

NSA : Two decades of inaction in Australia is long enough, says Age Discrimination Commissioner!!
 Calls for national consistency in laws governing enduring power of attorney have been renewed, eight years after they were proposed by NSA as being crucial in the fight against elder abuse. In 2016, NSA recommended to the Australian Law Reform Commission that the laws be strengthened and made consistent with other states. The reform would help minimise financial loss in later life, which can be devastating because older people often don't have the means to make up the loss. Unfortunately, people don't always seek help and identifying abuse can be hard. It can go unreported as it happens in the privacy of homes, and by people in position of trust. Now, the recently appointed Age Discrimination Commissioner, Robert Fitzgerald, is urging the government to act to achieve consistency. NSA congratulates Mr. Fitzgerald on advocating for this important reform by bringing it to the attention of the public and governments. His support follows the release of a report that found significant gaps in Australian's knowledge about it's rights and responsibilities around the legal document, which is exacerbating the risk of financial elder abuse.

An enduring power of attorney allows a person to appoint someone else to make financial and legal decisions on their behalf, including if they become unable to do so in the future due to illness, cognitive decline or other circumstances. The Commissioners report, Empowering Futures, surveyed more than 3000 adult Australians to understand current levels of awareness and use of these legal documents and what Australians did or didn't know about enduring powers of attorney. The commission found enduring documents are widely valued for providing peace of mind and for empowering people to take control of how future decisions affecting their lives will be made, however:

- *There is limited awareness about them
- *Most Australians (87%) have not set one up for themselves.

The research found critical gaps in peoples knowledge and understanding about how enduring powers of attorney should work, which leaves them vulnerable to potential abuse. Older people, especially, face being exploited by misuse of these documents, whether from ill-intend or ignorance. While many were aware that things could go wrong , few are equipped to take the necessary steps to protect themselves. The report recommended federal and state governments prioritise the creation of nationally consistent financial enduring power of attorney laws and establish a national register. It also recommends: Raise community awareness about these legal documents and the value of having one in place.

Develop and deliver national educational materials, such as a dedicated website and training course.

"All Australians, regardless of age or ability, have the right to live with dignity, security, autonomy, and control over their lives and wellbeing," Mr. Fitzgerald said. "An enduring power of attorney is a critical option to give people the control, but most Australians know very little about it. If people do not understand their rights and responsibilities, it can drive to misuse and abuse". The Commissioner acknowledged the long and difficult history of support for reforming the nations power of attorney rights. "Two decades of inaction in Australia is enough. The time to act is now," he said.

Among the reports other key findings: Only half of people with an enduring power of attorney (52%) sought professional advice before creating one, and just a quarter (25%) of those currently acting as appointed decision makers felt they understood their responsibilities very well when they started their role'

Concerningly, nearly 37% had granted an enduring power of attorney to someone who showed characteristics identified as risk factors for perpetrating elder abuse.

Very few Australians (6%) felt they knew a lot about financial enduring powers of attorney, while more than 35% felt they knew nothing despite some of them being involved in the process in some way.

Australians overwhelmingly (85%) agreed more education was needed on financial enduring powers of attorney. Having information that is standardised across the entire country was identified as a top need .

"The way forward is clear .As recommended in our report, and by numerous inquiries going back almost 20 years, national consistency in legislation is the first step to both reducing confusion and creating a coherent national approach that fills the knowledge gaps," Mr Fitzgerald said.

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 Education is what you get from reading the fine print. Experience is what you get from not reading it!

The human body is an interesting phenomenon. A pat on the back can result in a swollen head!

National Seniors

AUSTRALIA

Modbury Branch Newsletter

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Branch Diary

Guest speakers

21st. Oct. Bangers and Mash (entertainment)

18th. Nov. Christmas Lunch -- Windsor Hotel

20th Jan. Martin Paech (Vocalist, musical Afternoon)

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