Queensland Law Society

SPECIALIST PRACTICE CONFERENCE 26

7-9 OCTOBER 2026 • BRISBANE

Program – Elder Law

1hr

Keynote Address: Capacity and future planning: Navigating QCAT's evolving guardianship jurisdiction

This session will explore the evolving guardianship jurisdiction of QCAT and reflect on the critical role its decision-making powers play in protecting the rights, autonomy and dignity of adults with impaired decision-making capacity. The presentation will examine key developments in capacity assessments, restrictive practice reviews, and the appointment and oversight of guardians and administrators, together with notable capacity-related decisions shaping current practice. Attendees will also receive an update on recent QCAT procedural reforms, developments in the aged care sector, and practical guidance on safeguarding clients' interests through effective advocacy, risk management, and future planning strategies, including enduring documents and substitute decision-making arrangements.

Presenter: **Senior Member Joanne Browne**, Queensland Civil and Administrative Tribunal (QCAT)

Chair: **Kerryn Sampson**, Special Counsel, Legal Policy, Queensland Law Society

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1hr

Aged Care Act rights-based reforms and what it means for rights holders, providers and attorneys

This session explores key decision-making and safeguarding frameworks affecting older people and adults with impaired decision-making capacity. Presenters will explain the role of the statutory Registered Supporter, provide an update on Enduring Powers of Attorney and Restrictive Practices (including recent case law developments) and examine the advantages and risks of immediate EPOAs. Through a practical discussion on ageism, capacity, autonomy and supported decision-making, attendees will gain insights into balancing protection with the preservation of individual rights and independence.

Presenters:

Karen Williams, Principal Solicitor, ADA Law

Rebecca Anderson, Councillor, Queensland Law Society; Solicitor, ADA Law

Chair: **Sonia Smith**, Special Counsel, Legal Policy, Queensland Law Society

PS SL

1hr

Navigating financial systems for older Australians: A guide for practitioners

Lawyers acting for older clients are increasingly required to engage with banks and other financial institutions to secure access to funds and essential financial services. This session will examine what practitioners can reasonably expect from these providers, the processes and safeguards institutions have in place, and how they respond to concerns involving capacity, financial abuse, and substitute decision-making arrangements. It will also explore practical strategies and escalation options available when financial institutions fail to respond appropriately or in a timely manner.

Presenters:

Paul Holmes, Director of Disaster Relief and Civil Justice Services, Legal Aid Queensland

Chris Siemers, Senior Ombudsman, Australian Financial Complaints Authority

Evelyn Halls AOM, Customer Advocate, Westpac

Chair: **Genevieve Nuttall**, Principal Lawyer, Legal Aid Queensland

1hr

Elder Law Emergency Room: What to do when the client needs help today

Practitioners from Australia's largest Seniors Legal and Support Service will present and discuss a series of short, practical case studies drawn from frontline elder abuse practice. Each case study will be broken down to identify the legal issue, immediate risks, available options, referral and escalation pathways and practical steps a practitioner can take within the first 48 hours to protect their client.

Presenters:

Alexia Zsigmond, Senior Lawyer, Caxton Legal Centre

Jessica Sebastian, Senior Lawyer, Caxton Legal Centre

Stephanie Saint James, Senior Lawyer, Caxton Legal Centre

Chair: **Nicky Mitchell**, Managing Senior Lawyer, Caxton Legal Centre

1hr

Deep dive: Residential aged care fees and contributions

This session will provide attendees with an in-depth understanding of the pricing, charges and increasingly complex rules relating to residential aged care accommodation and service fees so that practitioners may better support clients transitioning into and from these living arrangements.

Presenter: **Madeline Walsh**, Partner, Thomsons

Chair: **Nicky Mitchell**, Managing Senior Lawyer, Caxton Legal Centre

PS SL

1hr

Ethics in Practice: Capacity and Client Instructions

This ethics-focused session explores the professional and ethical challenges that arise when a client's decision-making capacity is impaired, uncertain, or fluctuating. Participants will examine how to balance respect for client autonomy with their ethical and professional obligations, including when taking and acting on instructions. Through practical scenarios, the session will consider ethical decision-making, supported decision-making, risk management, and best-practice approaches to documenting and managing matters where capacity may be in question

Presenter: **Shane Budden**, Special Counsel, QLS Ethics and Practice Centre, Queensland Law Society

Chair: **Chloe Parsons-Pope GAICD**, Councillor, Queensland Law Society; Solicitor, Rostron Carlyle Lawyers

PLE

Presenters



Councillor Rebecca Anderson

Rebecca Anderson, Team Leader Solicitor at ADA Law, and Chair of the Qld Law Society Elder Law Committee

As a human rights community legal service, we assist adults with questioned capacity, in relation to Enduring Powers of Attorney, QCAT Guardianship and MHRT matters.



