Australian Government
Attorney-General's Department

June 2024

Parliamentary Joint Committee on Corporations and Financial Services

Inquiry into Financial Services Regulatory Framework

in relation to financial abuse

Introduction

The Attorney-General's Department (the department) welcomes the opportunity to make a submission to the Inquiry into Financial Services Regulatory Framework in relation to financial abuse (the inquiry).

The department works to maintain and improve Australia's law and justice frameworks. Its responsibilities include family law and aspects of family, domestic and sexual violence policy and reform, particularly in a justice context. This includes initiatives related to addressing coercive control; justice sector training, education and awareness on gender-based violence; legal assistance funding; protecting the rights of older people; and strengthening the family law system. The department also supports the Attorney-General to administer the *Privacy Act 1988* (Cth) (Privacy Act).

Family and Community Safety

The department works closely with the Department of Social Services, which has overarching responsibility for the *National Plan to End Violence against Women and Children 2022-2032*. This is the national policy framework that is guiding actions towards addressing violence against women and children over the next 10 years. The National Plan recognises economic abuse, including financial abuse, as a key area of focus for addressing gender-based violence in Australia. The Australian Government has committed a record $3.4 billion to delivering the National Plan since October 2022.

The department is also responsible for a range of initiatives to prevent and respond to the abuse and mistreatment of older people, including (but not limited to) financial abuse. Relevant work undertaken by the department includes:

- coordinating the development of a successor National Plan to the *National Plan to Respond to the Abuse of Older Australians 2019-2023* (first National Plan)
- overseeing final implementation and evaluation activities associated with the first National Plan
- overseeing the administration of 12 frontline services, which include specialist elder abuse units, case management and mediation services, and health-justice partnerships
- coordinating a National Elder Abuse Helpline (1800 ELDERHelp)
- developing a national elder abuse awareness raising campaign, to be launched during 2024
- funding a national research agenda, online knowledge hub (Compass.info) and a national peak body (Elder Abuse Action Australia)
- working alongside the Australian Human Rights Commission, particularly the Age Discrimination Commissioner, on projects to promote older person's rights.

The *National Plan to Respond to the Abuse of Older Australians 2019-2023* (first National Plan), which has guided recent work at the Commonwealth, State and Territory level in relation to elder abuse, includes priority areas relevant to financial abuse. The first National Plan includes the following relevant priority areas:

- consider developing options for harmonising enduring powers of attorney, particularly in relation to financial powers of attorney, to achieve greater national consistency (Priority area 4.1), and

- investigate the feasibility of developing a national online register of enduring powers of attorney (Priority area 4.2).

On 28 April 2023, the Standing Council of Attorneys-General (SCAG) agreed to develop a successor National Plan to Prevent and Respond to the Abuse of Older Australians. The department is leading work to develop the successor National Plan, alongside the Commonwealth Department of Health and Aged Care and state and territory governments.

Coercive control

The National Principles to Address Coercive Control in Family and Domestic Violence (National Principles) were released in September 2023 by the Commonwealth and State and Territory Governments. The National Principles establish a shared national understanding about coercive control and its impacts. Improved awareness of coercive control will inform more effective responses to family and domestic violence and promote more consistent and safer outcomes for victim-survivors.

The National Principles recognise that coercive control is almost always an underpinning dynamic of family and domestic violence and is a pressing issue that requires a coordinated, national approach. Coercive control involves perpetrators using abusive behaviours in a pattern over time in a way that creates fear and denies liberty and autonomy. Perpetrators may use physical or non-physical abusive behaviours, or a combination of both.

The National Principles include consideration of financial and economic abuse and exploitation. They recognise that perpetrators may use financial and economic abuse as part of their controlling behaviours, and acknowledge the short- and long-term financial impacts of experiencing family and domestic violence.

For example, the National Principles note that a perpetrator may control a victim-survivor's finances or use those finances for their own gain. They may force them to withdraw superannuation or share accounts or may take out loans or max out credit cards in the person's name. A perpetrator may also withhold child support payments or deliberately force a victim-survivor into financial debt through legal systems abuse. They may also refuse to let the person see financial information like bank statements, not allow them to be involved in household financial decision-making, or refuse their name on mortgage or recognition of asset ownership. Dowry abuse, such as violence or other harmful behaviours related to the giving of gifts by one family to another before, during or after a marriage, can also be a form of financial abuse.

