

30 June 2020

The Hon. Judge Lisa Hannan
Chief Magistrate
Magistrates' Court of Victoria

Dear Chief Magistrate,

RE: Misuse and failure of Family Violence Intervention Order system, and elder abuse

The Law Institute of Victoria ('LIV') commends the work of the Court and court officers to implement the recommendations made by the Royal Commission into Family Violence to improve the Family Violence Intervention Order ('FVIO') system. However, members of the LIV Elder Law Committee ('Committee') are concerned that victims of elder abuse are, at times, being placed at a severe disadvantage and/or risk by the misuse or failure of the FVIO system designed to protect them.

On 10 June 2020, Melbourne Magistrates' Court staff and Magistrate Stuthridge accepted our invitation to attend the LIV Elder Law Committee meeting, to discuss these concerns. The LIV welcomes the opportunity to be consulted and to provide further input in relation to any action items which may arise from that meeting and this letter.

The LIV submits that elder abuse can occur where:

- the perpetrator of elder abuse applies for an FVIO on behalf of the older person stating that the older person is the 'affected family member' ('AFM') and the respondent is another family member who is actually supporting the victim or is a person with whom the perpetrator is having a dispute; or
- the perpetrator of elder abuse applies for a FVIO against the older person, making the victim the respondent, and the FVIO is made on fictitious and malicious grounds. This is particularly concerning where a final hearing may occur many months after the FVIO application is first made.

In circumstances where an interim FVIO order is granted, it may unfairly advantage a perpetrator of elder abuse by:

- restricting the ability of the older person, and the older person's supporters, to be adequately heard prior to a contested hearing; and/or

- preventing contact between the older person and their supportive family members who, by virtue of the order, are prevented from any contact until a further hearing, thus isolating the older person and weakening the older person's ability to resist the abuse.

The Committee is concerned that such adverse outcomes can occur due to:

- an older person not being granted an opportunity to have their voice heard; and
- the complex intersection between guardianship and administration, powers of attorney and the FVIO system.

In addition, it is the Committee's view that there are several factors in the present system which may result in the above situation. These factors may stem from court procedural issues that can result in the older person's voice not being heard, or because some Registrars (often due to pressures of time and caseload) fail to recognise certain 'red-flags' which can indicate, or exacerbate elder abuse.

The following factors can potentially exacerbate elder abuse:

- a failure to consider additional risk factors during the FVIO process;
- procedural court issues, including:
 - lack of awareness of external support services;
 - lack of awareness of duty lawyer services;
 - limited access to elder abuse guidance materials;
 - limited availability of specialist family violence courts; and
 - technology
- complex intersection with guardianship, powers of attorney and the FVIO system;
- inconsistent advice and processes by Registrars; and
- the requirement that an appointment is required even to list an urgent application.

Whilst the LIV recognises the significant pressures on court officers and their extensive workload, it is concerned at the increasing manifestation of family violence in the context of an ageing population. Elder abuse can be difficult to identify within complex family dynamics, such as sibling relationships with ageing parents, and can require more rigorous investigation. If a thorough investigation into the background circumstances of an FVIO application is not conducted, a FVIO may be misused to perpetrate elder abuse against an older person. To illustrate this problem, LIV members have collated a series of actual case studies, attached in **Annexure A**.

Failure to consider additional risk factors during the FVIO process

Members of the Committee have expressed concern that an older person may not be thoroughly questioned, or even questioned at all, during the FVIO process. It is acknowledged that this should be balanced with the risk of unnecessarily requiring an older person to attend court.

Moreover, Committee members submit that additional steps should be taken in circumstances where a FVIO application is made in relation to, or on behalf of, an older person. This would ensure that the older person's views are heard, he/she is provided with access to the necessary resources and information and is afforded an opportunity to provide his/her own evidence independently of others.

Recommendation 1: Triage meetings to identify older person as safety risk

The LIV recommends that an FVIO involving an older person be prioritised and identified as a high-risk application during the morning Court triage meeting. Moreover, the LIV calls for improved state-wide communication across Magistrates' Courts in Victoria, to increase awareness of the misuse of FVIOs as a means to perpetrate elder abuse.

