Dementia Australia

Support. Change. Prevention.

Review of Queensland's human rights and anti-discrimination framework

October, 2026

Introduction

Dementia Australia welcomes the opportunity to contribute to the Review of Queensland's human rights and anti-discrimination framework.

As the peak body representing people of all ages living with dementia, their families and carers, our response focuses on the aspects of the Review most relevant to the experiences of people impacted by dementia.

Dementia is a progressive cognitive disability. In 2026 there are an estimated 88,200 people living with all forms of dementia in Queensland. This figure is projected to increase to an estimated 168,300 by 2054 [1]. People living with dementia may require support to understand their rights, communicate their experiences, gather information and navigate complaint processes. They may also rely on the service or organisation that is the subject of their complaint for essential care or support.

The framework should therefore ensure cognitive accessibility by designing information, environments and processes so that people with cognitive disability can understand, navigate and participate effectively. It should also embed supported decision-making, prevent discrimination and human-rights breaches, and provide effective oversight through the Queensland Human Rights Commission.

Dementia Australia recommends the following reforms and outcomes:

1. maintain a strong, independent and appropriately resourced Queensland Human Rights Commission;
2. retain the obligation on public entities to properly consider human rights;
3. clarify when organisations performing public functions on behalf of the State have human-rights obligations;
4. commence the enacted positive duty to prevent discrimination, supported by effective investigation and enforcement powers;
5. ensure complaint and remedy pathways are cognitively accessible and inclusive of people living with dementia; and
6. retain reforms that promote substantive equality, recognise discrimination involving combined attributes, simplify the tests for direct and indirect discrimination, and protect family, carer or kinship responsibilities.

Maintain a strong and independent Queensland Human Rights Commission

Questions A1 and A12–A17

Dementia Australia supports maintaining a strong and independent Commission with the powers and resources needed to perform its functions effectively.

Education, guidance and systemic oversight help organisations understand their responsibilities and prevent discrimination. These functions are essential for people living with dementia who may require support to recognise or report discrimination. This position is consistent with Dementia Australia's previous support for Commission-led education, guidance, accountability and public reporting in other jurisdictions [2].

Retain preventative obligations and effective remedies

Questions B12, B13 and B18

Dementia Australia supports continued alignment of Queensland's human-rights framework with the United Nations Convention on the Rights of Persons with Disabilities (CRPD), and its principles of equality, autonomy, accessibility and supported decision-making.

Dementia Australia recommends retaining the requirement for public entities to properly consider human rights when developing policies and programs and making decisions. For people living with dementia, this is essential for decisions about healthcare, consent, capacity, privacy, access to services, reasonable adjustments and carer involvement, which can significantly affect autonomy, dignity and inclusion.

The Act should also clearly identify which organisations performing public functions on behalf of the State have human-rights obligations. Recent consultation with Queensland carers of people living with dementia identified that people living with dementia and carers interact across government departments, hospital and health services, and government-funded disability and community services and identified the burden created by fragmented services, repeated processes and unclear information.

Dementia Australia recommends that, where a human-rights complaint is not resolved through the Queensland Human Rights Commission's complaint and conciliation process, the complainant has a clear, affordable and accessible pathway to an effective remedy. Complaint and remedy pathways should be accessible to people living with dementia and supported by clear information, reasonable assistance and access to independent advocacy.

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Commence the positive duty and strengthen Commission oversight

Questions C10–C19

Dementia Australia supports commencement of the positive duty contained in the enacted amendments to the Anti-Discrimination Act 1991. The duty would require those subject to the Act's prohibitions to take reasonable and proportionate measures to eliminate discrimination and other covered unlawful conduct as far as possible. The duty should be supported by Queensland Human Rights Commission guidance, investigation and enforcement powers.

This position is consistent with Dementia Australia's previous submissions on Australia's human-rights framework [3], the NSW Human Rights Bill [2] and the review of the Disability Discrimination Act 1992 [4]. These submissions support preventative duties, enforceable protections, accessible complaint mechanisms and effective Commission oversight.