Senior Member Joanne Browne

Senior Member Joanne Browne transitioned to the new Queensland Civil and Administrative Tribunal as a sessional member in 2009 sitting across all jurisdictions including guardianship. She was appointed a permanent member in 2014 and a Senior Member in February 2023 and list manager of the guardianship jurisdiction.

Prior to her appointment to QCAT, Joanne was admitted as a Solicitor in Queensland in 1996, is also admitted and has practised in the United Kingdom; and in the State of Victoria; and has lectured in administrative law, conveyancing and drafting.

Joanne holds a Bachelor of Laws, Master of Laws and is an accredited mediator.



Shane Budden

As a Special Counsel in the QLS Ethics and Practice Centre/QLS Solicitor Support Pty Ltd, Shane provides ethical guidance and instruction to practitioners. He contributes significantly to the QLS journal Proctor, both through his regular column and by authoring feature articles. He is also a member of the QUT University Animal Ethics Committee.

Shane was admitted in 1992 and worked in general practice with a focus on Criminal Law, before moving to in-house work, initially with the Ipswich City Council internal legal team.

Prior to joining QLS he headed up the internal legal team at the Queensland Building Construction Commission/Queensland Building Services Authority and was Chair of the Society's Government Lawyers Committee.



Evelyn Halls OAM

Evelyn has over 25 years' experience across financial services, corporate law and fairness and integrity matters. Evelyn is currently the Customer Advocate at Westpac, where she provides guidance on complaint resolution and recommends improvements to bank policies, procedures and processes. Evelyn held a similar role at another major bank and was previously Lead Ombudsman for Banking and Finance at the Australian Financial Complaints Authority. Before that, Evelyn was a partner at Herbert Smith Freehills Kramer.

Evelyn has combined her professional career with a parallel career in sport and represented Australia at two Olympics Games. She holds a variety of leadership roles in Australian and international sport, including as Vice President of the Australian Olympic Committee. Evelyn also sits on the Athletics Australia Ethics & Integrity Committee and has recently been appointed to the Global Council of the International Court of Arbitration for Sport.

Evelyn holds a B.A/LL.B (Hons) from the University of Melbourne and is a graduate of the AICD Company Directors Course.



Paul Holmes

Paul has been a lawyer at Legal Aid Queensland for the past 18 years assisting clients with a range of issues across consumer law, consumer credit, debt, insurance, scams, telecommunications and utilities. Making systems more consumer friendly and accessible is an important part of his work.



Nicky Mitchell

Nicky is a Managing Senior Lawyer at Caxton Community Legal Centre. In this role, she is responsible for day-to-day supervision and management of the Seniors Legal and Support Service (SLASS). SLASS is a specialist, multi-disciplinary service which assists older persons who are at risk of or are experiencing elder abuse. Within community and Health Justice Partnerships based services, SLASS provides legal advice and representation, and social support across various areas of law. As a member of the Queensland Law Society Elder Law Committee and Co Convener of the National Older Persons Legal Service Network, Nicky is regularly contributing to and assisting with submissions to law reform and policies for issues concerning older people. She has worked in Community Legal Centres in Queensland since her admission in 2015.



Genevieve Nuttall

I'm a generalist civil lawyer, with particular interest in elder law and administrative law, including NDIS appeals. I've worked at Legal Aid Queensland for 8 years. Prior to this, I spent 5 years in community legal centres.



Councillor Chloe Parsons-Pope GAICD

Chloe Parsons-Pope is a skilled litigator and corporate lawyer, with broad regulatory and commercial practice, with particular expertise in matters involving corporate governance, the Corporations Act 2001 (Cth), business and directorship disputes and financial services. In addition to her role as QLS Councillor, Chloe serves on the Society's Finance and Risk and Professional Conduct Committee. Chloe is also member of the Law Council of Australia's Young Lawyers Committee and member of the College of Law's Civil Litigation Curriculum Advisory Committee (CAC).