In relation to FVIO's involving an older person, the LIV recommends that consideration be given to the following factors:

1. Where an application is being made on behalf of an older person and in their absence:
 - a. What steps does the court need to take to satisfy itself of the evidence given by the applicant?
 - i. does the applicant assert that the older person does not have decision making capacity? If so, does the court require medical evidence?
 - ii. is the older person present at court? If not, why not?
 - iii. can the court take any steps to independently contact the older person to speak to them alone?
 - b. If the applicant is not a guardian or a person appointed by the older person under a power of attorney, what authority does the applicant hold, if any?
 - c. If the applicant is an Attorney, has the applicant produced documentary proof of appointment and does the older person know what is occurring?
2. Where an application is being made against an older person:
 - a. Can the older person attend court, and if so, do any support systems need to be put into place to permit their attendance?
 - b. If the older person has limited or no capacity, does the older person have a supportive or substitute decision maker, under guardianship, an Enduring Power of Attorney, or otherwise?
3. Should the parties be referred to, or given information about the role of the Victorian Civil and Administrative Tribunal ('**VCAT**') Guardianship List?
4. Have the parties been advised of their right to speak to a duty lawyer or to Seniors Rights Victoria?
5. Can the older person be given priority for access to a duty lawyer, particularly if he/she has significant health issues? Additionally, should a member of the Court Network be assigned to them?

Please see the case studies of 'Katerina', 'Harold', 'Cathy' and 'Michelle' under **Annexure A**, for an illustration of cases which lacked consultation with an older person.

Complex intersection with guardianship, powers of attorney and the FVIO system

Members of the Committee have expressed concerns that some court officers lack an understanding of s.45 of the *Family Violence Protection Act 2008* (Vic) ('**FVPA**') as to who may make an application, in the context of dealing with 'guardians'. This section provides that an application for a family violence intervention order may be made by the guardian of the AFM, or '*any other person with leave of the court*' [emphasis added]¹.

The Committee notes that 'guardian' under s.4 of the FVPA, is defined as either a guardian under the *Guardianship and Administration Act 2019* (Vic) or an attorney who has power for personal matters under an enduring power of attorney under the *Powers of Attorney Act 2014* (Vic). Moreover, it is important to make distinctions between an enduring power of attorney for financial matters and an enduring power of attorney for personal matters: please see the case study of 'Joan' under **Annexure A**.

Recommendation 2: Clarifying the definition of 'guardian' under s. 45 of the FVPA

The LIV proposes that the following be inserted into the Bench Book:

1. An enduring power of attorney can be for personal and/or financial matters. A person purporting to only exercise an enduring power of attorney for financial matters has no authority in relation to any personal or lifestyle decisions, and cannot apply to be a 'guardian' as per section 45 of the FVPA.
2. The applicant must produce the original (or certified copy) of the VCAT order or their appointment as an enduring power of attorney for personal matters on which the applicant is relying to establish their authority to act on behalf of the applicant.
3. The wording of the VCAT order or enduring power of attorney for personal matters must be carefully examined to ensure that it gives the applicant the relevant power(s) under the definition of 'guardian; as per s.4 of the FVPA.

Some Committee members report instances where incorrect assumptions are made during a FVIO proceeding of an older person's decision-making capacity, resulting in adverse outcomes. For an illustration of this issue, please see the case study of 'Arthur' under **Annexure A**.

Procedural court issues

Lack of awareness of external support services

The LIV acknowledges that many court locations already have a family violence duty lawyer program, as well as applicant and respondent practitioners on site to provide support services. In addition, external community services can send representatives to court to assist and support individuals should they be required. These include services such as social workers and specialist family violence case managers. Whilst these services are available, some practitioners within the Committee report

¹ *Family Violence Protection Act* (2008) Vic s. 45(e).

that many individuals will not seek to access them on their own initiative, as not all services available are widely promoted and known to those who could benefit from them.

Recommendation 3: Referral Options Booklet

When a person is served with a notice to attend an intervention order hearing, that notice should also contain a directory of external support services. For example, the Domestic Violence Resource Centre Victoria (DVRCV) booklet² on 'Domestic and Family Violence Referral Options' could be provided to an older person, who may then make enquiries to Senior Rights Victoria. This would provide greater awareness of existing services to vulnerable people.