A victim-survivor may experience short and long-term financial consequences as a result of experiencing family and domestic violence. This might include loss of employment and income, debt or loss of financial security, as well as longer term entrenched disadvantage, poverty and homelessness. Financial impacts can result from a perpetrator's immediate actions or can be a secondary impact from the longer term physical and mental health effects of abuse.

The Government has also released a range of supporting resources on coercive control, including a factsheet, 'Understanding coercive control and economic and financial abuse'. This work contributes to Action 1 of the First Action Plan under the National Plan, which is to 'advance gender equality and address the drivers of all

forms of gender-based violence, including through initiatives aimed to improve community attitudes and norms toward family, domestic, and sexual violence'.

Building justice sector capability

Another action taken by the Government under the First Action Plan is providing $12.6 million over five years from 2022-23 to support a nationally coordinated approach to education and training on family, domestic and sexual violence for community frontline workers, health professionals, and the justice sector. Of this funding, $1.25 million is allocated for the department to develop and extend resources and training for the justice sector. Specifically, this includes funding for continued judicial education on family and domestic violence through the National Domestic and Family Violence Bench Book (Bench Book) and the Family Violence in the Court training program, as well as development of new training for legal practitioners on coercive control. The Bench Book includes a specific section on economic and financial abuse, and this resource informs the Family Violence in the Court training.

The Government has also committed $4.1 million over four years from 2022-23 to enhance the effectiveness of police responses to family, domestic and sexual violence through the development and delivery of a national law enforcement training package. The package will build on training that exists in the states and territories; seeking to enhance law enforcement's response through increasing awareness of coercive control as a dynamic that almost always underpins family and domestic violence, and improving recognition of indicators to identify the subtler behaviours of family, domestic and sexual violence. The delivery of the package will enhance women and children's safety by equipping law enforcement across Australia to effectively identify and support victim-survivors of family, domestic and sexual violence.

Financial elder abuse

Financial elder abuse can be described as the improper use, or deliberate exploitation, of an older person's money, property or other resources. It can include, but is not limited to: theft, using finances fraudulently or without permission, using a legal document (such as a financial enduring power of attorney) improperly or for purposes outside that for which it was established, withholding care for financial gain, selling or transferring property against a person's wishes, pressuring an older person into a disadvantageous financial arrangement, or other coercive behaviours linked to inheritance impatience.

The *National Elder Abuse Prevalence Study* (2021) (the Prevalence Study), through a broad survey of community dwelling older people, found an overall prevalence rate of financial abuse of 2.1% (ranking third in prevalence in the elder abuse sub-types examined, after neglect (2.9%) and psychological abuse (11.7%)).[1] These prevalence rates exclude people in residential aged care or with cognitive impairment. The Prevalence Study found adult children were most likely to commit financial abuse, and sons were almost twice as likely as daughters to commit financial abuse. The most common form of financial abuse was being pressured into giving or loaning money, possessions or property. This was followed by behaviour amounting to theft (taking

[1] *National Elder Abuse Prevalence Study*, 2020, p 2. The study surveyed a nationally representative sample of 7,000 older Australians living in the community, to identify prevalence of one or more forms of abuse in the previous 12 months.

money or possessions without permission) and failing to provide financial contributions or assistance to an older person (rent, food, aged care or home service fees), as previously agreed.

The Prevalence Study also found that only three in ten people who experienced financial abuse sought help.[2]

Enduring powers of attorney law reform

Powers of attorney are formal legal arrangements, made under state and territory legislation. They allow a person (the principal) to appoint another adult person or persons (in some cases extending to legal persons, such as Public Trustees and private trustee companies), to make certain decisions on their behalf. EPOAs, unlike general powers of attorney, are instruments designed to continue in force should the principal lose decision-making capacity in the future.

EPOAs are instruments intended to promote the interests of the principal, by allowing them to nominate *who* will make future decisions on their behalf, and to inform and guide *what* those decisions should be. However, if EPOAs are misused or applied incorrectly, whether intentionally or unintentionally, they may facilitate financial abuse.

A number of inquiries have highlighted the benefits of achieving greater consistency in EPOA laws in Australia, and the challenges and inefficiencies presented by current differences in state and territory legislation.[3] Further detail is provided at **Appendix 1** about the expected key benefits of greater consistency in these laws.

