17 February 2025

The Proper Officer
Australian Government Attorney-General's Department
By email: nationalplan@ag.gov.au

Dear Madam/Sir,

Consultation draft of the National Plan to End the Abuse and Mistreatment of Older People 2024-2034

Kingsford Legal Centre (KLC) welcomes the opportunity to provide feedback on the Draft National Plan to End the Abuse and Mistreatment of Older People 2024-2034 ('Draft National Plan'). We consent to this feedback being published.

We commend the work done by the Commonwealth, State and Territory Governments in the development of this Draft National Plan. The Draft Plan is written in an accessible way and prioritises a human rights approach to the protection of Australia's older population. We commend the wide consultation undertaken in the formulation of the Draft National Plan, including with people with lived experience, First Nations peoples, culturally and linguistically diverse communities and LGBTQIA+ people.

For all case studies in this submission, names and identifying information have been changed to protect confidentiality.

About Kingsford Legal Centre

Kingsford Legal Centre is a community legal centre, providing free legal advice, casework and community legal education to people in south-east Sydney since 1981. As well as our generalist legal service, we specialise in discrimination law and run a state-wide Sexual Harassment & Discrimination Legal Clinic. We also collaborate with Redfern Legal Centre and the Inner City Legal Centre in a state-wide employment law service (the Employment Rights Legal Service). We give advice on a wide area of age discrimination law matters as part of our generalist and specialist legal services.

KLC is part of the UNSW Sydney Faculty of Law & Justice and provides clinical legal education to over 600 UNSW law students every year. We provide students with an experiential learning opportunity across all KLC's work, including our work with older people living in our community.

KLC's Health Justice Partnership

In addition to our generalist legal service and specialist state-wide services, KLC runs a specialist Health Justice Partnership (HJP) with the Prince of Wales Hospital (POWH) and Eastern Suburbs Mental Health Service (ESMHS). Health justice partnerships are

collaborations between legal and health services that support people who are both more likely to experience chronic health conditions and have unmet legal need. As part of our HJP, our lawyers regularly attend POWH hospital campus to see patients and follow up with them after they are discharged. KLC works closely with health professionals to provide this service, including social workers, psychologists and transitional aged care teams.

In 2023-2024 our HJP helped 131 clients by providing 205 instances of legal advice, performing 92 legal tasks and opening 49 case files. Thirty-one per cent of our HJP clients in that year were aged 65 and over.

Our HJP was independently evaluated by NSF consulting in 2024.[1] That report found that our HJP model was cost-effective and saved considerable time for busy health workers. It also had significant positive benefits for patients who reported feeling less stressed and more confident about working through their legal issues. The HJP managed to reach high numbers of clients experiencing disadvantage, including older people.

While the HJP accepts referrals for patients of any age, the numbers of older patients referred to us has steadily increased in the last 3 years. In the 2021/2022 year, 20% of our HJP patients were aged 65 or over. This had risen to 31% in 2023/2024. This increase is primarily explained by the HJP's focus on guardianship law and "planning ahead" documents generally. KLC provides expert advice and legal assistance in drafting Enduring Powers of Attorney and Enduring Guardianship documents for older patients, providing advice to patients and their families about guardianship laws generally and other areas of law that commonly apply to them (including social security, housing and credit/debt matters). This work is multidisciplinary in nature, with KLC solicitors working collaboratively with health teams from both inpatient and outpatient aged care services, as well as the specialist Older Person's Mental Health Unit at POWH campus.

[1] NSF Consulting, *5 Years of Impact: An Evaluation of the Health Justice Partnership between Kingsford Legal Centre, Prince of Wales Hospital and the Eastern Suburbs Mental Health Service*, (September 2024), https://www.unsw.edu.au/content/dam/pdfs/law/klc/research-reports/5%20Years%20of%20Impact-%20Eval%20of%20HJP%20between%20KLC%2c%20POWH%20and%20ESMHS%20(1).pdf

