099>
- ²⁴ DFVPA paragraph 4(2)(d).
- ²⁵ See CESCR General Comment No. 6: The Economic, Social and Cultural Rights of Older Persons" (Thirteenth session, 1995), U.N. Doc. E/1996/22.
- ²⁶ DFVPA, section 20.
- ²⁷ Queensland Government Statistician's Office, Queensland Treasury, Insights into the abuse of older Queenslanders.
- ²⁸ See section 13(c) – an informal care relationship as a 'relevant relationship' and section 20 – defining 'informal care relationship'.
- ²⁹ <https://www.courts.qld.gov.au/court-users/researchers-and-public/stats>; This issue was also noted by the QGSO, who reported that family relationships accounted for most applications. QGSO, paragraph 5.1.4.
- ³⁰ <https://www.aihw.gov.au/reports/australias-welfare/informal-carers#:~:text=Informal%20carers%20are%20people%20who,be%20expected%20of%20these%20relationships>.
- ³¹ See sections 57, 63-66, 106A
- ³² Section 64(h).
- ³³ See *Criminal Code 1899*, section 324 Failure to supply necessities; section 328 Negligent acts causing harm.
- ³⁴ See commentary in <https://www.hopgoodganim.com.au/news-insights/elder-abuse-coercive-control-reform/>
- ³⁵ See Mitchell, Bill. "Identifying Institutional Elder Abuse in Australia through Coronial and Other Death Review Processes" [2018] MqLawJl 4; (2018) 18 Macquarie Law Journal 35; cited in Grenfell, Laura; Mackay, Anita; Debeljak, Julie. "Human Rights Accountability for Systems of Ill-Treatment in Residential Aged Care" [2021] MonashULawRw 17; (2021) 47(3) Monash University Law Review 57.
- ³⁶ See Joseph E Ibrahim, Lyndal Bugeja, Melissa Willoughby, Marde Bevan, Chebiwot Kipsaina, Carmel Young, Tony Pham and David L Ranson Med J Aust 2017; 206 (10): 442-447. | | doi: 10.5694/mja16.00873
- ³⁷ State Coroner's Guidelines 2013, p.20.
- ³⁸ Ibid, p.24.

³⁹ Ibid, pp.25-26.

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⁴¹ <https://www.ontario.ca/page/geriatric-and-long-term-care-review-committee>

⁴² Townsville Community Law, Submission No.2, Report No. 42, 57th Parliament - Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Bill 2022.

⁴³ See https://www.health.qld.gov.au/__data/assets/pdf_file/0032/719780/appena-1819-v1.0.pdf including: Karingal Nursing Home, Mt Lofty Nursing Home, Glenbrook Residential Aged Care Facility, North Rockhampton Nursing Centre, Dr E A F McDonald Nursing Home, Cooina House, The Oaks Nursing Home, Parklands Residential Aged Care Facility, Waroona Multipurpose Centre, Westhaven Nursing Home, Forest View Residential Care Facility, Eventide Nursing Home Sandgate, Eventide Home Rockhampton, Eventide Charters Towers, Milton House, Redland Residential Care Facility

⁴⁴ <https://www.legislation.qld.gov.au/view/pdf/bill.first.exp/bill-2018-076>

⁴⁵ See the *Guardianship and Administration Act 2000* (Qld).

⁴⁶ *Ageing and Disability Commissioner Act 2019* (NSW).

⁴⁷ *Ageing and Adult Safeguarding Act 1995* (SA).