Developing options for greater national consistency in financial EPOA laws

The Standing Council of Attorneys-General recently commissioned a consultation process on achieving greater consistency in laws for financial enduring powers of attorney. A consultation paper was released for submissions from 3 October – 29 November 2023, and put forward proposals and consultation questions on moving towards greater consistency in key areas, such as:

- the general principles for an attorney performing a duty for a principal
- witnessing arrangements
- revocation and automatic revocation of an EPOA
- attorney eligibility and duties
- interstate recognition of EPOAs
- access to justice issues, such as jurisdiction, compensation and offences
- information, resources or training for witnesses and attorneys.[4]

74 submissions were received from a wide range of national peak bodies, financial sector providers, older person advocacy groups, private firms, academics and Public Advocate/Trustee bodies, and people with lived

[2] National Elder Abuse Prevalence Study, 2020, p 84.

[3] A foundational work in this area is the Australian Law Reform Commission's report *Elder Abuse – A National Legal Response* (May 2017).

[4] The consultation paper is available at: Achieving greater consistency in laws for financial enduring powers of attorney (ag.gov.au).

experience of establishing or applying financial EPOAs. 66 of these submissions have been published on the department's website (submissions were published where consent to do so was provided).

There was strong feedback in the consultation responses that reforms to achieve greater consistency in EPOA laws should remain a priority for Attorneys-General. There was also strong feedback about the need for greater information resources for attorneys, witnesses and principals.

The department is continuing to consider the full range of submissions and feedback provided with the States and Territories. Further advice on this work will be provided to SCAG during 2024.

A national register of enduring powers of attorney

At the SCAG meeting on 22 September 2023, Attorneys-General agreed that, rather than undertaking further work on a national register, the focus of SCAG's EPOA work should be achieving greater consistency in State and Territory EPOA laws and greater emphasis on education and awareness raising to reduce elder abuse occurring through EPOAs.

This was a collective decision by Attorneys-General, with reasons for it detailed in the public meeting Communique, as follows:

> 'Participants noted the feasibility of establishing a national register of EPOAs has been examined in detail, informed by public consultation on potential approaches and an independent cost-benefit analysis of several alternative register models.
>
> It was agreed that the current significant differences in EPOA laws and practices between jurisdictions (including different EPOA forms, requirements for validity and registration and revocation arrangements) are not conducive to establishing an effective register which is suited to users' needs, and that there are inherent limitations associated with a national register's ability to reduce instances of financial elder abuse. It was further agreed that establishing a national register would risk introducing complexity, unnecessary costs and practical barriers to people making and using EPOAs.
>
> Given these limitations, participants agreed that achieving greater consistency in State and Territory EPOA laws, and greater emphasis on education and awareness raising aimed at reducing elder abuse occurring through EPOAs, should be the focus of the Standing Council of Attorneys-General EPOA law reform work.'

The Australian Law Reform Commission had previously identified that 'an effective national register requires consistent state and territory legislation and a single model enduring document that can be registered. Multiple documents with different legal consequences would make a register unwieldy and complicated, undermining the benefits of the register.'[5]

[5] Australian Law Reform Commission, *Elder Abuse – A National Legal Response* (Report 131, May 2017), [5.142].

Family Law

Publications to support the community to respond to financial abuse

The 'Separating with debt: a guide to your legal options' guide has been published by the department to provide plain English, user-friendly information for separated couples about the steps that can be taken to proactively manage debt in the context of a relationship breakdown, and to explain how relationship debt is treated by the family law courts in property settlement disputes.

The Guide brings together family law and consumer credit law information, options and referral points to assist separating couples, including those experiencing financial abuse, to safely achieve fair outcomes when dividing responsibility for joint and other debts without going to court (where possible), and at different stages of separation. The Guide is also a useful resource for legal practitioners and financial counsellors who are assisting parties to resolve their debts as part of a family law property settlement. The Guide has been translated into 11 languages to support a wide range of separating couples in culturally diverse communities who may experience greater barriers to accessing legal information relevant to their circumstances.

Privacy

The Privacy Act protects Australians' personal information and regulates how Australian Government agencies and organisations with an annual turnover of more than $3 million (APP entities)[6] can collect, use and disclose personal information. Part IIIA of the Privacy Act regulates consumer credit reporting.

Privacy Act Review

The department undertook a review of the Privacy Act between 2020-2022 (the Privacy Act Review), which was published in February 2023. The department received over 900 written submissions over the course of this process.

