



WILL MAKING IN QUEENSLAND

2012

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Executive Summary

Making a will presents a number of challenges to testators and those who assist them. Such challenges arise from changes in the complexity of family structures, changes in assets, expectations of user pays for a range of services in older age, a diversity of cultural practices and changing expectations surrounding intergenerational transfers. Currently, there is no systematic data on the prevalence of will making in Queensland, the factors affecting decisions concerning wills, the barriers to will making and the sources of advice accessed and used. This research project, funded by the Office of the Public Trustee of Queensland (PTQ), aimed to address these gaps. It also sought to capture the perspectives of Indigenous Queenslanders on will making. The findings have potential to inform planning, marketing, service delivery and communication strategies relating to making and changing wills in Queensland.

The project comprised a state wide telephone survey of will making in Queensland of 820 people aged over 35 years across the state and semi-structured interviews with a purposive sample of 40 Aboriginal and Torres Strait Islander people living in Southeast Queensland and the Torres Strait and Northern Peninsula area. A brief survey of those aged 18-35 years was also completed.

Overview of key findings

Making a will is common for Queenslanders aged over 35. The survey shows that 79% of those aged over 35 had a current will. This figure is lower than that of studies that focus on older groups and higher than those that include 18- 35 year olds. Many people make more than one will; half of the respondents aged over 35years had made more than one will. However, a minority of Murri and Torres Strait Islander participants had made a will.

Will making for non-Indigenous Queenslanders is strongly correlated with age and almost reaches saturation point (98%) for those aged over 70 years. Making a will is not strongly related to other variables such as financial status, location, level of education and dependents. Women are more likely than men to have a will at most ages. For those aged under 60 years, relationship status is related to having a will.

In general, there is not a strong resistance to making a will with most people without a will in the survey reporting that they intended to make a will but as yet had not put their intentions into action. Cost or lack of knowledge about how to go about making a will were not the primary reasons reported in the survey for not making a will. Indigenous participants presented a somewhat different picture. Murri and Torres Strait Island participants reported a mixture of views on the usefulness of wills for themselves and their communities. Cultural appropriateness was a key concern. This included problems with the notion of individual property and ownership in wills that conflicted with communal and community ownership and differing views on who constitutes “family”. Although only a few Indigenous people in the study had wills, many were willing to consider them.

For Indigenous people, barriers to making wills related to cultural considerations, access to suitable witnesses and executors, a lack of trust in government and/or a view that wills were not necessary

unless there were substantial assets. Lack of knowledge about wills and access to a suitable person to talk to about wills were also important barriers to making a will particularly for those living in the Torres Strait and Northern Peninsula area. For this group, not understanding the nature of will, the processes of will making or the language used in will kits, combined with not having anyone they could confidently approach to explain will making or to act as witnesses or executors, were substantial barriers.

Making a will is usually triggered by changes in family and life circumstances rather than changes in assets. Although changing a will is also prompted by family and life circumstance changes, changes in assets play a stronger role in decisions to change a will. The decision to make or change a will is not generally triggered by advertising. For most, the trajectory seems to be a life course trigger such as a relationship change, followed by seeking information on how to make a will and then seeking professional advice to draw up a will.

Most wills are drawn up using professional advice from a general solicitor, succession specialist and/or the Public Trustee. Only a minority of respondents reported drawing up a will in the absence of professional advice. No differences are observable between those who made a will with a solicitor/professional vs. those who did it themselves on the basis of education, number of dependents, marital status, and number of wills drawn up. There was a slight impact of age, with those under 40 more likely to have made a will without the assistance of a solicitor. Those who made their own wills were also more than twice as likely to have conducted research online, and relied more heavily on their own experiences. Although online resources are used by younger groups to access information about what to include in a will, as yet they are not widely used to draw up a will.

The PTQ is well known across the state by those who have made a will and those who have not. Reports of experience with the PTQ, either to make a will or deal with other matters, were largely positive. More negative views of PTQ came from Indigenous people in Southeast Queensland linked to lack of trust in government agencies. Cost, quality of service, efficient processes and clear explanations provided by PTQ were highly valued.

Implications

Information and communication strategies to enhance the prevalence of will making will need to vary according to the population group targeted. For younger people, an approach that links making a will to life course triggers such as buying a house, a relationship change or travelling overseas rather than general estate planning is suggested. As most older people have a will, raising issues about how well the current will reflects their wishes and intentions is most likely to engage this group. The interest in the project from the Murri and Torres Strait Islander participants suggests that a targeted strategy to enhance access to information and advice, as well as assistance in drawing up wills, is important for this group.

Seminars, information packs as well as on line resources that address issues of intestacy, understanding how to distribute assets to avoid contestation, who to consult and cost considerations

are likely to be the most effective in engaging those who decide to make or change a will. Strategies that reduce the sense of complexity around making a will are also likely to be most effective.

For Murri and Torres Strait Islander communities, an information and advice strategy will require consultation with the communities to ensure information and advice is shared in a culturally appropriate way. The inclusion of relevant Indigenous personnel to offer assistance, information kits in a culturally accessible format and recognition that Murri and Torres Strait Islanders have different cultural concerns should be considered. Any strategies will need to take into account a lack of confidence in literacy skills, limited understanding of the legal frameworks surrounding will making and not having English as their first language for some individuals, particularly those in the Torres Strait and Far Northern Peninsula. Land rights and the transmission of title to traditional lands raise particular issues in relation to ownership, transmission and distribution. Possible alternative will making forms to reflect native title rights and obligations and processes that involve consultation with Elders and Land Councils should be considered. Indigenous people interviewed in the Torres Strait and Far North Peninsula were open to the PTQ taking a more proactive approach to assisting them in making and administering wills.

1. Introduction

Currently, there is no comprehensive data on the prevalence of will making in Australia, and hence no accurate information on who does and does not make a will and the factors that help or hinder will making. Making a will can present challenges to testators as they make decisions in changing social circumstances where prior family practices around asset transfers may no longer be relevant. They may have variable knowledge of relevant law and little access to professional advice. An increasing number of wills are being contested (McGregor-Lowndes 2009; Madoff 2002) and in this situation much of the estate is likely to be consumed by legal costs. Such contests can also leave a long time legacy of family conflict (Love & Sterk 2008).

Dying without a will (*intestacy*) results in assets being allocated according to different provisions in each Australian state. These provisions may or may not fit the needs of an increasingly complex range of family structures, relationships or assets. In addition, the assumptions about family support underpinning *intestacy* provisions do not necessarily fit all cultural groups (Vines 2001).

This Research Report describes the outcome of research undertaken by the University of Queensland in response to the need for foundation data, identified by the Public Trustee of Queensland (PTQ), on the prevalence and practices relating to making a will in Queensland. The results are intended to inform estate planning service models and information strategies within the State.

1.1 Research informing the project

Studies of older people consistently report much higher prevalence rates of will-making than those incorporating younger people. Olsberg (2006), using a large non representative sample of Australians aged over 50 years, reported that almost all (96.2%) respondents had made a will and that will making was related strongly to age, having children and housing tenure. Rowlingson and Mackay (2004) reached similar conclusions, although this United Kingdom (UK) study also found a strong link between will-making and ethnicity. In contrast, a 2008 survey of 1000 people over 18 years commissioned by the Public Trustee of New South Wales (NSW Public Trustee 2008) reported that 54% of all adults over the age of 18 do not have a will. In the UK, Finch, Mason, Masson, Wallis and Hayes (1996) found that only one third of the population who died at age 18 or older had a will.

Research in the United Kingdom suggests that reasons for making or changing a will vary with the life course stage. Finch and Mason (2000) reported that last wills are made late in life and people make changes to their will throughout life. Rowlingson (2000) found the triggers for making a will included illness of self or significant other person, the death of a relative or friend, having to sort out the estate of a relative or friend, family change and long distance travel. However, the extent to which the will reflects family circumstances at the time of death and the practices and triggers for updating wills are currently poorly understood within the Australian context.

Research exploring reasons for not making a will are limited. A NSW Law Reform Commission Report (Dekker and Howard 2006) based on a survey of 659 matters filed in the Probate registry of the Supreme Court of NSW found that those who died without a will died younger, had estates of lower value but had higher rates of joint ownership of property than the testate estates.

In the UK, the reasons suggested for not making a will (Finch and Mason 2000) were the perceptions that intestacy legislation will give people the outcome they want; property is jointly owned; family agreements outline how property will be distributed; property is gifted before death or there is little to leave. In Australia, Vines (2001) has noted the inadequacies of intestacy legislation for Indigenous people. There is, however, very little research that captures the perspectives of Aboriginal and Torres Strait Islander people on will making

Very little is known about how wills are made, including the information relied upon by testators. For example, there is little data available on how many people obtain legal assistance to make or change their will, the nature of that advice, and whether the lawyers involved are succession specialists. Will kits are readily available on-line or in newsagents. How frequently they are used and by whom are yet to be explored.

1.2 Project aims, significance and methodology

This project, funded by the Public Trustee of Queensland, aimed to provide critical information on the prevalence of will making in Queensland, the factors affecting decisions concerning wills, the barriers to will making and the sources of advice accessed and used. The project also sought to capture the perspectives of Indigenous Queenslanders on will making. The findings have potential to inform planning, marketing, service delivery and communication strategies in Queensland. They also provide a strong foundation for the national Australian Research Council Linkage project (LP110200891) exploring the prevalence of will making across Australia.

Broadly, the research aimed to provide foundational data in Queensland on

- i. The prevalence of will making
- ii. The predictors of having or not having a will
- iii. The triggers for making or changing a will
- iv. The advice sought and used to make a will
- v. Knowledge and understanding of intestacy
- vi. Aboriginal and Torres Strait Islander perspectives on will making

The project had two components: a state wide prevalence survey of will making in Queensland in people aged over 35 years and semi-structured interviews with a sample forty of Aboriginal and Torres Strait Islander people. The survey and semi structured interviews covered the same broad questions but the language used and the way questions were structured were altered to ensure they were appropriate to the cultural context. These components are reported separately in Sections 2 and 3 and the findings drawn together in Section 4.

2 Prevalence survey

2.1 Questionnaire development

The initial survey developed by the research team was piloted face-to-face on a sample of 20 participants of mixed age and gender, and included a mix of respondents with and without a will. Participants were also asked to provide feedback on the questionnaire. Pilot data indicated the need for some minor adjustments and clarifications to the questionnaire, but because of the limited nature of the suggested changes, re-piloting was not considered necessary. The survey was designed to be administered by telephone. This requires a very short and targeted series of questions which some clear definitions. The final questionnaire (Appendix 1) had 25 questions that covered:

- Demographic information (age, gender, relationship status, dependents, education, post code), income source and estimated annual income
- Will making intentions, motivations, triggers and inclusions
- Information and advice accessed
- Knowledge and use of PTQ.

Data collection was undertaken using the Computer Assisted Telephone Interviewing (CATI) laboratory at the University of Queensland. A pilot of the telephone questionnaire was conducted on August 30 and 31, 2011 as an important quality control step to ensure all relevant issues were adequately tested in a “real” environment. The pilot provided a test of the flow, wording and length of the questionnaire; an evaluation of the ease of survey administration from both an interviewer and respondent perspective; verification that appropriate survey routing, sample management systems and call algorithm were in place; a test of all sundry survey procedures, including field staff briefing, problem escalation, pre-coded frame relevance, etc.; and the ability to fine-tune the above, based on pilot outcomes.

The pilot was conducted by a small team of interviewers who had been comprehensively briefed on all aspects of the project. Throughout the pilot, interviewers made note of any consistent difficulties pertaining to questionnaire flow, communicating survey concepts, and respondent resistance to particular survey questions.

Feedback from the CATI lab following the telephone pilot resulted in minor changes to the questionnaire, namely:

- the addition of several response options identified in the “other, please specify” categories to better capture the full range of responses
- the reordering of some questions to provide a more logical flow.

As these revisions were minor, it was deemed unnecessary to re-pilot before moving to the full study.

