

## Helping to protect adults with impaired decision making capacity

### *(Guardianship video – caption transcript)*

*(Voiceover)* - Everyone has the right to make their own choices about what happens in their life. However some people have what's known as impaired decision making ability, which means they need help making some or all these decisions.

The person who performs this role is known as a guardian, and would ideally be a family member or friend. However sometimes there is no one suitable in an adult's life, and the Public Guardian will be appointed as a guardian of last resort by the Queensland Civil and Administrative Tribunal to be their guardian.

Our clients have a range of conditions that have resulted in impaired decision making capacity, which can include intellectual disability, psychiatric disability, dementia, or an acquired brain injury.

What they all have in common though is that they need someone in their corner to help manage their affairs and make sure they are protected and cared for.

As a guardian I can help my clients make decisions on a range of matters, including where they live, who they have contact with, and what medical treatments they receive.

I can also advocate on behalf of my client to make sure they are getting the support services they need from other agencies and organisations, including the National Disability Insurance Scheme.

What I can't make decisions on though is anything financial. These decisions are made by the Public Trustee of Queensland.

It's also important to understand the Public Guardian is appointed as a formal decision maker. That means my role isn't to replace a carer or take on the roles and responsibilities of other agencies or service providers.

Our clients may find themselves involved in a legal matter, including criminal, child protection, domestic violence and mental health court issues, to name just a few.

As a legal officer appointed to support or make decisions in legal processes, I can help make sure my client's legal rights aren't limited or denied. I cannot act as their lawyer, but I can make sure they have appropriate legal representation, and provide instructions to their legal team.

At OPG we work to promote the independence and autonomy of our clients. This is why we should be taking the wishes of the adult into consideration whenever possible.

To do this I will always try to consult with the adult and their support networks - both personal and professional - before making a decision that affects their life.

For more information on how the Office of the Public Guardian works to protect the rights of Queenslanders who are experiencing vulnerability, visit our website. [www.publicguardian.qld.gov.au](http://www.publicguardian.qld.gov.au)

***The Office of the Public Guardian Queensland 2018***