

Thursday, 15 June 2017

## Recommendations in new elder abuse report should trigger decisive Government action

A new incident response scheme for aged care should be introduced, and many of the other key recommendations of the Australian Law Reform Commission's (ALRC's) vitally important report pursued, according to the Law Council of Australia.

The ALRC has released its [final report into elder abuse](#), capping off a national inquiry that was launched in February last year.

Law Council of Australia President, Fiona McLeod SC, noted that many of the recommendations the Law Council made on behalf of the Australian legal profession had been included in the ALRC's final report and urged the Federal Government to act decisively.

"This report is absolutely correct in noting the need for a new serious incident response scheme for aged care, with an independent oversight body to monitor and oversee investigations," Ms McLeod said.

"As things stands currently there is no one organisation tasked with investigating and responding to elder abuse, and that makes it difficult – or sometimes impossible – to respond and deal with allegations of abuse.

"The Law Council also strongly backs the creation of a national online register of enduring documents, to ensure that doctors, financial planners, and other professionals are able to quickly ascertain whether a power of attorney document is valid or whether it has been superseded.

"We also welcome the recommendation that the Law Council, with the state-based law societies, should develop guidelines for legal practitioners in relation to the preparation and execution of wills and other advance planning documents. This will ensure they provide thorough coverage of elder abuse and undue influence.

"We also urge the Government to move swiftly toward the development of a National Plan to combat elder abuse as well as a national prevalence study.

"This is a crucially important report and we commend the Attorney-General for his referral to undertake this inquiry and the Australian Law Reform Commission for the outstanding work they have done in this space," Ms McLeod said.

---

**Patrick Pantano: Public Affairs**  
P 02 6246 3715  
E [Patrick.Pantano@lawcouncil.asn.au](mailto:Patrick.Pantano@lawcouncil.asn.au)

**Anil Lambert: Media**  
P 0416 426 722  
E [anil@hortonadvisory.com.au](mailto:anil@hortonadvisory.com.au)