2.2 Sample

The project primarily focused on Queenslanders aged over 35 years as those most likely to have made or to have considered making a will. Any respondents who fell outside the target age range (those aged 18-34) were asked whether they had a will, before the interview was terminated. Quotas were set to ensure a mix of respondents from Brisbane and the rest of the state. These quotas were based on ABS Census data of population distribution, and set at 44% for Brisbane, and 56% for rest of state.

Commercial sample provider (Sampleworx) was used to supply the sample for this project. Sampleworx randomly generates numbers and then verifies their status. These numbers do not come from any pre-existing list.

The verified pool is profiled by Australian Communications and Media Authority (ACMA) districts and zones and approximately 85% by Exchange Service Areas (ESA's). From this profiling they can also provide a calculated guess for respective post codes, Statistical Local Areas (SLA's), Local Government Authorities (LGA's), and so on. This level of profiling is quite accurate but not guaranteed e.g. they allocate a number to the LGA that covers the greatest percentage of an Exchange Service Area (ESA).

There are 2 elements to the methodology:

1. Random Generation of numbers within ACMA issued prefixes and then profiling into ACMA charging districts, zones and exchange boundaries that allow them to determine the most likely geographic region. A number is then profiled to the region that covers the majority of its exchange area.
2. The second part of the process is to verify which numbers are currently valid. This is done by using a new proprietary technology to 'ping' the number at the exchange to determine if it is in fact a real number. This does not mean that it is actually connected to a house but does reduce the proportion of dead numbers normally associated with the traditional RDD sample.

This methodology of random generation means that there is a greater coverage of numbers. Numbers are not limited to only those numbers that are published in a pre-existing list. They are constantly generating new numbers and verifying them, including those in new exchange areas and VOIP numbers. Numbers in the database are re-verified in a 6 month cycle.

It is important to note that the current sample included only landline telephone numbers. This is increasingly becoming an issue with the proportion of the population without a landline continuing to rise. While it is now possible to source randomly generated mobile phone numbers it is still accepted practice to utilise landline only. In addition, the inability to geographically profile a randomly generated mobile sample made it impractical to attempt a dual frame design for this study.

2.3 Interviewer training and supervision

All interviewing and supervisory staff were comprehensively briefed and trained on aspects of the project encompassing:

- Questionnaire structure and research purpose summary;
- Question-by-question synopsis including specified question delivery and prescribed probing techniques;
- Code-frame comprehension and respondent compliance techniques;
- Refusal reduction techniques, optimal introduction text delivery, and adherence to sampling methodology;
- Interviewer call-outcome coding and appointment-setting protocols;
- Effective respondent query resolution and escalation processes; and
- Social research ethics and respondent confidentiality and privacy principles in the context of CATI research.

Project supervisors were provided with briefing notes outlining specific quality and methodological requirements demanding strict interviewer adherence and consistency during survey administration. Ongoing daily project management meetings were held with supervision staff, and reports were delivered at the conclusion of each shift detailing interviewer performance and monitoring event outcomes.

At least 1 in 10 completed interviews (10%) were monitored by anonymous supervisor listening. Interviewers were scrutinized on the basis of appropriate rapport, question delivery, and data collection accuracy and were provided with immediate feedback and coaching if any stylistic issues were observed. In instances where monitoring was not possible or data required further checking and validation, supervisors re-contacted respondents and asked a series of questions to validate data pertaining to interviewer conduct, sample location, and finally a validation questions to determine the accuracy of interviewer data capture. Daily reports specifying monitoring events and outcomes, as well as any responses to validation calls were provided to the project supervisor.

2.4 Data collection, management and analysis

Interviewing commenced with a small team on August 30th 2011 following extensive briefing. Six surveys were conducted on the first evening. And preliminary data checks conducted. A further 68 surveys were conducted on the 31st August 2011 followed by comprehensive data checks. Interviewing then continued throughout September, with the final interviews completed on Thursday September 22nd 2011.

The CATI labs collected data using advanced survey management and interviewing software, VOXCO. Data was then exported to SPSS for analysis. Verbatim responses were classified and coded before analysis was undertaken. First cut frequencies, cross tabulations and chi-square tests were undertaken using SPSS. In addition to reporting on prevalence, the analysis explored predictors of having a will; motivations and intentions; expectations of dying intestate; sources of advice and information;

satisfaction with processes; contents of wills and awareness, interaction and satisfaction with the Office of the Public Trustee of Queensland(PTQ).

2.5 Sample Description

A total of 2628 households were contacted. Of these, 820 (31%) completed the survey and an additional 156 (6%) completed the brief survey (those aged 18-34). 137 (5%) of calls resulted in no suitable respondent being available, either due to no one over 18 being available, or quotas being met. The remaining 1515 (58%) of households refused to participate in the study. The CATI lab indicated that these response rates are fairly typical for telephone interviewing of a community sample.

Call Outcome	n	%
Completed (35+)	820	31%
Completed brief (18-35)	156	6%
Refused	1515	58%
No suitable respondent	137	5%
TOTAL CONTACT	2628	

An additional 1370 calls were made which resulted in no successful contact – no answer, answering machine or engaged. These calls have been excluded from the calculation of response rate.

2.5.1 Young Respondents (18-34)

156 participants aged between 18 and 34 were interviewed. Only two respondents under 25 had a formal will. Of those between 25 and 34, 28 respondents (29%) had a formal will.

Do you have a formal will?	n	%
18 - 24 years	2	3%
25 - 34 years	28	29%

2.5.2 Demographic Characteristics of Respondents aged 35+

The age and sex, geographic location, relationship status and financial status of respondents are reported in this section. The associations between these demographic characteristics and likelihood of having a current will were examined and are reported in Section 2.7.

Age and Sex

Gender distribution within the sample was relatively balanced, with 55% of respondents being female and 45% male. A wide range of ages were also captured. The inclusion of a substantial proportion (61%) of the sample age under 60 years is important as prior research suggests that this group is the least likely to have made a will. The distribution of ages is as follows:

Age	n	%
35-39	84	10%
40-49	201	25%
50-59	217	26%
60-69	173	21%
70-79	104	13%
80+	41	5%

Geographic Location

As set by the target quota, 44% of respondents were from Brisbane, and 56% from the rest of the state. These proportions reflect the proportion of the population in each location based on the ABS Census data.

Location	n	%
Brisbane	357	44%
Rest of State	463	56%

Relationship Status

Most respondents (70%) were married or in a relationship.

Relationship Status	n	%
Single	99	12%
Married	520	63%
De facto	59	7%
Separated not divorced	17	2%
Divorced	51	6%
Widowed	71	9%
(Refused)	3	0%

Financial status

A limitation of telephone surveys is that they do not allow for complex questions about assets and household incomes. An estimate of individual annual income was the primary indicator of financial status. Although a wide range of income is represented in the sample, there is a predominance of respondents in the lower income bands and a 17% refusal/don't know rate.

This data therefore should be treated with caution.

Individual Annual Income	n	%
Less than \$20,000	127	15%
\$20,000 to \$39,999	129	16%
\$40,000 to \$59,999	119	15%
\$60,000 to \$79,999	90	11%
\$80,000 to \$99,999	79	10%
\$100,000 to \$119,000	47	6%
\$120,000 to \$149,999	29	4%
\$150,000 or more	60	7%
Don't know/Refused	140	17%

2.6 Findings: Prevalence (aged 35+)

Overall, 820 participants aged over 35 were interviewed. Of these respondents, 644 (79%) had a will, while 176 (21%) did not.

2.7 Predictors of having a will (aged 35+)

The demographic characteristics of respondents (gender, age, location, education, financial status, relationship status, dependents) were explored to ascertain if they were significant predictors of having a will. In addition, these variables were tested against all others; unless otherwise stated, they did not mediate the outcomes.

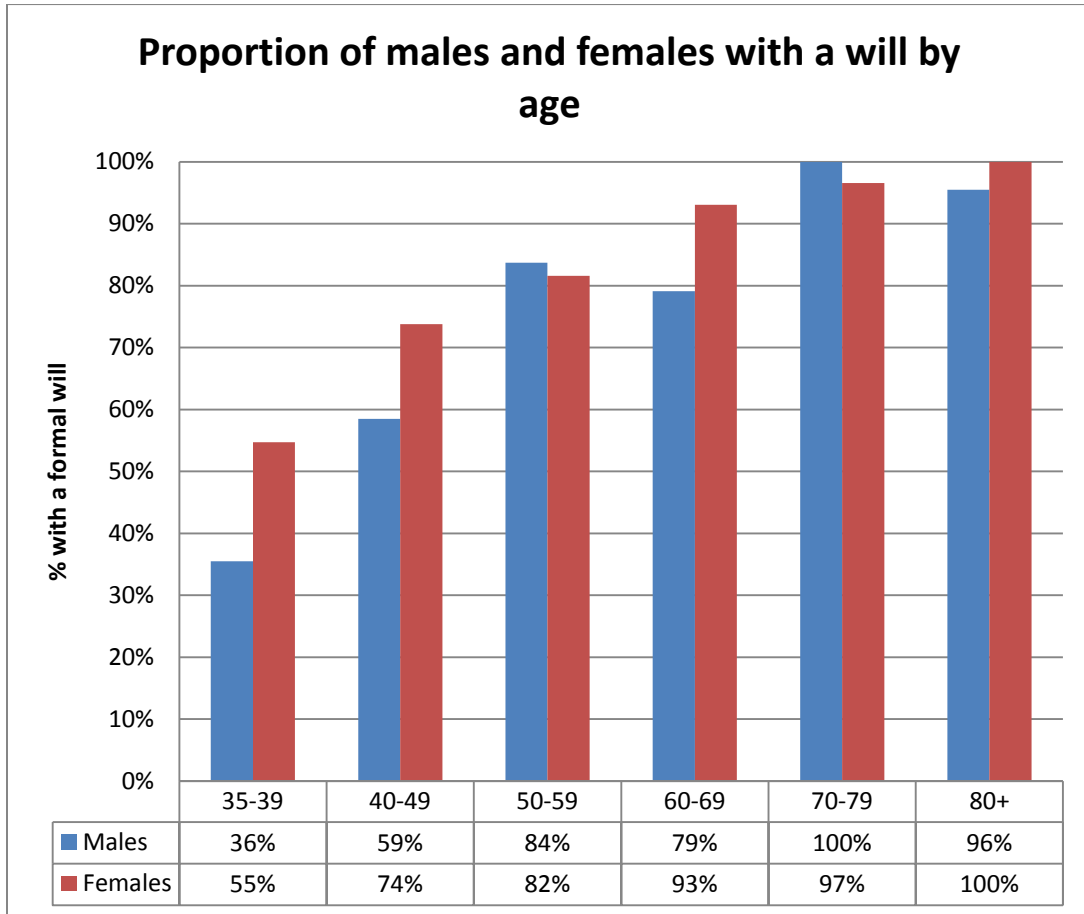
Age

Unsurprisingly, the likelihood of having a will increased with age. Respondents who did not have a will were significantly younger, with the mean age of respondents with a will being 58 years (SD=12.7), while the mean age of respondents without a will being 47 years (SD=10.3) (significant difference, $p < .005$).

Age	% with a will
35-39 years	48%
40-49 years	67%
50-59 years	82%
60-69 years	86%
70-79 years	98%
80+ years	98%

Gender

Overall, women (82%) were more likely than men (75%) to have a will. But this disparity was influenced by age. The general trend indicated that women were more likely to have a will in their thirties, forties and sixties, but this difference decreased with age, so that among older adults (70 years+) this disparity has disappeared. Interestingly, this pattern did not hold true for respondents in their fifties. Whether this is an indication of a sampling anomaly or a true cohort effect is unable to be determined in this study.



