

**SUBMISSION TO THE NSW LAW REFORM COMMISSION
GUARDIANSHIP LAWS INQUIRY and REVIEW**

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REMOVE SUBSTITUTE DECISION MAKING FROM THE GUARDIANSHIP ACT

I have read the transcript of the Speech given by Ms. Rosalind Croucher at the Australian Guardianship and Administrative Council published on October 20, 2016 and the subsequent Report released by the ALRC proposing certain law reform recommendations.

The content of those documents are of great concern to me, particularly as a person who has had first hand experience of the devastating effect that plenary guardianship has had on my family and so many others because of the human rights abuses perpetrated by the Guardianship Tribunal, Public Guardian and Public Trustee. Anger and frustration is very difficult to contain when law reformers tip toe around issues of glaring human rights abuses and bureaucratic thuggery. None of those organisations are fit for purpose nor are they truth tellers.

Michael Perlin and Oliver Lewis are two highly respected and experienced international human rights lawyers who have dedicated their lives in the pursuit of justice for society's most vulnerable. They have been at the coal face of atrocities and seen the human rights abuses and violations that happen throughout the world at the hands of the so called "protective" Guardianship Laws and the so called civilised world. They have had considerable involvement with the creation of the UNCRPD as it speaks to the issue of guardianship and continue to advocate for the removal of draconian regimes and the restoration of one's basic human rights and freedoms. Australia has no such champions.

The UNCRPD was and is a very well considered and formulated instrument and it is the only document that radically changes the scope of international human rights law as it applies to all persons with disabilities and in no area is this more significant than in the mental disability law context. It is a document which can be said to embrace the views of Clarence Darrow, the famous American lawyer who said -

**“Laws should be made like clothes. They should be made to fit
the people they are meant to serve”.**

By refusing to legislate by statute the Principles and Guidelines of the UNCRPD, the Australian government has failed in its duty to protect its vulnerable citizens. Australia's ratification in 2008 of the UNCRPD, therefore, became only a "paper victory" as was foreshadowed by the creators of the UNCRPD, and so the denial and deprivation of freedom and basic human rights of vulnerable people in Australia continues.

The UNCRPD is also an extremely important document which, if legislated by statute, would become an effective safeguard for all vulnerable people. This is particularly so as the usual avenues of complaint cannot be relied upon to realise that a seemingly benevolent authority (i.e. The Guardianship Tribunal, Public Guardian and Public Trustee) is in fact malevolent, even when the complaint bodies are faced with overwhelming evidence which suggests that this authority is

indeed malevolent. In almost every circumstance, the complaint bodies choose to act in a way that merges with the personality of larger institutional structures and fail to effectively advocate and act on behalf of the vulnerable person.

It took 8 years of dedication by Walkley Award winning Journalist Ms. Joanne McCarthy, Editor Chad Wilson and their supporters to bring about a Royal Commission into the sexual abuse of children primarily within the Catholic Church. Whilst those in authority studiously turned a blind eye, Ms. McCarthy suffered harassment, vilification and death threats etc. by many powerful organisations and their allies who tried to silence her. Those in authority also put their own ambitions or the status of the church above the need to protect children from harm and recognise crimes. The Royal Commission finally exposed the corruption and systemic cover up of the abuses and those responsible were eventually held accountable. Guardianship needs a Royal Commission.

The human rights abuses suffered by the victims of plenary guardianship abuse have many parallels with the David and Goliath battle between Joan McCarthy and the establishment. When the victims of the draconian guardianship regime finally win their battle for justice, and they will, what excuse will the politicians and those in authority use to explain why they didn't respond to a survivor, or listen, or read a document, or question a response, or investigate, or step slightly beyond their perceived professional boundaries – to try to walk in the shoes of a victim, up against a bureaucratic system that considers itself above the law?

The victims of guardianship laws have yet to find a champion, another Joanne McCarthy, but there are many within our ranks who will continue our pursuit for justice until we do .

“Let’s not get tired of doing what is good. At just the right time, we will reap a harvest of blessing if we don’t give up.” St. Paul’s Epistle to the Galatians.