Recommendations

1. Australia should ensure the protection of human rights in domestic law, including the rights of older people, by enacting a Human Rights Act.
2. The National Plan should create an onus on all governments to increase awareness of age discrimination complaints mechanisms and to fund free legal services to provide community legal education and free legal assistance in these complaints.
3. The Draft National Plan should consider the implementation of legislation creating a positive duty to prevent age discrimination, such as in the *Sex Discrimination Act* 1984 (Cth).
4. The Commonwealth Government should remove the age barrier to eligibility for NDIS support or alternatively increase support through My Aged Care so that they are equivalent to NDIS supports.
5. The Draft National Plan should seek national consistency in Enduring Guardianship instruments and should place greater emphasis on the significance of these documents.
6. A voluntary National Registry of enduring instruments should be created and administered by State or Territory Trustee/Guardians.
7. Expert interpreting and translating service should be available for older people from CALD backgrounds seeking to enter into enduring substitute decision-making arrangements.
8. More funding should be allocated to better support and educate people holding enduring appointments, including for State and Territory helplines for when the appointee is concerned about decisions to be made or how to keep proper records.
9. There should be greater funding for widespread and free community legal education about supported and substitute decision-making arrangements while people still have the capacity to do so.
10. Greater funding is required for free legal assistance services, especially health justice partnerships, to provide advice and legal assistance to older people needing enduring instruments.
11. Free and low-cost elder mediation processes should be more widely available in Australia.

Principles and overarching themes

KLC supports and endorses all 6 priority principles as set out in the Draft National Plan.

Our feedback on the Draft National Plan primarily relates to the highlighted Principles below:

1. **Taking a Human Rights approach**
2. **Combatting ageism**
3. Listening to and learning from the experiences of older people and diverse communities
4. **A strong focus on prevention and early intervention**
5. **Supporting individual decision making, autonomy and dignity**
6. A person-centred and trauma-informed response

Principle 1- Taking a human rights approach

KLC endorses the Draft National Plan's first principle embedding a human rights approach to the prevention and response to abuse and mistreatment of older people. The framework rightly prioritises the empowerment of older people to lead fulfilling and meaningful lives, and to live with dignity, independence and individual autonomy.[2]

KLC supports a Convention on the Rights of Older Persons. We recognise that this is beyond the scope of this Draft National Plan, however, we consider that an international convention would greatly improve the lives of older people globally, including Australia's increasing population of people over the age of 65. A Convention on the Rights of Older Persons would play an important role in informing our domestic legal and policy frameworks to help prevent the mistreatment of older people and to increase their participation in society. While older people are protected by other international human rights instruments, the lack of clear and forceful protections specifically addressing the needs of older people at international law provides inadequate protections to enable their full and active participation in all areas of social and economic life.[3]

At domestic level, we believe that Australia needs a federal Human Rights Act to ensure that internationally recognised human rights are respected at every level of society, including by police, government decision-makers, courts and tribunals, institutions, and organisations. A Human Rights Act should also protect the rights of older people in Australia. This is vital to ensure that all laws and policies are made and enforced according to established rights and core human rights principles, including the principles of equality and non-discrimination, universality, interdependence, indivisibility, [4] and proportionality.[5]

Recommendation 1:
Australia should ensure the protection of human rights in domestic law, including the rights of older people, by enacting a Human Rights Act.

Principle 2- Combatting Ageism

KLC agrees with the Draft National Plan's focus on ensuring that older people are treated with equality and fairness, regardless of age, and live free from discrimination.[6] We believe that combatting ageism and ensuring that older people live free from discrimination requires that all governments take steps to better inform the community of these rights and of the steps people can take to enforce them.

[2] Draft National Plan, 34.
[3] Andrew Byrnes and Annie Herro, 'Transcending the Framing Contests over the Human Rights of Older Persons', (2021) 38 *Australian Yearbook of International Law* 253,254.
[4] See Universal Declaration of Human Rights 1984 (General Assembly Resolution 217A).
[5] See UN Economic and Social Council, Siracusa Principles on the Limitation and Derogation Provisions in the International Covenant on Civil and Political Rights, UN Doc E/CN.4/1985/4 (1985)
[6] Draft National Plan, 35.

In KLC's experience, however, older people are reluctant to make age discrimination complaints under the *Age Discrimination Act* 2004 (Cth) and State/Territory discrimination laws. The Australian Human Rights Commission's 2024 Annual Report shows that complaints under the *Age Discrimination Act* are the lowest category of complaints at only 5% of total complaints, with most of these complaints being in the area of employment.[7] Age discrimination complaints are consistently the lowest category of complaints made to the Commission and Anti-Discrimination NSW. In KLC's view, this is because of high levels of ageism in society, particularly by employers, and the difficulty faced by many older people in accessing free legal support to make discrimination complaints. We recommend the Government should consider other more robust measures to combat age discrimination such as legislating a positive duty to prevent age discrimination, such as in the *Sex Discrimination Act* 1984 (Cth). It is clear a complaints-based system alone is not effective or sufficient to combat agism and human rights abuses for older Australians.