Relationship status

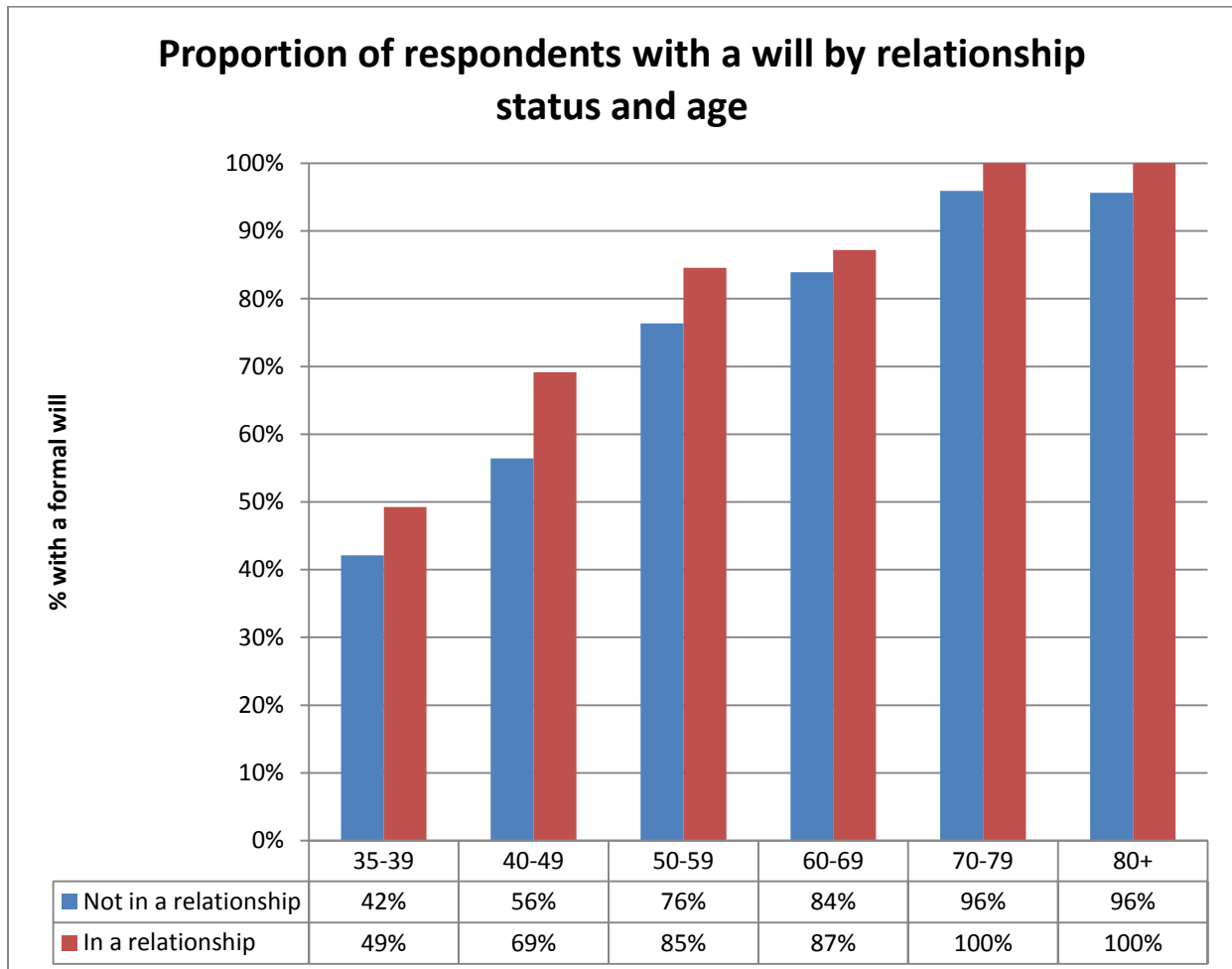
A comparison was made between those in a relationship (married + defacto) and those not in a relationship (single + widowed + divorced + separated).

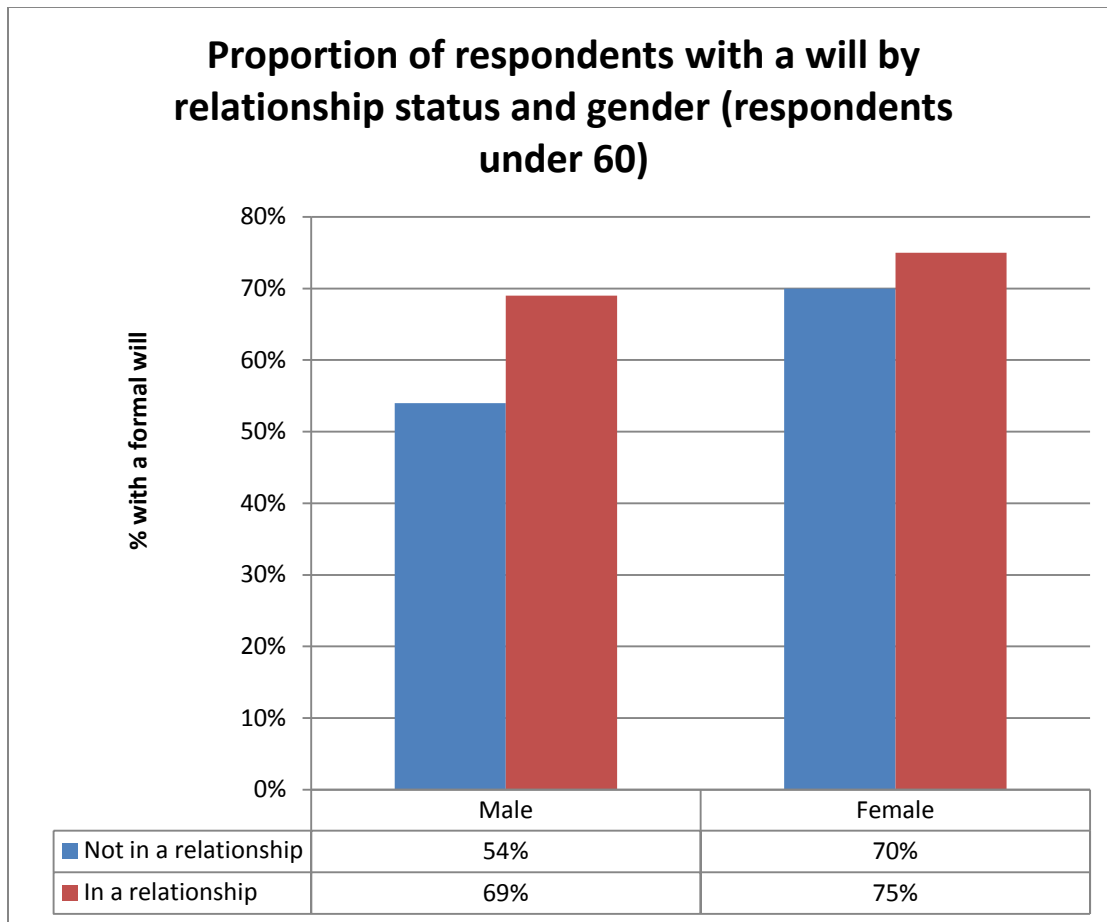
Looking at the sample as a whole, being in a relationship was not a predictor of having a will. However, closer examination revealed that this was dependent on age.

For respondents over 60, no correlation was found between relationship status and having a will ($p < .64$). However, this may be due to ceiling effects, with the overall rate of having a will being high among all respondents over 60 years, whether in a relationship (92%) or not (91%).

Being in a relationship was a significant predictor of having a will for younger people. Of those aged under 60 years of age, those in a relationship were significantly more likely to have a will (72%) than those not in a relationship (64%) ($p < .005$).

The impact of relationship status on will-making was also moderated by gender, with the positive effect of being in a relationship being more pronounced among men than women. This means that men under 60 in a relationship are more likely to have a will than men under 60 not in a relationship, although the rates continue to be lower than those for women.





To investigate this relationship further, analyses were conducted to see whether this effect really was due to relationship status, or was an artifact of having children.

Children/dependents

Surprisingly, having children (regardless of how many and whether they were dependent or independent) was not a predictor of having a will at any age. There was also no difference in the mean number of dependents between those with a will vs. those without (mean for both groups = 2.7 dependents). This was surprising given that having children was strongly endorsed by those without a will as an event which may motivate them to make a will (endorsed by 63%), and among those with a will, it was the leading reason given as to what prompted them to make one.

This finding in and of itself is quite interesting, because it suggests that while people perceive having children to be an important driving force behind will-making, the rate of wills amongst those with children is not different to rate of wills in those without children. That is, children are high-lighted as a predictor of change of state (i.e. changing from not having a will to having a will) but are not a predictor of current state.

This might reflect that having a child increases one’s intentions about making a will, but may not translate into actual will-making behaviour. So, having a child might make you think you should have a will, but does not necessarily instigate action with regard to making a will.

Income

Care has to be taken with interpreting income data as there was a 17% refusal/don’t know rate.

Income was not a significant predictor of whether respondents had made a will. For example, 81% of people in the lowest income bracket (less than \$20,000p.a) had a will compared to 83% in the highest income bracket (over \$150,000p.a). This probably reflects the effects of age with older people most likely to have a will and also most likely to be in the lower income bracket.

Location

Location was not a significant predictor of making a will, with no difference in the proportion of respondents with wills between Brisbane (79%) and rest of state (78%).

Education

Level of education across the aged 35+ sample was not a predictor of having a will. Level of education, however, is likely to interact with age, with younger people in general having higher levels of education than older people.

	Do you currently have a formal will?			
	Yes		No	
	n	%	n	%
Primary school	16	89%	2	11%
Year 7 to Year 9	57	79%	15	21%
Year 10	144	78%	40	22%
Year 12	94	73%	34	27%
TAFE/Technical Certificate/Diploma	119	75%	40	25%
Bachelor Degree	139	82%	31	18%
Other (Specify)	67	84%	13	16%
(Refused)	8	89%	1	11%
Total	644	79%	176	21%

When age is taken into account and the effects of education for those under sixty years explored (n= 502), there is a trend that shows the likelihood of having a will increases with level of education especially in relation to having a bachelor degree vs. year 7-12 education level.

	Aged under 60. Do you currently have a formal will?			
	Yes		No	
	n	%	n	%
Primary school	6	100%	0	0%
Year 7 to Year 9	7	41.2%	10	58.8%
Year 10	78	69%	35	31%
Year 12	48	61.5%	30	38.5%
TAFE/Technical Certificate/Diploma	81	68.6%	37	24.8%
Bachelor Degree	92	80%	23	20%
Other (Specify)	39	75%	13	8.7%
(Refused)	2	66.7%	1	33.31%
Total	353	70.3%	149	29.7%

2.8 Respondents aged 35+ without a will

2.8.1 Intentions, motivations and potential assistance

Of the 176 respondents without a will, most (138 or 78%) indicated they *currently* have the intention of making a will. All respondents without a will were asked about their reasons for not making a will. Responses indicated that the reason many people have not made a will is simply that they are yet to put their intentions into action, with 53% of respondents saying they have not managed to get around to making a will, and a further 23% saying that they have not thought about it. It is of interest to note that cost or lack of knowledge about how to go about making a will were not the primary reasons. There were few responses that suggested that having a will was considered to be unnecessary.

Reasons for not making a will	n	%
Haven't got around to it yet.	93	53%
Haven't thought about it.	41	23%
I don't think I need a will at this time in my life.	18	10%
Don't consider I have anything to leave someone.	17	10%
It is too costly.	5	3%
I'm not sure how I want to divide my estate after my death.	5	3%
Given my family situation, I don't need a will.	5	3%
I am not sure how to go about making a will.	3	2%
No one in my family has a will.	1	1%
Other, please specify.	18	10%

Respondents were also asked to consider whether certain life events would prompt them to make a will. The four items which received the highest level of endorsement can be grouped into three themes:

Concern about one’s own physical well-being or that of someone they care for: Examples are: was diagnosed with a serious illness or medical condition; had long-term responsibility for someone; had a family member with a disability.

Behavioural/situational prompts: Examples are: Was filling out forms to give someone power of attorney for my affairs; entered a workforce that recommended making a will.

Changes in family circumstances: Examples are: relationship change or having children.

