

Business Plan 2026-27

About the Public Advocate

The Public Advocate is a position established under the *Guardianship and Administration Act 2000* (Qld) to promote and protect the rights and interests of Queensland adults with impaired decision-making ability through systemic advocacy.

Under the Act, the functions of the Public Advocate are:

- Promoting and protecting the rights of adults with impaired capacity (the adults) for a matter;
- Promoting the protection of the adults from neglect, exploitation or abuse;
- Encouraging the development of programs to help the adults to reach the greatest practicable degree of autonomy;
- Promoting the provision of services and facilities for the adults; and
- Monitoring and reviewing the delivery of services and facilities to the adults.¹

The scope of work undertaken by the Public Advocate is broad. This is because people with impaired decision-making ability are a diverse group. Some people with impaired decision-making ability have limited involvement with service systems while others interact with a variety of systems, such as justice, disability, aged care, health, and mental health.

Fulfilling the statutory functions of the Public Advocate therefore requires a wide-ranging understanding of these service systems and how they interact with people with impaired decision-making ability. Achieving positive change for people with impaired decision-making ability requires the use of a range of approaches to our work and our engagement with government, including building positive and collegiate relationships with key stakeholders, staying abreast of systemic issues, and creating and responding to opportunities for change.

¹ *Guardianship and Administration Act 2000* (Qld) s209.

The Public Advocate, and the staff who support the Public Advocate, share the following vision, purpose, and values.

Vision

To realise a just and inclusive society where the rights of all Queenslanders are upheld, and their autonomy is respected.

Purpose

To undertake systemic advocacy to promote the rights and interests of people with impaired decision-making ability and their protection from neglect, exploitation, and abuse.

Values

Relationships and influence:	We engage collaboratively with our stakeholders by building goodwill, sharing knowledge and expertise, and fostering confidence in our work.
Knowledge and leadership:	We are committed to research and analysis that contributes to informed legal and social policy debate to progress the rights of people with impaired decision-making ability, and their access to responsive supports and services.
Courage and integrity:	We champion the rights and views of people with impaired decision-making ability through our systemic advocacy. We work with clear purpose and commitment and encourage a culture where accountability and respect are paramount.

Major Projects

Initiative/Area of focus	Actions	Timeframe
Restrictive Practices	Continue to advocate for a Senior Practitioner Model to authorise, regulate and monitor the use of restrictive practices across a range of settings including residential aged care, disability services and health care	Ongoing
Housing	Provide input into the Government's review of the <i>Residential Services (Accreditation) Act 2002</i> , including continued advocacy for changes recommended in the Public Advocate's report: <i>'Safe, secure and affordable'? The need for an inquiry into supported accommodation in Queensland</i> .	Ongoing
Adult safeguarding	Continue to advocate for the establishment of an Adult Safeguarding Commissioner in Queensland and the implementation of the reform recommendations included in the Public Advocate's report: <i>Adult Safeguarding in Queensland, Volume 2: Reform Recommendations</i>	Ongoing
Criminal justice	Complete a project identifying issues for adults with cognitive disability in the Queensland criminal justice system, including: - Consulting with stakeholders across Queensland regarding issues within the criminal justice system and potential reforms - Presenting a series of reform recommendations to government	September 2026
Parents with intellectual disability	Continue to advocate for reforms to advocacy, health and child protection systems to better support parents and prospective parents with cognitive disability	Ongoing
The deaths of adults with cognitive disability in care	Commence a review of the deaths of adults with cognitive disability in care 2022-2025. This review will follow a similar project completed in 2016, and will focus on; identifying causes and patterns of deaths, including those that were potentially avoidable, highlighting systemic barriers to access to appropriate health care, and making recommendations for systemic reforms	October 2026-January 2028
Transitions project (1)	Continue a project examining the barriers, issues and challenges associated with the transitions that occur within the life of a person with cognitive disability, including moving out of the parental home and into independent living, and the advance care planning process for parents and individuals	September 2026
Transitions Project (2)	Complete a project concerning the transition of young adults with cognitive disability when they leave child protection and publish this on the Public Advocate's website.	October 2026

Disability

Initiative/Area of focus	Actions	Timeframe
National Disability Insurance Scheme (NDIS)	Provide timely advice and feedback on scheme issues to government, the National Disability Insurance Agency and the NDIS Quality and Safeguards Commission	As required
	Engage with the Quality and Safeguards Commission and monitor its activities and response to complaints, including advocacy for the availability of state and territory based data	On-going
	Continue to advocate for NDIS participants to have access to appropriate NDIS supports provided for in their plans (including behaviour supports) when admitted to a public or privately operated health care facility, including hospitals	On-going
Advocacy funding	Advocate for adequate recurrent funding (State and Federal) based on appropriate models of advocacy support for people with disability and/or mental health issues to assist them to engage with, and navigate through, mainstream and government systems	On-going
Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (Disability Royal Commission) and the NDIS Review	Monitor the Commonwealth and Queensland Government's response to, and implementation of, disability sector reforms related to the recommendations of the Disability Royal Commission and NDIS Independent Review, including, particularly, changes to guardianship and administration legislation (see below) and the provision of foundational supports for adults with psychosocial disability	Ongoing
Supported decision-making	Commence scoping work associated with the potential implementation of legislative and other recommendations from the Disability Royal Commission in relation to supported-decision making	June 2027
Critical Issues/ Lived experience	Continue to engage with disability service organisations and other stakeholders in relation to critical issues affecting the sector and impacting on the lived experience of people with impaired decision-making ability	Ongoing