Recommendation 2
The Draft National Plan should create an onus on all governments to increase awareness of age discrimination complaints mechanisms and to fund free legal services to provide community legal education and free legal assistance in these complaints.

Recommendation 3
The Draft National Plan should consider the implementation of legislation creating a positive duty to prevent age discrimination, such as in the *Sex Discrimination Act* 1984 (Cth).

One of the ways Australia can take significant steps to combat ageism and to increase the participation of older people in employment, education and society generally is to change the age restriction applying to the National Disability Insurance Scheme (NDIS), or to ensure that supports through My Aged Care are equivalent to those under the NDIS. At present, anyone who acquires a disability after they turn 65 or who does not apply for the scheme until after they turn 65 is not eligible for NDIS support.[8] This exclusion is inconsistent with Australia's obligations under the *Convention on the Rights of Persons with Disabilities* ('CRPD')[9], where the definition of "persons with disabilities" in article 1 does not discriminate according to age. We should not be singling out older people with disability by excluding them from the full benefits of the NDIS.

The decision by the Australia Government to exclude certain older people from the NDIS makes it clear that there exists in society and in the law a dissonance between what is understood as "disability" and what is understood as the process of "normal ageing". The choice of 65 as a cut-off point for access to services when access to the Age Pension for most people is 67 is arbitrary and out of step with increasing longevity in many

[7] Australian Human Rights Commission, *Annual Report 2023-2024, 3, https://humanrights.gov.au/our-work/commission-general/publications/annual-report-2023-24*
[8] *National Disability Insurance Scheme Act* 2013, section 22.
[9] *Convention on the Rights of Persons with Disabilities,* opened for signature 30 March 2007 (entered into force 3 May 2008), 2515 UNTS 3.

countries and initiatives to ensure greater workforce participation for older people. Supports available by the NDIS are broad, and can include help to access the community and enjoy social independence, respite and specialist accommodation support, domestic and transport assistance, supported employment, specialist transition to work programs and a range of therapy programs.[10] Unlike the NDIS which can fund supports deemed "reasonable and necessary", My Aged Care funding is capped and provides limited funding to enable greater participation by older people in society and the economy. This inequity was recently highlighted by the Aged Care Royal Commission, who found a lack of parity between the supports provided by the aged care system and the NDIS.[11]

Recommendation 4
The Commonwealth Government should remove the age barrier to eligibility for NDIS support or alternatively increase support through My Aged Care so that they are equivalent to NDIS supports.

Principles 3 and 4: A strong focus on prevention and early intervention; Supporting individual decision making, autonomy and dignity

We will address these principles together as we believe that a focus on prevention and early intervention is directly related to supporting individual decision-making and autonomy. Our below comments are based on our extensive experience advising and drafting enduring instruments for clients, particularly through our health justice partnership work.

Supported and substitute decision-making

The Draft National Plan recognises that older people are more likely to need assistance with decision-making and that with this comes an increased risk of abuse. This is something that we see first-hand at Kingsford Legal Centre with increasing frequency. We make the following observations in this regard.

First, there is inconsistency in the language used in the Draft National Plan in relation to enduring instruments and appointments. Specifically, except for the Glossary, the Draft National Plan only refers to Enduring Power of Attorneys throughout. In New South Wales, as well as other jurisdictions, there are two forms of enduring appointments: Enduring Power of Attorney (**EPOA**), which authorises legal and financial decisions, and Enduring Guardianship (**EG**), which authorises personal and medical decisions.

The language in the Draft National Plan is inconsistent with the NSW regime and is therefore confusing because at some points in the Draft Plan EPOAs are referred to in the context of personal and medical decisions, such as at page 50 where the Plan refers

[10] Australian Government: Productivity Commission, *Disability Care and Support,* (2011), https://www.pc.gov.au/inquiries/completed/disability-support/report/disability-support-volume1.pdf
[11] Royal Commission into Aged Care Quality and Safety, *Final Report: Care, Dignity and Respect-Volume 1,* (2021), https://www.royalcommission.gov.au/system/files/2024-03/aged-care-rc-final-report-volume-1.pdf

to '[e]ducation and awareness-raising efforts will promote the use of EPOAs as advanced care planning instruments which operate to strengthen the independence and dignity of older people.'

