Office of the Public Advocate Easy Read factsheet 3

The Public Advocate is my guardian - how does it work?

Office of the Public Advocate

Easy Read

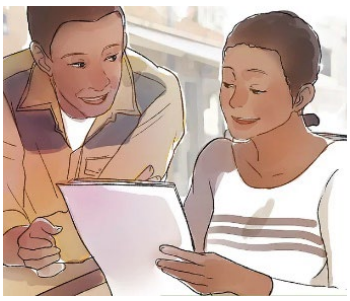
This is an easy read factsheet.
This means we use pictures to help explain words.

The Office of the Public Advocate (OPA) wrote this factsheet. When you see the word ‘we’ it means the people who work at OPA.

bold

not bold

Hard words are **bold**.



You can ask someone to help you read this factsheet.

You can read our Hard Word factsheet if you need more help.

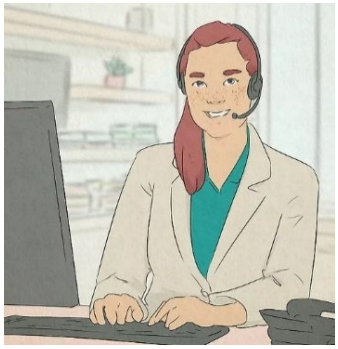


We wrote this factsheet to explain how **guardianship** works if the Public Advocate is your **guardian**

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 OPA, it means the Office of the Public Advocate.

The Public Advocate is the person in charge of people working at OPA. She makes decisions about people with decision-making disabilities.



A guardian can also be called a guardian of last resort, it means the same thing.

OPA has a team of guardians who work for the Public Advocate.



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 factsheet explains how it works if the **Public Advocate** is guardian.

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.

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You can learn more by reading our 'How does an **investigation** work?' easy read factsheet.



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 factsheet explains how it works if the **guardian** is the public advocate.

What does a guardian, working for the Public Advocate, do?



The **Tribunal** tells the **Public Advocate** she is the guardian.



The **Public Advocate** has a team of people called **guardians**.



Each **represented person** is given one of these **guardians**.



This guardian makes important decisions for a **represented person** who can't make their own decisions.



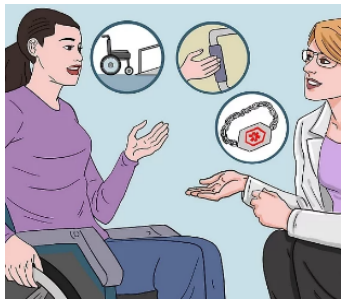
A **guardian** can only make decisions that the **Tribunal** says they can make.



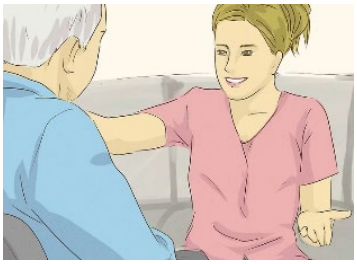
Where possible, a **guardian** will help the **represented person** to make their own decisions.



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 friends and family of the **represented person** 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?

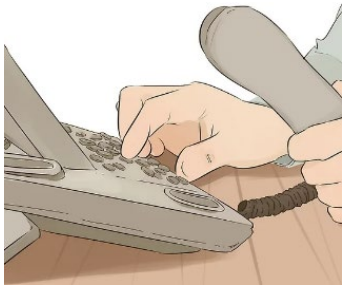


A **represented person** will always be told what they can do if they are not happy with a decision.



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

How to contact your guardian?



A **guardian** can be called on the phone.

The number is 1300 858 455.



A **guardian** can be sent an email.

If you don't have the **guardian's** direct email address, you can use this address instead: opa@justice.wa.gov.au.



If you have trouble contacting your **guardian**, you can ask other people for help, like friends, family and service providers.

Contact 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).



www.publicadvocate.wa.gov.au.



PO Box 6293, East Perth, WA 6892



opa@justice.wa.gov.au



(08) 9278 7300

or

The telephone advisory service number is 1300 858 455

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