



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)
- 7 CONFIDENTIAL
- 8 CONFIDENTIAL
- 9 CONFIDENTIAL

- 10 CONFIDENTIAL
- 11 Newspaper extracts and advertisements (provided by Mr & Mrs Leo & Frances Kelly)
- 12 *Are You Retired or About to Retire?*(brochure produced by the Association of Independent Retirees Ltd)
- 13 *Newsletter of the Association of Residents of Queensland Retirement Villages Inc, May 2006*
- 14 CONFIDENTIAL
- 15 CONFIDENTIAL
- 16 Extract of US report '*Undue Influence and Financial Exploitation with case study*'
- 17 CONFIDENTIAL
- 18 CONFIDENTIAL
- 19 *IN FACT Newsletter, September 2006*
- 20 CONFIDENTIAL
- 21 *Queensland Retirement Village Industry* (brochure of the Association of residents of Queensland Retirement Villages)

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- 22 CONFIDENTIAL
- 23 CONFIDENTIAL
- 24 CONFIDENTIAL
- 25 CONFIDENTIAL
- 26 CONFIDENTIAL
- 27 Additional material from members of the Association of Residents of Queensland Retirement Villages (Inc), provided by Mrs Maureen Walsh
- 28 CONFIDENTIAL
- 29 Material on US jurisdictions with religious accommodations in their civil adult abuse and neglect laws, provided by Christian Science Australia
- 30 CONFIDENTIAL
- 31 *Warning: Systematic Stealing of Peoples Homes and Assets*, flyer from the Alternative Guardian, a division of The Oppressed People of Australia Inc
- 32 CONFIDENTIAL
- 33 *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
- 38 CONFIDENTIAL
- 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

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- 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
- 55 CONFIDENTIAL
- 56 *Strategic Plan 2003-2005 and related material*, from the ACT Ministerial Advisory Council on the Ageing

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- 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
- 62 *Independent Retiree - Official Journal of A.I.R Limited - Autumn 2007*, Association of Independent Retirees Limited
- 63 *National Survey of Members 2006 Detailed Report, 30 October 2006*, Association of Independent Retirees Limited
- 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)

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- 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)

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- 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
- 80 *Retirement Villages Industry Code of Practice* (ACT Office of Fair
Trading, November 1999)
- 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

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- 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*
- 92 CONFIDENTIAL
- 93 CONFIDENTIAL
- 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*

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- 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
- 103 CONFIDENTIAL
- 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
- 107 CONFIDENTIAL
- 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

- 111 CONFIDENTIAL
- 112 CONFIDENTIAL
- 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

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- 122 *Pawning your home?* Article in *Choice* magazine, April 2007
- 123 CONFIDENTIAL
- 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
- 136 CONFIDENTIAL
- 137 CONFIDENTIAL
- 138 CONFIDENTIAL
- 139 CONFIDENTIAL
- 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

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- 143 *Comparisons with another modern Fini Village Deed*, provided by Mr C Allsworth
- 144 *Did You Know (Comparisons with another modern Fini Village Deed)* – table provided by Mr C Allsworth
- 145 *Risk and Fear of Fraud Among Older People* (AICrime Reduction Matters, No. 46, 6 June 2006), Australian Institute of Criminology
- 146 *Consumer Scams in Australia: An Overview, Trends and Issues in Crime and Criminal Justice*, No. 331, February 2007, Australian Institute of Criminology
- 147 *Various newspaper articles*, provided by Mrs D J Lyons
- 148 Copy of letter from Comcare to Mr Malcolm Burton, regarding his compensation under the *Safety, Rehabilitation and Compensation Act 1988*, dated 7 May 2007
- 149 *The role of crime victims in the criminal justice system*, Position Paper No. 6, Victim Support Australasia
- 150 CONFIDENTIAL
- 151 *07-63 Struck off Queensland Solicitor Sentenced*, copy of email, provided by Mr E A Atkinson
- 152 CONFIDENTIAL
- 153 CONFIDENTIAL

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- 154 *Putting 'the Powers' in Place: Planning for the Future*, Final Report, Alzheimer's Australia SA Inc, December 2005
- 155 *Planning Ahead: Your Health, Your Money, Your Life – An Issues Paper for the Review of South Australia's Advance Directives*, 2007
- 156 *Living with Dementia*, folder of materials provided by Alzheimer's Australia
- 157 *The Long and Lonely Road: Insights into living with younger onset dementia*, Alzheimer's Australia
- 158 *Worried about your memory?*, brochure from Alzheimer's Australia
- 159 *Who can decide? - The six step capacity assessment process*, edited by Dr P Darzins, Dr D Molloy and Dr D Strang
- 160 *Mind your Mind - A user's guide to dementia risk reduction*, Alzheimer's Australia
- 161 *Dementia - Continuing education from the Pharmaceutical Society of Australia*, April 2007
- 162 *Dementia: Can it be prevented?* Alzheimer's Australia Position Paper 6, August 2005
- 163 *Advance Directives and Palliative Care in a Residential Facility; Diana's Story*, provided by Mr Ron Sinclair
- 164 CONFIDENTIAL

- 165 *Like father, like son - James Packer weaves that old tax magic*, copy of article provided by Mr J Backer
- 166 CONFIDENTIAL
- 167 *Various newspaper articles*, provided by Mr N Sharp
- 168 CONFIDENTIAL
- 169 CONFIDENTIAL
- 170 *Various newspaper articles and photographs*, provided by Mr N Sharp