

# In conversation with...

## Tony

### Corporate and Legal Practice Team



#### What does your role involve?

My role is to manage the Corporate and Legal Practice Team whose function is to provide specialist legal advice and assistance to the Public Guardian and her delegates about the performance of statutory functions and exercise of statutory powers.

#### What is your professional background?

I began my legal career in 1997 as a law clerk for the Public Trustee of Queensland. After obtaining my law degree I worked as a legal officer for the Public Trustee until I moved into private practice. While in private practice I specialised in trusts and estates law, elder law and commercial law. I later took up the role of an in-house lawyer with the Guardianship and Administration Tribunal, which is now the Queensland Civil and Administration Tribunal (QCAT). Almost ten years ago now I transferred to the Adult Guardian, which later became the Office of the Public Guardian.

#### What does your typical work day look like?

My role is to provide legal advice and assistance directly to the Public Guardian and her staff about the offices' statutory functions and powers. So my typical day consists of meetings with the Public Guardian and her staff to discuss any legal matters that have arisen, researching legal issues and preparing legal

advice. I may also attend stakeholder meetings with or on behalf of the Public Guardian, as well as attend contentious court or tribunal hearings. The Corporate and Legal Practice Team is also responsible for coordinating responses to subpoenas, along with high-priority external requests for information from other organisations such as the Coroners Court or Child Safety. As you can see, my role is diverse so my typical day can be filled with all types of different legal tasks!

#### What are some challenges you've faced?

Having such a wide and varied role means I have to be across many areas of law which is a big responsibility and can be demanding at times. I also need to be aware of current trends in government policy and reform issues at both State and Commonwealth level, particularly in relation to aged care, the National Disability Insurance Scheme (NDIS) and youth justice. This is a challenge I face regularly because there are a lot of issues I need to be aware of.

#### What is the most inspiring thing you've seen or been part of at OPG?

I have been fortunate to have been involved in matters where achieving a positive outcome for clients has been dependant on OPG staff from various business units working together, even though we have very different statutory roles and functions. One example is our combined approach to ensure that all eligible OPG clients have access to the National Redress Scheme.

#### When have you played an integral role in promoting and protecting our clients' human rights?

There is a specific case that comes to mind where the Public Guardian was made aware of a relatively wealthy 93-year-old woman called Martha (not her real name) who had impaired decision-making capacity and was being subject to undue influence, financial abuse and neglect by her son who also resided with her in the run down family home. Martha had been assessed and was eligible for permanent residential aged care and in-home support. However, her son was preventing her from receiving this support due to his aggressive and intimidating behaviour towards service provider staff.

The Public Guardian was satisfied that Martha was at immediate risk of harm from her son. My role was to work with other OPG staff to draft an application for an Entry and Removal Warrant. I also attended a contested hearing and successfully advocated to have QCAT issue this warrant to immediately remove Martha from her risky environment at home. The great news is that Martha now resides in an aged care facility where all her health care and service needs are being met, and arrangements were put in place so her other family members could visit her in a safe environment.

#### What is the best part of your job?

It's pretty simple. It's knowing that I am able to make a direct contribution to OPG's work in advocating for our clients' human rights.