



THE LAW SOCIETY
OF NEW SOUTH WALES

Our Ref: ElderLawCommittee:VK:436386

18 March 2011

Inquiry into Caring for Older Australians
Productivity Commission
GPO Box 1428 Canberra City ACT 2601

By email: agedcare@pc.gov.au

Dear Commissioner,

Re: Caring for Older Australians Draft Report

The Elder Law and Succession Committee (the "Committee") represents the Law Society of NSW and its members in the areas of elder and succession law as it relates to the legal needs of people in NSW.

The Committee has considered the draft report and thanks you for the opportunity to comment.

The Committee agrees with the policy focus of wellbeing of the community as a whole, as set out in the draft report. In addition, the Committee agrees particularly with the focus on treating older Australians receiving care and support with dignity and respect.

The Committee notes that the focus of the recommendations made in the draft report is outside of the legal aspects of aging. However, the Committee supports recommendation 10.5, and strongly supports recommendation 12.9.

If it would assist the Productivity Commission, the Committee would be happy to provide examples that would illustrate the difficulties associated with operating different Enduring Power of Attorney and Enduring Guardianship schemes across the country. The Committee would also be happy to provide similar examples in respect of the recognition of interstate Guardianship orders.

**Stuart Westgarth
President**

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