As a result of the language used in the Draft National Plan being inconsistent with the current substitute decision-making regime in NSW, it minimises the importance of EGs as advanced care planning instruments in this jurisdiction. In our view, EG appointments are equally important instruments to EPOAs. Similarly, they are equally at risk of abuse. Not expressly addressing these instruments in the Draft Plan risks falling short of meeting human rights frameworks. For example, Principle 1 emphasises taking a human rights approach to preventing and responding to the abuse and mistreatment of older people. The human rights principles identified as underpinning this theme are:

- Liberty and safety
- Dignity and independence
- Living and care
- Privacy and relationships
- Participation
- Self-fulfillment

In NSW, an EG appointment touches on all the above listed principles because an EG's functions can include deciding where a person lives, which personal services they receive, who the person under guardianship sees or speaks to, which social or cultural activities they participate in, what medical treatment they receive, and other such personal and medical decisions.

The emphasis in the Draft National Plan on EPOAs, therefore, is confusing and has the effect of minimising the importance of Enduring Guardianship as an advanced care planning instrument and the significant relationship of trust established by such an instrument. It is unclear from the Draft National Plan whether this is an intentional decision of the drafters or an unintended oversight.

Either way, KLC generally supports proposed priority action 2.1 for this Priority Area, subject to it being broadened to refer to enduring instruments and appointments of any kind. We emphasise the importance of not only national consistency in EPOA laws but also guardianship laws and recommend that the Draft National Plan address this in a more explicit way and make consequential amendments.

Recommendation 5
The Draft National Plan should seek national consistency in Enduring Guardianship instruments and should place greater emphasis on the significance of these documents.

Secondly, enduring instruments are particularly vulnerable to abuse. This is because when a person is appointed to an enduring role, the principal is effectively delegating their legal personhood and/or personal autonomy to the appointee or appointees. In

our advice and casework, we have come across numerous cases where financial and other abuse has been perpetrated on an older person through the misuse of these instruments. The following case study is an example of one of the most extreme cases we have encountered.

Case study

Bassim came to KLC to discuss his father Farouk. Farouk had advanced dementia and lived in a nursing home, and did not have capacity to give us instructions or communicate effectively. Bassim was worried as he had just found out that his father's wife had transferred his father's house into her own name, sold it, and bought another house in her own name only. Bassim found out that a private solicitor had drafted an Enduring Power of Attorney (EPOA) appointing Farouk's wife as his attorney, even though Farouk did not have capacity to make these decisions, and there were numerous medical reports and scans to prove this. While Farouk was able to communicate, he had made it clear to all his family that he wanted his home to be shared between all his adult children and grandchildren after he passed away.
KLC gave advice to Bassim about his options. Unfortunately, there were no alternatives in this matter other than expensive and lengthy civil court proceedings that are generally not covered by legal aid or another free legal service. This matter took over 3 years and considerable resources and expense to resolve.

The drafting of enduring documents requires specialist knowledge and skills by lawyers, and greater protections to be put in place to prevent financial and other abuses of principals. This includes greater education of solicitors practising in these areas of law, including in their early legal education, as well as the creation of a national register of enduring instruments and greater oversight by State and Territory bodies. State and Territory Tribunals exercising guardianship functions should also be extended to allow them to consider cases of exploitation, including the power to order the guardian or attorney to pay compensation for loss to the principal.

A National Register of enduring instruments

To address the risk of abuse of enduring instruments, KLC recommends that, in addition to national consistency in the laws, there should be a national register of enduring instruments and participation be voluntary. The register should also include the ability to notate any amendments and record revocations. Such a register could be administered by the relevant State or Territory Trustee and/or Guardian, who can then, subject to consent being obtained, notify appropriate State and Federal agencies of the existence of the instrument. Similarly, if private institutions or individuals have concerns about the veracity of an instrument, they can contact the relevant body to facilitate authentication.

KLC recommends that any national registry be voluntary and not necessarily require the instrument to be registered to accommodate privacy concerns that will arise if the system is compulsory. For example, the requirement that a person register an instrument that lists their personal assets or medical treatment preferences might form

a disincentive to register the mere existence of the instrument and the identity of the nominated appointee.

Recommendation 6
A voluntary national registry of enduring instruments should be created and administered by State or Territory Trustee/Guardians.