Australia’s Guardianship Laws sit very uneasily with modern-day conceptions of the rights of people with disabilities. Globally, there is a shift towards the manner in which Governments operate and this evidenced by the populist political uprising and elevation of minor parties to positions of power. Calls for Law Reform in guardianship laws are no different. For far too long academics pontificating from ivory towers, self-interested organisations and others with a conflict of interest have prevented the legislation of any useful law reforms to stem the human rights violations perpetrated by the guardianship regime.

It is incredible, in view of the damning body of evidence over the past 30 years and continuing, that the removal of “substitute decision making” from guardianship laws is still in question. On every level, plenary guardianship is wrong. No law can justify the retention of substitute decision making on ANY level.

Current guardianship laws state that substitute decision making should only be used as “a last resort” yet the Tribunals use it as a default position in almost every case that comes before it. Families with a full spectrum of appropriate supports still have their loved one placed under plenary guardianship by the Tribunal contrary to the mandates of the Guardianship Act and in defiance of the UNCRPD. These persons should NOT be placed under guardianship at all but the elderly and disabled are the Govt.’s new “cash cows” which help fund the employment of the Tribunal, Public Trustee and Public Guardian. The Tribunal is the Govt. clearing house and the Public Trustee and Public Guardian are the jailers and exploiters. There are no

safeguards to protect the vulnerable of our society – there are only safeguards to ensure that the abusers can continue to abuse with with total impunity.

To suggests, and it has been suggested, that supported decision should be incorporated as another step in the decision making process, whilst retaining substitute decision making in the context of current guardianship model, is ridiculous. This additional step will only serve as an irritant to the Tribunals, Public Guardian and Public Trustee. It will **not stop** them from pushing the substituted decision making default button - it will simply delay it and use the same puerile spin to justify their actions.

It has also been stated by Ms. R. Croucher, principal of the ALRC, that safeguards are in place because Public Guardians or Administrators are “**accountable for their activities to their employers**”. Really!! Clearly, this is a case of theory and practice being very poor bedfellows. I wonder how many individuals under plenary guardianship and their families have actually been interviewed or personally spoken with by any panel member of the law reform committee in order for it to legitimately place any credence to that statement. Is it because of the Tribunal’s gag clause and the \$20,000 fine which silences the victims or is it because it is more comfortable accepting the glib lip service paid to it by the self serving organisations who profit from those under plenary guardianship? It certainly does not give due weight and attention to the plaintive cries of the victims of the guardianship regime. Again, law on the books is not law in practice.

The oft repeated claim that there are “safeguards” in place for persons who require decision making support is an absolute nonsense. There are **NO** effective safeguards upon which a vulnerable person may rely. There is nowhere for a person to go and seek remedies when the alleged “safeguards” have been breached and abused particularly by the very authorities who have been mandated to protect them. There is no useful or independent authority to ensure that the representative officer of the protected person complies with those “safeguards” **and** there are no punishments levied against the officer(s) who abuses those safeguards. Therefore, the alleged “safeguards” relied upon by the authorities are purely academic and legal fiction. Who polices the policeman – no one! Again, law on the books is not law in practice.

It is extremely troubling when authorities rely on the so called rhetorical “safeguards” to excuse them from taking action to address the overwhelming evidence that there are **NO** effective safeguards for victims of the guardianship system. When law reformers and academics suggest that words such as “**reaffirm**”, “**ensure**”, “**code of conduct**”, “**policy**”, “**guidelines and principles**” etc. are sufficient and effective safeguards in the legal framework of the proposed law reform, it is not only highly insulting to the victims of guardianship abuse but makes a mockery of this whole review process. Those are just comfort words which mean absolutely nothing as they are not legally enforceable.

Unless safeguards are legislated by statute, the status quo will remain the same – **NO EFFECTIVE SAFEGUARDS**.

Whistleblowers are vilified and dismissed. Officers with a moral compass who question the directives of their superiors or the wrongdoings of their colleagues are white-anted, bullied, demoted or moved aside. Media exposure is limited because of legal threats by the guardianship authorities and most victims’ families have little financial means to apply to the Supreme Court in the hope of receiving some natural justice. Going to the NCAT, AAT, ADT or similar is an exercise in abject futility as is the onerous round robin, biased and bureaucratic process of internal

guardianship reviews. The Boys club is alive and well! Just look at the Centrelink fiasco and the humbug that its principals spurt forth! Lies, lies and more lies.

