



LGBTQIA+ issues

It is critical that LGBTQIA+ people appoint an attorney who will respect their sexuality and/or gender identity when making any future decisions for them.

- » Finding legal assistance
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LGBTQIA+ people may face particular challenges in making their future planning arrangements.

If they have faced discrimination during their lifetime, decisions about housing, aged care and health services can be especially daunting.

Sometimes issues might arise over acceptance and respect. An LGBTQIA+ person may not have family members who respect their same-sex partners as their next of kin or, if they lose capacity, their decision-makers.

Sometimes families may not have accepted the person's chosen gender identity. There may even be family estrangement.

But if an LGBTQIA+ person has no future planning documents in place, control of their decision-making may fall to someone whom they would not want to have making decisions for them or who might not make the decisions the way they would wish.

For these reasons, it can be critical that LGBTQIA+ people appoint an attorney: someone who will respect their sexuality and/or gender identity when making any future decisions for them and is prepared to find LGBTQIA+-friendly services appropriate to their needs.

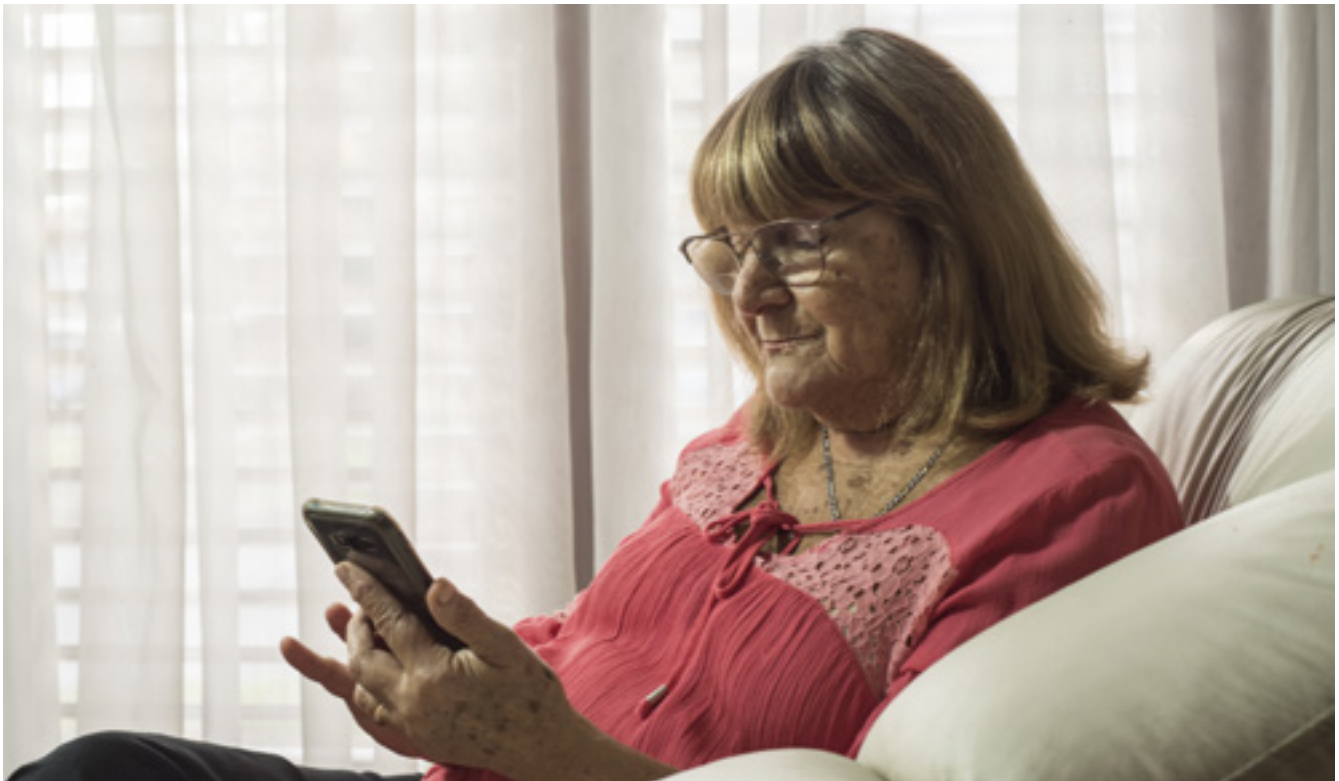


Finding legal assistance

Future planning is important for everyone. For many people, identifying and appointing an attorney is straightforward. However, for a variety of reasons other people may find the process challenging and could benefit from extra support.

Getting legal advice can be helpful for LGBTQIA+ people when future planning and making an enduring power of attorney.

- Each state has a law association that offers a **'find a lawyer'** search function. Visit the [Law Council of Australia's website](#) to find the law association in your state or territory.
- Some states have community legal centres that specialise in LGBTQIA+ rights and services. You can find a list under **'Find legal help'** on the [Community Legal Centres Australia website](#).
- If you think that you have experienced discrimination, you can find more information about human rights on [here](#).



A helpful guide

For information about LGBTQIA+ and enduring and general powers of attorney, along with other forms of future planning, read *Safeguarding the end of the rainbow*, an helpful guide produced in 2018 by the [Council on the Ageing \(COTA\) Victoria](#) and [Transgender Victoria](#).

Safeguarding the end of the rainbow

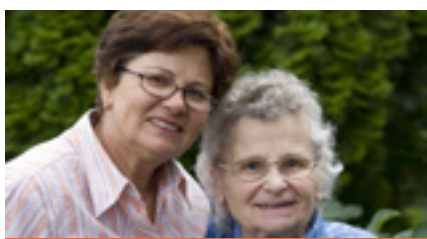
This guide is tailored for older LGBTI community members and covers how to plan for future care and medical needs, finances and estate, and funeral and burial wishes. Although some of the content is specific to Victoria, many of the topics discussed will be useful to LGBTI people living in other states and territories.

[More Information](#)



Disclaimer: The information provided in this document is not a substitute for individual legal advice.

Find the following at Compass.info



Introduction to enduring power of attorney



Future planning



Having 'capacity'



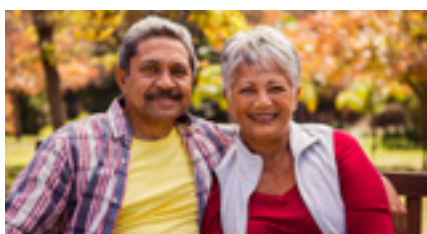
Being an attorney



Choosing an attorney



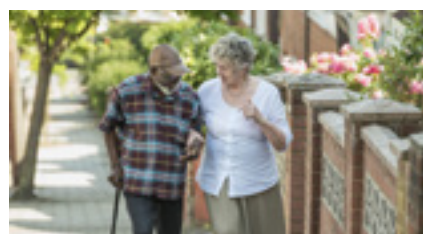
Your rights



Helpful terms



FAQs



Powers of attorney in each state and territory

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GUIDING ACTION ON ELDER ABUSE

Made for all Australians regardless of nationality, culture or language, Compass is an inclusive website navigating elder abuse.



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