

4 October 2012

The Research Director
Legal Affairs and Community Safety Committee
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Dear Committee Secretary

Guardianship and Administration and Other Legislation Amendment Bill 2012

National Seniors Australia welcomes the opportunity to submit comments to the *Guardianship and Administration and other Legislation Amendment Bill 2012*.

National Seniors Australia is the country's largest organisation representing the interests of those aged 50 and over, with more than 200,000 individual members nationally. This broad based support enables National Seniors to provide a well informed and representative voice on behalf of its members and contribute to public education, debate and community consultation on issues of direct relevance to older Australians.

Guardianship and Administration Act 2000

We welcome the amendments to the *Guardianship and Administration Act 2000* which will increase the powers of the Public Advocate. It is acknowledged that the role of the public advocate is to make recommendations about improving systems, policies and programs to better meet the needs of a specific group of people, ensuring their voices are heard on particular issues.

National Seniors supports the amendment which gives the Public Advocate authorisation to access information regarding a client to better inform their systems advocacy work. This amendment places greater accountability on the service provider to provide information regarding a client to the Public Advocate, consequently enhancing the capacity of the Public Advocate to ensure system wide processes result in improved well-being and security for clients while also improving the standards and performance of the service provider.

National Seniors also believes that the additional power given to the Public Advocate to prepare and present reports on systematic issues to

parliament will ensure political awareness of emerging issues and be conducive to good practice.

However, we recommend that confidentiality of client information be maintained and information be used only for purposes as legislated for within the Act. Additionally, it is important to evaluate the effectiveness and efficiency of the amendments in delivering better outcomes.

Queensland Civil and Administrative Tribunal Act 2009

National Seniors support the amendments to Section 52 of this Act which widens the pool of tribunal members who are able to make orders of a procedural nature to include legally qualified members, in addition to judicial members, and for the use of former judges as judicial members. Allowing non-judicial members the ability to transfer matters to more appropriate forums will result in more efficient use and application of judicial resources.

In its current form, the Act could be interpreted as limiting tribunal members to predominantly legal representatives. National Seniors believes that the incorporation of practitioner skills, experience and qualifications in membership of the tribunal will enhance the quality and consistency of outcomes for a person who uses the tribunal.

Adoption of this recommendation would enhance fair, just and effective outcomes for a person who uses the tribunal. This is consistent with the objectives of the Act which express the importance and maintenance of specialist knowledge to better respond to the needs of a person who uses the tribunal.

We hope you find these recommendations helpful. Should you have any queries please do not hesitate to contact Vera Somerwil at

████████████████████ or on ██████████.

Yours sincerely

Michael O'Neill
Chief Executive Officer