Greater support to minimise risks associated with enduring instruments

Greater public resources to provide pragmatic interventions and supports can play a significant role in minimising unintended harm through enduring instruments. In particular, we recommend:

- there be a free and/or low-cost interpreting and translating service available for CALD older persons seeking to enter into enduring substitute decision-making arrangements, and that the interpreters and translators deployed be sufficiently trained in technical legal language. Concepts of substitute decision-making can be very difficult to translate accurately, with different cultures and countries around the world having varying mechanisms and understandings of the role of an attorney, guardian or other type of substitute decision-maker. We believe that a high degree of misunderstanding exists in many CALD communities about the role of EG and EPOA documents due to different concepts and understandings across cultures and jurisdictions.
- funding be allocated to better support for and education of those holding enduring appointments e.g. funding be made available for a helpline for when the appointee is concerned about decisions to be made or how to keep proper records. The Australian Human Rights Commission recently found that only a small portion of appointed decision-makers felt they understood their responsibilities very well when they started their role.[12] The paperwork and administration required for appointees can often be overwhelming for many people, and greater support should be provided to assist with this important role.

Recommendation 7
Expert interpreting and translating service should be available for older people from CALD backgrounds seeking to enter into enduring substitute decision-making arrangements.

Recommendation 8
More funding should be allocated to better support and educate people holding enduring appointments, including for State and Territory helplines for when the appointee is concerned about decisions to be made or how to keep proper records.

[12] Australian Human Rights Commission, *Empowering futures: A national survey on the understanding and use of financial enduring powers of attorney,* September 2024, https://humanrights.gov.au/our-work/age-discrimination/publications/empowering-futures-report-enduring-powers-attorney-2024

Clearer avenues to report concerns about enduring appointments

We support the need for clearer avenues to report concerns about the possible abuse of enduring appointments, particularly for those working in government supported roles such as health and community outreach where information is obtained in confidential settings. An example of this is where health workers obtain information that indicates that there may be abuse or mistreatment or an older person occurring, but the information is subject to privacy legislation. Health workers are rightly concerned about their duties not to breach these laws but are often left without options as to how to report an older person at risk of abuse. Consideration should be given of alternative reporting regimes and/or mandatory reporting by health and other professionals where there is a risk of abuse or mistreatment of an older person.

Widespread community education on 'planning ahead'

It is also critical that there be widespread and free community education about supported and substitute decision-making arrangements, and the importance of older people advance planning while they still have the capacity to do so. Too often we receive referrals where capacity is already a concern or, regrettably, lost and those caring for the older person are left with the time-consuming administration of arranging for an appointment to be made under the relevant legislation. KLC frequently runs free community legal education sessions in partnership with local community organisations on 'planning ahead'. These sessions are very popular and well-attended, however we are only able to run these sessions in our local community. Better funding for specialist seniors' services and generalist community legal centres to provide community education sessions to their local residents is required to provide greater awareness of the important role that these documents play.

Recommendation 9
There should be greater funding for widespread and free community legal education about supported and substitute decision-making arrangements while people still have the capacity to do so.

Increased free legal assistance services, particularly through health justice partnership models

KLC receives regular referrals from our health partners in relation to older people needing advice on EPOAs, EGs and Advance Care Directives. In 2023/2024, over 40% of our HJP services related to EPOA and EG assistance. KLC adopts a best practice approach to providing this legal assistance, even in busy settings like hospitals. We assist clients who are still in-patients and see clients in their homes after they have been discharged, in our office or in community outreach locations. We generally draft these documents based on several appointments with our clients, to give people adequate time to consider their options and provide instructions. This also gives us time to properly assess a person's capacity and consider any supports they need.

Providing this service is critical in a HJP setting. Our clients often tell us that finalising these documents gives them peace of mind and alleviates their stress, especially when

they are also dealing with declining health, a worrying new diagnosis or family conflict. This accords with the Australian Human Rights Commission's recent findings that EPOAs are generally valued for providing peace of mind and control over who will make formal decisions.[13] Despite this, most Australians have not taken steps to arrange EPOAs, meaning that their wishes are not always being met, matters end up in Tribunals causing unnecessary stress and delay at a difficult time, and opportunities for the abuse and financial exploitation of older people are created.

Case study

Yifei is in her early 70s. She lives with her husband, Bo, who is also in his 70s. They both receive the Age Pension and own their home but have limited savings. Yifei has recently been diagnosed with a life-threatening tumour. Her only hope of treating it was through complicated surgery, that may leave her unable to manage her financial and other affairs, even if she fully recovers. She did not have any enduring instruments in place, so the social workers at the hospital set up an appointment with KLC.

