



ANGE KENOS JP

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To <vplrc@parliament.vic.gov.au>

cc

bcc

Subject Inquiry into Powers of Attorney

This is a late submission as I had no idea that this inquiry was proceeding. Thus if you do not wish to accept it then there is nothing that I can do

But years ago, when my maternal grandparents were both still alive, we had an incident.

Daughter number two "sucked" her older sister (my mother) in and came by their parents' home with their parents lawyer, but acting for her, and without an interpreter or a proper explanation of what it was all about, convinced both of her ill parents to sign a Power of Attorney over to the two sisters

Daughter number two lives in Ballarat so how would she have been able to attend to her parents daily needs? On a previous occasion earlier that year she tried to convince them to sell their Moonee Ponds home and to build a small bungalow on the back yard of her Ballarat property. But they smelt a rat and declined.

When they signed the Power of Attorney, they were confused, A couple of hours later a friend dropped by and when told what they did he explained what this all meant - that they could effectively be removed from their home, it sold out, and all taken by the daughters. So they rang me and asked my advice.

I spoke with my mother who did not understand any of it and when I, a legal studies teacher, explained it to her she was in some shock.

Cut to the chase - on my grandparents' specific advice after I explained the law to them - they dictated a letter which they signed and I hand delivered to that lawyer the next morning. They also sacked him as their lawyer.

Daughter number two and her adult children were furious but not as much as her parents.

Had the elderly couple needed anything then the Ballarat based daughter would not have driven to Melbourne as she rarely visited as it was. She would also not worry about their welfare based on past experience, on what transpired on another day later that year and on what transpired after each of her parents died.

The power of attorney was simply an instrument that she sought to use for her own financial advantage and if the law cannot be changed to better protect the elderly then you will see many such examples in years to come as the aged population doubles

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