What would motivate you to make a will?	n	%
Health Concerns		
Was diagnosed with a serious illness or medical condition	146	83%
Long Term Planning		
Was filling out forms to give someone power of attorney for my affairs	138	78%
Had long-term responsibility for someone	137	78%
Workforce issues		
Entered a workforce that recommended making a will	129	73%
Retired	125	71%
Changes in family circumstances		
Became widowed	118	67%
Had children	111	63%
Got divorced	98	56%
Got married	86	49%
Got separated but not divorced	82	47%
Changes in assets		
Acquired more assets	117	66%
Had a reduction in assets	52	30%
Changes in Location		
Going away from home for a lengthy period	85	48%

Looking at the reasons given for not having made a will, there was no significant differences in reasons given between those with children and those without. When asked about what would be likely to prompt them to make a will, those with children more strongly endorsed:

Separating/getting divorced (50% and 57% among those with children vs. 30% and 48% among those without)

Going away for a period of time (51% with children vs. 33% without children)

Increase in assets (68% with children vs. 59% without children)

Reduction in assets (32% with children vs. 15% without children)

Those without children more strongly endorsed:

Getting married (47% with children vs. 59% without children)

Having children (60% with children vs. 78% without children)

It is also interesting to note that 60% of respondents without a will WITH children indicated that having children would prompt them to make a will.

Fifteen respondents aged over 60 reported they did not have a will because they have not gotten around to making a will, or have not thought about making a will. These respondents were more likely to be male (10 male, 5 female). When asked what might assist them to make a will, 100% of these respondents endorsed the statement: "Assistance in knowing what to take into account in distributing my assets". This was higher than the overall average endorsement for this item, which was 75%.

Only three respondents indicated that they had no intention of *ever* making a will. These three respondents were all male; two had children and one was childless. The three varied in income, marital status and age. All had relatively low levels of education. Reasons given for not making a will:

Aged 36: "Pointless, someone can fight it in court anyway."

Aged 62: "My affairs are simple. The government can sort it out when I die. There is nothing unusual to warrant making a will."

Aged 93: "Don't consider I have anything of value to leave."

Respondents were also prompted to consider what would be useful in making a will. Assistance in knowing what to take into account in distributing assets (75%) and who to consult to draw up a will (70%), were seen as being helpful by respondents if they decided to make a will. This indicates that a lack of knowledge, both about what to include in a will, and how to draw them up, are potential barriers to making a will.

What would help if you did decide to make a will?	n	%
Assistance in knowing what to take into account in distributing my assets	132	75%
Knowing who to consult to draw up a will	123	70%
Reducing any costs in drawing up a will	118	67%
Able to do it on line	92	52%
Other, please specify	16	9%

The majority of the “other, please specify” in this table related to simplifying the process of making a will. Respondents indicated that one barrier to making a will was that the process was overwhelming and complex, and that if it was simplified, this would be helpful.

2.8.2 Expectations of implications of dying without a will

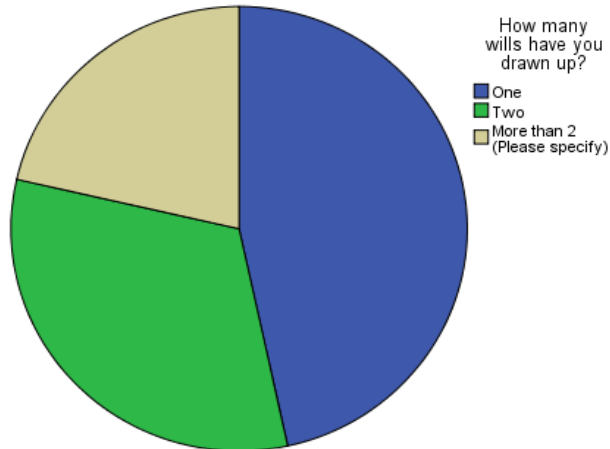
Respondents without a will were asked what they thought would happen if they died without a will. Almost half of respondents (49%) thought that their assets (particularly joint assets) would automatically pass to their partner; 39% of respondents thought that their assets would be distributed amongst their family, either in a manner determined by their family members (27%) or by the courts (12%); 9% thought that dying without a will would result in their assets being taken by the government. The remaining 3% of respondents thought that a combination of the above would happen, for example, joint assets would automatically pass to their partner, but remaining assets would be distributed as determined by the courts. The wide variability in personal and family situations means it is not possible to know whether particular respondents have answered this question correctly. However, there was a surprising level of diversity of responses to this question, possibly reflecting a level of uncertainty as to what was likely to happen to a person's assets if they died without a will. Further research is needed to see whether people who do not make a will fully understand the consequences of not doing so. This requires more detailed questioning than is possible in a telephone survey.

Expectations of what would happen if you died without a will	n	%
All your assets are held jointly with your partner and he/she would have all of them if you died.	86	49%
Your assets would be divided up between your family members as the family sees fit.	48	27%
Your assets would be divided up between your family members as determined by the courts.	21	12%
The government would take your assets.	16	9%
Other	5	3%

2.9 Respondents aged 35+ with a will

2.9.1 Number of wills and motivations

Of the 644 respondents with a will, less than half (300, 47%) had only ever drawn up one will; 32% had drawn up two wills and 22% had drawn up three or more wills. Most had drawn up their most recent will more than 2 years ago.



Number of wills drawn up	n	%
One	300	47%
Two	206	32%
Three	83	13%
Four	29	5%
Five or more	26	4%

When did you draw up your current will?	n	%
More than seven years	275	43%
Two to seven years	244	38%
Less than two years	121	19%
Don't know/can't recall	4	1%

Unsurprisingly, for those who have a will, there is a strong relationship between age and number of wills drawn up. Older people are much more likely to have drawn up more than two wills than younger people.

		How many wills have you drawn up?		
		One	Two	More than 2
Age group	35-39 years	62.5%	30.0%	7.5%
	40-49 years	56.7%	27.6%	15.7%
	50-59 years	48.0%	36.9%	15.1%
	60-69 years	38.3%	32.2%	29.5%
	70-79 years	41.2%	29.4%	29.4%
	80+ years	35.0%	32.5%	32.5%
Total		46.6%	32.0%	21.4%

Prompts and motivations

Respondents with one will were asked, “What prompted you to make this will?” respondents with more than one will were asked, “Thinking about when you first made a will, what was it that prompted you to make your first will?” The table below is the combined results of those two questions.

Motivation for making a will	n	%
Changes in family structure/circumstances		
Had children	192	30%
Got married	85	13%
Death of family/Loved one	20	3%
Got divorced	13	2%
Became widowed	11	2%
Got separated but not divorced	6	1%
Got remarried	4	1%
Linked to assets and distribution		
Desire for control over asset distribution	69	11%
Acquired more assets	66	10%
Changes in life circumstances		
Going away from home for a lengthy period	52	8%
Diagnosed with serious illness/health event (inc. injuries)	19	3%
Entered a work force that recommended making a will	16	2%
Retired	9	1%
Part of taking responsibility for planning		
Ageing	44	7%
Common Sense	36	6%
Sense of obligation, felt I “should”	34	5%
Part of filling out an EPA	5	1%
Had long-term responsibility for someone	6	1%
Prompted by others		
Family	27	4%
A professional	14	2%
Other	20	3%

Respondents with more than one will were asked about their motivations for changing a will.

These two tables demonstrate the importance of changes in family structures and circumstances in initiating activity to make a first will or to change a will. In addition to changed in family structures/circumstances, part of taking responsibility for planning is more important in making an first will, whereas changes in assets or asset distribution is more important in making changes to a will.

Motivations for changing a will	n	%
Changes in family structure/circumstances		
Had children	112	33%
Change in family circumstance	48	14%
Got married	44	13%
Got divorced	38	11%
Got remarried	37	11%
Children grown	24	7%
Became widowed	22	6%
Got separated but not divorced	5	1%
Linked to asset distribution		
Acquired more assets	45	13%
Change asset distribution from previous will	32	9%
Add other beneficiary (inc. grandchildren)	26	8%
Update or clarify asset distribution	23	7%
Remove deceased beneficiary	14	4%
Change executor	9	3%
There was a reduction in my assets	4	1%
Change in life circumstances		
I was going away from home for a lengthy period of time –for example overseas on a holiday or travelling overseas or interstate for work for	8	2%
Retired	8	2%
Was diagnosed with a serious illness or medical condition	1	0.3%
Had long term responsibility for someone (e.g. family member with a disability)	0	0.0%
Reviewed when completing other documentation		
Was filling out paperwork to give someone Power of Attorney for my affairs	2	1%
Entered a workforce that recommended making a will	1	0.3%
Other uncoded	18	5%

2.9.2 Prompts, advice and information

It is of interest to note that almost three-quarters of respondents (73%) reported that they were not prompted by anyone to make their will. For those who were prompted by someone to make a will, this was most commonly by a solicitor (11%), followed by family members (7%) or their partner (6%).

Did anyone advise you to draw up a will?	n	%
No-one	469	73%
Solicitor	74	11%
Family (other than partner)	42	7%
Partner	37	6%
Accountant/financial advisor	14	2%
Friend	9	1%
Other	5	1%
Doctor	2	0%
Employer	2	0%
Marriage celebrant	0	0%

The role of advertising

Advertising was not a large factor in prompting people to make a will, with only 44 (7%) respondents indicating that advertising had prompted them to make a will. The sources of advertising varied, with the most prominent being television, followed by newspaper, brochures and seminars. The numbers are too small to explore relationships between sources of advertising and other variables such as age and gender.

	n	%
Advertising prompts		
Television	18	3%
Newspaper	6	1%
Brochures	6	1%
Seminar	4	1%
Radio	2	0.3%
Will kit stand in newsagency	2	0.3%
Magazine	2	0.3%
Online	1	0.2%
Newsletter	1	0.2%
Work	1	0.2%
Expo/information stand	1	0.2%

Self vs professional assistance

The majority of respondents had their will drawn up by a solicitor (68%), either a general solicitor (54%) or one who specialised in wills and estate planning (14%). 15% of respondents had their will drawn up by the Public Trustee. 12% of respondents drew the will up themselves, either starting from scratch (5%), using a will kit (5%) or downloading forms from the internet (2%).

How did you draw up your will?	n	%
Solicitor total	437	68%
General Solicitor	346	54%
Specialist Solicitor	91	14%
Public Trustee	97	15%
Self	76	12%
Will making kit	35	5%
Wrote it myself	30	5%
Downloaded form online	11	2%
Other professional	27	4%
Family/friend member who is a relevant professional	13	2%
Bank/insurance company	6	1%
Work/union	3	0.5%
Trustee company	3	0.5%
Accountant/financial advisor	2	0.3%
Can't remember	3	0.5%
Other	2	0.3%

No differences are observable between those who made a will with a solicitor/professional vs. those who did it themselves on the basis on education, number of dependents, marital status, and number of wills drawn up. There was a slight impact of age, with those under 40 more likely to have made a will without the assistance of a solicitor, and those over 70 being more likely to have engaged a professional than their younger counterparts.

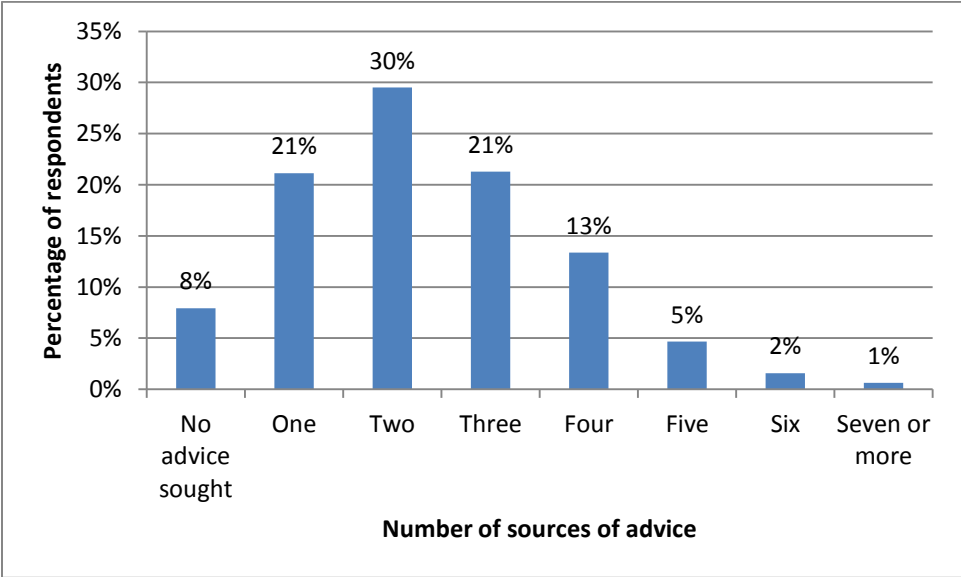
	Self			Solicitor			Don't know		
	Count	Row %	N	Count	Row %	N	Count	Row %	N
35-39 years	10	25%		30	75%		0	0%	
40-49 years	15	11%		118	88%		1	1%	
50-59 years	20	11%		156	87%		3	2%	
60-69 years	16	11%		132	89%		1	1%	
70-79 years	13	13%		89	87%		0	0%	
80+ years	2	5%		38	95%		0	0%	

Sources of advice/information

Comparing those who drew up their own wills to those who used a solicitor/other professional to draw up their will, those who made their own will sought advice from more sources, and more diverse sources. They were more likely to have sought advice from their families, and twice as likely to have consulted friends, but only a third as likely to have consulted a solicitor or the PTQ compared to those whose will was drawn up by a professional. Those who made their own wills were also more than twice as likely to have conducted research online, and relied more heavily on their own experiences.