Stephanie Saint James

Stephanie is a Senior Lawyer in the Caxton Health Justice Partnership and Seniors Legal and Support (SLASS) services. Stephanie has a practice background highly focused in succession and elder law, particularly contentious and litigated matters. Stephanie has worked across government, private practice and community legal service.

Stephanie works in Caxton's multidisciplinary practice models alongside social work, medical and allied health colleagues to support and advocate for clients. Stephanie has a particular interest in enduring power of attorney and equity matters.

Stephanie also contributes to the legal education and reform work of Caxton, including their work with government, health and private sectors.



Jessica Sebastian

Jessica is a Senior Lawyer in Caxton Community Legal Centre's Senior Legal and Social Support Services (SLASS). She has worked in both the Health Justice Partnership and community based elder abuse services since 2023. She has a strong passion for social justice, human rights and humanitarian law. Jess has a Master's in International Human Rights and Humanitarian Law and has worked in several human rights-based organisations in New Zealand and more recently, in Australia.



Chris Siemers

Chris is a senior ombudsman at the Australian Financial Complaints Authority (AFCA). Chris brings over 14 years of experience in external dispute resolution, specialising in complex banking and finance complaints involving financial hardship and other vulnerability.

With a background as a therapist, and a financial counsellor in regional Victoria, alongside their' own lived experience, Chris has seen first-hand how financial stress, health challenges, family violence and the financial abuse can intersect.

Chris' focus is grounded in fairness, compassion, and systemic awareness, recognising that behind every case is a person working to rebuild their sense of safety, stability, and control.



Sonia Smith

Sonia works closely with the Queensland Law Society's Legal Policy Committees to address legal and policy reform issues to further the Society's purpose of good law, good lawyers and the public good.

Prior to joining Queensland Law Society, Sonia worked as a solicitor in Brisbane, Dubai and regional Queensland. She has worked in private practice, government and the community sector with experience in property law, commercial law, local government law, infrastructure projects and elder abuse.

Sonia holds tertiary qualifications in law, arts and psychology including a Master of Commercial Law from the University of Melbourne.



Kerryn Sampson

Kerryn works closely with several of Queensland Law Society's Legal Policy Committees to address legal and policy reform issues and further the Society's purpose of good law, good lawyers and the public good. Prior to joining Queensland Law Society, Kerryn worked as a solicitor in Brisbane practising in personal injury and insurance law.

Kerryn holds tertiary qualifications in law and a Master of Politics and Policy from Deakin University.



Madeline Walsh

Madeline acts for aged care, retirement village and NDIS providers on regulatory compliance, transactions, disputes and coronial matters. Her clients range from publicly listed groups to private and not-for-profit providers.

She is Deputy Chair of the Queensland Law Society Elder Law Committee, contributing to policy positions and submissions on legislative reform in the sector.

Madeline's recent work includes regulatory due diligence on major aged care and retirement village acquisitions, supporting more than 140 providers through the transition to the new Aged Care Act, and advising on care minutes compliance and enforceable undertakings.

She holds a Bachelor of Laws from Bond University and was recognised as a Leading Lawyer for Health and Aged Care Law in Best Lawyers in Australia (2025–2027).



Karen Williams

Karen has been Principal Solicitor at ADA Law for 5 years. One of our Key services provides for QCAT advice and representation for adults who are likely to be subject to a Tribunal application or Order.

Karen is the Queensland Representative for National Elder & Succession Law Committee. Her professional interests also include: responding to Elder Abuse and interface between Hospital and Aged Care.



Alexia Zsigmond

Alexia is a Senior Lawyer at Caxton Community Legal Centre where she works alongside social workers to provide legal advice, representation and support to older people experiencing or at risk of experiencing elder abuse. She also delivers community legal education to community groups with a focus on increasing awareness of legal rights and promoting early intervention. Alexia has practiced in jurisdictions across NSW, ACT and Queensland since 2013 primarily within the community legal sector. Her practice is grounded in trauma-informed, client-centred advocacy. Alexia is committed to improving access to justice for older people and strengthening multidisciplinary responses to elder abuse.