Appendix C: Exhibits

1  CONFIDENTIAL

2  *Stop Abuse of Older People* (brochure produced by The Australian Pensioners’ and Superannuants’ League Queensland Inc)

3  CONFIDENTIAL

4  CONFIDENTIAL

5  CONFIDENTIAL

6  *Citizens Advice Bureau et al in Australia* (list of contact details)

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<td>10</td>
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<td>11</td>
<td>Newspaper extracts and advertisements (provided by Mr &amp; Mrs Leo &amp; Frances Kelly)</td>
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<td>12</td>
<td><em>Are You Retired or About to Retire?</em> (brochure produced by the Association of Independent Retirees Ltd)</td>
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<td>13</td>
<td>Newsletter of the Association of Residents of Queensland Retirement Villages Inc, May 2006</td>
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<td>14</td>
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<td>15</td>
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<td>16</td>
<td>Extract of US report ‘<em>Undue Influence and Financial Exploitation with case study</em>’</td>
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<td>18</td>
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<td>19</td>
<td><em>IN FACT Newsletter, September 2006</em></td>
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<td>20</td>
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<td>21</td>
<td><em>Queensland Retirement Village Industry</em> (brochure of the Association of residents of Queensland Retirement Villages)</td>
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</table>
Additional material from members of the Association of Residents of Queensland Retirement Villages (Inc), provided by Mrs Maureen Walsh

Material on US jurisdictions with religious accommodations in their civil adult abuse and neglect laws, provided by Christian Science Australia

Warning: Systematic Stealing of Peoples Homes and Assets, flyer from the Alternative Guardian, a division of The Oppressed People of Australia Inc

Social Security Fraud Committed by Older People (provided by the Legal Aid Commission of NSW)
34 *Public Justice, Private Lives* (CD ROM), Queensland Law Reform Commission

35 *Prevention and Protection - Responding to Abuse of Older Persons – A guide for Aged Care Workers*, Bendigo Health Care Group

36 Extract from Legal Aid Agreement for Tasmania: *Commonwealth Aid Priorities*

37 *Access to Justice and Legal Needs*, report of the Law and Justice Foundation of NSW, December 2004

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39 CONFIDENTIAL

40 CONFIDENTIAL

41 CONFIDENTIAL

42 CONFIDENTIAL

43 CONFIDENTIAL

44 *Does attitude to provision by "case managers" or "liaison officers" affect acceptance of services?* By Dr John Myers

45 *Submission on Elder Abuse Prevention to the Office of Senior Victorians*, by Dr John Myers
46  Advising on Reverse Mortgages and Other Equity Release Products, by the Legal Practitioners’ Liability Committee, Law Institute of Victoria

47  Laws and Lawyers: Should we be doing more for Elders? Copy of speech by Mr David Walsh

48  Preventing Crime Against Older Australians (AICrime Reduction Matters, No. 29, 12 January 2005), Australian Institute of Criminology

49  Helping Seniors Help Themselves, RCMP Gazette, November 1998

50  Understanding Money: How to make it work for you, by Financial Literacy Foundation

51  Grandparenting - Present and Future, Family Issues Series No. 2, January 2007, Family Services Australia

52  Seniors Relationship Care Program, Family Services Australia

53  A New Family Law System: Putting the focus on kids, folder of material from Attorney General’s Department

54  Correspondence from Mr Michael Vescio, President Oppressed People of Australia Inc

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56  Strategic Plan 2003-2005 and related material, from the ACT Ministerial Advisory Council on the Ageing
57 Correspondence from the Chief Executive Office, National Seniors Association to the Parliamentary Secretary to the Treasurer, dated April 2007

58 Complaints received by HREOC under the Age Discrimination Act: Statistics for the period 1 July 2006 – 11 May 2007, Human Rights and Equal Opportunity Commission

59 Correspondence to Mrs J van Wulfften Plathe from Ms J Hutchinson, Adviser to the Hon Peter Dutton MP, Minister for Revenue and Assistant Treasurer

60 Correspondence from Mr E F Kriesner to the Premier of Victoria dated 12 April and 3 May 2007

61 List of Recent Speakers and Information Pamphlet, Association of Independent Retirees Ltd, Melbourne Bayside Branch


64 United Nations Principles for Older Persons (provided by the Elder Abuse Prevention Association)

65 Rights – Charter of Residents’ Rights and Responsibilities (Elder Abuse Prevention Association 2003)

66 Minnesota Attorney General issues fraud alert (article provided by the Elder Abuse Prevention Association)
67  *Extract on US legislation relating to elder abuse* (provided by the Elder Abuse Prevention Association)