	Self		Solicitor		Don't know	
	n	%	n	%	n	%
Partner	39	51%	284	50%	4	80%
Other family members	24	32%	120	21%	0	0%
Friends	12	16%	44	8%	0	0%
Someone from the Public Trustee	3	4%	77	14%	1	20%
A solicitor other than the Public Trustee	16	21%	349	62%	1	20%
My own research: information from the web	25	33%	78	14%	2	40%
My own research: brochures or articles in the paper	13	17%	77	14%	2	40%
My own experiences in drawing up a previous will, or as a beneficiary or executor of a will.	39	51%	244	43%	2	40%

Overwhelmingly, respondents indicated that they sought advice from someone before making their will, with only 8% of respondents indicating that they did not seek any advice from others about what to include in their will. Respondents sought advice from an average of 2.3 sources (standard deviation = 1.4).



The sources of advice were most likely to be a solicitor (57%), their partner (51%) or their own previous experiences (44%). 13% of respondents sought advice from the Public Trustee. It is of interest to note the importance own research from the web or other sources.

Which of the following sources did you use for advice about what to include in your will?	n	%
Solicitor	366	57%
Partner	327	51%
Previous personal experience	285	44%
Other family	144	22%
Own research: web	105	16%
Own research: brochures/paper	92	14%
Public trustee	81	13%
Friends	56	9%
Will kit	10	2%
Financial advisor/accountant	7	1%

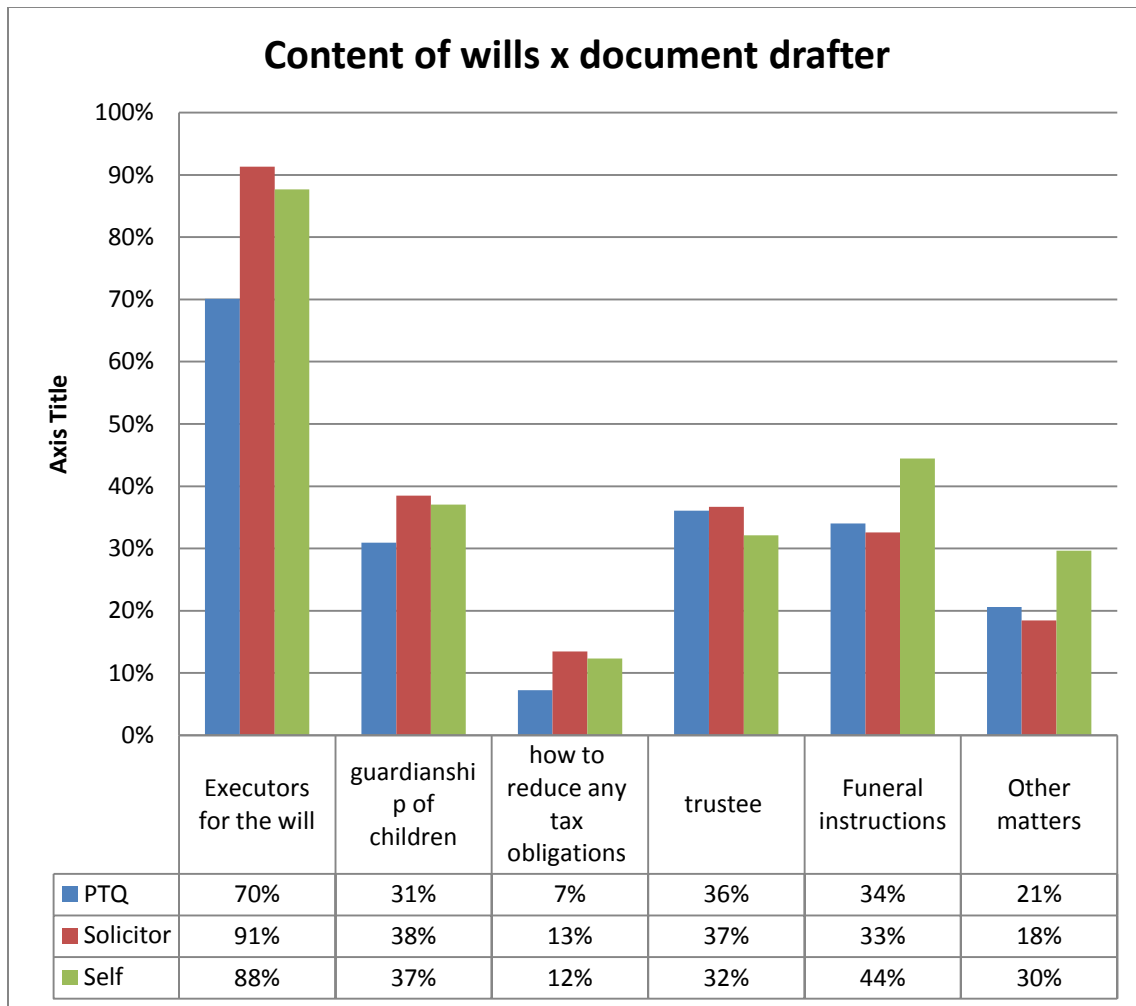
Respondents were asked to rate the usefulness of the advice sought on a ten point scale with 10 being extremely useful. Most sources were highly rated.

2.9.3 Content of wills

Respondents were asked, “In addition to outlining how you wanted your assets/belongings to be distributed, which of the following did you include in your will?” The most common inclusion was the specification of an executor (87%). Guardianship of children, the specification of a trustee, and funeral instructions, were all included in similar proportions (35-37%). Information about how to reduce tax obligations were included by 12% of respondents.

Which of the following did you include in your will?	Yes		No		Don't know	
	n	%	n	%	n	%
Executors for the will	561	87%	65	10%	16	2%
Guardianship of children	241	37%	394	61%	7	1%
Trustee	234	36%	351	55%	59	9%
Funeral instructions	223	35%	402	62%	18	3%
How to reduce tax obligations	77	12%	536	83%	31	5%

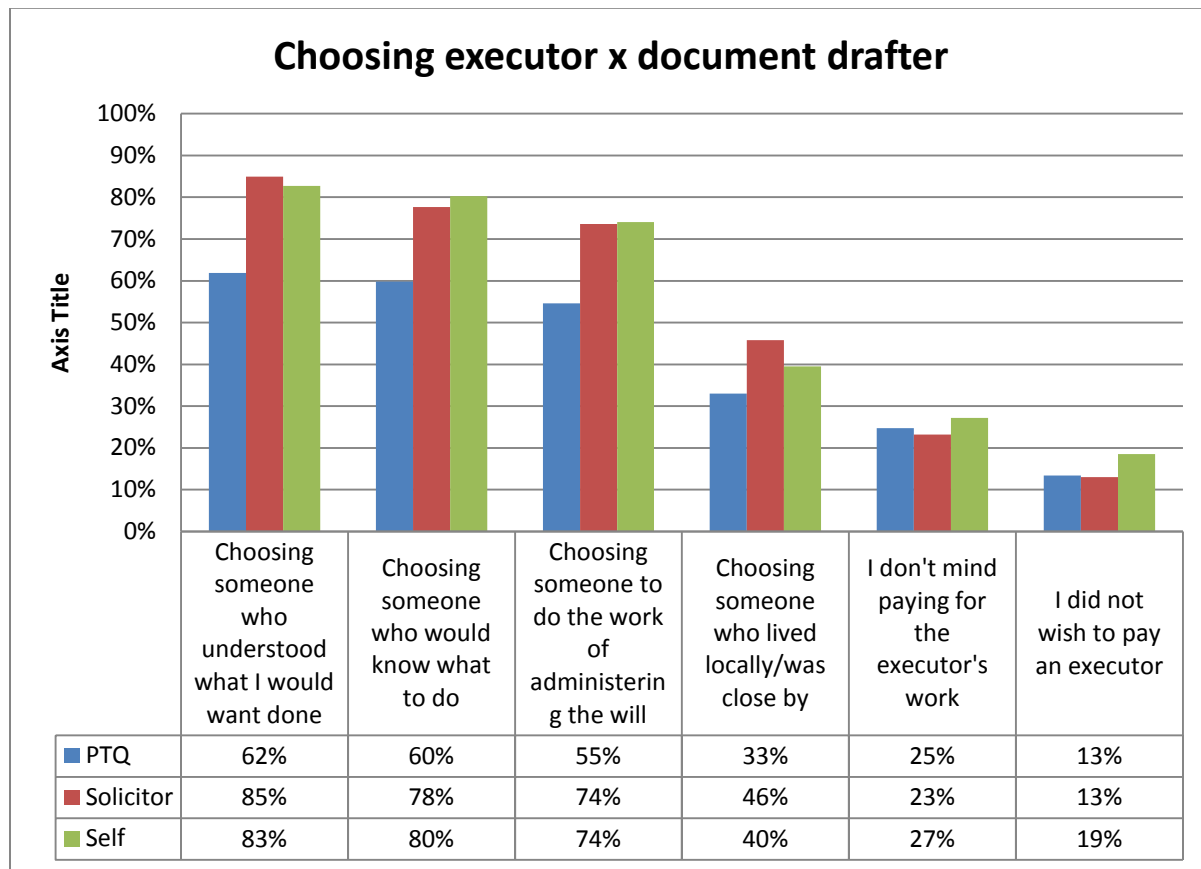
Those who had their will drawn up by the PTQ were less likely to name an executor for their will when compared to those who drew up the will by themselves or with a solicitor. Those who drew up a will themselves were more likely to include funeral instructions and “other matters”. Examples of other matters included arrangements for pets, organ donation, and stipulations about how their children should be educated.



Was one or more of the executors:	n (N=561)	%
Family member/friend who is a beneficiary	330	59%
Family member/friend who is not a beneficiary	232	41%
The solicitor who drew up the will	93	17%

Overwhelmingly, when choosing an executor, respondents felt it was important to consider choosing someone who would understand their wishes (93%). They also considered choosing someone who would know what to do (86%), and be able to do the work of administering the will (81%). For almost half of respondents (49%), selecting someone who lived locally or was close by was a consideration when choosing an executor. Those who used the Public Trustee to make their will reported fewer considerations with regard to choosing an executor. Interestingly, there was no significant difference in their willingness to pay for an executor.

Which of these did you consider when choosing an executor?	n (N=561)	%
Choosing someone who would understand what I would want done	519	93%
Choosing someone who would know what to do	480	86%
Choosing someone to do the work of administering the will	453	81%
Choosing someone who lived locally/was close by	272	49%
I don't mind paying for the executor's work	153	27%
I did not wish to pay an executor	92	16%
None	10	2%



2.9.4 Satisfaction with process of making a will

Respondents were asked to rate how satisfied they were with the process of making a will, on a scale of 1 to 10 (with 1 being completely dissatisfied, and 10 being completely satisfied). Overall, respondents were generally quite satisfied with the process of making a will, with the mean score being 8.7 out of ten (standard deviation = 1.6). There was a significant difference in satisfaction between those who drew up a will by themselves and those who used a solicitor; those who had drawn the will up themselves being less satisfied than other groups. There were no other significant differences in satisfaction.

