

Advancing the Human Rights of Older Persons in Australia: Support for a national Human Rights Act.

Older persons have the same human rights as everyone else. A national Human Rights Act would enable and promote our rights as we age.

Ageing is a natural part of life, a reflection of experience, resilience, and contribution. Human rights do not diminish as the years pass. Yet, as people grow older, they often face barriers that undermine the full realisation and enjoyment of their rights.

This is not because their needs are less important, but because their rights are less protected. Ageing does not diminish our worth. It reveals the shortcomings of systems that fail to respect people across all life stages.

Discrimination, neglect, and exclusion in workplaces, health, and aged care are not inevitable; they are the result of policy choices embedded in institutions that overlook dignity, autonomy, and contribution of older people.

Promoting rights as we age means recognising that ageing begins from midlife, and ensuring equity, participation, and respect for everyone throughout the ageing journey is paramount.

A national Human Rights Act is more than a legal reform, it establishes enforceable standards and clear obligations for governments and service providers. It ensures that every person, regardless of age, is treated with dignity and equality by requiring concrete measures such as accessible complaint mechanisms, accountability frameworks, and rights-based decision-making in policies and services.

A national Human Rights Act would ensure older people's voices are heard in decisions that affect them, and their diverse needs and experiences – including those of First Nations Peoples, older women, LGBTQIA+ individuals, people from culturally and linguistically diverse backgrounds, people with disability, and those living in rural and remote areas – must be acknowledged and respected.

A national Human Rights Act would protect older people from age-based discrimination in employment, housing, health and aged care, and other areas of public life. It would challenge ageism, promote positive attitudes toward ageing, and foster a culture of respect and inclusion.

A national Human Rights Act would guarantee equitable access to healthcare, ensuring older people receive timely, appropriate, and dignified care. It would strengthen protections against abuse and neglect, which remain persistent and deeply harmful. It would promote social inclusion by supporting older people's participation in community life, education, and employment, recognising that ageing does not diminish a person's right to belong, contribute, and thrive.

A national Human rights Act would provide clear, accessible avenues for older people to challenge violations of their rights. It would ensure equal access to the legal system by requiring reasonable adjustments across civil, criminal, and administrative processes. It would place the responsibility on government to consider how its decisions impact the human rights of older people, recognising that ageing should never be a reason for exclusion or disadvantage.

A national Human Rights Act would affirm that our rights are not conditional on age, visibility, or perceived social status. It would help build a fairer, more inclusive Australia, where growing older is not a disadvantage but is a period of life where human rights continue to be recognised and enjoyed.

We urge the Australian Government to honour this truth by enacting a national Human Rights Act, so that every person, at every age, can live with dignity, respect, and justice.

We also see the development of an international legally binding instrument by the UN Convention on the Rights of Older Persons as a critical step in affirming and articulating the human rights of older persons and helping to frame domestic law and policy in a rights-consistent manner.

We accordingly call on the Australian government to express its in-principle support for such a convention, to engage actively with older persons organisations and civil society on the issue, and to participate constructively in the United Nations negotiations on the instrument.

This statement was developed with the input, insight and guidance of older people and their representative organisations. This statement has been voluntarily endorsed by the organisations named below, together with several individuals.¹



¹ Aged and Disability Advocacy Australia (ADA), Aged Rights Advocacy Service (ARAS), Anne Burgess AM, Australian Association of Gerontology (AAG), Australian Human Rights Institute, UNSW, (Emeritus Professor Andrew Byrnes and Professor Justine Nolan), Australian Independent Retirees (AIR), Dementia Australia, Elder Abuse Action Australia (EAAA), Federation of Ethnic Communities' Councils of Australia (FECCA), Human Rights Law Centre (HRLC), LGBTIQ+ Health Australia, Margaret Duckett, National Aboriginal Torres Strait Islander Aged and Ageing Council (NATSIAAC), National Older Women's Network (NOWN), National Seniors Australia (NSA), Older Persons Advocacy Network (OPAN), People with Disability Australia (PWDA), Relationships Australia (RA), Sandra South, Senior Rights Service (SRS), Townsville Community Law, Tricia Malowney

