

Losing Inheritance

This story was shared by a social worker. Anne is not the woman's real name.

Anne is in her mid-60's, has cerebral palsy and communicates by typing on a speech generating device. She lives independently in the community in a supportive housing program and uses attendant services for most activities of daily living. She is "reasonably" literate although this wasn't always the case. At times there is still confusion around the structure, intent or context of her sentences.

Anne has had a difficult relationship with her family since the death of her parents in the mid-80's. At the time she was living at home with her parents and three siblings. She was very keen to move out of the family home and into a group home. She wanted more choice over what she did every day. When her parents passed away, one of her sisters persuaded her to give up her inheritance, because she would lose her social assistance and that would mean she could not live in a group home. This was not correct. However, Anne was asked, by her sister's lawyer to sign a form to waive her inheritance. At the time, Anne could not read or understand the form and she was not offered independent council to guide her through the process.

Anne did move out of the family home into a group home and has had little contact with her family since then. Despite efforts from allies to get legal aid for her, she has given up her pursuing the matter and has chosen to get on with her life.

Supports that Anne should have received:

- Independent legal counsel.
- Arms-length, impartial communication support from a qualified Speech-Language Pathologist or augmentative communication clinician to ensure that she understands the issues, can read and understand the forms, make informed decisions and communicate her questions, opinions and wishes.
- Accurate information and advice about social assistance and inheritance.
- Safeguards that documented her communication needs, how they were addressed, the role of the communication support person, and how decisions were with no evidence of conflict of interest, abuse of power and coercion.

More information: [Webinar 4](#)

