

**Victorian
Law Reform
Commission**

**Guardianship & Administration Act
Submission**

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Anonymous Submission

Submission/s

1. What to think of the law?

It is recognized that we need laws to protect the innocent and vulnerable, however it would appear that the law has become rather draconian where we are slowly losing our democracy and freedom that was once cherished as part of our Australian way of life. We run the risk of being over regulated. The law can become a monster rather than be helpful.

I submit that the "Law makers" take a very slow stand in changing laws as they are not often helpful for those managing the affairs of our vulnerable citizens. One step at a time. It can go on past 2011 in order to accomplish the best results.

2. Given that life for the represented person is often extremely complex and that Guardians and Administrators have a HUGE responsibility to fulfill the many needs of the said person, and that VCAT is ONLY a part of the overall picture of the person, and may by some be deemed as an intrusion into the Human Rights of the represented person.

I submit that VCAT be only used when asked for by say a parent/family member and that a "Once" off "Order" be given for the sake of being officially recognized by the likes of banks.

3. VCAT is not "User friendly" It has a court room like atmosphere which does not lend itself to freedom of speech as it can be most intimidating.

I submit that when and if VCAT remains on the agenda for some folk that it be held in a more friendly atmosphere with no one holding the balance of power.

4. In regards to accountability, represented persons may come under other departments, e.g. Centrelink, State Trustees, Department of Human Services, Masters Office (Funds In Court) etc,

I submit that for accountability Centrelink be the "One Stop Shop" as pension are paid through that avenue and not other avenues. This will alleviate the burden of being over accountable.

5. State Trustees and Masters Office (Funds In Court) are responsible for millions of dollars of vulnerable people. I question Human Rights here.

I submit that represented persons finances be put into financial institutions of their choice and managed by the Administrator with accountability to say Centrelink. (only one stream of accountability).

6. Account By Administrator (ABA) forms are extremely intrusive into the finances of a represented person. The represented person has a right to remain a private citizen and this form is just too invasive.

I submit that this form be reviewed and drastically changed. What the represented person does with their finances is no one else's business but their own, e.g. Holidays/clothes etc. (?11 ABA) Where is the Human Rights here?

7. Abuse of vulnerable persons in our society and the lack of justice for those who have been violated. This will be a difficult task but should not be regarded as impossible.

I submit that the Law Reform look outside the boundaries or square of comfortability and begin to investigate ways and means that will change the law to accommodate those who are further disadvantaged by laws that protects a perpetrator rather than the Rights of our vulnerable citizens.

Respectfully submitted by