Yifei wanted to make sure that the right people made decisions for her, if she became unable to do this herself. She wanted Bo to make these financial and health decisions but knew he would need help. She was worried that the hospital and banks may end up relying on her daughter, from whom she was estranged. Yifei preferred her stepdaughter to play this role, but worried that the hospital, banks and other institutions would not listen to her.

Yifei was relieved that we were able to draft her documents for her for free *before* her surgery took place. She appointed Bo and her stepdaughter as her attorneys and guardians. She felt less stressed going into the surgery as we were able to make sure that the documents reflected her choices about who she trusted to make these important decisions for her.

We endorse the Draft National Plan's emphasis on the availability of specialist services that support older people experiencing, or at risk of, abuse or mistreatment. We echo the findings of the review of specialist Commonwealth funded services in 2021 that found that models of working including health justice partnerships, specialist elder abuse units and mediation services were meeting the needs of older people.[14] Unfortunately funding for these types of specialist services is very limited. While our HJP is not specifically funded as a specialist service for older people, as stated above a significant proportion of our clients are aged 65 and older. This is because there is a clear demand from these vulnerable patients and their health workers for free legal advice, particularly in the areas of guardianship, social security and housing. KLC can provide this expert legal assistance, however our current funding is only sufficient to employ one HJP solicitor, so we are unable to take on all referrals made to us, and we experience significant difficulty in making referrals for the people we cannot assist.

[13] Australian Human Rights Commission, *Empowering futures: A national survey on the understanding and use of financial enduring powers of attorney*, September 2024, https://humanrights.gov.au/our-work/age-discrimination/publications/empowering-futures-report-enduring-powers-attorney-2024

[14] Draft National Plan, 54.

Many of the people referred to us through our HJP are unable to afford private solicitors to draft their enduring instruments. From our own inquiries, we know that private solicitors can charge anywhere from $400 to $1,500 to draft an EPOA and EG. This is simply unaffordable for many of the patients referred to us, who mainly rely on the Age Pension. Many private solicitors are also unable to provide assistance in the manner that best suits these patients, who may need to be seen either at hospital or in their homes/nursing homes. Free services provided through the NSW Trustee & Guardian are also inaccessible for many people, as there are very long waits of sometimes up to 6 months for these appointments, and home visits/nursing home attendance is not offered. In addition to these considerations, most legal aid and community legal centres in NSW do not draft these documents as they need to manage their already very busy overall workloads on limited funding.

Recommendation 10
Greater funding is required for free legal assistance services, especially health justice partnerships, to provide advice and legal assistance to older people needing enduring instruments.

Greater availability of elder mediation processes

Elder mediation refers to mediation processes where the dispute involves an older adult and at least one other party, or contains issues that have a particular impact on an older adult.[15] Elder mediation processes usually involve consideration specifically concerning older people such as:

- housing, in particular transitions to specialist retirement or nursing home accommodation;
- safety concerns;
- the role and appointment of care-givers;
- intergenerational conflicts within families and household;
- estate planning; and
- guardianship.

While elder mediation can be complex, it is an effective tool to manage many actual and potential conflicts involving older people and is aimed at ensuring that the voices of older people are heard by as many people as possible involved in their lives. They can be an important tool in managing transitions in life, such as retirement, ill health, the death of a partner and changes in accommodation. While there is a growing specialist elder mediation network in Australia[16], unfortunately, there are very few free or low-cost elder mediation services available. There are also very limited mediation processes offered by State and Territory Tribunals in guardianship and financial management matters. Free and affordable elder mediation processes should be more widely accessible across Australia as both an option to manage conflicts and to prevent them,

[15] Joan Braun, 'Elder Mediation: Promising Approaches and Potential Pitfalls' (2013) 7 *Elder Law Review* (University of Western Sydney) (refereed), 2.
[16] Elder Mediation Australasian Network, https://elder-mediation.com.au/

ensuring that the best interests, wishes and dignity of the older person remain paramount.

Recommendation 11
Free and low-cost elder mediation processes should be more widely available in Australia.

Please let us know if you have any questions about this feedback. You can reach us on legal@unsw.edu.au

Yours faithfully,
KINGSFORD LEGAL CENTRE

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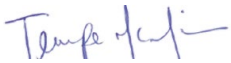

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