



Australian  
Human Rights  
Commission

# Consultation on the Draft National Plan to End the Abuse and Mistreatment of Older People (2024-2034)

Australian Human Rights Commission

Submission to the Attorney-General's Department

27 February 2025

ABN 47 996 232 602  
Level 19, 175 Pitt Street, Sydney NSW 2000  
GPO Box 5218, Sydney NSW 2001  
General enquiries 1300 369 711  
Complaints info line 1300 656 419  
TTY 1800 620 241

Australian Human Rights Commission  
[www.humanrights.gov.au](http://www.humanrights.gov.au)



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## 1 Introduction

1. The Australian Human Rights Commission (Commission) welcomes the opportunity to provide this submission to the Commonwealth Attorney-General's Department's (the Department) consultation on the Draft National Plan to End the Abuse and Mistreatment of Older Persons (2024-2034) (National Plan). The Commission acknowledges that the National Plan will be implemented by two, 5-year Action Plans.
2. The Commission is Australia's National Human Rights Institution, whose purpose is to provide independent and impartial services to promote and protect human rights in Australia. The Commission undertakes a range of policy development and research tasks that aim to promote compliance with Australia's human rights obligations, while also investigating and conciliating complaints of unlawful discrimination and breaches of human rights.
3. This submission is made by the Age Discrimination Commissioner of the Commission. Enhancing the rights of older people to live free from abuse and

mistreatment has been and continues to be a key priority area for the Age Discrimination Commissioner.

4. The Commission's consistent view is that a human rights-based approach to older persons – where human rights norms and principles are integrated into the planning, provision and monitoring of services – is fundamental to addressing systemic problems and enhancing the rights of older people to live free from abuse and mistreatment.
5. The Commission supports the overall vision of the National Plan and commends its commitments to taking a human rights approach, combatting ageism, listening to the voices of older people and diverse communities, and focusing on prevention and early intervention.
6. The Commission also welcomes the National Plan's recognition and acknowledgement of the diverse experiences and characteristics of older individuals.

## 2 Recommendations

**Recommendation 1: The Department to clarify the meaning and intention behind the inclusion of 'Priority Groups' on page 19 of the National Plan. If the intention is to genuinely prioritise these groups, the text must be amended to reflect this and explain how this prioritisation will be achieved. If the intention is to acknowledge those particular groups as having unique needs and experiences, alternate language such as 'have specific regard to the unique needs, interests and concerns of the following groups' should be considered.**

**Recommendation 2: The National Plan to reflect the diverse beliefs and worldviews of older people by amending the phrasing on page 14 to '*...ridiculing or making fun of someone's religious or spiritual beliefs and/or no belief or religious affiliation*' (emphasis added to indicate new words).**

**Recommendation 3: The National Plan to include a dedicated focus section on culturally and linguistically diverse communities, similar to the detailed analysis of First Nations Peoples on pages 24-26.**

**Recommendation 4: The 'National Plan to End the Abuse and Mistreatment of Older Persons 2024-2034 Program Logic' document be amended to include 'local governments' under the 'Participation' heading.**

**Recommendation 5: The National Plan's commitment to taking a 'human rights approach' to be consolidated by clear endorsement from the Commonwealth Government of an:**

- a. Australian Human Rights Act and Human Rights Framework, based on the model proposed by the Australian Human Rights Commission's Free and Equal Agenda: An Australian Conversation on Human Rights.**
- b. International Convention on the Rights of Older Persons.**

**Recommendation 6: Principle 2 of the National Plan to be amended to include reference to both education *and intergenerational* intervention in the context of combatting ageism (emphasis added to indicate addition).**

**Recommendation 7: The National Plan to commit to and embed 'supported decision-making' in Principle 5 and more broadly, and include a brief explanatory on supported decision-making.**

**Recommendation 8: The National Plan to recognise the wide range of materials relevant to informing the development of national evidence-based guidance and communication resources by expanding Priority Action 1.1 to 'Review existing *research, training, educational and* communication resources...' (emphasis added to indicate addition).**

**Recommendation 9: The National Plan to recognise and build on the existing body of work relevant to combatting ageism by expanding Priority Action 1.4 to 'Develop, *and invest in existing,* whole-of-society initiatives and other place-based solutions to combat ageism...' (emphasis added to indicate addition).**

