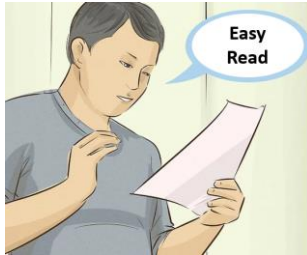


How does guardianship work?

If a friend or family member is my guardian



The Office of the Public Advocate (OPA) wrote this fact sheet.

When you see the word 'we' it means the people who work at OPA.



We wrote it in an easy to read way.

We use pictures to explain things.



Hard words are **bold** and **blue**.

You can ask someone to help you read this fact sheet.



We wrote this fact sheet to explain how guardianship works if the Public Advocate is your guardian.

Things you will need to understand



A **guardian** is a person who makes decisions for someone who can't make their own decisions.



When we use the word **Office**, it means the Office of the Public Advocate (OPA).

The **Public Advocate** works here, she makes decisions about people with decision-making disabilities.



When we use the word **Tribunal**, it means the **State Administrative Tribunal**.

The **Tribunal** decides if a guardian is needed.

The **Tribunal** is not formal like a court.

What is a guardian?



A **guardian** is a person who makes decisions for someone who can't make their own decisions.

What is a represented person?



A **represented person** is someone who has a guardian.

Who can be a guardian?

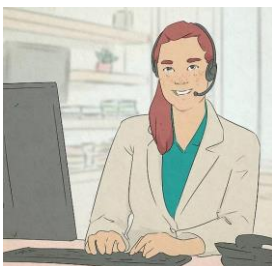


A guardian can be a family member. For example:

- a husband or wife
- a mum or dad
- a grandparent
- a brother or sister
- an aunt or uncle.



A guardian can be a friend.



A guardian can be The Public Advocate.

This fact sheet explains how it works if your guardian is a family member or friend.

Why does a person need a guardian?



Someone might see that a person they know cannot make decisions for themselves.



This could be for a number of reasons, such as having an intellectual disability, mental illness, dementia or an acquired brain injury.



A guardian will help this person make decisions.

How do you get a guardian?



If a person cannot make decisions for themselves, someone can apply to the **Tribunal** for help.



The **Tribunal** may talk to other people in that person's life, like family, friends, doctors, care providers and supporters.



The **Tribunal** has a meeting to talk about the person and find out what they need help with.



The **Tribunal** then decides if the person can make their own decisions.

For more information see

Easy Read Fact Sheet 'How does an investigation work?'



If the **Tribunal** decides that the person cannot make their own decisions, they may appoint a guardian.



The **Tribunal** can choose:

- someone from the person's family
- a friend
- the **Public Advocate**.



This fact sheet explains how it works if the guardian is a friend or family member.

What does a guardian do?



A guardian who is a friend or family member makes important decisions for a represented person who can't make their own decisions.



A guardian can only make decisions that the **Tribunal** says they can make.



Where possible, a guardian will help the represented person to make their own decisions.



Decisions can be about where a represented person lives, who they live with, health treatment, services and contact with others.



A guardian will ask for the services and support a represented person needs.



When making a decision on behalf of a represented person, the guardian tries to find out what that person wants.



A guardian may ask the represented person's other friends and family members what they think.



A guardian will listen to the represented person when making decisions, but they cannot always do what that person wants.



A guardian will only give information about the represented person to people who need it.

For example - a doctor.

What if there is a problem?



A represented person will always be told what they can do if they are not happy with a decision.



A represented person has the right to say that they do not want a guardian or that they would like a different guardian.

More information:



The **Office** of the Public Advocate protects the rights of adults with decision-making disabilities and is appointed under the *Guardianship and Administration Act 1990 (WA)*.

You can learn more about what they do by visiting their website:

www.publicadvocate.wa.gov.au.

Postal Address: PO Box 6293, East Perth WA 6892

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