Commission guidance should explain how the duty applies to preventing discrimination against people with cognitive and neurodegenerative disability, including through cognitive accessibility, supported decision-making, accessible communication and workplace and environmental adjustments. Any staged implementation should have clear timeframes, milestones and be appropriately resourced.

Provide dementia inclusive complaints and remedies

Questions A20–A32 and B13

Dementia Australia recommends complaint processes that support people with cognitive and communication disabilities to understand their options and participate meaningfully. Information and communication should be clear, accessible for example providing Easy Read documents and consistent with Dementia Australia's **Dementia Language Guidelines**, which promote respectful and inclusive language about dementia.

Supported decision-making should underpin the approach throughout the complaints process. A person should be able to involve a nominated support person, advocate, agent or representative while remaining at the centre of decisions about their complaint. Dementia Australia's position supports the presumption of capacity, recognition that decision-making ability may fluctuate, and the person's continued involvement in the complaints process in accordance with their will and preferences.

Where several entities or legal frameworks are involved, complaints should be coordinated and referrals clearly explained to ensure the person understands the process and is not required to repeat the same information to multiple organisations.

Promote equality and recognise carers

Questions C1, C7 and C9–C10

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Dementia Australia supports reforms that promote substantive equality, recognise discrimination involving combined attributes, protect family, carer or kinship responsibilities, and simplify the tests for direct and indirect discrimination. Substantive equality recognises that people may require different support to participate equally. For a person living with dementia, this can include clear information, Easy Read where appropriate, additional processing time, flexible communication and participation options, decision-making support, and environments that are easy to navigate.

Dementia Australia's **dementia-friendly tools and resources** provide practical guidance for organisations seeking to improve inclusion and accessibility.

Dementia Australia also supports recognition that discrimination may arise from the interaction of several protected attributes. For people living with dementia, this may include the combined effects of disability, age, race, sex, sexual orientation, gender identity or family, carer or kinship responsibilities. Other circumstances, including geographic location and socioeconomic disadvantage, may further affect a person's access to rights and remedies.

Protection for family, carer or kinship responsibilities should also be retained. Carers may assist a person living with dementia to communicate, make decisions and exercise their rights where this reflects the person's wishes. They may also experience workplace discrimination where their employer does not accommodate caring responsibilities, such as the need for flexible hours or time to attend appointments and provide support. This can affect carers' working hours, income, career progression and continued employment.

Recent feedback from Queensland carers of people living with dementia identified exclusion from decisions, difficulty navigating fragmented systems, repeated administrative processes and a desire for stronger accountability and avenues for redress as significant issues. The framework should recognise these experiences while maintaining the person living with dementia as the central rights-holder. It should promote the presumption of capacity, recognise that decision-making ability is specific to the decision and may fluctuate, and support the person's will and preferences.

Conclusion

Dementia Australia encourages the Reviewer to recommend reforms that strengthen Queensland's existing human-rights and anti-discrimination framework, support people to understand and exercise their rights, prevent discrimination, provide accessible and timely pathways to resolution and remedy, and enable the Queensland Human Rights Commission to address individual and systemic concerns.

Thank you for considering our recommendations. We welcome continued engagement as the Review progresses.

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References

1. Dementia Australia. Facts and Figures. 2026; Available from: https://www.dementia.org.au/about-dementia/dementia-facts-and-figures.

2. Dementia Australia, Submission to the Inquiry into the Human Rights Bill 2025, in Parliament of New South Wales Legislative Committee on Community Services. 2026, Dementia Australia: Australia.

3. Dementia Australia, Submission to the Parliamentary Joint Committee Inquiry into Australia's Human Rights Framework. 2023, Dementia Australia: Australia.

4. Dementia Australia, Submission to the Review of the Disability Discrimination Act 1992. 2025, Dementia Australia: Australia.

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