**Recommendation 10: The National Plan to commit to fostering the sharing of best practices to reduce duplication and enhance coordination by including under Focus Area 1, an additional Priority Action to 'Develop and invest in the sharing of best practices to enhance communication and collaboration'.**

**Recommendation 11: In line with the Commission's Empowering Futures report and recommendation 5-3 from the Australian Law Reform Commission's 2017 report Elder Abuse – A National Legal Response, the National Plan to commit to a clear timeline for achieving national consistency in enduring power of attorney (EPOA) legislation as a priority, followed by the establishment of a national register of enduring documents.**

**Recommendation 12: The National Plan to include progressive steps to improve whole-of-community awareness and education about EPOAs, including the updating and adapting of the Australian Guardianship and Administration Council's publication 'You Decide Who Decides'.**

**Recommendation 13: The National Plan to commit to the Commonwealth Government taking a leadership role in achieving EPOA reform.**

**Recommendation 14: Priority 2.2 be amended to demonstrate the National Plan's commitment to establishing adult safeguarding laws and independent statutory bodies to administer safeguarding functions, in line with recommendations 11.1 and 11.2 from the Final Report of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability and recommendation 14-1 from the Australian Law Reform Commission's 2017 report Elder Abuse – A National Legal Response. These independent statutory bodies must be appropriately funded to receive and investigate allegations of elder abuse. This should be articulated within a national adult safeguarding framework to ensure consistency across all jurisdictions.**

**Recommendation 15: The National Plan to commit to implementing recommendations 5, 7, 9 and 14 of the Parliamentary Joint Committee on Corporations and Financial Services' inquiry into financial services regulatory framework.**

**Recommendation 16: The National Plan to recognise the importance of a well-educated police and judicial system in responding to the abuse and mistreatment of older persons by including specific reference to the police and judiciary under Focus Area 2.**

**Recommendation 17: The National Plan to commit to sustained funding and expansion of specialist services – specialist elder abuse units, Health Justice Partnerships and case management and mediation services – in all states and territories and in remote and rural areas.**

**Recommendation 18: The National Plan to include an additional Priority Action in Focus Area 3: 'Publish disaggregated data by state and territory of the 1800ELDERHelp phone line to inform the community, policy considerations and service responses'.**

**Recommendation 19: The National Plan to include under Focus Area 4, the use of data projections and estimates to assist in identifying emerging**

**issues, trends and risks and to inform early intervention in the abuse and mistreatment of older people.**

**Recommendation 20: The National Plan to include mechanisms for regular review, potentially aligning with the SMART targets and goals developed as part of the Monitoring and Evaluation Framework.**

### **3 General comments**

7. The Commission supports the use of the phrase 'abuse and mistreatment of older people' to refer to the wide range of conduct that can be considered elder abuse but also encourages the continued use of 'elder abuse' to ensure the terminology recognised and commonly used by the community is not lost.
8. The Commission welcomes the National Plan's recognition that an older person's experience of abuse and the services available to them will be impacted by their intersectional experiences of discrimination, disadvantage and stereotyping. However, it is unclear whether the National Plan intends for the needs, interests and concerns of the twelve priority groups listed on page 19 to be prioritised above those of other groups and the wider community as the term 'Priority Groups' would imply. It is important that the terminology used accurately reflects the intention and proposed actions of the National Plan. If it is the intention of the National Plan to genuinely prioritise these groups, the Commission recommends the inclusion of text to this effect and an explanation of how this prioritisation would occur in practice. The Commission notes that this may be challenging given the number of groups included and the fact that the list is non-exhaustive. If, on the other hand, the National Plan is seeking to acknowledge that particular groups have unique needs and experiences that require tailored approaches, the Commission recommends clarifying this in the National Plan and consideration of alternate language to 'Priority Groups', such as 'have specific regard to the unique needs, interest and concerns of the following groups'.
9. With regards to cultural and spiritual abuse on page 14, the Commission recommends the addition of 'and/or no belief or religious affiliation' to the sentence 'ridiculing or making fun of someone's religious or spiritual beliefs' to reflect the diverse beliefs and worldviews of older persons.
10. The Commission welcomes the dedicated focus on First Nations peoples and encourages the Department to take heed of the valuable insights and expertise of First Nations groups, organisations and individuals provided

through this consultation process. Given the statistical significance of culturally and linguistically diverse communities in Australia on page 29, the Commission also suggests that dedicated focus be given to this group in the form of a short spotlight, similar to the detailed analysis of First Nations Peoples on pages 24-26.