68  *Attorney General’s Office Launches Financial Abuse Task Force and Elder Abuse Awareness Campaign* (press release provided by the Elder Abuse Prevention Association)

69  *Violations Against Elders (Hawaii legislation) – HB1306 SD1* (provided by the Elder Abuse Prevention Association)

70  *Financial Institutions/Financial Abuse (Hawaii legislation) SB1400 CD1* (provided by the Elder Abuse Prevention Association)

71  *Extract from An Act to Facilitate Reporting by Main Financial Institutions of Elder Financial Exploitation – Maine* (provided by the Elder Abuse Prevention Association)

72  *Secretary Galvin files new regulations on Senior Financial Designations as well as written administrative record supporting regulations (notice of final regulations)* (provided by the Elder Abuse Prevention Association)

73  *Nursing Home Residents’ Legal Rights* (article provided by the Elder Abuse Prevention Association)

74  *Nursing Home Malpractice (Negligence)* (article provided by the Elder Abuse Prevention Association)

75  *Bill No. AB 853 (relating to business and professions code relating to home care services), California Legislature* (provided by the Elder Abuse Prevention Association)
| 76 | *Submission to Senator Santoro on Aged Care Policy 9 June 2006* (provided by the Elder Abuse Prevention Association) |
| 77 | CONFIDENTIAL |
| 78 | CONFIDENTIAL |
| 79 | CONFIDENTIAL |
| 81 | *Review of the Chamber Magistrate Service in NSW: Executive Summary* |
| 82 | *Statutory Supervisors*: extract from web site of New Zealand Companies Office, May 2007 |
| 83 | *Elder Abuse in the ACT- Report 11*, Standing Committee on Health and Community Care, ACT Legislative Assembly, August 2001 |
| 84 | CONFIDENTIAL |
| 85 | CONFIDENTIAL |
| 86 | *2007 Law Institute of Victoria Elder Law Conference Handbook* |
| 87 | *Your Future Starts Now - A Guide for the Over 50s*, by the Benevolent Society |
88 Information About Laws Related to Elder Abuse, American Bar Association Commission on Law and Aging, 2005

89 Uncovering elder abuse: powers of attorney, administration orders and other issues for banks, copy of speech by Mr J Gardner, Public Advocate, Victoria

90 A Report for ASIC on Consumer Decision Making at Retirement by Chant Link and Associates, July 2004

91 Exposing Financial Exploitation of Impaired Elderly Persons, article by Michael J Tueth, MD, 1999

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94 CONFIDENTIAL

95 Safe as Houses - Home and Community Care Consumer Consultation Project Report 2007, Tasmanian Council of Social Service

96 CONFIDENTIAL

97 Folder of material provided by the Assets and Ageing Research Team, University of Queensland

98 Elderly Robbed by Own Family - Article from The Sunday Mail 15 July 2007
99  *The Law of Family*, copy of presentation by Mr Brian Herd, Carne Reidy Herd Lawyers

100  *Position Statement on Mandatory Reporting on Elder Abuse*, Elder Abuse Prevention Unit, Queensland

101  *Elder Abuse Prevention Unit Annual Report 2005-2006*

102  *Financial Abuse of Older People - A Queensland Perspective*, Elder Abuse Prevention Unit

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104  APRA Media Releases, provided by Mr Peter Neil

105  Extract from NSW *Hansard* 13 December 1995 and associated material, provided by Mr G Keir

106  *7000 hit by third collapse*, article in *The Senior* newspaper, provided by Mr John Howard

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108  CONFIDENTIAL

109  Extract from Queensland Hansard; copy of newspaper articles; and DVD ‘*Bank Bastardry*’, Today Tonight, 4/4/06 relating to activities of the National Australia Bank

110  Newspaper articles provided by Mrs Maureen Walsh
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113 *High Court of Ireland Decisions 1998 No. 89*, provided by Mr Lynton Freeman

114 *High Court of Ireland Decision 1998 No 89*, provided by Mr Lynton Freeman

115 *Report on 'Shadow Ledgers' and the Provision of Bank Statements to Customers*, report of the Parliamentary Joint Statutory Committee on Corporations and Securities, October 2000, provided by Mr Lynton Freeman

116 *National Australia Bank v Freeman 2001, Federal Court of Australia*, provided by Mr Lynton Freeman

117 *Outline of Submissions on behalf of National Australia Bank*, provided by Mr Lynton Freeman

118 *Reasons for Judgement: National Australia Bank v Freeman*, provided by Mr Lynton Freeman