Lack of awareness of duty lawyer services

The LIV submits that informing individuals of their right to a duty lawyer is an essential step towards access to justice. Referring an applicant to a duty lawyer service upon submitting their intervention order application is already a common practice in most Magistrates' Courts in Victoria. However, the Committee notes that in cases where the applicant may be applying on behalf of another or it is a police-initiated application, the AFM may not always be aware that they have the right to pursue their own legal advice and representation. If an AFM is not aware of their options, this can lead to an adverse outcome, particularly if they do not agree with what the applicant is seeking.

For an illustration of this issue, please see the case study of 'Janet and Roger' under **Annexure A**.

Limited access to elder abuse guidance materials

In the broader community, raising awareness of elder abuse and where to seek assistance for both older persons themselves and/or concerned family or friends is a matter that is increasingly gaining more attention. Many localities in Victoria have specific elder abuse prevention networks which have launched campaigns to spread awareness and create resources. Such resources are simple, in plain English and can include information on elder abuse in general, your rights and where to seek assistance in your area. Many networks also provide referral guides/pathways for organisations and other services.

Recommendation 4: Hard copy resources

The LIV suggests that resources from specific elder abuse prevention networks could be distributed in hard copy at the Magistrates' Courts so that they are readily available to the public as well as being provided to the Registry and court staff for reference if required. Such hard copy resources may include:

² Domestic Violence Resource Centre Victoria, 'Domestic and Family Violence Referral Options' (Booklet, July 2019) < <https://www.dvrcv.org.au/sites/default/files/DVRCV-Referral-Options-Booklet-Aug%202019.pdf>>.

- Seniors Rights Victoria services brochure³;
- ‘Take Control’ booklet by Office of the Public Advocate⁴;
- ‘Abuse is not ok’ booklet by the Office of the Public Advocate⁵.

Limited availability of specialist family violence courts

The LIV applauds the extension of specialised family violence courts (‘SFVCs’), as recommended by the Royal Commission into Family Violence. Of the 14 court locations, funding has thus far been allotted to the establishment of five SFVCs, including Shepparton, Ballarat, Moorabbin, Frankston and Heidelberg. The LIV notes that the COVID-19 pandemic may have unfortunately affected the roll-out of the remaining SFVCs, and seeks an update as to how this is progressing.

Committee members note that elder abuse may have different characteristics to that of other forms of family violence, and that court staff may benefit from additional training in this area.

Recommendation 5: Additional training

The LIV is of the view that the best way to improve the current situation is to provide additional training and information for court officers to address the ‘red-flags’ which may indicate that an FVIO is being misused to perpetrate elder abuse. For example, when an FVIO is applied for by a substitute decision maker in the absence of the older person. The LIV recommends that a training module be designed, with input of elder abuse prevention and response networks.

Technology

Victims of elder abuse are often isolated, without independent access to technology, independent advice or transport. They are often heavily reliant upon family members (some of whom may be their abusers) to meet their day-to-day needs such as attending appointments or accessing information. As the FVIO system requires an applicant to attend in person or by visual audio link, this may create a ‘barrier to entry’ for an older person who may not be physically able to attend court, or access electronic communication independently. As a result, an older person who is misidentified as the respondent by an abuser, may be limited in their ability to oppose the FVIO.

The LIV notes that the COVID-19 pandemic has led to courts making operational changes, and adopting new innovative approaches to minimise in-person appearances. The LIV would welcome

³ Seniors Rights Victoria, ‘Elder abuse prevention & support’ (Brochure, August 2016) <https://seniorsrights.org.au/wp-content/uploads/2014/03/SRV-Service-Brochure-Aug-2016_web-2.pdf>.

⁴ Office of the Public Advocate, ‘Take Control’ (Booklet, April 2020) <<https://www.publicadvocate.vic.gov.au/resources/booklets/advance-planning-booklets/474-take-control-1/file>>.

⁵ Office of the Public Advocate, ‘Abuse is not ok’ (Booklet, 2017) <<https://www.publicadvocate.vic.gov.au/resources/booklets/preventing-abuse/417-abuse-is-not-ok/file>>.

the opportunity to liaise with the Magistrates' Court to discuss how these approaches could be continued into the future to allow older people to participate in the FVIO process. This may involve the Court promoting greater use of remote appearances by audio-visual link.

Inconsistent advice and processes by Registrars

The Committee also notes inconsistent advice and processes where an Order is sought on behalf of an older person. There are occasions when the Court has granted an Order without hearing from the older person, nor with any medical information on the record. There are other occasions when despite written consent being provided by the AFM under s. 45 of the FVPA, the Registrar has insisted on "leave" being granted.

