

# Legal Matters

Many carers and the people they care for can benefit from legal advice. This can be particularly important when the person you care for finds it difficult to manage everyday routines, due to their health. Managing finances, paying for care and making financial decisions can become difficult and stressful, and in some cases impossible. Carers sometimes need to take responsibility for the financial and legal affairs of the person they care for. Planning ahead can save time, effort and money.

However there are organisations which specialise in providing advice and information that can help you with these matters, such as:

- **Age Cymru**, who have a free information and advice line - **08000 223 444**. They also have a number of fact sheets, including one on legal matters, which can be obtained by 'phoning the freephone number or visiting the Age Cymru website. [www.ageuk.org/cymru/](http://www.ageuk.org/cymru/)
- **Citizens Advice Bureau (CAB)** can help with legal, money and other problems by providing free information and confidential advice – **0808 27 87 922**.
- **Shelter** offers free confidential advice on housing, debt, and budgeting - **08000 495 495**
- **Civil Legal Advice (CLA)** provides free information, help and advice on a range of common legal issues for anyone eligible for Legal Aid. To find out if you are eligible, visit [www.gov.uk/civil-legal-advice](http://www.gov.uk/civil-legal-advice) or telephone 0345 345 4 345 (Minicom: 0345 609 6677). You can also text 'legalaids' and your name to 80010 to get a call back. This costs the same as a normal text message.

Some things which you may need to take care of include:

**Bank and building society accounts** - accounts can be changed to joint accounts or you can take out a 'third party mandate'. Contact the relevant bank or building society.

**Wills and Estate Planning** - making a will is one of the most important things that you will do. It ensures that, after your death, your property and other assets pass on to relatives, friends and charities you wish to nominate. Otherwise other unwanted relatives or organisations may be entitled to a share. You might also wish to set up a trust to support a disabled child after your death. If you do not make a will your next of kin will be the only person automatically entitled to administer your estate. This could be difficult if they are too elderly or frail to do so.

## Legal Matters

A person can write their own will. However, if it is not done properly, there can be problems. It is better to contact a solicitor or a will-writer. Contact the Society of Will Writers on **01522 687888** or the Law Society on **029 2064 5254** for further advice and information.

If the person you are caring for does not make a will and you, as an unpaid carer, do not think that you have been provided for reasonably, you may be able to make a claim under the 1975 Provision for Families and Dependents Act for reasonable financial provision. For further information about this, contact your solicitor or the CAB.

**Power of Attorney** - prior to the Mental Capacity Act 2005, it was possible to take out only an Enduring Power of Attorney (EPA). This allowed a person to appoint someone else to make decisions on finance and property in the future should they lose the mental capacity to do so themselves. The Mental Capacity Act 2005 incorporates the right for a person to appoint a Lasting Power of Attorney (LPA) rather than an EPA. There are two types of LPA; one deals with property and finance and the other with personal welfare. For more information, contact the Office of the Public Guardian - **0300 456 0300**. For information about the Office of the Public Guardian, and to download forms and guidance for both LPA and EPA, visit the Ministry of Justice website [www.gov.uk/government/organisations/office-of-the-public-guardian](http://www.gov.uk/government/organisations/office-of-the-public-guardian) (Forms are available in both Welsh and English)