

16 February 2018

NSW Law Reform Commission
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Review of the Guardianship Act 1987: Draft Proposals

Carers NSW wishes to thank the Law Reform Commission for the many opportunities over the past two years to comment in detail on the Review of the *Guardianship Act 1987*. Carers NSW has made three previous submissions in relation to questions papers two, three and six of the NSW Guardianship Act review and welcomes the opportunity to make a final, brief response in relation to the Draft Proposals document released in November 2017.

Carers NSW was impressed with the comprehensive and genuinely consultative nature of the review, and is pleased to find that many of our points and recommendations have been reflected in the Draft Proposals. Furthermore the Law Reform Commission should be commended on the proposals considered and significant inclusion of supported decision making as best practice for formal bodies and family and friend representatives.

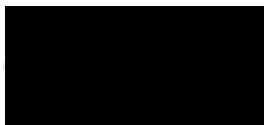
In particular Carers NSW would like to highlight and endorse the following aspects of the proposals:

- Recommendation of the appointment of a NSW Public Advocate with new advocacy and investigative functions and an emphasis on community education.
- Greater provisions for the Tribunal to appoint young primary carers as representatives and to include affected young people in Tribunal decision making processes
- Simplifying the language of the Guardianship Act to make it more accessible, including the revision of guardianship and power of attorney terminology to more prescriptive and accessible 'representative' terminology

If the draft proposals are implemented, it will represent a positive but significant change in how guardianship arrangements are identified and carried out. Carers NSW would like to emphasise that community education will be an important part of the successful implementation of a revised Guardianship Act. It is imperative that this includes support for carers on how to implement supported decision making and understand the changes.

Thank you once again for the opportunity to provide input to this Review. Should you require any further information about this submission, please contact Tom Hinton, Policy and Development Officer, [REDACTED].

Yours sincerely,



Elena Katrakis
Chief Executive Officer
Carers NSW