

Joy and Don McBurnie Postdoctoral Fellowship

The Joy and Don McBurnie Postdoctoral Fellowship was established by a gift of funds from Dr Suanne Lawrence. The McBurnie Postdoctoral Fellowship, to be undertaken at the TLRI, is aimed at generating research that promotes the legal rights and interests of older Tasmanians. This may include: improving the ways in which older Tasmanians are considered, included and provided for in the state's system of law, government and justice; and recommending ways in which elder abuse in Tasmania can be better detected, responded to, and ultimately reduced.

The Fellowship further required that the study be undertaken by a Senior Research Fellow with high level doctrinal legal research, empirical research and liaison with internal and external stakeholders, culminating in findings presented in a TLRI Research Paper, approved by the Board.

A preliminary stage of the study, commencing in 2023, involved the TLRI liaising with internal and external stakeholders to determine the scope of research within the broad aims of the McBurnie Fellowship stated above. This involved informal discussions with key agencies in Tasmania with knowledge and/or experience in the legal rights and interests of older Tasmanians to identify current issues and inquire about the availability of data that inform consideration of these issues.

This informed refinement of the research scope to a study to evaluate 'The Legal Landscape for Safeguarding Against the Abuse of Older Tasmanians'. This includes civil, criminal and administrative laws, legal systems and frameworks, and related policies and processes for detecting, investigating and responding to the abuse of older Tasmanian's legal rights and interests. Within this, the study has four aims.

1. Map the current legal landscape for addressing the abuse of older Tasmanians and explore how identified gaps limit the ability to safeguard against different forms of abuse.
2. Conduct an environmental comparison of Tasmania with other Australian jurisdictions to identify key drivers that have underpinned reforms to the legal landscape in these jurisdictions.
3. Consider implications in the Tasmanian context regarding reforms that may be considered to have the potential to fill the identified gaps in the legal landscape and remove barriers that limit safeguarding against abuse of older Tasmanians.
4. Identify additional requirements in Tasmania to support implementation of any such reforms aimed at developing effective responses to risk factors for the occurrence of abuse and of help-seeking.