As part of the Privacy Act Review, the Australian Banking Association (ABA) submitted that privacy obligations could create challenges for financial institutions seeking to use or disclose personal information to protect customers at risk of financial abuse, particularly in circumstances where the individual's consent could not be obtained. For example, this may occur where a customer's legally-appointed guardian or attorney is not acting in their best interests and does not allow the bank to speak directly to the customer. The ABA recommended consideration of an amendment to the Privacy Act to permit 'good faith' disclosure of information to law enforcement or adult safeguarding authorities, without a requirement to obtain express consent from such individuals, when an individual's financial safety may be compromised.[7]

In a joint submission to the Privacy Act Review, banks and consumer advocates recommended further work be done to identify the key issues faced by vulnerable customers and any privacy barriers faced by banks in

[6] *Privacy Act 1988* (Cth) (Privacy Act) ss 6C, 6D; see OAIC Australian Privacy Principle Guidelines (APP Guidelines) at [B.2-B.9].
[7] Australian Banking Association *submission to the Privacy Act Review Discussion Paper* (2021), Recommendation 9.2; Australian Banking Association *submission to consultation on Privacy Act Review Report* (2023), 14.

acting appropriately, and examination and recommendation of potential solutions with a lens to avoiding unintended harms to the consumer.[8]

The Government's response to the Privacy Act Review published in September 2023 agreed or agreed in-principle to 106 of the Report's 116 proposals. The proposed reforms in the Government's response are directed at uplifting privacy standards and enhancing protections for all Australians, including people experiencing vulnerability.[9] This includes reforms aimed at improving the quality of consent for people experiencing vulnerability, and new guidance to assist APP entities to identify when an individual may be experiencing vulnerability and at higher risk of harm from interferences with their personal information.[10] In particular, the Government agreed-in-principle that 'further consultation should be undertaken to clarify the issues and identify options to ensure that financial institutions can act appropriately in the interests of customers who may be experiencing financial abuse, or may no longer have capacity to consent.'[11]

Privacy Act obligations and exceptions

All APP entities must adhere to 13 Australian Privacy Principles (APPs).[12] The principles-based nature of the Act allows the APPs to apply flexibly to a variety of situations.

APP 3 outlines when an APP entity may collect personal information about an individual.[13] APP 5 provides that entities should take reasonable steps to ensure individuals are aware of certain matters when collecting personal information. The use and disclosure of personal information is primarily governed by APP 6, which provides that an APP entity must not use or disclose personal information for a purpose other than that for which it was collected (the primary purpose), unless the individual consents or an exception applies.[14]

Financial institutions routinely collect personal information from customers for the purpose of providing financial services. Many financial institutions are APP entities and are regulated by the Privacy Act.[15] Consistent with APP 5, APP entities should notify customers of the purposes for which the information is being collected. Disclosures for another purpose (secondary purpose) are permitted under the Privacy Act if:

- the individual has consented to a secondary use or disclosure;
- the individual would reasonably expect the secondary use or disclosure, and that purpose is related to the primary purpose of collection or, in the case of sensitive information, directly related to the primary purpose;

[8] Australian Banking Association, Financial Rights Legal Centre, Consumer Action Law Centre, Economic Abuse Reference Group, COTA Australia, WEstjustice *Joint submission to the Privacy Act Review Discussion Paper* (2021), 2.
[9] Attorney-General's Department, *Government Response to the Privacy Act Review Report* (2023) (Government Response).
[10] See generally Attorney-General's Department (Cth), *Privacy Act Review* (Report 2023) Proposals 11.1, 11.3, 17.1, 17.2; see also The Government Response 14, 17.
[11] Proposal 17.3, Attorney-General's Department, *Privacy Act Review Report* (Report , 2023); Government Response, 14.
[12] Privacy Act, Sch 1.
[13] Ibid, s6(1): personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable: (a) whether the information or opinion is true or not; and (b) whether the information or opinion is recorded in a material form or not.
[14] Ibid Sch 1 pt 3 sub-cl 6.1.
[15] An APP entity includes a body corporate with an annual turnover of more than $3 million, *see* ibid s 6C.