For an illustration of this issue, please see the case study of 'Jack and Jill' under **Annexure A**.

An appointment is required to list urgent application

There are occasions when support services or lawyers become aware of critically abusive situations and want to assist clients to obtain FVIOs immediately, only to be told by the Magistrates' Court staff that an appointment will need to be made. The next appointment might not be available for up to 7-10 days. This policy may be based on an assumption that urgent matters will be dealt with by police. However, because of the unique dynamics of elder abuse, there are times when, despite significant abuse, the older person will not consent to the police being contacted. This delay can often exacerbate the elder abuse.

Recommendation 6: Reviewing current appointment system for FVIO

The current system for applying for an urgent FVIO should be reviewed to ensure that urgent cases are triaged to give them priority, waiting times for critical cases are reduced wherever possible and there is more flexibility in the treatment of urgent matters.

Conclusion

The LIV fully understands the pressures on court officers in this area. However, the LIV also submits that by implementing the recommendations above, the distress and further isolation of victims of elder abuse and their supporters would be greatly alleviated.

If you wish to discuss any of these matters further, please do not hesitate to contact us.

Yours sincerely

Sam Pandya
President
Law Institute of Victoria

Adam Awty
Chief Executive Officer
Law Institute of Victoria

Annexure A: Case studies

The LIV provides full permission to the Melbourne Magistrates' Court to use the following case studies for educational purposes.

* Note: The following case studies have been de-identified with the permission of the participant.

1. Katerina:

Issue: Lack of consultation with an older person.

Katerina has two sons and a younger brother. She is in her early 80s.

Katerina's eldest son, Sam ('**attorney**') is appointed as her primary attorney for personal, legal/financial and medical treatment decision making.

Katerina's younger brother, John, and his wife Julie are close to Katerina.

Katerina has suffered from a mental health condition throughout her life. To the best of Julie and John's knowledge, Katerina has not been diagnosed as having impaired decision-making capacity although her mental health condition fluctuates.

Katerina's attorney, Sam, decided that Katerina should be moved into a residential aged care facility against her wishes. Sam sold her home without her knowledge.

Katerina confides in Julie about how Sam is controlling and abusive. She does not know what happened to the proceeds of sale of her home.

Sam bought Katerina a mobile phone and installed a messaging application on it, but he retained access to the messaging application, and later monitored Katerina's communications with John and Julie. Sam later uses this information to cancel appointments or social events between Katerina and Julie.

Sam became increasingly aggressive and had several arguments with Julie. Sam removed the telephone from Katerina's room at the residential aged care facility. On behalf of Katerina, Sam applied for and obtained an interim FVIO against Julie, thereby preventing Julie from speaking to or contacting Katerina.

Katerina contacted a community legal centre concerned about her lack of access to John and Julie. When Sam found out about this, he barred Katerina's lawyer from entry to the residential aged care facility.

In the FVIO process, the court did not ask for medical evidence of Katerina's capacity, or ask for anyone (duty lawyer, community service) to speak to Katerina about her opinion as to the FVIO. Katerina's voice was never heard by the Court.

2. **Harold**

Issues: Lack of consultation with the elderly person; elderly person called police for help and intervention order was applied for against them by police.

Harold has significant disabilities as a result of a motor vehicle accident and relies on support workers for daily assistance in the mornings and evenings. His adult son, Christian, moved into his home and helps himself to Harold's prescription medication and personal care products which are required for his care in the home. Christian is claiming carer payment but does not provide Harold with care. Christian moved his new partner into Harold's home against Harold's wishes. Neither Christian or his partner work, and are up all night making loud noises, which prevents Harold from sleeping properly. Support services are considering withdrawing from assisting Harold because of Christian's behaviour and mess. This will leave Harold incredibly vulnerable.

An incident arose during where Christian was yelling at Harold and leaning over his power wheelchair control, which resulted in the power wheelchair moving towards him. Harold called the police for help, but the police applied for a limited FVIO order against Harold, believing Christian's account that Harold deliberately drove wheelchair towards him. Harold has a submissive personality and doesn't tend to speak up for himself unless efforts are made to engage him.

