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BY: LACA

STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS

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Additional Question for Department of Health and Ageing



1. Would you expand on the ways in which the Australian Health Ministers Advisory Council is addressing the issue of overcoming legislative barriers in the areas of guardianship, advance care planning, wills and powers of attorney across jurisdictions?

Answer:

In January 2005, Australian Health Ministers jointly agreed to the development of a national framework for action on dementia. In April 2006, the Australian Health Ministers' Conference endorsed the *National Framework for Action on Dementia 2006-2010* (the Framework).

Under the auspices of the Australian Health Minister's Conference, the Framework provides an overarching vision for Australia's dementia care and support services. It is a national policy and implementation plan for a coordinated national approach to improve the quality of life of people living with dementia and their carers and families.

As part of the Framework, a Dementia Working Group, comprising representatives from each State and Territory, was established in June 2006. The mandate of the Dementia Working Group is to oversight and to provide ongoing feedback on jurisdictions' progress against the actions identified under the five Key Priority Areas of the Framework.

The five Key Priority Areas are:

1. Care and support
2. Access and equity
3. Information and education
4. Research
5. Workforce and training

Specifically, Key Priority Area 3 proposes that jurisdictions:

- refer the issues of legislative barriers regarding Guardianship, advance care planning and advance care directives, wills and powers of attorney to the Australian Government and State and Territory Attorneys General Departments; and
- have strategies in place to address elder abuse, including in relation to dementia.

While most of the priority areas are the collective responsibility of all governments, either the Australian Government or State and Territory Governments will take the lead for key priorities as agreed in the Framework. NSW Health is the lead agency for Key Priority Area 3.

Attachment: National Framework for Action on Dementia 2006-2010