

**Legal Support in a Collaborative System Panel.**  
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- US, UK and Japan have legislation in place that deals with older people specifically. In Australia we don't have any.
- Parenting duties are taken as given, so decisions often handed down in favour of the child even if the parent is in their 80s-90s.
- Some jurisdictions have recognised need to do something about elder abuse.
- A lot of the legislation refers to mandatory reporting, infringes on right to privacy.
- Qld. Family Violence Protection Act allows older people to apply for a protection order.
- Process of filling out the application, older person is often reliant on the abuser for transport, something that just doesn't happen.
- Legislation around substitute decision making, not consistent amongst states.
- do we need new specific legislation on this?
- Often when people are diagnosed with dementia they get a global assessment of having diminished capacity for decision making.
- Dementia is a disease that may affect peoples capacity to make certain-but not all-decisions.
- so labelling a person with "diminished capacity" opens them up for abuse because they are seen as unable to make all decisions, when this may be the case in a couple of specific areas.
- Ageism- the idea that older people can't make their own decisions is really out there.
- We all value our autonomy, we don't want to live in fear or tell people that we need to spend our money in particular ways. Why should that change when you're older?
- Older people are legitimate members of society, not cash cows.