- the secondary use or disclosure is required or authorised by or under an Australian law or court/ tribunal order;
- a permitted general situation exists in relation to the secondary use or disclosure of the personal information by the APP entity;
- the APP entity is an organisation and a permitted health situation exists in relation to the use or disclosure of the information by the entity;
- the APP entity reasonably believes that the secondary use or disclosure is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.[16]

Consent and 'reasonably expected' use and disclosure

If financial abuse is suspected, a financial institution might seek an individual's consent to use and disclose their personal information for the purpose of reporting the abuse and mitigating harm. If consent cannot be obtained, the financial institution would need to assess whether:

- disclosing the personal information to protect the individual from suspected financial abuse is sufficiently linked to the primary purpose of the collection of the personal information, and
- whether the individual would ***reasonably expect*** the entity to disclose the information in the circumstances, which will be a question of fact in each case.[17]

If a financial institution made customers aware that they may disclose personal information to appropriate authorities in cases of suspected financial abuse, this could be a relevant consideration as to whether an individual would reasonably expect disclosure of their personal information.

As noted above, there are a number of exclusions to the operation of the APPs in this context. Relevant exclusions exist where the disclosure of personal information is required or authorised by law, where use or disclosure is reasonably necessary for an enforcement-related activity or permitted general situations. These are discussed in greater detail below.

Required or authorised by law

An individual's consent is not required prior to disclosure of their personal information where the use or disclosure of the information is required or authorised by or under an Australian law or a court or tribunal order.[18] Australian laws include Commonwealth and state and territory Acts and regulations.[19]

This means that a financial institution would not have to obtain consent to disclose the personal information of a customer in relation to suspected financial abuse where a state or territory law requires or authorises a

[16] Schedule 1 sub-cl 6.2, Privacy Act. Sub-cl 6.2 and 6.3 set out situations in which the prohibition on secondary disclosures does not apply. Subclause 6.3 applies to disclosures by agencies.

[17] *See* APP Guidelines at [6.20].
[18] The APP Guidelines at [B.131-B.140] clarify the meaning of this sub-clause.
[19] 'Australian law' is defined in s 6(1) Privacy Act as an Act of the Commonwealth, or of a State or Territory regulations or any other instrument made under such an Act; a Norfolk Island enactment, or a rule of common law or equity.

disclosure of personal information to an entity.[20] In addition, in circumstances where an individual does not have the capacity to provide consent, this exception would authorise substitute decision makers established by other laws to provide consent on behalf of an individual.

Use or disclosure that is reasonably necessary for an enforcement-related activity

A use or disclosure of personal information without consent of the individual is also permitted where the entity reasonably believes it is necessary for one or more enforcement-related activities conducted by, or on behalf of, an enforcement body.[21] Enforcement-related activities include the prevention, detection, investigation, prosecution or punishment of criminal offences.[22]

The extent to which an APP entity can rely on this provision of the Privacy Act to disclose personal information to an enforcement body will depend on relevant criminal offences in the relevant State or Territory. In jurisdictions where financial abuse is criminalised, financial institutions are authorised to make certain disclosures to law enforcement bodies pursuant to APP 6.2(e).

Inconsistency in the legislative and institutional frameworks between jurisdictions may impede the capacity of financial institutions to effectively respond to suspected cases of financial abuse.

Permitted general situations

Personal information may be disclosed for a secondary purpose if a permitted general situation exists under section 16A of the Privacy Act.[23] Permitted general situations under the Privacy Act include where the disclosure is necessary to lessen or prevent a threat to life, health or safety or necessary to allow an APP entity to take action in relation to unlawful activity or serious misconduct. Further detail is below.

Necessary to lessen or prevent a threat to life, health or safety

An APP entity may disclose personal information without consent where it is 'unreasonable or impracticable' to obtain consent, and the entity reasonably believes the disclosure is necessary to lessen or prevent a serious threat to the individual's life, health or safety.[24]

Economic and financial abuse is recognised as a form of family and domestic violence.[25] Whether a financial institution can establish a reasonable belief that a disclosure of personal information without consent is necessary to lessen or prevent a threat to an individual's life, health or safety would depend on the circumstances.[26] APP Guidelines on this permitted general situation relevantly states:

> *The permitted general situation applies to a threat to life, health or safety. This can include a threat to a person's physical or mental health and safety. It could include a potentially life threatening situation*

[20] For example, the *Public Guardian Act 2014* (Qld) provides for investigation powers for the QLD Public Guardian, and protections from liability for persons who give information to the Public Guardian (ss19, 22-24).
[21] Privacy Act Sch 1 para 6.2(e).
[22] Ibidsub-para 6(a)(i).
[23] Ibid Schedule para 6.2(c).
[24] Or to public health or safety. Ibid s 16A (Table Item 1).
[25] Attorney-General's Department, Coercive Control (Webpage) < https://www.ag.gov.au/families-and-marriage/families/family-violence/coercive-control>
[26] See also APP Guidelines, page 5, para C.10.

or one that might reasonably result in other serious injury or illness. The permitted general situation would not ordinarily extend to a threat to an individual's finances or reputation.

