

Three case studies as samples for the need to look at how in some cases widows who are placed in trust of their children's compensation after a father has died.

We from time to time see where the funds that are meant for the children is long gone before they reach the age that the funds are to be released to them.

GriefWork can understand that a Judge or Magistrate would consider that mothers would have their children's best interest at heart. However, in the first years of grief managing accounts can be hazardous to the long term financial stability for both mothers and children alike.

Case Study 1:

A mother who lost her husband in a work death received compensation through the VWA compensation system for work related deaths.

The mother was made trustee for the children's compensation, this was done through the court system who decides who is trustee.

The mother purchased a new horse float, horses and 4wd using the three children's legacy after their father's death.

There were three children, who received the fund.

Court deemed her as trustee, and so the mother had total access to using the money. It was paid into the children's accounts.

Each child was under 11 at the time of their father's death. The funds were to be allocated to them on reaching 18.

Currently there are no repercussions for recovering the money from their mother. On reaching their 18th year there were no funds left for the children.

Case Study 2:

After the death of her partner a mother was awarded trustee for their daughter. The fund was held in the Commonwealth Bank.

A significant amount of money was held; (this money was not through the VWA)

The mother was drug affected, and clearly her personal demeanor and her appearance also indicated her drug issue.

She attended the bank and took large amounts at a time from her daughters account.

The daughter was placed in her grandmother's care from age 3, that child is now 16 and understands that there are funds from her father's death on her turning 18.

Sadly, there are no funds left for her. The girls grandmother has approached the bank on several occasions to endeavor some response to the bank's not managing the fund responsibly.

GriefWork enquired from legal practitioners how this might be retrieved. Advice is that the daughter would be in a position where she could sue her mother for the funds. To do this would be fruitless as the drug issues are more problematic.

Case Study 3:

Two children who were awarded funding support following the death of their father are close to reaching the age when the funding will be released. Sadly, they will find that the funds are not available.

Their mother has spent the funds allocated on various interests, leaving almost nothing in the children's accounts.