11. The Commission is pleased to see the inclusion and recognition of the role of local governments in the National Plan. However, reference to local governments is absent from the 'National Plan to End the Abuse and Mistreatment of Older People 2024-2034 Program Logic' (Program Logic) document. Local governments are critical in the coordination and provision of support services and ensuring these services are appropriately resourced to respond to the abuse and mistreatment of older persons. The Commission recommends the Program Logic document be amended to include 'local governments' under the Participation heading.
- 12. Recommendation 1: The Department to clarify the meaning and intention behind the inclusion of 'Priority Groups' on page 19 of the National Plan. If the intention is to genuinely prioritise these groups, the text must be amended to reflect this and explain how this prioritisation will be achieved. If the intention is to acknowledge those particular groups as having unique needs and experiences, alternate language such as 'have specific regard to the unique needs, interests and concerns of the following groups' should be considered.**
- 13. Recommendation 2: The National Plan to reflect the diverse beliefs and worldviews of older people by amending the phrasing on page 14 to '*...ridiculing or making fun of someone's religious or spiritual beliefs and/or no belief or religious affiliation*' (emphasis added to indicate new words).**
- 14. Recommendation 3: The National Plan to include a dedicated focus section on culturally and linguistically diverse communities, similar to the detailed analysis of First Nations Peoples on pages 24-26.**
- 15. Recommendation 4: The 'National Plan to End the Abuse and Mistreatment of Older Persons 2024-2034 Program Logic' document be amended to include 'local governments' under the 'Participation' heading.**



## 4 Principles

16. The Commission welcomes the commitment to embedding a human rights approach in the National Plan. While the broader principled approach provides an important foundation for the document, a genuine human rights approach that has accountability measures and can be practically implemented is integral to ensuring human rights are upheld.
17. The Commission draws the Department's attention to its *Free and Equal Agenda: An Australian Conversation on Human Rights* (Free and Equal) project. Free and Equal, informed by extensive research and consultation, proposes a model for an Australian Human Rights Act and Human Rights Framework. The report outlines the necessity and practical measures for embedding human rights into federal law to increase the responsibility and accountability of governments to consider how laws, policies and actions affect people's human rights, and to respect, protect and fulfil these.<sup>1</sup>
18. While there is currently no comprehensive binding international instrument dedicated to the human rights of older persons, the Commission draws the Department's attention to the ongoing work of the United Nations Open-Ended Working Group on Ageing (OEWGA) and the move towards a Convention on the Rights of Older Persons to address the gaps identified by the OEWGA.<sup>2</sup>
19. The Commission urges the Commonwealth Government to endorse both an Australian Human Rights Act and Framework and the creation of a Convention on the Rights of Older Persons. This is necessary to provide a strong foundation of internationally recognised human rights principles and standards in addition to practical mechanisms domestically for realising a genuine human rights-based approach.
20. The World Health Organization (WHO) highlights the effectiveness of both education and intergenerational interventions to combat ageism. While Principle 2 refers to the importance of education to create positive changes, the Commission suggests this be amended to include reference and recognition of intergenerational interactions, in conjunction with education, to combat ageism.<sup>3</sup>
21. The Commission welcomes the National Plan's focus on prevention and early intervention in Principle 4 and the mention of addressing risk-factors associated with people who cause harm. Past research has found that an appointed decision-maker in an enduring power of attorney (EPOA) arrangement who is experiencing personal difficulties such as issues with

alcohol, drugs, gambling, mental health or physical health; or financial, work, family or personal problems, is more likely to cause harm to an older person. The Commission's 2024 report, *Empowering futures: A national survey on the understanding and use of financial enduring powers of attorney*, found that only three in ten principles of an EPOA considered whether their prospective decision-maker was experiencing personal difficulties before appointing them. The Commission suggests that broader recognition of the importance of understanding the characteristics of people who cause harm in the National Plan would ensure prevention and early intervention is most effective. Appropriate funding of education and support services to people who cause or are likely to cause harm is a critical element of prevention and early intervention. The Commission recommends inclusion of this as a specific focus dot point on page 40.<sup>4</sup>

