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MEDIA RELEASE

Palliative Care Week: Local People Under-Utilising Essential Tools for End of Life Planning

A leading Hunter law firm says local people are underutilising advanced care directives and enduring power of attorney documents which means they and their families are not properly prepared for end of life decision making.

Jane Bulter, senior health lawyer at Catherine Henry Lawyers, says National Palliative Care Week (May 20 to 26) is an appropriate time to remind the community of the importance of these end of life planning documents. According to Palliative Care Australia 82% of Australians think it is important to talk to their family about how they would want to be cared for at the end of their life but only 28% do so. Even less people prepare legal documents to help ensure their wishes are followed.

Ms Bulter says a key theme of this year’s National Palliative Care week is the need for Australians to plan ahead for their end of life care and to talk about their plans with family and health professionals. She says many people leave it until it is too late to discuss end of life care, assuming it is only for those who are terminally ill.

“It is important that people have end of life care that reflects their wishes and the documents to spell out those wishes,” Ms Bulter says.

“You never know what the future holds so it is never too early to plan ahead,” she says.

An Enduring Power of Attorney is a document that enables a person to appoint a person or entity to make decisions on their behalf if they lose capacity or, for other reasons, have difficulty managing their own affairs. A general Power of Attorney is not sufficient because it comes to an end once you lose capacity.

An Advanced Care Directive assists patients, family and healthcare providers with respect to end of life decisions and allows a person to clearly spell out what sort of medical treatment they would prefer, or not prefer, at any point in the future should they be unable to make decisions at that time. Studies show that only 12-14% of Australians have an advanced care directive.

Ms Bulter says it’s a difficult conversation to have but a very important one – and family members, caregivers and healthcare providers need to be involved. There is help in the community for people wishing to facilitate that conversation. She says the Dying to Talk Resources prepared by Palliative care Australia are a great tool and a lawyer specialising in estate planning or an elder care lawyer can also help prepare documents including advanced care directives.

“How would you like to die? is a topic which many families, care-givers and healthcare professionals struggle to discuss with patients who are in their end stage of life.”

“This question is becoming increasingly relevant as Australia manages its ageing population and resulting impact on the health system now and on into the future.”

Palliative care is the passive treatment a person receives at the end of life when there are no more treatment options available. Palliative care aims to make a person’s final weeks and days as comfortable as possible.

Catherine Henry Lawyers is a Newcastle based law firm specialising in elder law and estate planning as well as health and medical law, family and relationship law, property law and criminal law. Visit www.catherinehenrylawyers.com.au

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