Mental health

Initiative/Area of focus	Actions	Timeframe
Queensland Mental Health system	Continue to engage with the Chief Psychiatrist about policies, guidelines and other monitoring and oversight mechanisms to promote and protect the rights of people with impaired decision-making ability in the mental health system	On-going
	Advocate for the conduct of a review of Queensland's <i>Mental Health Act 2016</i> , as detailed in the Public Advocate's discussion paper ' <i>Proposal that the Queensland Mental Health Act be reviewed</i> '	On-going
Critical Issues/ Lived experience	Continue to engage with mental health service organisations and other stakeholders in relation to critical issues affecting the sector and impacting on the lived experience of people with mental health conditions and impaired decision-making ability	Ongoing

Aged care and older persons

Initiative/Area of focus	Actions	Timeframe
Aged care reforms	Monitor the implementation of the recommendations of the Royal Commission into Aged Care Quality and Safety, including the implementation of the new <i>Aged Care Act</i> (Cth) and associated regulation	On-going
Abuse of older people	Contribute to the development and implementation of strategies and activities designed to modify existing systems and structures that may be facilitating the abuse of older people, and increase community awareness and reporting of the abuse of older people	On-going
Critical Issues/ Lived experience	Continue to engage with aged care organisations and other stakeholders in relation to critical issues affecting the sector and impacting on the lived experience of older people with impaired decision-making ability	Ongoing

Guardianship and administration

Initiative/Area of focus	Actions	Timeframe
Monitor the delivery of public guardianship and administration services	Continue to monitor the implementation of the recommendations in the Public Advocate's report: <i>Preserving the financial futures of vulnerable Queenslanders – A review of the Public Trustee's fees, charges, and practices</i>	On-going
	Monitor the legislative, policy and practice aspects of Queensland's guardianship and administration system, and contribute to system changes that advance the rights and interests of people with impaired decision-making ability, with particular attention to the recommendations of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability and the NDIS Review	On-going
	Establish and maintain periodic meetings with the Public Guardian and Public Trustee so that systemic issues arising in their work, including the Community Visitor program, are communicated to the Office	On-going
Enduring documents	Continue to advocate for the national harmonisation of financial powers of attorney legislation and the development of a national register of enduring documents	On-going
Australian Guardianship and Administration Council	Participate in AGAC in relation to matters of national concern and/or significance, and, where possible, contribute to the formulation of national approaches to issues e.g. guardianship, administration and associated systems	On-going
	Participate in the 2026 AGAC National Conference: Decision time: let's be the change to be held in Brisbane	October 2026
Limitation orders	Analyse limitation order data received from QCAT for any discernible trends or issues that may impact on the rights of people with impaired decision-making ability	On-going
	Advocate for amendments to Section 114A of the <i>Guardianship and Administration Act 2000</i> that currently prohibits an adult from identifying themselves and speaking about their experiences of the guardianship and administration system	On-going
QCAT Guardianship Stakeholder Group	Lead the operations of this stakeholder group that raises issues with QCAT in relation to Guardianship and Administration Tribunal hearings	On-going

Law and justice

Initiative/Area of focus	Actions	Timeframe
Upholding the rights of people with impaired decision-making ability to relationships and sexuality	Continue to advocate for a review of Section 216 of the <i>Criminal Code</i> relating to people with impaired decision-making ability engaging in sexual activity	Ongoing
Queensland Law Society Committees	Participate in Health and Disability Law and Elder Law Committee meetings to stay abreast of current issues and identify opportunities for collaboration on various legislative and policy issues	On-going
Domestic Violence legislation	Continue a project exploring the appropriateness and applicability of domestic violence legislation to Queensland adults with cognitive disability	March 2027
Case intervention	Systemic advocacy through intervention in select individual cases	As required

Public Advocate's office

Initiative/Area of focus	Actions	Timeframe
Governance framework review	Review/develop relevant governance documents	On-going
Publication and communications accessibility	Monitor the accessibility of, and update, the Public Advocate website on a regular basis.	On-going
Policies and Procedures - general	Conduct a general review of the Office's policies and procedures and implement changes/updates where required	December 2026
Key indicators	Monitor a series of key indicators to inform the Public Advocate's systemic advocacy relating to the health and wellbeing of Queenslanders with impaired decision-making ability	Ongoing
Update of privacy policy and procedures	Update OPA's policy, procedures, and records for compliance with the <i>Information Privacy Act 2009</i>	December 2026