22. The Commission strongly supports embedding supported decision-making in regulatory frameworks in line with recommendations made by the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (DRC) and the Australian Law Reform Commission in its 2014 report on *Equality, Capacity and Disability in Commonwealth Laws* (ALRC Report 124). This would give further affect to Article 12 of the United Nations Convention on the Rights of Persons with Disability and enable people who may require decision-making support to express, and make decisions that align with, their will and preferences and fully exercise their right to legal capacity on an equal basis with others.<sup>5</sup>
23. While it is reassuring to see the inclusion of Principle 5 and the focus on supporting individual decision-making, autonomy and dignity, the Commission would like to see a stronger commitment to supported decision-making in the National Plan. In particular, the Commission recommends a clear commitment to and embedding of the phrase supported decision-making in Principle 5 and the National Plan more broadly. It is also recommended that Principle 5 include a brief explanatory on supported decision-making and how it would go towards supporting older people's independence and autonomy in decision-making to the greatest extent possible, thereby reducing the risk of abuse that may occur, such as in contexts of substitute decision-making.
24. The Commission appreciates that the detailed approach and implementation of supported decision-making will require careful consideration. However national leadership and commitment to embedding supported decision-

making in laws, policies and systems is the critical first step to ensuring that people's will, rights and preferences are safeguarded as they age and older people's agency and human rights are respected and given effect to the fullest extent possible.

**25. Recommendation 5: The National Plan's commitment to taking a 'human rights approach' to be consolidated by clear endorsement from the Commonwealth Government of an:**

**a. Australian Human Rights Act and Human Rights Framework, based on the model proposed by the Australian Human Rights Commission's *Free and Equal Agenda: An Australian Conversation on Human Rights*.**

**b. International Convention on the Rights of Older Persons.**

**26. Recommendation 6: Principle 2 of the National Plan to be amended to include reference to both education *and intergenerational* intervention in the context of combatting ageism (emphasis added to indicate addition).**

**27. Recommendation 7: The National Plan to commit to and embed 'supported decision-making' in Principle 5 and more broadly, and include a brief explanatory on supported decision-making.**

## **5 Focus Areas**

### **5.1 Focus Area 1: Increase whole-of-community awareness, education and engagement**

28. The Commission broadly supports Focus Area 1 and the need for a whole-of-community, intergenerational approach to awareness, education and engagement. The Commission also welcomes the commitment to improving coordination and collaboration of resources to reduce fragmentation and duplication.

29. The Commission is also pleased to see the inclusion of continued investment in Compass and a commitment to improve its accessibility.

30. The Commission suggests the expansion of Priority Action 1.1 to include a review of 'existing research, training, educational and communication resources'. This wider review is necessary to support the development of evidence-based national guidance.

31. The Commission further recommends expanding Priority Action 1.1 to recognise and build on the existing body of work and initiatives that have already been developed and proven as effective for combatting ageism and promoting age friendly and intergenerational communities. The Commission's research, for example, demonstrated the impact that a one-off ageism awareness workshop can have on shifting attitudes and changing people's behaviours towards older people.<sup>6</sup> Another example of this is the Centenarian Portrait Project which was an intergenerational initiative that dismantled ageist stereotypes and fostered strong connections between teenagers and centenarians.<sup>7</sup>
32. The Commission would like to see the addition of a commitment to sharing best practices among organisations as part of Focus Area 1. This would go towards reducing duplication while enhancing communication and coordination. The National Plan should also consider developing and investing in appropriate platforms to supporting the sharing of best practices. The Commission recognises it may be most efficient to leverage off the existing Compass platform to support this.
33. More broadly the Commission emphasises that awareness, education and engagement cannot be standalone initiatives and must be accompanied by proportionate investment in relevant resources, tools, services and other concrete measures to empower and enable older people and communities to take action as appropriate and apply their newfound knowledge.
- 34. Recommendation 8: The National Plan to recognise the wide range of materials relevant to informing the development of national evidence-based guidance and communication resources by expanding Priority Action 1.1 to 'Review existing *research, training, educational and communication resources...*' (emphasis added to indicate addition).**
- 35. Recommendation 9: The National Plan to recognise and build on the existing body of work relevant to combatting ageism by expanding Priority Action 1.4 to 'Develop, *and invest in existing, whole-of-society initiatives and other place-based solutions to combat ageism...*' (emphasis added to indicate addition).**
- 36. Recommendation 10: The National Plan to commit to fostering the sharing of best practices to reduce duplication and enhance coordination by including under Focus Area 1, an additional Priority Action to 'Develop and invest in the sharing of best practices to enhance communication and collaboration'.**

## 5.2 Focus Area 2: Enhance legal frameworks and adult safeguarding responses

### (a) Enduring powers of attorney

37. The Commission welcomes the focus on achieving national consistency in enduring power of attorney (EPOA) legislation in the National Plan and is pleased that this continues to be a priority for the Standing Council of Attorneys-General.

