**OHCHR Questionnaire – Independent expert on enjoyment of human rights of older persons**

Australia is committed to promoting and protecting the rights of older persons, both locally and abroad. This endeavor is becoming increasingly important as Australia’s population continues to live longer and age.

Australia is of the view that rights of older persons are appropriately protected by the existing United Nations legal framework and mechanisms and welcomes the work of the Independent Expert to identify state best practices to implement these laws and mechanisms.

Australia is also of the view that more can be done to better utilise existing mechanisms, and has outlined examples of Australia’s commitment to do so in further detail below.

Domestically, the Australian Government is taking active steps to address demographic changes, in order to harness the potential of older Australians, and to protect the rights of Australians as they age.

***Anti-Discrimination legislation***

Australia’s Commonwealth [*Age Discrimination Act 2004*](https://www.comlaw.gov.au/Details/C2015C00256)prohibits age discrimination in areas of public life, including accommodation, education, employment, and the provision of goods, services and facilities. Australia’s states and territories also have their own anti-discrimination laws that prohibit discrimination on the basis of age.

***Age Discrimination Commissioner***

In July 2011, Australia’s first statutory Age Discrimination Commissioner, the Hon Susan Ryan AO, was appointed for a five year term. As Age Discrimination Commissioner, Ms. Ryan is responsible for raising awareness of age discrimination, and monitoring and advocating for the elimination of age discrimination across all areas of public life.

In this role, Commissioner Ryan has advocating strongly for greater protection for older persons in employment and for strengthening protections to prevent the abuse of older persons.

***Measures to prevent employment discrimination against older Australians***

The Australian Government recognises the imperative to harness the potential of older Australians and is taking steps to assist older workers to enter and remain in the workforce.

In March 2015, the Australian Government asked the Australian Human Rights Commission to conduct an inquiry into practices, attitudes and Commonwealth laws that affect the equal participation in employment of older Australians and those with a disability. The [*Willing to Work* inquiry](https://www.humanrights.gov.au/our-work/disability-rights/projects/willing-work-national-inquiry-employment-discrimination-against) will conclude in July 2016 and will assist the Government to address barriers to workforce participation.

The inquiry will be informed by the findings of a national survey conducted by the Commission into age discrimination at work in early 2015. This [*National prevalence survey of age discrimination in the workplace*](https://www.humanrights.gov.au/sites/default/files/document/publication/AgePrevalenceReport2015.pdf) highlights the need to respond to population demographic changes, including by addressing barriers to workforce participation for older people.

Further, in June 2015, the Government appointed Ms. Susan Ryan as Australia’s first Ambassador for Mature Age Employment. In this role, the Ambassador will help drive greater awareness amongst employers of the business benefits of hiring older workers and help open new doors for job seekers.

The new Ambassador will also assist the Australian Government to promote existing programs designed to encourage employers to recruit and retain older workers, including the $10,000 Restart Wage Subsidy and the Corporate Champions programs, which both provide financial and technical support to assist employers to attract older workers.

Australia also has a comprehensive employment service system, including in remote Australia, which assists unemployed Australians, including older Australians, to secure employment.

***Social services and support for older Australians***

The Australian federal Government, in cooperation with states and territories, provides a range of services that benefit older Australians and to protect their human rights, including economic and social rights.

Under the federal [*Social Security Act 1991*](https://www.comlaw.gov.au/Details/C2015C00572), Australia’s Age Pension provides income support and access to a range of concessions to provide financial assistance to older Australians with limited private resources, including for medical services, public transport, and utility payments. The Australian Government also provides a range of health care assistance which particularly assists older Australians, including access to free public hospital care, subsidised affordable medical services through the Medicare Benefits Scheme and Medicare Safety Net, and affordable medicines through the Pharmaceutical Benefits Scheme. The Australian Government also funds vaccines for older Australians, in order to provide greater protection against these diseases.

Australian also provides significant resources to states and territories to improve access to adequate and affordable housing to all Australians, including for older Australians. In 2014-15, the Commonwealth provided around $6.5 billion to support housing and homelessness outcomes, including through the National Affordable Housing Agreement, National Partnership Agreement on Homelessness and the Commonwealth Rent Assistance program.

**Residential aged care and home care services for older Australians**

Australia’s Commonwealth [*Aged Care Act 1997*](https://www.comlaw.gov.au/Details/C2015C00509) facilitates access to aged care services, including residential care and home care, regardless of race, culture, language, gender, economic circumstance or geographic location. The Act is designed to encourage diverse, flexible aged care services, which can respond to the needs and preferences of older persons, and enable older persons to live in their homes and communities for as long as possible. The Act also establishes quality standards, reporting and monitoring requirements to protect the health and well-being of care recipients, as well as the statutory position of the Aged Care Commissioner, and the Aged Care Complaints Scheme.

The Government also administers a national website and contact centre to provide older people, their families and carers with information about aged care, rights and protections for older persons in aged care, and advocacy and complaint services.

***Measures to improve the financial literacy of older Australians***

The Australian Government recognises that as Australia’s population ages and intergenerational wealth transfer increases, it becomes increasingly important to improve the financial literacy of older Australians.

In 2014, the Australian Securities and Investment Commission developed the [*National Financial Literacy Strategy 2014-2017*](http://www.financialliteracy.gov.au/strategy-and-action-plan/strategy-2014), which is designed to improve the financial literacy of Australians, including older Australians, by encouraging action by government, business, community and education sectors. A core element of this strategy is providing accessible advice to Australians, through the Government MoneySmart program, the National Information Centre on Retirement Investments, and Financial Information Service, which provides advice about social security payments, including pensions.

The Government also provides information and advisory services on superannuation and retirement planning, to assist people to manage their money as they age. More generally, the Government is also committed to providing training and support to enable older Australians to use technology and participate in the growing online community. The [Broadband for Seniors](http://bfseniors.com.au/) program provides persons over the age of 50 with free access to computers and training on how to use a computer and the internet at over 1,600 locations.

***Promoting and protecting the human rights of older people in the international arena***

Australia is also committed to promoting and protecting the human rights of older people in the international arena.

During Australia’s recent appearance for its second Universal Periodic Review (UPR) In November 2015, Australia committed to advocating for the better use of existing UN human rights reporting mechanisms by including a dedicated section on the rights of older Australians in all relevant human rights treaty and UPR reports and by encouraging the rights of older persons to be reflected in UN resolutions.

At the UPR, Australia also committed to support the mainstreaming of the rights of older persons and encouraged Special Rapporteurs, such as the Independent Expert, to consider the application of their mandate to older persons.

Looking ahead, Australia looks forward to continuing to working with the human rights community to draw attention to the rights of older people, including through its engagement with the Independent Expert, the United Nations Open Ended Working Group on Ageing, the Human Rights Council, and through the UPR process.