

A book about Guardianship



Hard words



This book has some hard words.

The first time we write a hard word the word is in **blue**. Then we write what the hard word means.



You can ask someone to help you read this book.



You can ask someone to help you understand what this book is about.



You can get someone to help you find more information.



This book talks about

- What is Guardianship?
- Why do you get a Guardian?
- Who decides if you get a Guardian?
- How do they decide if you need a Guardian?
- What is a Guardianship Order?
- What can a Guardian make decisions about?
- Who can be a Guardian?
- Who to talk to for help?

What is Guardianship?



Guardianship is when a person is chosen to make decisions for you. This person is called a **Guardian**.



A **Guardian** makes decisions about your life.



A Guardian can be someone you know or someone chosen for you.

Why do you get a Guardian?



You get a Guardian if you cannot make **reasonable and good decisions** for yourself.

This is called a decision-making disability.



A **reasonable decision** means you have thought about what is the right thing to do and what is the wrong thing to do.



This means your decision will be good for you.



A **good decision** means you understand the good and bad things that can happen from your decision.



If you need a Guardian they will help you make good decisions. This means you do not make decisions on your own.

A Guardian will help to make sure



- You have a safe and good life



- You are protected from **Neglect** and **Abuse**

Neglect means you do not get the care you need.



Abuse means someone says or does something that hurts you.

Who decides if you get a Guardian?

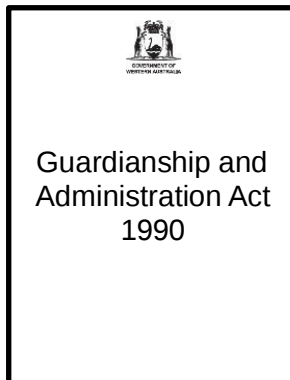


A Guardian is given to you by the **law**.

A **law** is a rule everyone must follow.



The Western Australian Government made a **law** to help protect the rights of people who have a decision-making disability.



This law is called the **Guardianship and Administration Act 1990**. It says that a person can be chosen to make decisions about your life.



The place that this person is chosen is called the **State Administrative Tribunal**. This is where decisions are made about Guardianship.

The **State Administrative Tribunal** is sometimes called SAT or the Tribunal.



The Tribunal calls a meeting if they need to talk about someone's Guardianship. This meeting is called a **hearing**.



A **hearing** is when you and your family friends and support people meet at the Tribunal to talk about your life.



During the hearing the Tribunal will decide if you need a Guardian.

How does the Tribunal decide if you need a Guardian?



Information collected at the hearing helps the Tribunal make a decision about Guardianship.



The hearing is led by someone called a **Member**. It is the **Members** job to listen to what everybody says.

The Member can ask for information from



- Your doctor



- Your family, carers and friends



- Your support workers or your service provider



- Your workplace



- Anyone else that can give information about you

What does the Member have to think about when they listen?



- Do you know how to keep yourself safe in your home



- Do you know the difference between safe and unsafe behaviour



- Do you understand what your doctor says to you and how to keep yourself healthy



- Do you know how to take care of your money



- Do you know how to keep yourself safe from hurting yourself and other people



- Do you need someone to make decisions for you



- Who the best person is to make decisions for you

The Tribunal can ask for information from



An **investigator** from the Office of the Public Advocate.

The **investigator** is a person that asks you questions about your life.



You can talk to the investigator about any issues you have with the hearing.



The investigator will tell the Tribunal what they think is best for you.

What does the Tribunal do with the hearing information?



The Tribunal uses all the information to make a decision about Guardianship.

The decision is called an **Order**.

There are 4 types of Orders.



1. Administration Order. See the DDWA book about Administration on our website



2. Guardianship Order



3. Guardianship and Administration Order



4. No Order

What is a Guardianship Order?



A **Guardianship Order** means you are given a **Guardian** by the Tribunal to help you with decisions.



A **Guardianship Order** will be written on a piece of paper and given to you to keep. It will tell you what to do.

The Tribunal will decide what decisions the Guardian can make.

You must do what it says.



It will tell you how long the order lasts. It can be from 1 to 5 years.

What can a Guardian make a decision about?



- Where you live



- Who you live with



- Who you use as a service provider



- What medication you take



- What doctors you see



- What health treatments you have



- Where you work



- Who can be in your life and how often



- What education you can have after you leave school



- What help you get with legal or court things



- How you pay your rent or mortgage



- How you pay your bills



- Who helps you enrol to vote in an election



- What **restrictive practices** happen in your life.

Restrictive practices are when someone stops you doing things to protect you from harm.

There are 2 types of Guardianship Orders.



A Guardian can make all these decisions for you. This is called a **Plenary Order**.

or



A Guardian can make some of these decisions for you. This is called a **Limited Order**.

The Guardian does not make decisions about simple things like

- What kind of food you want to eat
- If you want to go to the movies
- If you want to see your friends





If you do not understand or are unhappy with what the Guardianship Order says you can talk to an **independent advocate**.

An Independent advocate can



- Help you try to fix problems you might have



- Help you understand information



Advocates do not cost any money.

A list of independent advocates are on the last page of this book.

Who can be a Guardian?



- Someone from your family



- Your friend



- Your unpaid carer



- Someone from **The Office of the Public Advocate**

A Guardian from the **Office of the Public Advocate** is chosen when you don't know someone that could be your Guardian.

What must your Guardian do?



- Make decisions that are good for you



- Help you have your say



- Protect you from people who may try to hurt you



- Respect you by getting to know you

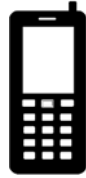


- Tell you what decision they make for you

Who to talk to for help



Formerly Ethnic Disability
Advocacy Centre

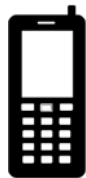


Kin | Disability Advocacy for
Diverse Communities

9388 7455



132 Main Street
Osborne Park



Explorability

6361 6001



94/10 Sleeper Lane
Cockburn Central

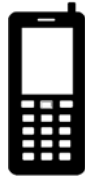


Sussex St Community Law
Service

6253 9500



29 Sussex St
East Victoria Par



Midlas
9250 2123



12 Old Great Northern
Hwy
Midland



People with Disabilities
WA
9420 7279



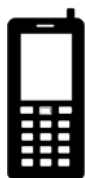
City West Lotteries House
2 Delhi Street, West Perth



Your Say
1300 663298



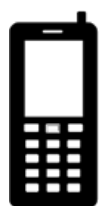
10/5 Aberdeen Street
Perth



Advocacy WA
9721 6444



4 Plaza Street
South Bunbury



(08) 9420 7203



City West Lotteries House
2 Delhi Street, West Perth



ddwa@ddwa.org.au



www.ddwa.org.au



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