



## **Meeting Minister AJAKA, Lee Evans & Others.**

### **Thursday 25<sup>th</sup> June 2015 at State Parliament House.**

- **How many parents are aware that once their child reaches 18 they are no longer their guardians.**
- **Ncat suggest trying all alternatives before applying for Guardianship. When you have exhausted all other avenues to apply is usually to late.**
- **Centrelink & Medicare are both under the umbrella of Department of Human Services. If you apply to be the nominee for a Centrelink recipient and it is subsequently granted this will not automatically be the case with Medicare. Medicare will only accept a power of attorney or Guardianship.**
- **For Power of Attorney to be granted to grantor must have capacity. Should the person not have capacity there is no opportunity to be granted attorney.**
- **These issues will be exacerbated with the introduction of NDIS.**
- **Guardianship Board represented by.**
  - 1. Medical Practitioner**
  - 2. Legal Practitioner**
  - 3. Member of Public.**
- **System has the capacity to be manipulated. If you have all the relevant details you could purport to be the person, by telephone or on line, and circumvent the system. Sadly this action is encouraged by such draconian actions.**

- **Medical studies for new therapeutic drugs, who are able to give, consent for the intellectually disabled if no P.o.A. or Guardianship exists.**
- **When a Disability pension is granted it is done so on the basis of expert medical advice. Both the Department of Human Service Federally and the Departments of Ageing and Disability Services, State, requires such supportive evidence before benefits may be forthcoming.**
- **If all this supporting information is available that clearly demonstrates the inability for the granting of consent why would one be required to complete a document to demonstrate their desire to be recognized as the legal representative of their intellectually disabled child given that it is clearly evident capacity does not exist.**
- **Studies have show that in excess off 27% of the Australian population demonstrate some level of illiteracy when completing forms.**
- **The flip side to this is if you understand the Law and proceed with an application for a PoA whilst your loved one is cognizant there are no problems.**