

Inquiry into Powers of Attorney – Law Reform Committee

Australian Greek Welfare Society Response to Powers of Attorney Parliamentary Inquiry

Australian Greek Welfare Society (AGWS) is an ethno-specific organisation in Victoria predominately supporting and servicing the needs of the Australian/Greek community; it has been operating for the past 40 years. The Greek community is well established and many of the Greek migrants of the 1950's and 1960's are now in their 70's and 80's; these migrants are known as first generation Greeks and their children second generation and so on. Melbourne is the third largest Greek speaking community outside Greece. The 2006 census records 109,989 Greece born migrants and 365,147 people of Greek ancestry living in Australia (based on country of birth of parents). The Greek population is concentrated in Melbourne (41%) and Sydney (30%).

There appears to be some limitations in addressing the cultural, linguistic needs of our community particularly as it relates to certain areas of the law. The provision of extensive service delivery and consultations to the Greek community over many years, has given AGWS a platform to respond formally to the Inquiry into Powers of Attorney. The simplification of legal documents and procedures associated with Powers of Attorney will assist all Victorians regardless of their ethnic background to gain a better understanding of their rights.

The response which we make to the Inquiry into Powers of Attorney, we believe also relates to other ethnic communities.

1. Interpreters

When utilising the services of an interpreter, the statutory authority responsible for the service must ensure all interpreting bookings are made and confirmed 24 hours prior to a meeting or hearing.

2. Information Provision

Although information is available on this topic, it is not clearly understood. Consideration should be given to the terminology and the context being utilised to convey the message. Families often become anxious which can lead to a misunderstanding of information. Some of the concerns raised are as follows:

- a) Not familiar with the system and how it works, particularly the relevance of this system in the life of this family;
- b) Families have limited access to care plans and decision making processes.
- c) Non inclusion of families prior to hearings and a lack of knowledge of the system;
- d) Improved access of services to enable better planning particularly when a crisis occurs within the family;

- e) Basic information and education plan to provide people with information and knowledge to make informed decisions and perhaps by pass the need to go to formal hearings which can be daunting for some, particularly the disabled and the older population groups who are subject to these laws.
- f) It is difficult to identify whether EPOA's are medical or financial as there is no clear heading on the document and perhaps a way around this is for the Powers of Attorney to be condensed into one document that is clear and identifiable;
- g) Any documents pertaining to this area of law needs to be registered. The current system does not register when an EPOA is completed, as a legal document;
- h) Issues of access and use of interpreters within the system.

### 3. Cultural Diversity

The system is somewhat complex to understand and communities need to be able to comprehend in the simplest ways how to access their basic rights. Statutory authorities must incorporate and gain themselves an understanding of the diversity of cultures within Victoria for the provision of access and equity of services to the whole community.

Strategies to engage ethnic communities from non English speaking backgrounds which are culturally appropriate will improve the delivery of this service. It should be acknowledged that the issue of Powers of Attorneys is a foreign concept to many communities and therefore an educative approach needs to be established. This can include the following:

- Cross cultural training to the work force development utilising the expertise of ethno – specific organisations to deliver these programs to personnel;
- Employment of Multicultural Consultant(s) to co-ordinate an effective information dissemination strategy and training in consultation with the ethnic communities to better improve the quality of service;
- Co-ordination in consultation with ethnic community organisations in the planning of information seminars to educate the community of the system and policies;

#### Recommendations:

- ❖ Continuity of language services to ensure improved access to information and services

- ❖ Educational/Informative information to be in simple language and relevant to the community utilising mediums which are cost effective, such as radio, newspapers, and information sessions conducted in community languages
- ❖ Inform communities of issues relating to older people and abuse within ethnic communities, and develop responses that are culturally and linguistically relevant. The following suggestions will support work with ethnic communities:
  - Workforce development
  - Information and training provision utilising culturally relevant strategies
  - Regular and ongoing engagement of communities
  - Increased communication between the relevant authorities and ethnic community organisations to develop responses to the community needs
  - The formation of a Multicultural Advisory Committee to work with the Senior Public Servants to implement the suggestions made
  - Realistic budgets to be developed in consultation with an ethnic advisory body for the implementation of culturally appropriate information strategies to the non English speaking population
- ❖ The legal professionals need to be supported in their role with families in their provision of information regarding EPOA's. The solicitors need to be clear to family on the various powers assigned to them and what it means for that individual.
- ❖ State Trustees should be adequately funded to accelerate the work they are doing to inform the CALD sector of their rights and to demystify the misconceptions about this service so that it can be used more readily rather than as an office of last resort.
- ❖ Increase the capacity of ethnic communities to access relevant services to enable better planning particularly when a crisis occurs within the family.
- ❖ Consideration and sensitivity is required in planning for individuals from a CALD community with dementia and other cognitive impairment.
- ❖ Strengthen service coordination so that information pertaining to EPOA's is identified and shared within the service system as is necessary to coordinate the ongoing care of the individuals .
- ❖ Improved networking and service coordination to deliver education drawing on the expertise of ethno-specific and other multicultural organisation to maximise the outcomes for the communities

AGWS possesses the expertise and knowledge of working with the ageing Greek community, and is aware of the broader issues impacting ethnic communities. AGWS is in a position to contribute further to this issue through consultation and or involvement in committees or other developed to address the issue of EPOA.

Contact can be made with Poppy Hearn, Team Leader Family and Community Services, or myself on 9388 9998 if further information or clarification is required in relation to the above submission.

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