Satisfaction x How will was drawn up	Mean	Standard Deviation
Overall	8.7	1.6
Public Trustee	8.5	1.8
Solicitor	8.8	1.5
Self	8.1	1.9

2.9.5 Awareness, interaction and satisfaction with the PTQ

Of the 644 respondents with a will, 593 (92%) had heard of the PTQ; 159 (25%) of respondents who had a will had used the services provided by the PTQ (though not necessarily for will-making). A large proportion of participants without a will (136, 77%) had also heard of the PTQ but only 18 (13%) had used their services. The most common reason respondents gave for contact with the Public Trustee was to make a will (55%) followed by contact relating to the executor of an estate (41%). One quarter of respondents who had used the services of the Public Trustee had done so to fill out an Enduring Power of Attorney. Other services used can be seen in the table below.

PTQ services used	n (Total N = 177)	%
Making a Will	97	55%
Executor of an estate	73	41%
Filling out an Enduring Power of Attorney	46	26%
Buying/Selling houses/vehicles	25	14%
Guardian or administrator	23	13%
Managing a trust	11	6%
Name change/deed poll	4	2%
Don't know/can't remember	13	7%

People's experiences with the PTQ were largely positive, with approximately two-thirds (68%) of respondents indicating that there was *nothing negative* about their experience with the Public Trust.

When respondents were asked what they liked about the service, respondents often valued more than one attribute. They valued that it was a free service, and were impressed by the high quality of customer service received. They reported that the process was efficient, simple to do and that they had received clear explanations and appropriate information. The service was comprehensive, accessible and competent. Some valued that it was a government service rather than a private solicitor; others reported impartiality and trust as key attributes. Only 8% of responses indicated a negative view of the service received.

Likes about the PTQ n=177 respondents. Multiple responses were allowed.	n (Total N = 177)	%
Cost	42	24%
Good customer service/polite/helpful/easy to deal with	41	23%
Efficient/quick process/easy to do	58	33%
Clear explanations/information	26	15%
Knowledgeable/professional/competent/comprehensive	25	14%
Accessible/convenient/all in one place	33	19%
Government service/ impartial/not a lawyer/trust	23	16%
Nothing specific but positive experience	11	6%
Can't remember/Don't know	8	5%
Didn't like their service	14	8%

More than two thirds of respondents had no complaints. Of those respondents who nominated factors they disliked, the most common complaint was related to the costs around the administration of a will when the PTQ is nominated at the executor. Another complaint was that it was difficult to understand the cost structure involved, or that respondents perceived “hidden costs” in making a will with the Public Trust. It is important to note that even these “common” complaints were only raised by a small number of respondents.

Dislikes about PTQ Multiple responses were allowed	n (Total N = 177)	%
Nothing/no problems	120	68%
Too expensive/ % of will for executors	9	5%
Confusion about costs/hidden costs	6	3%
Paperwork/administration	4	2%
Slow/Took a long time	4	2%
Poor customer service	3	2%
Felt pressured	2	1%
Impersonal	2	1%
Too bureaucratic/rigid	2	1%
Lack of interest/effort	2	1%
Bad experience no further info	1	1%
Poor management of money	1	1%
Can't remember	5	3%
Other	3	2%

3 Aboriginal and Torres Strait Islander perspectives

A large scale telephone survey is unlikely to capture the issues specific to Indigenous Queenslanders in relation to making wills. The research sought to include the perspectives of Aboriginal and Torres Strait Islanders using semi structured interviews with a purposive sample of Murri and Torres Strait Islander people aged over 35. Will making is a sensitive issue for Indigenous Australians and is best done by an Indigenous researcher. Dr. Noritta Morseu-Diop, an Indigenous woman and an experienced social worker and researcher, completed the interviews with Indigenous groups.

3.1 Setting up the research with Indigenous participants

The semi-structured interviews used a similar set of questions to those posed in the survey but the language used and the way questions were structured were altered to make the interview guide culturally appropriate. The interviews with Indigenous Queenslanders were conducted after consultation and engagement with the community.

To follow the appropriate codes of conduct and protocol when researching within Aboriginal and Torres Strait Islander communities, procedures were carried out to firstly inform and consult with the Elders and key stakeholders of the communities where the interviews were conducted. Approximately 200 Letters were sent out to Leaders, Elders and key stakeholders in the Indigenous communities in Brisbane and in the Torres Strait and Northern Peninsula Area. More than 200 notices of meetings were hand delivered and a notice was placed in the Torres News, the newspaper of the Torres Strait to inform the community about the Wills study. Following this, face-to-face meetings and consultations were carried out with elders and key stakeholders in the Torres Strait and Northern Peninsula area and within the Southeast Queensland region. Following these processes the recruitment of individual participants was quite straightforward with individuals who attended meetings contacting the researcher, or people were referred by those who knew about the project.

The researcher had taken a number of will kits available from newsagents and the post office to use to show participants who were unfamiliar with wills. Having the opportunity to have someone go through the will with them during and after the interview was highly valued and linked to a number of participants, particularly in far North Queensland, being encouraged to go ahead and draw up a will.

3.2 Sample and participants

Participants contributed to this study in individual interviews, or in community meetings with elders when the research was being negotiated with the communities. In this report the main focus is in material presented in individual interviews, though where relevant this is linked to comments made in conversations with community elders.

Participants were recruited from individuals who responded either directly or indirectly to the community consultations and information about the study. The research participants were of Aboriginal and Torres Strait Islander descent and aged between 35 and 74. Twenty participants were interviewed in the Torres Strait and Northern Peninsula Area of far North Queensland. In the Southeast Queensland

region, 16 Aboriginal people and 1 Torres Strait Islander person participated in the interviews. All of the participants were Aboriginal and Torres Strait Islanders from diverse clan groups and Nations. A brief summary is provided in the table below.

3.2.1 Participants

	Torres Strait/ Northern Peninsula Area	Southern Queensland
Age: Range	35 - 74	41-72
Gender: Women	50%	59%
Men	50%	41%
Relationship Status		
Single/divorced/widowed	55%	50%
In a relationship	45	50%
English nominated as first language	0%	53%

Torres Strait and Far Northern Participants

Twenty participants ranging in age from 35 to 74 and equally divided between men and women were interviewed in the far northern area. None had English as their first language and for the majority it was their third or fourth language. Eight were currently living in stable relationships, 18 had children/grandchildren or other dependents in younger generations. The majority were in employment and of these, almost all had superannuation.

Participants in and around Brisbane

Seventeen participants (10 women), ranging in age from 40 to 72, were interviewed. Most (53%) nominated English as their first language and the rest (47%) nominated Aboriginal English. Nine were living in stable relationships with fourteen having children and grandchildren. Participants from south east Queensland were less likely to have superannuation than the group interviewed in the far north though rates of home ownership were similarly low.

3.3 Data management and analysis

Field notes were kept on comments made and issues raised in the community consultations. Individual interviews were audio recorded and full transcribed. A thematic analysis of the comments and transcripts sought to highlight key issues and themes.

3.4 Findings

The data falls into two groupings – comments made in consultation meetings with members of the community, and interviews with individuals. There is considerable overlap between the topics raised in group meetings and in the interviews. Interviews gave participants an opportunity to provide more detail, and to raise issues that are more sensitive.

Overall, the major themes emerging from both interviews and community consultations are:

- Knowledge of wills and will making
- Perceived uses of wills: the level of fit between wills and cultural values
- Resources needed to draw up wills.

The barriers to and opportunities for will making are considered in relation to these topic areas. Some individuals did have a will and their reasons for doing so are very similar to the reasons others gave during the interviews for considering drawing up a will. Of the 20 people interviewed in the Torres Strait and Northern Peninsula Area of Queensland, one participant had a will, while of the 17 interviewed in Southeast Queensland, 5 had wills. It is evident from the interviews that all who had a will had greater contact with non-Indigenous workplaces, more exposure to ‘white’ ways and greater ownership of property. Those living in Southeast Queensland were more likely to share these characteristics. Almost all people without a will were interested in obtaining one. The exceptions were those who considered they had little to leave, and/or they were strongly committed to continuing traditional ways of distributing property.

3.4.1 Knowledge of wills and will making

Particularly for those interviewees living in the Torres Strait or the Northern Peninsula area, a lack of knowledge about wills and how to go about drawing them up was cited most frequently as the reason for not making a will. Not understanding the nature of will and/or the processes of will making, combined with not having anyone they could confidently approach to explain will making were cited as barriers. Understanding the language used in will kits and the meaning of the terms were additional issues. These comments should be understood in terms of not being confident of their literacy skills, not understanding the legal frameworks surrounding will making and not having English as their first language.

The language of the will kits need to be in a format that is easy to understand, especially for those with English as a second or third language. (Community member)

There is not much information about wills, particularly for those in the remote communities (Community member)

The wills have been an invisible thing to us (Community member)

The will belongs to them, it is not ours (NPA12)

I’ve never had this thing before in my life, it’s only since you’ve just told me about it. (NPA11)

On the whole there is no history of other people in the participants' families having wills. Participants spoke about traditional ways of distributing goods after death. For example there were protocols around sharing the person's personal effects. This was more marked for participants from north Queensland but is also a factor for participants in southeast Queensland.

Participants in south east Queensland were more likely to have wills, reflecting more exposure to this option, and perhaps less tension between wills and traditional cultural ways of dividing belongings after death. However, it was suggested that cultural considerations did not encourage will making.

We never owned much, bar the land, the land was actually owned by us, so there you know through traditional law, things were passed down and there was that great respect that we adhered to in regards to belongings. (MP7)

Nevertheless, now this participant sees will making as a responsibility to try to avoid hardship for others after your death by having a will.

So that's my final comment, that there's no guarantee that we're gonna live to be 60 or 80, we could go tomorrow, so be prepared... and that's all I have got to say. (MP7)

MP 16 had a will and agreed with the need to make a will because it reflects "the cultural environment now we're under a British system". While there was no place for wills in traditional lore, in this system it is the responsible thing to do – to avoid arguments and fights and to ensure that "someone else does not take it".

The whole process of making a will was seen as unproblematic by one Murri participant (MP 9). She had been encouraged by her sister to draw up a will when she bought property. The Public Trustee drew up the will and this process was seen as very helpful. She valued the peace of mind of knowing her assets would be distributed as she wished and that she had taken responsibility for outlining her wished in relation to her funeral. In contrast MP 17, who worked in an Indigenous service, had no will and had never heard them mentioned at work even though he and colleagues went to many funerals. He commented

Because there is so much death and we deal with so much death, we don't talk about it, possible to forget about it (MP17).

One TSI participant was not interested in western legal forms of will making. However, he had a will in its traditional form.

I've invested my assets, what I have, under traditional law and custom. Under traditional law and custom it is guaranteed by oral evidence to my descendants (TSI 19)

A further commonly raised barrier to making a will was a taboo on discussing their death.

People are scared to do a will, it is seen as signing your death warrant (Community member).

As a consequence, if people were to make a will, they considered this should only be considered when death was imminent.

Well, it would probably be the same as I feel, you know, they'd probably wouldn't want to do anything till the last minute and sorta talk about it then. (MP 4)

However, it was also the opinion that this reluctance could be overcome with education and support if the person saw the value of a will in stopping disagreements within families. Certainly participating in the research encouraged some people to follow up making their will. A further barrier to will making was the identification of suitable witnesses and executors. Participants were concerned that witnesses may not maintain the confidentiality of the will. Those who were considered trustworthy were often older community members and there was a concern that the testator would outlive them.

Unlike participants from far north Queensland, participants in Brisbane expressed a range of negative views of the Public Trustee that are predominately linked to a lack of trust in government agencies.

We've always been told from little kids, you never sign anything. That's why my mother and 'em never signed anything...because of their father, what he told them, "You don't sign anything for government". (MP 3)

3.4.2 Perceived uses of wills: the level of fit between wills and cultural values

It is suggested by a number of participants that while wills were not needed in traditional contexts, these traditional ways are challenged in contemporary society. Most saw the need for some form of codifying the transmission of assets after death. Stories were told of people's accounts being frozen at their death and family members were unable to access money for lengthy periods. A further cause of concern, in far North Queensland, was disputes over ceremonial rights in relation to the body of the deceased. It was suggested wills might be a way of preventing such disputes.

