

Aged Care Legislation Amendment (Financial Transparency) Bill 2020  
Submission 15 - Supplementary Submission

**From:**  
**To:** [Community Affairs Committee \(SEN\)](#)  
**Subject:** RE: Submission acknowledgement - Aged Care Legislation Amendment (Financial Transparency) Bill 2020  
**Date:** Monday, 14 September 2020 1:20:21 PM  
**Attachments:**

---

I regret to inform you that my application to the High Court of Australia P22/2020 was dismissed last Thursday, as you can see on this link to the list of determinations made that day: <https://cdn.hcourt.gov.au/assets/registry/special-leave-results/2020/10-09-20Determin2.pdf>

This puts an end to my 5 years activity seeking transparency in aged care through legal channels, but importantly for your Committee, makes it possible to publish my submission (no.15), which I hope you can do as soon as possible.

Another important outcome of the dismissal of my application, relevant to the work of the Committee, is that it illustrates how differently the aged care authorities, the legal fraternity and the courts have interpreted the legislation compared to my own interpretation and that given by the Explanatory Memorandum of the Aged Care Act 1997 (I can furnish you with scanned version of the EM if you would like).

I urge the Committee to state clearly the transparency requirements, and to include a penalty for non-disclosure (such as the 2 years imprisonment stated in s86-2 of the AC Act, and through other sub-sections of s86).

I hope the work of the Committee goes some way towards ending the tremendous suffering, through the neglect of people in aged care, that haunts me many years since I witnessed it firsthand.

If I can help further, just ask.

Sincerely,

John Mullen