

New position for elder law education and research

Retirees are one of Australia's fastest growing age demographics, but how do we ensure the legal rights of these older Australians are being protected?

The University of Western Sydney and Public Trustee NSW have joined forces to lead a new era of elder law education and research in Australia.

The newly created Public Trustee NSW Fellow in Elder Law is a five-year partnership, based at UWS, which will develop new courses on legal matters affecting the elderly and provide new training and research opportunities.

Ms Sue Field from the UWS School of Law has been appointed to the position and commenced her new role on July 1.

Ms Field has a strong background in elder law issues. She is a solicitor of the Supreme Court of Queensland and the High Court of Australia. She is also a member of the Queensland Law Society's committees on Elder Law and Continuing Legal Education, and a Department of Health and Ageing appointee to the Panels of Administrators and Advisors.

She says with Australia's rapidly ageing population, elder law is becoming increasingly important.

"Retirees are expected to represent 26 per cent of the population by the year 2051," says Ms Field.

"There is a growing need to recognise the legal rights of older people, and this has also been highlighted in a recent Law and Justice Foundation of NSW report. There is also a pressing need to educate not only the community, but also professional groups about the types of legal issues facing older people.

"These issues include accommodation, such as retirement villages, granny flats, or transferring property rights to children; guarantors; estate planning; and elder abuse, particularly related to financial

decisions.

"Often older people don't know where to turn to for advice and there are very few pro bono legal services in Australia that specifically cater for older people.

"Because of this, a growing number of legal practitioners want to learn more about this emerging area of law. Public Trustee NSW recognises this and we are delighted they have come on board to help develop greater public awareness of elder law, and promote professional development and research opportunities," Ms Field says.

Professor Carolyn Sappideen, Head of the School of Law at UWS, has welcomed the new agreement.

"This is an exciting partnership for the University of Western Sydney and for Public Trustee NSW. The position will have an important impact on community education for seniors and those working within the aged care industries," she says.

"Through the Public Trustee's commitment, we hope to develop greater awareness in the community and legal profession of the issues facing older Australians."

Public Trustee of NSW, Mr Peter Whitehead, says, "This initiative continues our sponsorship in areas where our support can make a real improvement in the community. Access to reliable information about elder law is a result which cannot be compromised in today's world."

"By helping UWS spread the word to students and the broader community, we will all benefit in the future. I am really pleased to help this happen," Mr Whitehead says. ①

Community Court pilot project cont...

hosted by the Office of Crime Prevention earlier this year, NAALAS director Sharon Payne stressed the community court hearings were not "the ten minute Medicare consultation process."

"It is a long-term investment and one that has proven a success in every jurisdiction where it has been introduced," Ms Payne said.

"Re-offending rates had dropped dramatically and restorative outcomes have been almost 100 percent. That is, high levels of satisfaction from victims with the process and outcomes."

As well, Ms Payne, who has also had extensive experience with the Nowra court, said the concept provides opportunities for offenders to relieve their burden of shame and change their lives.

"The community court is a place where offenders can express their shame and remorse in an environment that assures them of their intrinsic worth as human beings," she said.

NAALAS' support of the trial has been welcomed by the Chief Magistrate.

"This is an important project for the Northern Territory justice system and the support of organisations like NAALAS and others is integral to the success of the pilot in Darwin," Mr Bradley said.

The guidelines of the Community Court pilot project can be obtained from Michael Petterson at the CSJ, Bruce McCormack at the Department of Justice or downloaded from the Law Society Northern Territory website members area. ①