Necessary to allow an APP entity to take action in relation to unlawful activity or serious misconduct

An APP entity may disclose personal information without consent if:

(a) the entity has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to the entity's functions or activities has been, is being or may be engaged in; and
(b) the entity reasonably believes that the collection, use or disclosure is necessary in order for the entity to take appropriate action in relation to the matter.[27]

The requirement that the unlawful activity or misconduct must relate to the entity's functions and activities indicates an intent that the exception applies to an entity's *internal* investigations.[28]

Review of Credit Reporting Framework

In February 2024, the Attorney General and Assistant Treasurer appointed Ms Heidi Richards to lead an independent review of Australia's Credit Reporting Framework in Part IIIA of the *Privacy Act 1988* and Part 3-2CA of the *National Consumer Credit Protection Act 2009*.

This review released an Issues Paper on 26 April 2024 seeking public feedback on the operation of credit reporting in Australia, including in relation to financial abuse and domestic violence. The impact of financial abuse may be reflected in a victim-survivor's credit report, and may have a lasting impact if not corrected or removed. The Review is currently considering submissions and is due to report by 1 October 2024.

[27] Privacy Act, s 16A(1) (Table Item 2).
[28] Explanatory Memorandum of *Privacy Amendment (Enhancing Privacy Protection) Bill 2013* (Cth) 67. See also APP Guidelines [C.14-C.20].

Appendix 1 – Expected key benefits of achieving greater consistency in financial EPOA laws, as outlined in the Consultation Paper Achieving greater consistency in laws for financial enduring powers of attorney (September 2023)

Expected key benefits of achieving greater consistency in financial EPOA laws	
Reduction in financial elder abuse	• Achieving greater consistency in EPOA laws, including stronger and more consistent safeguards, is expected to reduce financial elder abuse arising through EPOAs by: ○ ensuring attorneys understand the significance of their role and duties, and potential consequences of duty breaches ○ ensuring principals understand the effect of making an EPOA, and are supported to make EPOAs which reflect their wishes and preferences ○ preventing persons who are not appropriate from being appointed as an attorney, while balancing this risk with a principal's personal choice
Improved familiarity and understanding about EPOAs across Australia	• Greater familiarity about EPOAs and financial elder abuse issues within the community, including about the purpose and benefits of EPOAs as instruments for advance financial planning • Greater community and intergenerational understanding about EPOAs would assist: ○ relatives and friends of persons with, or considering making, an EPOA, to have informed discussions about EPOAs and life planning tools generally ○ prospective attorneys and witnesses to be more informed about EPOA matters, such as the expectations of an attorney and the decisions they make, undue influence risks and detecting decision-making capacity issues • This in turn could help promote behavioural change in relation to how parties under an EPOA view and undertake their responsibilities, duties and obligations.
Greater consistency in the practices of institutions relying on EPOAs	• Entities which recognise EPOAs (such as financial institutions, utility companies, aged care providers and government agencies) could more easily implement practices to inform their staff, clients or customers about transactions involving EPOAs. Greater familiarity with EPOA transactions could increase the frequency of staff detecting and appropriately responding to suspected cases of EPOA misuse (both intentional or unintentional misuse)

Enabling national education, resources, and greater alignment of services	• New opportunities to establish national education initiatives, services and resources about EPOAs and elder abuse • Legal services providers would be assisted by reduced complexity and differences in EPOA laws between jurisdictions, and in mutual recognition arrangements
Greater consistency in the oversight of EPOAs and the implementation of safeguards to prevent their misuse	• Opportunities for greater consistency in the work of government and law enforcement agencies to prevent, detect and respond to possible elder abuse, and for State and Territory Public Advocate, Trustee and Guardianship bodies to develop joint approaches.