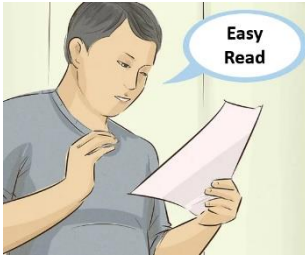


A friend or family member is my guardian

How does it 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 how **guardianship** works if a friend or family member 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** 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 factsheet 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.

You can learn more by reading our '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 factsheet 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

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 Wikiphow Images <https://www.wikihow.com>, used with permission.

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