

# Older Persons

Australia’s population is ageing, with people aged 65 and over projected to make up more than one-fifth of the population by the early 2060s. This demographic shift presents both opportunities and challenges for the protection and promotion of the human rights of older persons. While older Australians make significant contributions to economic, social, cultural and civic life, many continue to experience systemic ageism, discrimination, violence, abuse and neglect.

From 2022 to 2026, there have been important but uneven advances in protecting the rights of older persons. Positive developments include the establishment of a new *National Plan to End the Abuse and Mistreatment of Older People 2026–2036* and the continued implementation of aged care reforms following the Royal Commission into Aged Care Quality and Safety, including a Charter of Rights and strengthened safety and quality standards.

At the same time, significant protection gaps remain, including the absence of nationally consistent enduring power of attorney laws, adult safeguarding laws and agencies across jurisdictions, limited enforceability of rights in aged care, and persistent age-based discrimination in the workplace.

This factsheet assesses Australia’s performance in relation to the rights of older persons, identifying areas of progress and concern and highlighting priorities for reform to support dignity, autonomy and security in older age.

## Elder Abuse

### Safety

#### Recent human rights advances

The National Plan to End the Abuse and Mistreatment of Older People 2026-2036 was launched in March 2026 to prevent and respond to elder abuse, covering physical, financial, psychological, and neglect issues. Enduring powers of attorney laws still need to be harmonised across all Australian jurisdictions to help prevent elder abuse.

Australia’s first National Elder Abuse Prevalence Study (2021), commissioned by the Attorney General’s Department, has provided a national evidence base on the nature and prevalence of elder abuse, informing policy development and service responses.

All Australian Governments have committed to a new National Plan to End the Abuse and Mistreatment of Older People 2026–2036, which sets out a human-rights-based, whole-of-government framework for prevention, early intervention, response and recovery.

National access to information and support has been strengthened through the National Elder Abuse Helpline (1800 ELDERHelp), a free call number that automatically redirects callers to services across jurisdictions which provide free and confidential advice, referrals and pathways to assistance. Monthly redirected calls have remained consistently high since 2022, typically between 700 and 1,000 calls per month, which indicates sustained demand for elder abuse advice and referral services.

Australian Government has supported the establishment Elder Abuse Action Australia (EAAA), the national peak body for elder abuse and COMPASS, the national elder abuse website providing resources and information about services on elder abuse.

## Adult safeguarding laws

### Safety

#### Urgent human rights issues

There has been inadequate progress in introducing guardianship and other adult safeguarding laws across all Australian governments, despite longstanding commitments to do so putting older people at higher risk of violence and abuse.

The 2021 [National Elder Abuse Prevalence Study](#) found that one in six older Australians experienced abuse in the previous year, while only one-third sought help. Population ageing and the scale of intergenerational wealth transfer are likely to increase both risk and complexity, particularly in relation to financial abuse.

There has been inadequate progress in introducing adult safeguarding laws and agencies across all Australian governments, as recommended by multiple reports and inquiries. This puts older people at higher risk of violence and abuse.

Adult safeguarding frameworks play a critical role in assessment, investigation and coordinated response; however, only three jurisdictions currently have dedicated legislation and agencies, resulting in inconsistent protections.

Inconsistencies in enduring powers of attorney laws across jurisdictions also continue to generate confusion and increase the risk of misuse. The Commission's [Empowering Futures report](#) identified gaps in public understanding about these legal documents, which heightens the risk of financial elder abuse. Recommendations from the [Australian Law Reform Commission](#) for national harmonisation, a national register and community education remain unimplemented.

## **Priority Action**

**The Australian Government should prioritise the development of nationally consistent adult safeguarding legislation and the establishment of specialist Adult Safeguarding Units in all states and territories to prevent abuse, neglect and exploitation of older persons and enable timely, coordinated safeguarding responses.**

## **Priority Action**

**The Australian Government should ensure national consistency in Enduring Power of Attorney (EPOA) laws across jurisdictions and establish national register of enduring documents, as recommended by the Australian Law Reform Commission (2017), to reduce misuse, strengthen safeguards against financial and other forms of elder abuse.**

## Protecting the rights of older persons in aged care

### Safety

#### Recent human rights advances

Reforms to the aged care sector, following the Royal Commission into Aged care quality and safety, are coming into effect, with improved monitoring and standards, but limited legal enforceability of the rights of people in aged care.

The Aged Care Quality and Safety Royal Commission (the Royal Commission) exposed serious and systemic failures in Australia’s aged care system including widespread neglect, poor quality care and insufficient safeguards for older people’s rights.

Since 2022, aged care reforms have focused on improving quality, transparency and oversight, including the introduction of quality standards and greater emphasis on improved clinical care and workforce capability.

However, the Inspector-General of Aged Care, established to provide independent oversight on implementation of the Royal Commission recommendations, found in her [2025 report](#) that significant gaps remain in implementation and progress has been uneven and lagging to deliver the required transformation.

Notably, the *Aged Care Act 2024* (Cth) came into force in 2025 and introduces a rights-based framework for aged care. However, the rights set out in the Act are not directly enforceable, and robust enforcement mechanisms and accessible avenues for redress and remedy when rights are violated are lacking.

More broadly, without a dedicated international instrument on the rights of older persons, domestic laws—including the new Aged Care Act—lack a comprehensive human rights framework to guide the translation of older persons rights into policy and practice. A UN Convention on the Rights of Older Persons would help fill this gap by setting clear international standards to support accountability and rights-based reform.

## Priority Action

The Australian Government should establish clear, directly enforceable rights for older people in the Aged Care Act 2024 (Cth), consistent with the protections envisaged by the Aged Care Quality and Safety Royal Commission.

## Priority Action

The Australian Government should formally support the development of a United Nations Convention on the Rights of Older Persons to guide and inform translation of human rights into domestic laws, policies and practices.

## Age discrimination in the workplace

### Equality and fairness

#### Other priority human rights issues

People over 55 years of age continue to experience high rates of stereotyping and discrimination in employment and care settings.

## Ensuring equal opportunity and addressing cost-of-living pressures

Nearly a decade after the Commission's 2016 *Willing to Work national inquiry*, age discrimination remains a persistent and systemic barrier to workforce participation for older Australians.

A 2025 survey by the Commission and the Australian Human Resources Institute found that despite many reports of hard-to-fill job vacancies, only 28% of employers are open to hiring people aged 65 and over 'to a large extent' while 18% were not open 'at all'.

In 2024–25, the Australian Human Rights Commission received 153 complaints under the *Age Discrimination Act 2004* (Cth), with over half (53%) relating to employment. Overall, of the 153 complaints lodged under the Act older age groups represented most of all complaints received:

- 55–64 years (26%),
- 65–74 years (22%),
- and 75 years and over (12%).

Despite Australia's ageing workforce, there is currently no national strategy to increase the workforce participation of older workers and eliminate age-based workplace discrimination.

## Priority Action

**The Australian Government should address barriers to employment for older persons; invest in updated national prevalence data on age discrimination in employment; and adopt a national strategy to promote age diverse workforces.**