3. **Cathy**

Issues: counter FVIO made on fictitious and malicious grounds, older person very vulnerable because of living arrangements, exclusion clause would have rendered the older person homeless.

Cathy is in her late 70s and has been living in a granny flat on her daughter, Samantha's property for some years. Cathy put in more than \$200,000 towards the construction of the granny flat.

Unfortunately, the relationship broke down to such an extent that with the assistance of lawyers, Cathy applied for an FVIO against her daughter. There had been physical violence towards Cathy as well as property damage. In December, an interim FVIO was granted and the matter was due to be heard again in court in late April.

However, at the beginning of April 2020, in the middle of COVID-19 lockdown, police attended at Cathy's unit to serve a counter interim FVIO against her, with an exclusion clause. Cathy rang her lawyer extremely distressed because she had nowhere else to go and live and she was very worried about her vulnerability to the virus.

Fortunately, the police who attended at the property were compassionate. They were surprised that Cathy was the age she was and they spent about an hour with her talking about the situation. They then made the decision not to formally serve the order and to contact the police prosecutor to ascertain how this situation had arisen. The allegations in the application were weak and along the lines of Samantha making false allegations to the police (in fact the police were considering to charge Samantha with a breach of the Order). In addition, Samantha couldn't financially afford to keep supporting Cathy (Cathy paid most of her own expenses and there was a complex property / financial relationship currently in the hands of lawyers).

It took more than a week for the matter to be resolved. The court removed the exclusion part of the FVIO order against Cathy however kept the interim FVIO. During this time Cathy was deeply distressed.

4. Michelle

Issues: *Lack of scrutiny, conduct arguably does not constitute family violence.*

Michelle was Simon's second wife. She has been married to him for more than 20 years and for most of that time has provided him with considerable care because of his age and illnesses. Simon and Michelle were living in a house in Simon's name only. Simon has now gone into care. Simon's children from his first marriage have started telling Michelle she has to move out of the home. There was an incident at the house where the adult children tried to come into the house to take belongings without Michelle's consent. Michelle screamed at them and locked them out. Augusta, Simon's eldest daughter, applied for an FVIO against Michelle and an interim IVO was granted.

5. Joan:

Issues: *Enduring Power of Attorney (Financial Matters) used to apply for FVIO without any guardianship powers, lack of voice of older person.*

Joan is in her 80's, and lives with her daughters Jenny and Jessica, who are Joan's main supports.

Joan's adult son James, and his partner Sandra, recently moved into Joan's home. James has a history of using ice, and Jenny expressed concerns about this. James became aggressive, and the lines of communication were quickly shut down. James and Sandra then moved Joan into a nursing home. They told her she was going on a day trip, and then left her at the nursing home.

Shortly after, James applied to the local Magistrates' Court on behalf of Joan for a FVIO against both Jenny and Jessica. James relied upon an Enduring Power of Attorney (Financial Matters) to make the application which was accepted by the Court. No one held a guardianship order (or an Enduring Power of Attorney (Personal Matters)). An interim order was made which restricted Jenny and Jessica

from contacting Joan in the nursing home. In any event, as Joan had been removed from her home, the lines of communication were cut.

Jenny and Jessica had significant fears for Joan's welfare. The allegations in the application for the FVIO included "Jenny turned up at Joan's house and demanded to know what was happening with her estate". Even if true, they were not family violence allegations.

When Jenny's lawyer contacted the court to ask how they had made the application, the court advised that leave had been granted to James as attorney to make the application, in the absence of Joan and without hearing her evidence.

6. Arthur

Issues: fluctuating decision-making capacity, failure to review previous assessment of decision-making capacity with a particular emphasis on current medical evidence.

Arthur was in his 90's. He grew up as an orphan, and had no living relatives except for his wife and adult son, Ben, who lived with him. Maintaining a relationship with Ben was vital to Arthur particularly after his wife died.

When Arthur turned 92, he had a fall and was assessed as lacking decision-making capacity. At that time, his wife also lacked decision-making capacity. An independent guardian and administrator were appointed by VCAT for both Arthur and his wife. After Arthur's wife died 3 years later, the guardian assessed Ben as a safety threat due to his drinking issues, and filed for a full FVIO on behalf of Arthur. At this time, Arthur did not have the supports needed to be involved in the proceedings and the guardian did not seek his views or attempt to resolve the tensions with Ben in a manner that honoured the father and son's wish for them both to live in the family home. Ben was excluded from Arthur's home due to the order and was essentially made homeless.

