

How does an investigation work?



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

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 factsheet.

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



We wrote this factsheet to explain what an **investigation** is and how it works.

Things you will need to understand



An **investigation** works out if a person needs help and what type of help they might need.



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 **investigations**.



An **investigator** can also be called an investigator advocate, it means the same thing.

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



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

The **Tribunal** asks for the investigation.

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

Why does a person need an investigation?



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.



An **investigation** works out if a person needs help and what type of help they might need.

How does an investigation start?



There are two main ways an **investigation** starts:



1. The **Tribunal** can ask **OPA** for more information about a person.



2 Someone can contact **OPA** direct because they are worried about a person.



OPA has a team of **investigators** to find out if this person needs help.



The **investigation** will always look at what is best for the person.



Investigators do not work for the police.



An **investigation** can take a long or short time.

Sometimes an **investigation** is urgent, so it can happen very quickly.

What does an investigator do?



Investigators talk to the person to make sure they are safe.

They want to see what they want and work out if they need help.



Investigators also speak to other people in that person's life.

These can include friends, doctors, care providers and supporters.



The **investigator** asks these people if they think the person is OK.

The **investigator** asks what they think is best for the person.



Once the **investigator** has all the information, they read it all and write a report.

What type of help does a person need?



Some people need help making decisions about housing, medicine, health or services.

These are called **lifestyle decisions**.

A guardian can help with these.



Some people need help making decisions about money, selling things or paying bills.

These are called **financial decisions**.

An administrator can help with these.



Sometimes people need help with everything.

Sometimes people only need help with one or two things.



An **investigation** helps to decide exactly how much, or little help a person needs.

An **investigation** works out who the best person is to give this help.

How does an investigation end?



The **investigator's** report includes information about what is best for the person and how to keep them safe.



It also looks at who can help the person make decisions.



There are two main ways an investigation ends:



1

If the **Tribunal** asked for information about a person, the report is given to them.



The **Tribunal** reads the report and listens to what everyone says.

It then decides if the person can make their own decisions, or if they need help.



2

If someone contacted **OPA** direct, the report is given to the **Public Advocate**.



She decides if they need help or if the person can make their own decisions.



If the person needs help, the **investigator** tells the **Tribunal** and gives them the report.



The **Tribunal** then has a meeting to decide whether to choose a guardian and/or an administrator for that person.

Why it's helpful to talk to an investigator



The person being **investigated** might not think there is a problem and feel unhappy about the **investigation**.



The person being investigated can tell the **investigator** what they want.

They can tell the **investigator** they do not think they need any help.



It is the **investigator's** job to listen to that person and include this information in their report.



The person can also speak at the **Tribunal** hearing and explain what their wishes are.

It is important that everyone has their say.

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

Phone: (08) 9278 7300

Telephone Advisory

Service: 1300 858 455

Email: opa@justice.wa.gov.au

Website: www.publicadvocate.wa.gov.au

This **Easy Read** factsheet is a general guide and was created using Wikiphotos Images <https://www.wikihow.com>, used with permission.

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