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**The House of Representatives Legal and Constitutional Affairs Committee
 "Inquiry into Older People and the Law".**

May I be allowed to put the human side to this extremely important piece of legislation. My wife was diagnosed in 1998. I cared for her at home until mid 2005. She was then a resident in a nursing home until her death in October this year.

We were fortunate to have had the Alzheimer's Association SA advising and supporting us from the outset. They helped to provide advice on enduring powers of attorney and guardianship and then, at a later stage when cognitive doubts surfaced, advanced directives. Completing these legal documents all proved to be the best possible action. In four years as a member of the Carer Advisory and Advocacy Committee AASA I have heard numerous accounts of people in desperate need of help and advice on aspects of legal problems. This has prompted us to plea for an Australian-wide education program focussing on the theme "before it is too late".

People must be educated in these matters whilst still cognitively able. I am sure they would complete the legal documents if only they could be made to realise the anguish and distress they could save themselves.

I do know and shall be ever thankful for how she died; it could so easily have been otherwise!! I beg those charged with the responsibility of framing future legislation in this area to bear in mind the tragic circumstances in which so many people find themselves either because they did not care enough to complete these important documents, or as in so many cases, because they gave up because of the complex wording and because they do not understand legal documentation.

Please make the law and the documents as human as possible with common sense wording. The people who need to avail themselves of these legal powers are distraught. They need the help which is in your power to give. I realise that there are finer points of law that must be addressed, and I am sure that with goodwill and compassion, this complex legislation can be made to work, and work Australia-wide. This is too important, and we have waited far too long for State borders and State pettiness to delay it longer. Too many people have been adversely affected and many more will be until this "hotch-potch" legal tangle is resolved.

As a purely lay person, can I put forward the possibility of two documents – the first being to focus on Centrelink-involved persons, their income, assets and real estate, and the second aim more at middle and upper-class, focussing on investments, diversified income and assets, which need expert financial and legal advice.

With Sincerity,

NOVEMBER 28 2006

John Maschmedt