Arthur consulted a friend, who assisted him to seek legal assistance to have the VCAT orders revoked and the FVIO withdrawn. Arthur's new solicitor obtained medical evidence which demonstrated that Arthur had regained decision-making capacity, which was an expensive exercise. The guardianship and administration orders were revoked leaving Arthur free to make his own decisions once more. The solicitor sought an order that the FVIO be withdrawn, which ultimately it was. Arthur regrets that he has lost valuable time with his son, and considered that the guardian abused the FVIO process. Arthur's solicitor noted that the guardian lacked compassion and empathy, and that the guardian's rigid approach contributed to the adverse outcome. Arthur wishes that there could have been greater follow-up after the initial FVIO was made, so that his decision-making capacity could have been reassessed and that he could obtain information about how to vary the VCAT and FVIO order.

No one had thought to question Arthur's improved decision-making capacity because of his age – unfair assumptions were made that took away from Arthur what he described as "his freedom". Arthur said in a letter to the Magistrate, that no one understands the loneliness of an orphan and that the guardian "had made me feel like an orphan again by blocking me from my son." The VCAT member declared him the oldest person in the State to ever have had his guardianship and administration orders revoked (at age 97). With the removal of the guardian, Arthur was able to be with Ben on their own terms until he died.

7. Janet and Roger

Issues: Police initiated application where the AFM does not agree with what the applicant is seeking, lack of voice of older person.

Janet's husband passed away while still a young man and she raised their children on her own on a rural property 50 minutes from the nearest town. Her middle son, Roger, never left home and developed a mental illness that included paranoia and uncontrolled mood swings.

Janet loved her son Roger and didn't want to tell others how unsafe she felt, until another family member visited and saw that Roger was controlling all her finances, demanding Janet buy large amounts of alcohol every week and threatening her with harm if she didn't.

One day Janet had to visit the Emergency Department at the local hospital and the nurses asked her to have an informal talk with Victoria Police, who were concerned for Janet's safety. Victoria Police took out an intervention order against Roger, excluding Roger from the house, with Janet as the AFM.

A duty lawyer met Janet at Court on the day of the first Hearing, and advised her on her rights. Janet was adamant that she didn't want Roger to leave the house and was very angry at Victoria Police. After referring her to specialist services and safety planning, the parties were able to negotiate an intervention order which would temporarily remove Roger from the house, allow Janet to stay in contact with Roger whilst he received help, and allowing Roger to return to the house once it was assessed as safe to do so, and the order was varied by the court. This intervention order addressed the safety concerns of Victoria Police, yet also satisfied Janet's wishes to keep contact with Roger.

8. Jack and Jill

Issues: Court should prioritise hearing cases involving older people with significant health issues, handling signed consent orders, issues with inconsistent advice to attend a hearing in person, issues with serving a FVIO.

Jack and Jill were living in community housing. They both have a very long history of mental ill health, and are now also suffering from numerous physical conditions including incontinence and late stage emphysema. Jill's niece, Catherine, was intermittently ringing them late at night and saying that she was about to arrive and they would need to pay for the taxi. Once arrived, Catherine would insist on watching TV for hours late into the night at a very high volume and sleeping in Jill's bed (forcing Jill to sleep on the couch). Catherine would eat the "meals on wheels" provided for the couple and demand more cash from them for her "cancer treatment" before leaving again for an undetermined period.

Jill and Jack decided, with support, to apply for a FVIO against Catherine to stop her from coming to the house. Jill, because of her medical situation, was willing to attend court but did not want to have to speak. Jill signed a document consenting to Jack applying for a FVIO against Catherine on her behalf. Jack and Jill attended court with their lawyer and two support workers. It was the first time they had left the house in more than two months. They were both incredibly vulnerable.

Despite notifying the Court of the clients' health conditions, the Registrar took more than two hours after the pre-existing appointment time to speak to the clients. The signed consent was ignored on the basis that it would delay the matter further as it would require "leave of the court" in order to be dealt with.

At a later hearing, the interim FVIO had not been served. The lawyer requested by letter that the clients be excused from attending the hearing date and set out in some detail their physical and mental health conditions. The Registrar indicated that was not wise and insisted that the clients should attend.