

Thank you for the opportunity to contribute to the review of Guardianship Law and speak about my experience with Guardianship from a family perspective.

My experience with the Guardianship tribunal was a complete shock to me. The way I have recently experienced this process has left scars in our memory. This process was absolutely horrendous and extremely traumatic to me as an invested very loving mother to have my daughter. To have had decision-making for my daughter stripped off me as a parent for a period of 12 months, in order that the Disability Care System in New South Wales, both Public and Non-Government Sector were able to remain unaccountable in my [REDACTED] life.

I made the hardest decision of my life 3 years ago when my [REDACTED] was 15yrs of age. I made the decision to relinquish her into State care as our family were not coping or receiving any adequate support at home which was consistent.

My [REDACTED] has Autism and a moderate to severe intellectual disability, she has very challenging behaviors and therefore requires a lot of support. Since being placed into care, my [REDACTED] has not received an adequate standard of care, she has been neglected, unsupervised, injured, unkept in her personal hygiene and personal presentation, isolated from her community and her family relationships, not provided with staffing that are suitably trained or adequately supported or even regular staffing to offer her stability and predictability. The state of her home was absolutely putrid.

My [REDACTED] personal belongings have been stolen repeatedly including almost her entire wardrobe. Within the last 3 years we did experience threats from a support worker that our daughter would be kidnapped and taken into a carers custody if we (myself and my partner) made any complaints about her care or this person as a carer.

More recently within the last 18 months I have advocated strongly with the assistance of a PWDA (People With Disability Australia) Advocate to have the service provider removed from the care situation. This has meant that both myself and my partner have endured a lot of retribution from the Non-Government Organisation and The Department of Aging Disability and Homecare in my local region.

There were a number of very unethical things that were done by Organisational Hierarchy. Firstly, My [REDACTED] father is a man whom I left 15 years ago due to Domestic Violence. He is very angry and controlling and threatening man, he has always used the children as a weapon against me within the family law arena. My [REDACTED] father has not been very involved in his [REDACTED] life for the past 7 years, he only visits roughly twice per year. The Department of Aging Disability and Homecare drew him into a dispute that I was having with ADHC about the standard of care that my [REDACTED] was experiencing, instead of giving me support and investigating in an ethical and professional manner, they chose to misinform my daughters father of my alleged difficult behaviour, alleged motives and the situation in general. They effectively inflamed my ex-husband, he attended a meeting with ADHC in a very angry manner. This Department

then proceeded to have a meeting where they slandered myself labeling me as aggressive and further stating the service were unable to work with me and therefore my daughters placement was put at risk. I was effectively their scapegoat and they remain unaccountable in the situation as they are able to say whatever they like about you. They also advised my ex-husband that he could have me removed as my daughters Guardian and that he should apply for a Public Guardian for my [REDACTED].

The Department of Aging Disability and Homecare had effectively manufactured and enflamed conflict between me and my ex-husband, they leveraged that conflict against me with my ex-husband playing us off each other with non-truthful information and to keep the angst alive from him toward me, in order that they achieve their desired outcome of a Public Guardian. ADHC Management also tried to convince me to agree with having a Public Guardian just to take the heat out of the situation for a short period of time, just while initial decisions were being made.

My ex-husband was not interested in becoming a decision-maker for our [REDACTED] due to his general lack of investment in her life, he just didn't want me to have this role in my [REDACTED] life as he saw this situation as another system in which he could serve me more of his retribution and emotional cruelty for leaving our marriage. ADHC were very aware that this man is not easy to manage, work with or obtain any reasonable emotional responses from. He was very happy to hear that others seemed to hate me as much as he does. ADHC delighted in what they had created.

The first Guardianship hearing was [REDACTED] 2015. I had a solicitor however my ex-husband objected to the stay of leave for representation and therefore my Solicitor was only able to be a Mackenzie friend. I had to sit in that hearing and listen to my ex-husband call me names, accused me of being a bitter twisted woman who has never gotten over the marriage break down. I get off on being a position of control, I am very administrative and a micro-manager. That I should have a role in my [REDACTED] life that does not give me a say in her welfare as I put her at Risk by making complaints and the services are unable to work with me, that my [REDACTED] was going to end up homeless. My [REDACTED] advocate when asked by the tribunal how my daughters care situation has been going, she stated that there have been many significant concerns for my daughters safety and well being with that service provider. My ex-husband was and is still not interested in what these issues are, as he is clearly not invested in protecting our daughters welfare.

There were 3 hearings, I took time from work each time, my ex-husband would only phone in and then just vented emotional and verbal abuse at me, whenever asked about his daughter. I had to endure and re-live my abuse through this process, whilst the ADHC workers sat in the room very smug. There was no empathy and no sense that this was inappropriate dialogue. There was no intervention from tribunal members to redirect the conversation or to keep it more on track.

