

# Information Sheet

Protecting the human rights of adults with decision-making disabilities

## 2. The role of the Public Advocate

The Public Advocate is an independent statutory officer appointed under the *Guardianship and Administration Act 1990* to promote and protect the human rights, dignity and autonomy of adults with a decision-making disability and to reduce their risk of neglect, exploitation and abuse.

### People with a decision-making disability

The Public Advocate assists in protecting the human rights of adults who are not capable of making reasoned decisions because of dementia, intellectual disability, mental illness or an acquired brain injury. With an ageing population and an increasing prevalence of dementia, the number of Western Australians who are limited in their ability to make reasoned decisions in their own best interest is steadily increasing.

In Western Australia, it is estimated that more than 65,000 people (approximately 3 percent of the population) have a disability which affects their ability to make reasoned decisions for themselves.

### Services

The Public Advocate provides a range of vital services to ensure that vulnerable Western Australians with a decision-making disability are protected. These services include:

- information, advice and training on how to protect the human rights of people with a decision-making disability
- investigation of concerns about the wellbeing of a person with a decision-making disability and whether a guardian or administrator is required
- investigation of specified applications made to the State Administrative Tribunal (formerly the Guardianship and Administration Board) to assist the Tribunal to determine whether a guardian or administrator is required
- guardianship services (for personal, lifestyle and/or treatment decisions) when the State Administrative Tribunal determines that there is no one else available, suitable or willing to act as the person's guardian.

### Telephone advisory service (1300 858 455)

The Public Advocate provides a telephone advisory service for people who have a personal or professional interest in the rights and needs of adults with a decision-making disability. An advisory officer can be contacted during office hours, Monday to Friday on 1300 858 455.



## **For further information contact**

### **Office of the Public Advocate**

PO Box 6293, EAST PERTH WA 6892

Telephone: 1300 858 455

Email: [opa@justice.wa.gov.au](mailto:opa@justice.wa.gov.au)

Web: [www.publicadvocate.wa.gov.au](http://www.publicadvocate.wa.gov.au)

The information presented in this information sheet is provided voluntarily as a public service. The information and advice provided is made available in good faith but is provided solely on the basis that readers will be responsible for making their own assessment of the matters discussed herein and that they should verify all relevant representations, statements and information. Neither the State of Western Australia ("the State") nor any agency or instrumentality of the State nor any employee or agent of the State or of any agency or instrumentality of the State shall be responsible for any loss or damage howsoever caused and whether or not due to negligence arising from the use or reliance on any information or advice provided in the Guidelines.

July 2023