Social and Health Care Professionals Supporting Later Life Legal Planning of People with Memory Illness

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Conflicts of interest

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• No other conflicts of interest
Background

• gap in research on supporting autonomy of people with memory illness through legal planning
  ➢ later life legal planning = planning your future by using legal measures (such as advance directives, powers of attorney or continuing powers of attorney)
• the right of a person to autonomy is an integral part of personal wellbeing
• the legal capacity of people with memory illness weakens while the illness progresses
• legal planning strengthens the fulfillment of autonomy when legal capacity weakens
The study

The study scrutinizes:

1. how people with memory illness plan their future using legal tools and
2. how their legal capacity is supported by social and health care professionals

The data of the study:

1. 24 group interviews of different professionals (94 participants)
2. 10-12 individual interviews of persons with mild memory illness
Group and individual interviews

Group interviews

94 professionals (24 interviews altogether):

- Different social and health care units
- Legal aid offices: public guardians
- Banks’ legal counsels
- Local register offices
- Societies of pensioners and people of memory illness

Individual interviews

- 10-12 persons with mild memory illness (unfinished)
Themes of the interviews

Individual interviews:
- Experiences and challenges of autonomy
- Legal planning and its different tools
- Support from social and health care professionals

Group interviews:
- Different tools of later life legal planning
- Detecting the need for a proxy
- Appointing a guardian
- Challenges in the public guardianship services
- Guidance in the legal matters
- Cooperation of different operators in the field
Findings of the study
Benefits of later life legal planning

• supports and strengthens the autonomy and the self-determination of a person with memory illness
• eases the role of family members
• clarifies for the health and social care professionals and public officers who is the substituted decision maker
• reduces the need for public guardianship

→ Later life legal planning needs to be promoted
Findings of the study
Later life legal planning is still uncommon

• People recently diagnosed with memory illness
  • have very rarely made for example advance directives, powers of attorney or continuing powers of attorney
  • do not consider later life planning relevant or current to them
• Options of later life legal planning are still unfamiliar
  • legal means are considered complicated and the terminology hard to understand
  • incorrect beliefs towards continuing power of attorney
  • lack of guidance, counselling and instructions

→ This usually leads to a situation in which their legal capacity has already weakened to the point where planning is no longer possible
Findings of the study
Supporting the legal planning

• people aren’t informed of the measures they could take when they still have enough legal capacity to plan their future and they don’t get enough guidance about different options
• only few of the elderly people and recently diagnosed people with memory illness make an appointment to a legal counsel

➔ social and health care professionals’ role is crucial: giving the basic guidance, counselling and especially the encouragement

BUT
• health and social care professionals
  • don’t think it is their responsibility to give counselling in legal planning
  • don’t have enough time to give counselling
  • lack knowledge to give basic counselling
Conclusion

- When population is aging, increasing number of persons ponder how they would wish their matters to be arranged in a situation when they no longer are able to take care of themselves
- BUT later life legal planning and its different measures are unfamiliar to most elderly persons and people with memory illness
- Successful planning requires that the person is well informed about different options and he or she gets enough support
- Social and health care professionals have very important role in giving the basic counselling and also generally to encourage their patients and clients to plan their future

“Afterwards many have told how they wished they had made the plans when they still could.”
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THANK YOU FOR YOUR ATTENTION!