119 *National Australia Bank v Freeman, Supreme Court of Queensland*, provided by Mr Lynton Freeman

120 *National Australia Bank v Freeman, Supreme Court of Queensland*, provided by Mr Lynton Freeman

121 *High Court of Australia - Transcript of Proceedings: B96 of 2001*, provided by Mr Lynton Freeman
122  *Pawning your home?* Article in *Choice* magazine, April 2007

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124  *National Dementia Manifesto 2007-2010 (Alzheimer's Australia)*, provided by Mr John Maschmedt

125  *Elder Abuse Protocol: Guidelines for Action*, APEA:WA

126  CONFIDENTIAL

127  *You Can Complain: a guide to solving problems with financial products and services*, ASIC, provided by Aged Rights Advocacy Service Inc

128  *Regaining Your Control - to assist older South Australians to maintain or regain control over their lives and future decisions*, Aged Rights Advocacy Service Inc, South Australia

129  *Dealing with book up: key facts*, ASIC, provided by Aged Rights Advocacy Service Inc

130  *Moola Talk*, ASIC, provided by Aged Rights Advocacy Service Inc

131  *Australian Retirement Village Accreditation*, Retirement Village Association Ltd

132  *Review of Retirement Villages Legislation*, submission by the Retirement Village Association Ltd to the Department of
Consumer and Employment Protection, Western Australia, September 2006

133 *Safeguard Your Finances - Prevent Financial Abuse* (brochure by the Alliance for the Prevention of Elder Abuse - SA)

134 *Protecting Rights: Witnessing Documents* (brochure by the Alliance for the Prevention of Elder Abuse - SA)

135 *High Court Ruling/No Bonus for Directors*, document provided by Mr E A Atkinson

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140 *Shortcomings of the present Legislation in WA*, Extract of Submission (WARCRA) to Review of Retirement Village legislation, Western Australia, provided by Mr C Allsworth

141 *Fair Trading Act: Review of Unconscionable Conduct*, extract from WARCRA submission to Review of Retirement Village legislation, Western Australia, provided by Mr C Allsworth

142 *Detrimental Points in the Deed*, provided by Mr C Allsworth
Comparisons with another modern Fini Village Deed, provided by Mr C Allsworth

Did You Know (Comparisons with another modern Fini Village Deed) – table provided by Mr C Allsworth

Risk and Fear of Fraud Among Older People (AICrime Reduction Matters, No. 46, 6 June 2006), Australian Institute of Criminology


Various newspaper articles, provided by Mrs D J Lyons

Copy of letter from Comcare to Mr Malcolm Burton, regarding his compensation under the Safety, Rehabilitation and Compensation Act 1988, dated 7 May 2007

The role of crime victims in the criminal justice system, Position Paper No. 6, Victim Support Australasia

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07-63 Struck off Queensland Solicitor Sentenced, copy of email, provided by Mr E A Atkinson

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<td>154</td>
<td><em>Putting 'the Powers' in Place: Planning for the Future</em>, Final Report, Alzheimer’s Australia SA Inc, December 2005</td>
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<td>156</td>
<td><em>Living with Dementia</em>, folder of materials provided by Alzheimer’s Australia</td>
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<td>157</td>
<td><em>The Long and Lonely Road: Insights into living with younger onset dementia</em>, Alzheimer’s Australia</td>
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<td>158</td>
<td><em>Worried about your memory?</em>, brochure from Alzheimer’s Australia</td>
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<td>159</td>
<td><em>Who can decide? - The six step capacity assessment process</em>, edited by Dr P Darzins, Dr D Molloy and Dr D Strang</td>
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<td>160</td>
<td><em>Mind your Mind - A user's guide to dementia risk reduction</em>, Alzheimer’s Australia</td>
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<td><em>Dementia - Continuing education from the Pharmaceutical Society of Australia</em>, April 2007</td>
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<td>162</td>
<td><em>Dementia: Can it be prevented?</em> Alzheimer’s Australia Position Paper 6, August 2005</td>
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<td>163</td>
<td><em>Advance Directives and Palliative Care in a Residential Facility; Diana’s Story</em>, provided by Mr Ron Sinclair</td>
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<td>165</td>
<td><em>Like father, like son - James Packer weaves that old tax magic</em>, copy of article provided by Mr J Backer</td>
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<td>167</td>
<td><em>Various newspaper articles</em>, provided by Mr N Sharp</td>
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<td><em>Various newspaper articles and photographs</em>, provided by Mr N Sharp</td>
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