
From: Scott Bell-Ellercamp
Sent: Friday, 16 December 2016 1:26 PM
To: NSW_LRC
Subject: Guardianship Act 1987 Review

To the Review Panel,

I have worked for several decades as a Registered Nurse - particularly in mental health and Alcohol and other Drug fields.

In regards the Supportive Decision model.

1. Some people under Guardianship have little insight into the reasons for this management. They may suffer from Bi-Polar Disorder, Alcohol dependence or other disorder which limits the ability to adequately assess needs or to adhere to principles to manage their expenditure, i.e. they may spend excessively, impulsively or on inappropriate consumables, such as illicit drugs, alcohol, gambling or other desirable items such as jewellery, incense, clothing etc. They may have little insight into the harms their expenditure is doing or may be unable to control (inhibit) their desires. They may be unable to prioritise their needs for buying food, pay rent, bills etc and be unable/unwilling to resist impulses to buy or they may have grandiose notions (delusions) of their ability to obtain more money, eg. they may imagine they are very wealthy. As a consequence their health suffers from malnourishment, they may become homeless due to their inability to prioritise their rent etc.

2. Some are under the Act for their inability to understand budgeting or the value of money and the limits of their financial sources, e.g. those with an intellectual disability who lived in a sheltered environment, such as parents, relatives or institutional setting, have had others who manage their finances and so have not had sufficient opportunity to learn the value of money or how to prioritise expenditure.

For this latter group a supportive Decision model would be most apt. Many have the ability to learn and discussion with a supportive other would be beneficial to their ability to develop independence.

For the former group (1) there is a constant fluctuation in ability to either develop insight or to manage expenses/income. A person with bi-polar disorder has inconsistent mood swings which cause bizarre ideas of their self-worth (grandiosity to nihilism and apathy) with periods of more appropriate level of perception, understanding and judgement intermittently. When in a deluded state the judgement can be severely impaired and delusions so adamant that the ability to appreciate their limitations is severely impaired, i.e. they cannot focus the attention, value understanding or the need for spending restraint adequately and so are unable to constrain their behaviour including spending. These people will often spend long periods of time without food due to their impulsive behaviour. For this group a Supportive Decision model will be only intermittently effective. These people are also vulnerable to incurring debts which may go unpaid and so result in penalties for debt recovery.

The purpose of the Guardianship Act is to ensure that people subject to a chronic impaired ability to constrain expenses or to form appropriate judgements of perceived needs can have their income measured and assistance given to ensure their basic needs are met, such as rent, bills and food.

The Guardianship Act must ensure that all clients are managed according to their needs - that those who have not had opportunities to learn are able to be given support to learn at their own pace and level of understanding, and those whose problems stem from a pernicious disability that involves impaired judgement, insight and restraint are protected from the consequence of that disability.

Additionally, it has been seen during the course of this particular State Government a propensity to privatise government services. This has resulted in reduced servicing of the most vulnerable people in our community, such as aged care, where Registered Nurses are no longer having much contact with clients and therefore many

pathologies go undetected and illness, pain and other discomfiture reduces the quality of life of clients. Disability services are in the process of being privatised to the detriment of client care and management.

Should the Terms of Reference for this review include whether this service could be privatised I wish the Panel to be aware that this service is necessarily in Government management for the purposes of limiting fiscal waste on non-government organisation profits/surpluses, and to ensure that adequate management of people with difficulties managing their financial affairs is not compromised by a vested interest in the profit motive for service delivery. Should the subject of the "out-sourcing" for this important serves be raised I would adamantly express concern regarding the loss of client amenity and support which would adversely impact on successful management of client needs.

I thank you for your attention.

Kind Regards,

Scott Bell-Ellercamp