Others were opposed to the use of wills, seeing this mechanism as destructive to traditional ways of organising the transmission of goods after death.

Traditional ways of passing on assets after death are, at least in part, governed by the circumstances in their households at the time of death. For example there were protocols around sharing the person's personal effects, and that furniture or whitegoods would go to whoever was living in the house.

They (parents) did not leave no will, but all the people saw that because I was there, everything came to me. I mean maybe this is the culture (NPA14)

A number of participants noted that money tended to be treated differently to personal items that were divided along customary lines. They noted that some traditions were being challenged or were changing, resulting in more disputes and conflict around the ownership of property.

Because of our cultural tradition, when a person dies, all of our physical assets that we own now, that we can see, that is not like money inside the bank...all the family sit together and it (personal possessions) is shared evenly ...That is not a problem, but it's the money. (NPA 1).

However, this participant went on to say that even in the traditional sharing out of goods, there is currently more argument and wills may help to resolve this. The one participant in North Queensland with a will commented that while traditionally all was shared this is no longer the case and you had to use modern ways to cope with modern problems

(If) you've got plenty assets, you need to make sure that when you pass on, that it's distributed credibly with everyone (NPA2)

A number of participants, and community members raised the important issue of land rights in the context of making a will. It was suggested that a will based on clan groupings would be more useful than the wills drawn up by individuals and couples.

It there is a will kit for couples and singles, why not have a will kit for clan groups and Native Title holders of traditional land. This would ensure that the land is handed down to the right beneficiaries. (Community member)

How (can we) ensure that your land is passed on in the right way, is legally protected. And not only legally protected but ensures that the culture, the spirit and everything is passed on? (TS14)

This participant went on to comment that one way to “fix up” Native Title issues is to ensure wills reflect accurately what is being transmitted by the testator. An additional matter is the formal recognition of traditional adoption practices in the Torres Strait to ensure these people are treated fairly. TSI Participant 19 summarised his view of conflict between traditional customary law and wills. He had had experience of inheriting from his mother with the Public Trustee as executor. While this was not commented on as problematic, he was concerned that wills reflected a testator's views at a moment in time, and that at the time of death there may be conflict in relationships between testator and beneficiaries. However if the Council of Elders is determining the allocation of assets they will take into account the good of the whole community now and into the future and will interpret your wishes in that context.

The transmission of title to traditional lands is also linked to the role of the relevant Prescribed Body Corporate in relation to Native title issues. It was suggested these organisations could maintain a register of people with Native Title on an Island, encourage them to make wills and provide storage facilities for wills.

3.4.3 Resources needed to draw up wills

Overall participants who were interested in drawing up a will thought that the core resources needed were:

1. Information in an accessible format, including the promotion of the material in culturally appropriate ways
2. A specific Indigenous agency to inform and assist people around will making and storing wills
3. Possible alternative will making forms that reflect Native Title rights and obligations and other cultural issues

Information

Information in an accessible format included suggestions about the use of language and designs to make wills more familiar and understandable. It was also strongly suggested that Indigenous people be involved in the provision of material. It was suggested that organisations such as the Public Trustee invested resources and time in including relevant Indigenous staff who could develop appropriate links with Indigenous communities and work with local communities to make the information accessible and relevant to the needs of local communities.

This participant, a woman in her late fifties, commented that people might need more information, particularly from Indigenous people who would be seen as having authority with their community.

It would make a lot of difference, but then again, it can't be the young ones from 40 downwards, they gotta be 50 upwards more, it's the ones whose been through the generation of the ration, not these young ones today, they are more confusing like the government.

A specialised service

It was suggested that there was the need to develop appropriate linkages with Councils of Elders and other local authorities that managed Native Title land holdings to investigating appropriate structures for making depositions about assets in the contemporary context. It appears that when people have Native title there are specific issues that are not easily dealt with in the context of existing will structures. Similarly there are hopes around continuing to make use of the Elders in distributing property so that cultural values are upheld, particularly in the context of safeguarding rights to information. One suggestion is to establish a specific agency with the responsibility of negotiating between different stakeholders around legally defensible formats and to provide services such as the storage of wills.

Specialised forms

Some participants considered that the whole issue of willing rights under Native Title legislation has not been carefully considered and how this may be done needs careful attention.

4 Summary of findings

4.1 The survey

Prevalence and patterns

- A prevalence rate of 79% suggests that among Queenslanders aged over 35, making a will is very common. This is a higher rate than studies that include everyone over 18 and a lower rate than studies that look at prevalence in over 55 year olds.
- Of those who had wills, more than half (53%) had made more than one will. This supports the findings of Finch and Mason (2000) in the UK that people make changes to wills throughout life.

Predictors of having a will

- The relationship between age and making a will is clear. The vast majority of older people have wills. There are not strong relationships with other variables such as location, relationship status, dependents, financial status and gender although in people aged less than 60, relationship status is a predictor of making a will. Women are more likely than men to have a will at most ages.
- There is not a strong resistance to making wills with only three people surveyed having no intention of ever making a will. For those who had not made a will, the reasons were most commonly associated with not having thought about it at this point, or it not being a priority at this stage of their lives.

Knowledge of intestacy

- A more detailed study is required to understand knowledge of the implications of dying intestate. The survey does suggest, however, that there is considerable uncertainty in this area.

Triggers for making a will

- Will making is usually triggered by changes in family and life circumstances rather than changes in assets. A relationship change is more important as a trigger than having children. The survey results suggest that life course triggers (family changes, health changes) rather than prompting from others and advertising are important in initiating action around making a will. A vast majority (73%) reported that no one had advised them to make a will.

Advice sought

- Advice was sought from a range of sources once a decision to draw up a will was made. Most survey respondents sought advice from one or more of the following: solicitors, partners, other

family members, The Public Trustee as well as brochures and internet sources. Most reported satisfaction with the advice given.

Drawing up a will

- Most wills are drawn up using professional advice. The most common assistance used in preparing a will is a general solicitor. Succession specialists and the PTQ are used in almost similar proportions. There is a slight impact of age with people under 40 less likely to use professionals to assist in drawing up wills than older people.

On-line resources

- Although on line sources were reported to be a source of advice about what to include in a will for 16% of respondents, very few respondents (2%) reported drawing up a will using downloaded forms. For those without a will, however, 52% reported that being able to do it online would assist them to make a will. Most people without a will fell into the young age groupings.

Knowledge of the PTQ.

- The PTQ is well known across the state by those who have made a will and those who have not. Respondents reported having had contact with PTQ to make a will, as an executor of an estate or to execute an Enduring Power of Attorney. Reports of experience with the PTQ, whether to make a will or deal with other matters, were largely positive. Cost, quality of service, simple and efficient processes and clear explanations were highly valued.

4.2 Perspectives of Indigenous Queenslanders

Appropriateness of wills

- Participants reported a mixture of views on the usefulness of wills. Very few had a will in place. Some participants suggested wills were not needed in traditional contexts as oral evidence and traditional law and customs determined the protocols for distributing assets; some opposed wills as undermining traditional ways and customs; some recognised that traditional ways are being challenged or changed resulting in more disputes. Some participants saw wills as a potential way of reducing disputes about money and ceremonial rights in relation to the deceased. The differences between Murri and Torres Strait Islander people in traditions, culture and perspectives should be noted.
- Cultural appropriateness was a key issue. This included problems with the notion of individual property and ownership in wills that conflicted with communal and community ownership

(Native Title concerns is an example of this) and differing views on who constitutes “family” (particularly for Torres Strait Islander people).

Barriers to will making

- Barriers to making wills were taboos around discussing death, a view that it was a western legal form not suitable to traditional culture, the identification of suitable witnesses and executors in relation to confidentiality, a lack of trust in government - “never sign anything” and a view that wills were not necessary unless there were substantial assets. Lack of knowledge about wills and access to a suitable person to talk to about wills were also important barriers to making a will particularly for those living in the Torres Strait and Northern Peninsula area. Literacy limitations combined with limited understanding of the legal frameworks surrounding wills and English as a second or third language were also significant barriers in the Torres Strait and the Far Northern Peninsula.

Role of the PTQ

- Those interviewed in the Torres Strait and Far North Peninsula were open to the PTQ taking a more proactive approach to assisting them in making and administering wills. More negative views of PTQ came from Indigenous people in South east Queensland linked to lack of trust in government agencies.

Drawing up a will

- Although only a few Indigenous people in the study had wills, many were willing to consider them, particularly those with superannuation or other assets and who had been in considerable contact with non-Indigenous workplaces. Participating the study had raised the issues for some participants who thought that will might be useful in their communities if sufficient education was available, information was in an accessible form, a specific agency provided information and assistance and the issue of Native title rights, obligations and other cultural issues could be taken into account.

5 Conclusions

- Different strategies will be required to engage various population groups in making or changing wills.
- Strategies to enhance the prevalence of will making should target younger people and perhaps link wills to life course triggers rather than general estate planning. Online resources are used by younger groups to access information.
- People make and change wills throughout their lives, generally in response to life course triggers. For this group, strategies that engage people to consider whether their will reflects their current circumstances are needed.
- The Public Trustee in Queensland is generally well known and well regarded as an expert in estate planning and management. Seminars and discussions and on line resources that address issues of intestacy, understanding how to distribute assets and avoid contestation, who to consult and cost considerations are likely to be the most effective in engaging non will makers.
- The interest in the project from the Murri and Torres Strait Islander participants suggests that a targeted strategy to enhance access to information and advice about wills is important. This would need to work with the communities to ensure information and advice is shared in a culturally appropriate way, Indigenous personnel are involved and issues of language and literacy are taken into account. Information kits in a culturally accessible format combined with a specialised service to assist people around will making should be considered.
- Land rights and the transmission of title to traditional lands raise particular issues in relation to ownership, transmission and distribution. Possible alternative will making forms to reflect native title rights and obligations and processes that involve consultation with Elders should be considered.

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Appendix 1

Please note: The survey is designed for a telephone interview; it should not be reproduced without permission from the authors. A copy of the semi-structured interview guide is available for the authors.

Topic areas for prevalence survey on will-making in Queensland

Telephone survey

(General)

Introduction

Hi, I'm (INTERVIEWER NAME) from the University of Queensland. The reason for my call is that currently we're conducting a study about specific and important planning that people do for the future, and their reasons for doing it.

We'd like to discuss that with you and hear some more about your perspectives, opinions, and beliefs about planning for the future with someone aged 18 or over. Would you be kind enough to do this short survey with me? It will only take around 7-10 minutes, and I'll go as quickly as I can.

S1. Age

What is your age in years? _____ (IF under 18 years old – TERMINATE)

S2. GENDER (Do not read out)

1. Male
2. Female

This survey is about the kinds of plans people make to decide what happens to their property after they pass away- like drafting a will or testament. A will or testament is a legal declaration that a person who is also called the testator makes in writing and names one or more people to manage his/her [estate](#) or belongings. The will or testament allows the transfer of his or her property after death to the people that the testator has named in his or her will. These people are called 'nominated beneficiaries'.