38. The Commission draws the Department's attention to our research report *Empowering futures: A national survey on the understanding and use of financial enduring powers of attorney*. This report found that while EPOAs are valued by Australians as important legal instruments for future planning, there is limited public awareness about them and most Australians do not have one in place. The research also found concerning critical gaps in Australians' knowledge and understanding of their rights and obligations under these documents, which can contribute to an increased risk of financial elder abuse. Concerningly, two in five (37%) had granted an EPOA to someone who showed characteristics identified as risk factors for perpetrating elder abuse.<sup>8</sup>

39. In line with the Commission's report, the Commission urges the Department commit to a clear timeline for the achievement of national consistency and harmonisation in EPOA legislation and, once this has been achieved, the development of a national EPOA register.

40. The Commission further recommends the Department take progressive steps towards the development and delivery of a national community awareness strategy and educational materials to fill the awareness and knowledge gaps identified, including around common core elements of EPOAs and the value of having one in place. It is recommended that the Department commit to funding to update and adapt the Australian Guardianship and Administration Council's publication 'You Decide Who Decides' into the suite of national education materials.

41. With the Commission's research finding a critical gap in both older and younger Australians' knowledge regarding EPOAs, it is critical to ensure a whole-of-community approach to education.

42. The Commission also urges the Commonwealth Government take a stronger leadership role in relation to EPOA reform. Addressing the inconsistencies in EPOA laws across jurisdictions will only become more urgent and pressing as Australia's ageing population increases. Despite the differences in current

state and territory EPOA arrangements, the Commission is of the view that national consistency is achievable with strong leadership from the Commonwealth Government.

43. With an ageing population, more Australian's are at risk of experiencing abuse due to the deliberate or inadvertent misuse of EPOAs. As recommended by the 2017 Australian Law Reform Commission report *Elder Abuse – A National Legal Response*, and inquiries from the last two decades, national consistency and harmonisation of EPOA legislation is the first step to reducing complexity and enabling a coherent national approach to filling the knowledge and education gaps clearly identified by previous reports and the Commission's report.<sup>9</sup> The Commission appreciates the Department is currently working with State and Territory Governments to achieve consensus on this issue. However, in light of the compelling evidence presented over the past two decades and the nation-wide problems surrounding EPOAs, stronger national leadership from the Commonwealth Government is warranted.

**44. Recommendation 11: In line with the Commission's *Empowering Futures* report and recommendation 5-3 from the Australian Law Reform Commission's 2017 report *Elder Abuse – A National Legal Response*, the National Plan to commit to a clear timeline for achieving national consistency in EPOA legislation as a priority, followed by the establishment of a national register of enduring documents.**

**45. Recommendation 12: The National Plan to include progressive steps to improve whole-of-community awareness and education about EPOAs, including the updating and adapting of the Australian Guardianship and Administration Council's publication 'You Decide Who Decides'.**

**46. Recommendation 13: The National Plan to commit to the Commonwealth Government taking a leadership role in achieving EPOA reform.**

(b) Adult safeguarding

47. The current complex landscape of safeguarding responses differs across state and territory jurisdiction and includes police, hotlines/helplines, public guardians, public advocates and trustees, as well as various complaint-handling bodies with differing statutory functions and powers. This piecemeal response to elder abuse, not only creates confusion around where reports of suspected elder abuse can be made, but also creates critical gaps due to the limited remit and powers of many of these agencies.

