

Reference group: Terms of reference

The Commission's review

The Law Reform Commission has been asked to review Queensland's guardianship legislation. The reference group has been provided with a copy of the Commission's terms of reference. The Commission is required to produce three reports making recommendations to the Attorney-General as to how the legislation may be improved. The decision as to whether the Commission's recommendations are accepted or not is made by the government of the day.

Role of reference group

The role of the reference group is to share expertise with the Commission and provide advice on the review. In particular, it is hoped the group will assist the Commission by:

- providing advice in relation to its consultation process
- ensuring the Commission has identified all of the relevant issues and perspectives
- ensuring the Commission understands how the law is working in practice
- making suggestions as to how the law could be improved.

Ultimate responsibility for Commission's reports and recommendations rests with the chairperson and members of the Commission, who are independent statutory office holders.

Members of the reference group are asked to undertake this role in their capacity as individuals with expertise and experience in this area of law, rather than as a representative of any particular group.

Membership

The reference group attempts to bring together a cross section of people who are affected by, administer, or are otherwise interested in, Queensland's guardianship legislation. It is acknowledged that it is impossible to adequately represent all of the interests in this area of law.

However, those who are not members of the reference group will be invited to participate in the Commission's other consultation processes.

The members of the reference group (in alphabetical order) are:

- Ms Paige Armstrong, Manager, Community Advocacy and Support, Endeavour (nominee of ACROD)
- The Honourable Justice Roslyn Atkinson, Chairperson, Queensland Law Reform Commission (Chair of Reference Group)
- Ms Pam Bridges, Residential Care Manager, Aged Care Queensland
- Ms Pat Cartwright, Co-ordinator, Community Visitor Program
- Mr Jeff Cheverton, Executive Director, Queensland Alliance
- Mr Mark Crofton, Official Solicitor to the Public Trustee
- Ms Madonna Cuthbert, Director, Policy and Legislation, Queensland Health
- Dr Chris Davis, Director, Geriatric Medicine and Rehabilitation, The Prince Charles Hospital (nominee of Australian Medical Association (Queensland))
- Ms Margaret Deane, Manager, Queensland Aged and Disability Advocacy Inc.
- Mr David Deans, Chief Executive, National Seniors
- Mr John Dickinson, Chief Executive Officer, Brain Injury Association of Queensland
- Ms Susan Gardiner, President, Guardianship and Administration Tribunal
- Ms Marianne Gevers, Vice-President, Alzheimer's Australia (Qld) Inc.
- Ms Katie Holm, Director, Disability Strategic Policy, Disability Services Queensland
- Ms Michelle Howard, Public Advocate

- Mrs Bronwyn Jerrard, Principal Legal Consultant, Strategic Policy, Department of Justice and Attorney-General
- Ms Dianne Pendergast, Adult Guardian
- Mr Julian Porter, Systems Legal Advocacy, Queensland Advocacy Inc.
- Mr Graham Schlecht, Executive Director, Carers Queensland
- Mr Phil Tomkinson, President, Queensland Parents for People with a Disability Inc.
- Associate Professor Lindy Willmott, Faculty of Law, QUT.

Meetings

It is intended that the reference group will meet at regular intervals during the review, approximately once or twice a year. Those meetings will involve reading and discussing written material provided in advance by the Commission, as well as raising for consideration other issues that warrant attention.

Procedures

The reference group will operate on a relatively informal basis. An agenda will be circulated prior to the meeting along with material for comment, but formal minutes will not be kept.

In order to promote full and frank discussion, meetings will be run according to the 'Chatham House Rule'. That rule provides that the Commission may use the information received in meetings, but neither the identity nor affiliation of the source of that information will be revealed. Similar obligations also apply to other members of the reference group.

The written material provided for comment is also provided to members of the reference group on a confidential basis. The Commission asks that it not be shown to or discussed with a person outside of the reference group without the Commission's consent. This is because the advice of the reference group is specifically sought before the Commission has reached a view and so the material provided has not been formally approved by the Commission.

Queensland Law Reform Commission

Post: PO Box 13312
George Street Post Shop
Brisbane Qld 4003

Phone: (07) 3247 4544

Fax: (07) 3247 9045

Email: qlrcguardianship@justice.qld.gov.au

Web: www.qlrc.qld.gov.au/guardianship