



**WEST GIPPSLAND
HEALTHCARE GROUP**

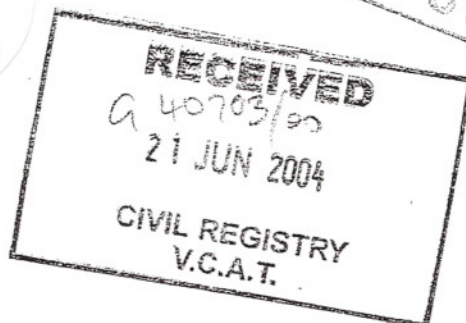
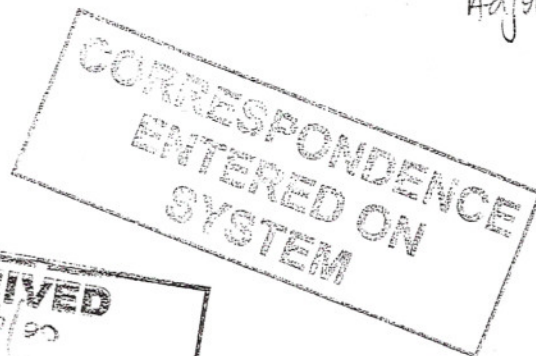
Caring for our Community

19th May 2004.

Senior Registrar,
Victorian Civil and Administrative Tribunal,
Guardianship List,
55 King Street,
Melbourne, 3000.

Attention: R. Scott.

Re: Mrs Lynette Croll,
P.O. Box 114,
Garfield, Victoria, 3814.



Dear Sir,

My name is Dr Craig Russell Clarke, I am registered as a consultant physician in geriatric medicine, and I am employed by the West Gippsland Healthcare Group to provide geriatrician services here in Warragul.

I met Mrs Croll in the presence of her son Trevor today, the 19th May 2004.

I have read the letter to the senior registrar of Tribunal dated 25 February 2004 and the neuropsychological assessment conducted by Dr Vowels on 19th February 2004.

Mrs Croll is independently ambulant without walking aids, and was alert, cooperative and insightful in respect of the nature of today's assessment. I was able to have a lengthy interview with her in respect of how she conducts her affairs, and all of the information recorded below is a result of conversation with her, in the presence of her son but without his assistance.

I performed a Folstein mini mental state examination, and Mrs Croll scored 29 out of 30; the only error was in repeating back a phrase, which I think that she misheard rather than misinterpreted in respect of language. In particular, her short-term memory score was three out of three.

Mrs Croll correctly identifies that she has had a stroke, and that her left-hand function remains slightly clumsy, and that she has a "spatial vision problem on the left side" (as she described it). She is therefore unable to drive. As her hand has improved substantially, she is awaiting an occupational therapist driving test to determine whether she can resume driving.

She was able to relate to me that she lived with her husband in the home that they built together in 1980, until his death in 2003. This house is now owned by Mrs Croll, having been previously jointly owned by Mrs Croll and her husband. She describes that Mr Croll "left everything" to her in the will, and that this had been his intent.

In respect of assets that she currently owns, this includes a house, a farm at Garfield and at Longwarry, with associated farming assets, 200 cows, and other breeding stock. Her stock agent is Alan Jones at SEJ in Pakenham, and she has regular contact with him for the purposes of trading stock.

Her other assets include money in the form of bonds, Telstra shares which had been invested in her husband spine her own name and their business partnership, money in bank account which were formerly joint accounts with her husband, a car, and a four-wheel-drive and a tractor. She enjoys her ongoing participation in the management of the business side of the farms and also some hands-on which she is increasingly able to resume.

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Adjunct

Since her husband's death, she has needed to have domestic heating and a dishwasher replaced due to mechanical failures, and to have other routine maintenance arranged for the home. She has her son Trevor's assistance in respect of the management of the farms, and finds this arrangement to be very satisfactory to her needs. She was able to tell me today that a power of attorney instrument has been arranged with the intent that Trevor acts in her place should she become unable to do so mentally, but that this has never been instituted because there has never been such a need.

Impression.

 Today I found Mrs Croll to be attentive and concentrated well. Her answers were consistent and her memory for both recent and distance events was slow but generally accurate, her mood was appropriate and there was no sign of depression. She was insightful in respect of the reason for today's consultation, and had a clear understanding of the assets which she has, the manner in which she wished ~~be~~ assets to be dealt with, and that she has a clear and enduring understanding of the nature of the farming businesses which she and her husband built together, and ongoing desire to continue to be involved in the farming business which she undertakes with the assistance of her son.

Mrs Croll wishes to continue to live in her home in Bunyip, and I find her to be capable of making such a decision for herself, and that her stroke, from which she has made a good recovery, has not impacted on her ability to decide this for herself. I cannot find evidence that this lady is impaired such that a guardianship order is appropriate.

Mrs Croll has cognitive function which is consistent with her being able to make reasonable decisions in relation to her financial and legal affairs. She stated today that she continues to be satisfied with the existing arrangements in respect of enduring power of attorney, with her son Trevor nominated to be the attorney should her mental faculties fail her. If it were to be necessary, she today is capable of making any arrangements she wishes in respect of these matters.

Mrs Croll is well aware of the circumstances she enjoys financially, what her assets are, and how she wishes to manage them: she enjoys participating in the business management associated with her farming assets. Both my own assessment of her today and the neuropsychologist's assessment are consistent with her having the capacity to make reasonable decisions in relation to her financial and legal affairs.

Mrs Croll is making responsible plans for returning to driving after appropriate professional testing, and I would support her proceeding with seeking the occupational therapist driving assessment so that she can make a fully informed decision about whether to return to driving motor vehicles.

I wish her well for the future.



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