1. **Do you currently have a formal will?**

01. Yes (go to Question 7)

02. No (go to Question 2)

(IF <35 GO TO CLOSE)

2A. **What are your reasons for not making a will?** (Multiple Response- Do not read)

01. Haven't thought about it.

02. Don't consider I have anything to leave someone.

03. It is too costly.

04. I don't think I need a will at this time in my life.

05. No one in my family has a will.

06. I am not sure how to go about making a will.

07. I'm not sure how I want to divide my estate after my death.

08. Given my family situation, I don't need a will.

09. Other (*Please specify*)

2B. **Do you currently have any intention of making a will?**

01. Yes

02. No

3. **Which of the following do you think would happen to your assets if you died without a will?**
(Single Response-Read Out)

01. All my assets are held jointly with my partner and he/she would have all of them if I died.

02. The government would take my assets.

03. My assets would be divided up between my family members as the family sees fit.

04. My assets would be divided up between my family members as determined by the courts.

05. Something else? (*Please specify*)

4. **I'd like to know what kind of life-events or changes could prompt you to seek help to make a will. I'm going to read out a list of these, and I'd like you to answer "Yes or No" to whether any of these might prompt you seek help to make a will,**

I might make a will if I:

- 4_A. Got married
- 4_B. Got remarried
- 4_C. Had children
- 4_D. Got divorced
- 4_E. Got separated but not divorced
- 4_F. Became widowed
- 4_G. Acquired more assets
- 4_H. There was a reduction in my assets
- 4_I. Was diagnosed with a serious illness or medical condition
- 4_J. Was filling out documents to give someone Power of Attorney for my affairs
- 4_K. I was going away from home for a lengthy period of time – for example overseas on a holiday or travelling overseas or interstate for work for lengthy periods
- 4_L. Entered a work force that recommended making a will (e.g. army, police)
- 4_M. Retired
- 4_N. Had long term responsibility for someone (e.g. family member with a disability)
- 4_O. Is there anything else that may prompt you? (*Please specify*) Using the same scale:

IF “No” to all- Continue

ALL OTHERS skip to 6

5. **You’ve said that none of the events or things I read out would prompt you to make a will. I just want to check with you, do you have any intention to ever make a will?**

- 01. Yes
- 02. No
- 03. Unsure
- 04. Refused

IF (02) Skip to 7

IF (01 or 03 or 04) CONTINUE

6. **What do you think would help if you did decide to make a will?** (Multiple Response- Read Out)

- 01. Knowing who to consult to draw up a will
- 02. Reducing any costs in drawing up a will
- 03. Assistance in knowing what to take into account in distributing my assets
- 04. Able to do it on line
- 05. Anything else? (*please specify*)
- 06. I have no intention of ever making a will (DO NOT READ)

ASK ALL

7. **Have you ever heard of the Public Trustee in Queensland before?**

- 01. Yes
- 02. No (GO TO Q9)

8A. **Have you used any of the services provided by the Public Trustee?**

- 01. Yes
- 02. No (GO TO Q9)

8B. **What services did you use?** (Multiple Response-Do Not Read Out)

- 01. Executor of an estate
- 02. Selling houses, units, vehicles or other property
- 03. Managing a trust
- 04. Filling out an Enduring Power of Attorney
- 05. Guardian or administrator for someone unable to manage for themselves
- 06. Other (*Please specify*)

8C. **What did you like about their service?** (VERBATIM)

8D. **What didn't you like about their service?** (VERBATIM)

ASK Q1=01 ALL OTHERS GO TO Q18

9A. **How many wills have you drawn up?**

One (Go to question 9_B1)

More than 1 – Record number (INTERVIEWER PROMPT *Best guess is fine*) (GO TO 9B_2)

9B_1. **What was it that prompted you to make this will?**

01. Got married
02. Got remarried
03. Had children
04. Got divorced
05. Got separated but not divorced
06. Became widowed
07. Acquired more assets
08. There was a reduction in my assets
09. Was diagnosed with a serious illness or medical condition
10. Was filling out documents to give someone Power of Attorney for my affairs
11. I was going away from home for a lengthy period of time – for example overseas on a holiday or travelling overseas or interstate for work for lengthy periods
12. Entered a work force that recommended making a will (e.g. army, police)
13. Retired
14. Had long term responsibility for someone (e.g. family member with a disability)
16. Other (*Please specify*)

Skip to Q10

9B_2. **Thinking about when you first made a will, what was it that prompted you to make your first will?** (Multiple Response-Do Not Read)

01. Got married
02. Got remarried
03. Had children
04. Got divorced
05. Got separated but not divorced
06. Became widowed
07. Acquired more assets
08. There was a reduction in my assets
09. Was diagnosed with a serious illness or medical condition
10. Was filling out documents to give someone Power of Attorney for my affairs
11. I was going away from home for a lengthy period of time – for example overseas on a holiday or travelling overseas or interstate for work for lengthy periods
12. Entered a work force that recommended making a will (e.g. army, police)
13. Retired
14. Had long term responsibility for someone (e.g. family member with a disability)
16. Other (*Please specify*)

9B_3. **You said that you have made more than one will, what was it that prompted you to make changes to your will, or make subsequent wills?** (Multiple Response-Do Not Read)

01. Got Married
02. Got remarried
03. Had children
04. Got divorced
05. Got separated but not divorced
06. Became widowed
07. Acquired more assets
08. There was a reduction in my assets
09. Was diagnosed with a serious illness or medical condition
10. Was filling out documents to give someone Power of Attorney for my affairs
11. I was going away from home for a lengthy period of time – for example overseas on a holiday or travelling overseas or interstate for work for lengthy periods
12. Entered a work force that recommended making a will (e.g. army, police)
13. Retired
14. Had long term responsibility for someone (e.g. family member with a disability)
15. Wanted to leave my assets in a different way to that outlined in an earlier will
16. Other (*Please specify*)

IF 9A=3 or more Go To 9B_4

Others skip to Q10

9B_4. **And of these reasons which prompted you to draw up your most recent will?** (Select answers from 9B_3 Multiple Response-Do Not Read)

10. **Thinking only about your current will, when did you draw this will up?** (Single Response-Read Out)

01. Less than two years ago
02. 2 to 7 years ago
03. Longer than 7 years ago
04. Don't Know/Can't Recall (Do not read)
05. Refused (Do not read)

11A. **Did anyone advise you to draw up this will?** (Multiple Response-Do Not Read)

01. My solicitor
02. My accountant

- 03. My partner
 - 04. My doctor
 - 05. My marriage celebrant
 - 06. Other family members
 - 07. Other *please specify*
- 11B. **Did any advertising or information prompt you to make a will?**
- 01. Yes => Continue
 - 02. No => Skip to 12
- 11C. **If yes, where did you see or hear this information?** (Multiple Choice - Do Not Read)
- 01. Radio
 - 02. Television
 - 03. Newspaper
 - 04. On-line
 - 05. Seminar
 - 06. Brochures
 - 07. Newsletter
 - 08. Other *Please specify*
12. **How did you draw up this will?** (Single Response-Do Not Read)
- 01. Wrote it myself
 - 02. Downloaded the form from the internet and filled it out
 - 03. Bought a will making package – e.g. from the newsagent
 - 04. Drawn up by the Public Trustee
 - 05. Drawn up by a solicitor who specialises in wills and estate planning
 - 06. Drawn up by a general solicitor
 - 07. Drawn up by a trustee company
 - 08. Other *Please specify*
13. **Which of the following sources did you use for advice about what to include in your will?**
(ROTATE 13_A to 13_G)
- A) **Partner** No/Yes (IF YES => CONTINUE, IF NO=> Skip to 13_B)
 - i. **On a scale of 1-10, (with 10 being extremely useful) how useful was this advice?**
 - B) **Other family members** No/Yes (IF YES => CONTINUE, IF NO=> Skip to 13_C)
 - i. **On a scale of 1-10, (with 10 being extremely useful) how useful was this advice?**

- C) **Friends** No/Yes (IF YES => CONTINUE, IF NO=> Skip to 13_D)
 - i. **On a scale of 1-10, (with 10 being extremely useful) how useful was this advice?**
- D) **Someone from the Public Trustee** No/Yes (IF YES => CONTINUE, IF NO=> Skip to 13_E)
 - i. **On a scale of 1-10, (with 10 being extremely useful) how useful was this advice?**
- E) **A solicitor other than the PT** No/Yes (IF YES => CONTINUE, IF NO=>Skip to 13_F)
 - i. **On a scale of 1-10, (with 10 being extremely useful) how useful was this advice?**
- F) **My own research: information from the web** CONTINUE, IF NO=> Skip to 13_G)
 - i. **On a scale of 1-10, (with 10 being extremely useful) how useful was this advice?**
- G) **My own research: brochures or articles in the paper** No/Yes (IF YES => CONTINUE, IF NO=> Skip to 13_H)
 - i. **On a scale of 1-10, (with 10 being extremely useful) how useful was this advice?**
- H) **My own experiences in drawing up a previous will, or as a beneficiary or executor of a will** No/Yes (IF YES => CONTINUE, IF NO=> Skip to 13_I)
 - i. **On a scale of 1-10, (with 10 being extremely useful) how useful was this advice?**
- I) **Anything else** (*Please specify*) No/Yes (IF YES => CONTINUE, IF NO=> Skip to 14)
 - i. **On a scale of 1-10, (with 10 being extremely useful) how useful was this advice?**

14. **In addition to outlining how you wanted your assets/belongings to be distributed, which of the following did you include in your will?** (Multiple Response- Read Out)

14A. **Did you include executors for the will:** (Single Response- Do Not Read Out)

- 01. Yes
 - 02. No
 - 03. Don't Know
 - 04. Refused
- (IF YES=>14A_1, all others skip to 14B)

14A_1) **Was one or more of the executors:** (Multiple Response-Read Out)

- 01. The solicitor who drew up the will
- 02. Family member/friend who is a beneficiary
- 03. Family member/friend who is not a beneficiary

14A_2) **Which of these did you consider when choosing an executor?** (Multiple Response-Read Out)

01. Choosing someone who would know what to do
02. Choosing someone to do the work of administering the will
03. Choosing someone who understood what I would want done
04. Choosing someone who lived locally/was close by
05. I don't mind paying for the executor's work
06. I did not wish to pay an executor
07. None (Do Not Read)

14B. **Did you include guardianship of children in your will?**

01. Yes
02. No
03. Don't Know
04. Refused

14C. **Did you include how to reduce any tax obligations for those who will inherit in your will?**

01. Yes
02. No
03. Don't Know
04. Refused

14D. **Did you include a trustee in your will?**

01. Yes
02. No
03. Don't Know
04. Refused

14E. **Did you include funeral instructions in your will?**

01. Yes
02. No
03. Don't Know
04. Refused
- 05.

4F. **Did you include other matters in your will?**

01. Yes (*please specify*)
02. No
03. Don't Know
04. Refused

15. **How satisfied were you with the processes you experienced in making this will on a scale of 1-10, with 1 being completely dissatisfied and 10 being completely satisfied? (Scale1-10)**

16. **What, if anything, would have assisted you to be more satisfied with the process of making this will?** (VERBATIM)

17. **Do you have any other comments about will making?** (VERBATIM)

Demographic Information

Thanks, now before we finish, I'd like to ask you a couple of questions about yourself and your household, it'll only take another minute.

18. **What is your current relationship status?** (Single Response-Read Out)

01. Single
02. Married
03. Other 'live-in' relationship (de facto)
04. Separated but not divorced
05. Divorced
06. Widowed
07. (Refused)

19. **What was your approximate annual income including pensions, income from investments and family allowances for the last 12 months before any tax (gross income) was taken out?** (Single Response-Read Out)

01. Less than \$20,000
02. \$20,000 to \$39,999
03. \$40,000 to \$59,999
04. \$60,000 to \$79,999
05. \$80,000 to \$99,999
06. \$100,000 to \$119,000
07. \$120,000 to \$149,999
08. \$150,000 or more
09. (Don't know/Refused)
- 10.

20. **How many children do you have?**

01. Record Number ____
02. None
03. Refused

21. **Of these, how many are of these are independent?**

01. Record Number ____
02. None
03. Refused

22. **Anyone else dependent on you at this point? (If necessary- we are referring to anyone who may be a dependent in the household, but not a child)**
- 01. Record Number ____
 - 02. None
 - 03. Refused
23. **What is your post code?**
- 01. Record Number ____
 - 02. Don't Know
 - 03. Refused
24. **What is the highest level of education you've achieved? (Single Response-Do Not Read)**
- 01. Primary school
 - 02. Year 7 to Year 9
 - 03. Year 10
 - 04. Year 12
 - 05. TAFE/Technical Certificate/Diploma
 - 06. Bachelor Degree
 - 07. Other (Specify)
 - 08. (Refused)
25. **What are some of the assets that you own– like the kinds of things that you might leave in a will? (INTERVIEWER NOTE: assets include items that are currently being paid off such as a mortgaged home) (Multiple Response-Read Out)**
- 01. Property (house and land)
 - 02. Superannuation
 - 03. Personal insurance
 - 04. Investments
 - 05. Cash
 - 06. Vehicles and personal possessions
 - 07. Anything else? (*Please specify*)

CLOSE

Thank you for participating in this study, you're contribution and time is very valuable to us. It makes studies like this possible. I'm able to provide you my manager's details if you have any questions.

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