48. There is need for a timely and coordinated response from all state and territory jurisdictions to action the adult safeguarding reforms presented in the DRC and the Australian Law Reform Commission's report *Elder Abuse – A National Legal Response*, including the introduction in every state and territory of adult safeguarding laws and independent statutory bodies to administer the safeguarding functions. These should be developed within a national adult safeguarding framework to establish consistency across Australia.<sup>10</sup>
49. Adult safeguarding bodies must be empowered and resourced by state and territory governments to investigate and be a dedicated agency to respond to reports of suspected elder abuse effectively and efficiently.
50. Through the Commission's preliminary discussions and consultations with a wide range of community and financial service sector stakeholders for our Financial Elder Abuse Project, we have consistently heard the absence of a dedicated agency for reporting suspected abuse is a real gap.
51. The Commission urges the Department to make a stronger commitment in the National Plan to establishing national adult safeguarding units in all states and territories.
- 52. Recommendation 14: Priority 2.2 be amended to demonstrate the National Plan's commitment to establishing adult safeguarding laws and independent statutory bodies to administer safeguarding functions, in line with recommendations 11.1 and 11.2 from the Final Report of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability and recommendation 14-1 from the Australian Law Reform Commission's 2017 report *Elder Abuse – A National Legal Response*. These independent statutory bodies must be appropriately funded to receive and investigate allegations of elder abuse. This should be articulated within a national adult safeguarding framework to ensure consistency across all jurisdictions.**

(c) Financial elder abuse

53. The Commission is pleased to see exploring enhancements to the role of institutions in preventing financial elder abuse included on page 52 of the National Plan.
54. The Commission draws the Department's attention to the Parliamentary Joint Committee on Corporations and Financial Services' inquiry into financial services regulatory framework in relation to financial abuse (PJCC Report) which found there are significant gaps in the current legislative and regulatory framework. In particular, recommendations 5, 7, 9 and 14 of the

PJCC Report are critical to addressing financial elder abuse and should be committed to in the National Plan.<sup>11</sup>

**55. Recommendation 15: The National Plan to commit to implementing recommendations 5, 7, 9 and 14 of the Parliamentary Joint Committee on Corporations and Financial Services' inquiry into financial services regulatory framework.**

(d) Justice responses

56. The Commission is pleased to see the inclusion of justice responses to sexual violence on page 53 of the National Plan. However, the Commission suggests emphasis be given more specifically to the importance of a well-educated police and judicial system as an integral part of the eco-system to respond to the abuse and mistreatment of older persons.

**57. Recommendation 16: The National Plan to recognise the importance of a well-educated police and judicial system in responding to the abuse and mistreatment of older persons by including specific reference to the police and judiciary under Focus Area 2.**

**5.3 Focus Area 3: Strengthen the capacity and capability of services, including through targeted education and training for professionals**

58. The Commission supports the inclusion of Focus Area 3 and emphasises the importance of sustained funding and expansion of specialist services for older people experiencing abuse or mistreatment. This would ensure they are maintained and able to meet demand, particularly as Australia's population ages.

59. The Commission notes that the three specialist services on page 54 – specialist elder abuse units, Health Justice Partnerships and case management and mediation services – are not consistently available across all states and territories. This demonstrates a critical gap where funding should be provided. There is also scope for further expansion of these services in remote and rural areas to ensure all older persons in Australia have access. Family mediation services are a critical element in the resolution of family elder abuse matters and should be appropriately funded on a long term basis across all state and territory jurisdictions.



60. The Commission also encourages the Department to publish data from the 1800ELDERHelp phone line and disaggregate this data by state and territory. This would not only inform the community but provide important information to inform policy considerations and service responses.
61. **Recommendation 17: The National Plan to commit to sustained funding and expansion of specialist services – specialist elder abuse units, Health Justice Partnerships and case management and mediation services – in all states and territories and in remote and rural areas.**
62. **Recommendation 18: The National Plan to include an additional Priority Action in Focus Area 3: ‘Publish disaggregated data by state and territory of the 1800ELDERHelp phone line to inform the community, policy considerations and service responses’.**

#### **5.4 Focus Area 4: Address gaps in the evidence base and increase collaboration**

63. The Commission supports Focus Area 4 and is pleased to see the development of a Monitoring and Evaluation Framework as a Priority Action and the collection of longitudinal data to support ongoing monitoring.
64. The Commission draws the Department’s attention to the importance of using data projections and estimates to support forward planning and the identification of emerging issues, trends and risks. This form of data collection is crucial to early intervention and informing a national evidence-based prevention framework. The commitment to collecting projection data would also be in line with Principle 4 of the National Plan.
65. The Commission further recommends that the National Plan incorporate mechanisms for regular review. It is important to not only track progress of the two Action Plans against the National Plan, but also provide opportunities for the National Plan to be reviewed and updated at regular intervals. This is particularly important given the 10-year length of the National Plan and to ensure flexibility for the National Plan to respond to any emerging issues, trends and/or risks identified through data and other monitoring activities committed to in the National Plan. The Monitoring and Evaluation Framework, with its identification of Specific, Measurable, Achievable, Relevant and Time-bound (SMART) targets and goals for the National Plan, referred to on page 31, could provide the relevant structure and indicators for these regular reviews.

