

6 August 2020

Our ref: HS

Dr Jeanette Young
Chief Health Officer
Queensland Health

By email: [REDACTED] and by upload to the [REDACTED]
[REDACTED]

Dear Dr Young

Chief Health Officer's public health directions – Aged Care Direction

As you are no doubt aware, Queensland Law Society (QLS) is the peak professional body for the State's legal practitioners.

In that capacity we have considered the Aged Care Direction (No. 8) and its accompanying material as it applies to restricted residential aged care facilities. We appreciate the objective of the direction is to protect vulnerable Queenslanders from potential sources of infection, however we are concerned that the Direction means residents in the facilities are not able to effectively access necessary legal services, such as completion of wills and enduring documents.

The *Justice Legislation (COVID-19 Emergency Response—Documents and Oaths) Regulation 2020* provides a method for wills and enduring documents to be witnessed via audio-visual link during the pandemic, however completing documents via this method may not be possible for many elderly residents, particularly those with a sensory disability. We would therefore be most grateful if it could be made clear that legal practitioners are able to enter restricted residential aged care facilities for the purpose of providing legal services to resident clients (subject to flu vaccinations requirements and the other restrictions in paragraph 6 of the Direction).

As the direction does not allow for exemptions to be made regarding persons entering a residential aged care facility (rather it only allows for exemptions in relation to residents leaving facilities on compassionate grounds), we respectfully request that the direction be amended to allow legal practitioners entry and that any future directions also make clear that legal practitioners may enter residential aged care facilities.

We thank you for your consideration of our request and on behalf of the Queensland legal profession, thank you for your extraordinary efforts in endeavouring to keep all Queenslanders safe during these challenging times.

If you have any queries regarding the contents of this letter, please do not hesitate to contact our Legal Policy team via policy@qls.com.au or by phone on (07) 3842 5930.

We look forward to hearing from you.

Yours faithfully,

[REDACTED]
Luke Murphy
President