ADHC did not attend the first 2 hearings, they did not submit a report, they did however attend the final hearing on [REDACTED]. They submitted a report that stated that there were decisions that needed to be made quickly for my daughter and that having to send out 2 emails and speak to parents separately to gain consent for issues arising was not convenient. There was nothing about me not being a suitable guardian for my daughter, however wondered how decisions would be made given the obvious conflict between parents. My solicitor attended all hearings however my ex-husband denied me the right to be represented at all of the hearings. He continued to slander and defame my character, as with the Public Guardian who also attended the last 2 hearings with ADHC hierarchy at the last hearing. I had submitted numerous statements that were legal documents all dated, sworn and signed. I went to a lot of trouble to provide the tribunal with a lot evidence of what the reality has been for my daughters quality of life.

None of what I had provided seemed to matter at all, I was primarily in all hearings unheard and ADHC finally got their way, I have lost my decision making rights as a mother for the next 12 months in the areas of Health Care, Dentist, Accommodation, Services and restrictive practice. I have retained her financial management as it was widely recognized that regardless of my ex-husband accusing me of spending the child support money on myself, ADHC did agree that I do provide very well for my daughter financially.

DOES GUARDIANSHIP LAW NEED TO BE REVIEWED? ABSOLUTELY!!!!.

The disability sector does not seem to value the close biological and protective relationships of the individuals that they are caring for. This goes against all the current language about Person Centred Service Provision, it goes against any effort to keep an industry accountable, ethical, professional and transparent, it does not support the notion that the most vulnerable Australians are afforded a quality of life, a normalized and sociable life. The current operations of the Guardianship Tribunal also violates the human rights of both the Person with a Disability and their Family for example: Loving parents and relatives.

The guardianship tribunal is being used a weapon to keep parents and carers quiet about the issues that need to be addressed by the disability service sector, the changes that are required to provide a quality service particularly to those with an intellectual disability. Families members who choose to be vocal and make complaints to the NSW Ombudsman and the Office of the Childrens Guardian or the Abuse and Neglect Line are clearly being punished and shut out of the lives of their loves ones/children by vindictive and manipulative and deceitful individuals who seem to hold power and very misguided respect from Tribunal members

The Guardianship Tribunal is open to far too much corruption and collusion as in my experience with ADHC and the Office The Public Guardian. The Guardian ship Tribunal is also very inappropriate in its handling of information, hear say, rather

than the rules of evidence like other legal arenas. The fact that an individual can stand accused and slandered in a hearing without the opportunity to be legally represented is just abhorrent and very amateur rather than a thorough and sophisticated process that is truly about the safety and well being of the individual, rather than control.

The current draconian measures used by The Disability Support Sector to remain less than professional and ethical, controlling, intimidating and unaccountable is not a modern approach for the adaption any of the (My Life My Way) or the (My Choice Matters) philosophies of Disability Care and Support.

My reality now that I am experiencing the brave new world of no value in my [REDACTED] life other than to be a walking wallet. I am not given any information about my [REDACTED], I am not allowed to know how well she is sleeping, why is she picking holes in her flesh, why is she in hospital. Let alone she is in hospital as I usually like to go and see her when she is in hospital. My [REDACTED]r enjoys the emotional comfort she receives from me when in hospital also. In effect this has been taken from her. I am restricted with my visits and if the staff can make an excuse to not honour my time with my [REDACTED] by denying me this by saying she does not want to come out. We now go out for dinner (fish and chips on a Sunday night by the water and My [REDACTED] loves this, she is now also denied this in her life. So my reality is simply this, I now struggle to stay in my [REDACTED] life as I am chased out, told nothing, given constant attitude by ADHC workers when I request for example my [REDACTED] school photos (which I have paid for), school reports and doctors letters. I have been wanting to bring my [REDACTED] home and self manage her care with the NDIA package, I will now be denied the opportunity to do so as her father will not allow me to have my child return home as ADHC continue to empower him above myself and consider his point of view, whilst ignoring my rights to be a mother.

My [REDACTED], our family are not alone when it comes to the cruelty and horrendous treatment of Parents, Carers and People With Disability by the Guardianship Tribunal. I am a Social worker by trade, I am continually mortified by stories from other parents that are so similar to mine, from people whom live in various parts of New South Wales. I am disillusioned that the issue of Domestic Violence is exploited to the extent of achieving an outcome for a system. Whilst putting victims at risk, isolating mothers from their children. To the empowerment and satisfaction of the Organisation and the perpetrator. This continues to shock me when Domestic Violence is such a huge issue and currently very much on the policy agenda.

The Guardianship Tribunal have a huge responsibility to not contribute toward breaking down the family unit, devaluing the role of parents and carers in the lives of their loved ones, inflaming family conflict and inflaming perpetrators of abuse, not isolating those with a disability from their families and rendering them unsafe due to the lack of invested people not being able to provide a loving pair of eyes watching over their care situation and

quality of life. It certainly appears to me that none of the above has been preserved in many cases.

I would very much like the opportunity to unpack this topic further with the Senators personally, I would also like to attend the public hearings. I have a lot of supporting documentation to validate all the claims that I have made in this submission. I continue to support others whom have been traumatised by this system and further the process of a Guardianship Tribunal. I am very tired of hearing from good people being badly treated by this process.

Sincerely

Kellie Jefferson

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