**66. Recommendation 19: The National Plan to include under Focus Area 4, the use of data projections and estimates to assist in identifying emerging issues, trends and risks and to inform early intervention in the abuse and mistreatment of older people.**

**67. Recommendation 20: The National Plan to include mechanisms for regular review, potentially aligning with the SMART targets and goals developed as part of the Monitoring and Evaluation Framework.**

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<sup>1</sup> Australian Human Rights Commission, *Free and Equal: An Australian conversation on human rights* (2023) <<https://humanrights.gov.au/free-and-equal>> and *Revitalising Australia's Commitment to Human Rights: Free and Equal Final Report 2023* (December 2023) 32-33 <[https://humanrights.gov.au/sites/default/files/2311\\_freeequal\\_finalreport\\_1\\_1.pdf](https://humanrights.gov.au/sites/default/files/2311_freeequal_finalreport_1_1.pdf)>.

<sup>2</sup> United Nations General Assembly, 'Resolution adopted by the General Assembly on 13 August 2024' <<https://docs.un.org/en/A/RES/78/324>>.

<sup>3</sup> World Health Organization, *Global Report on Ageism* (2021) <<https://iris.who.int/bitstream/handle/10665/340208/9789240016866-eng.pdf?sequence=1>>.

<sup>4</sup> Australian Human Rights Commission, *Empowering futures: A national survey on the understanding and use of financial enduring powers of attorney* (2024) <<https://humanrights.gov.au/our-work/age-discrimination/publications/empowering-futures-report-enduring-powers-attorney-2024>> 45.

<sup>5</sup> Australian Law Reform Commission, *Equality, Capacity and Disability in Commonwealth Laws* (Final Report 124, August 2014) <<https://disability.royalcommission.gov.au/publications/final-report>> and Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, *Enabling Access and Autonomy* (Final Report September 2023) rec 6.6.

<sup>6</sup> Australian Human Rights Commission, *Changing Perspectives: testing an ageism intervention* (2023) <[https://humanrights.gov.au/sites/default/files/document/publication/changing\\_perspectives\\_2023\\_.pdf](https://humanrights.gov.au/sites/default/files/document/publication/changing_perspectives_2023_.pdf)>.

<sup>7</sup> Embraced, 'The Centenarian Portrait Project by Teenagers' (Webpage) <<https://www.embraced.com.au/centenarian-protrait-project>>.

<sup>8</sup> Australian Human Rights Commission, *Empowering futures: A national survey on the understanding and use of financial enduring powers of attorney* (2024) <<https://humanrights.gov.au/our-work/age-discrimination/publications/empowering-futures-report-enduring-powers-attorney-2024>>.

<sup>9</sup> Australian Human Rights Commission, *Empowering futures: A national survey on the understanding and use of financial enduring powers of attorney* (2024) <<https://humanrights.gov.au/our-work/age-discrimination/publications/empowering-futures-report-enduring-powers-attorney-2024>> and Australian Law Reform Commission, *Elder Abuse – A National Legal Response* (Final Report 131, May 2017) rec 14-1 and 14-2 <<https://www.alrc.gov.au/publication/elder-abuse-a-national-legal-response-alrc-report-131/9-banking/banks-responding-to-elder-abuse-2>>.

<sup>10</sup> Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability *Final Report – Volume 11* (September 2023) rec 11.1 and Australian Law Reform Commission, *Elder Abuse – A National Legal Response* (Final Report 131, May 2017) rec 14-1 and 14-2

<<https://www.alrc.gov.au/publication/elder-abuse-a-national-legal-response-alrc-report-131/9-banking/banks-responding-to-elder-abuse-2>>.

<sup>11</sup> Parliamentary Joint Committee on Corporations and Financial Services, *Financial abuse: an insidious form of domestic violence* (Report December 2024) rec 5, 7, 9 and 14

<[https://parlinfo.aph.gov.au/parlInfo/download/committees/reportjnt/RB000471/toc\\_pdf/Financialabuseaninsidiousformofdomesticviolence.pdf](https://parlinfo.aph.gov.au/parlInfo/download/committees/reportjnt/RB000471/toc_pdf/Financialabuseaninsidiousformofdomesticviolence.pdf)>.