The comment of Ms. R. Croucher of the Australian Law Reform Commission that “*the development of codes of practice, guidance and accountability measures will, over time, lead to a shift in culture and practice*” is not only unacceptable but unconscionable. On a daily basis, people are suffering under plenary guardianship and need effective law reform **now - not if and when** the hypothetical “shift in culture occurs over time”. For the past thirty years, Inquiries, law reform recommendations, submissions et al have not resulted in any effective changes in guardianship laws which restore a disabled person’s basic human rights and freedoms. Is it to be another 30 years before the “*bright light*” of reason finally hits the mark and justice is restored? Or will wilful blindness, academic and legal shuttlecock, and self-interest win out yet again.

Mr. Graeme Smith, former Disability Commissioner, has stated and I concur -

“...we must begin with a clean slate so to speak. We must imagine a world where a person can easily access the support they need to enable them to exercise their legal capacity rather than the existing binary system in which we operation where a person’s diminished mental capacity equals the appointment of a substitute decision maker.”

Until substitute decision is totally abolished, the guardianship regime will remain an abusive authority guilty of perpetrating human rights violations and serve as the perfect vehicle for other predators to achieve their goals. A new model providing various levels of supports is not difficult to implement and should be provided to all persons, as and when requested, and on an informal basis. Money spent in formulating a network of this kind would be far more effective for the disabled person rather than being wasted on the draconian and abusive regime of the Guardianship Tribunal, Public Guardian and Public Trustee. Funds would also be well spent in creating an arms length and totally independent Advocacy Commission, with competent and expertly trained personnel and counsel, who have the legal authority, bound by rules of law and evidence, to investigate and prosecute perpetrators of all persuasions who emotionally, financially and physically abuse disabled and vulnerable persons.

The Tribunal, Public Guardian and Public Trustee are the Humpty Dumpty of the Guardianship Act. Law Reforms will only plaster over the cracks but can never make it whole. These organisations should be dismantled, the current Guardianship Act thrown out and completely rewritten and the Principles and Guidelines of the UNCRPD adopted and legislated by statute, in its stead.

Disabled people and their estates are the stock in trade of the guardianship regime. Each organisation feeds off one another and none of them will bite the hand that feeds it. The executive level generally belong to a type of boys club and fosters cronyism within its structure. On salaries of upwards of \$200,000p.a. with a lengthy tenure, which one of them will rock the boat and go against the Decisions of the Tribunal, Public Guardian or Public Trustee no matter how manifestly wrong, biased or unjust? Ethics, moral fibre and a strong backbone are sadly lacking.

Substitute decision making has no place in a civilised society. No one has the right to denude a vulnerable person of their very personhood, their assets and their freedom and right to make their own personal and life choices?

Guardianship Laws have been under scrutiny for the past 30 years. During that time, no one in the corridors of power has been willing or had the necessary conscience to help the victims of guardianship abuse. Is it because the elderly and disabled are just not interesting enough or worth putting their careers on the line in pursuit of justice? No victim of guardianship abuse has been fortunate enough to have a Joanne McCarthy champion their cause.

This Inquiry has the potential to make a difference. It will only make a difference, however, if it stops the game of academic and legal ping pong and concentrates on how to stem the abusive practices of the Tribunal, Public Trustee and Public Guardian which have a long and tawdry history. Do not listen to the humbug and hyperbole spewed forth by those organisation – listen to its victims, listen to how this draconian regime adversely impacts on them and their families, listen to how the system leaves a legacy of anger and despair, long after the loved one has gone. The Guardianship Act is a very flawed document which provides an enormous amount of largesse to these organisations and allows and enables them to commit their abuses of human rights with total impunity. Plenary Guardianship is nothing short of a new form of Human Trafficking.

Disabled and vulnerable persons have been marginalised and disenfranchised for decades. There have been no genuinely strategic or constitutional changes to prevent or remedy human rights violations visited upon them despite the myriad of evidence available from case histories, reports, whistleblowers etc. Governments, politicians, law reformers have simply adopted a “business as usual” approach and have yet to demonstrate that they have done anything of any value to help people under guardianship. Stop playing semantics and dancing with words. “Representative” is a VEILED attempt at retaining substitute decision making and a person who has “supports” available to them DOES NOT need guardianship.

Human nature has not changed throughout history nor will it ever change. Each generation wages the same war against ignorance, prejudice and man’s inhumanity to man in the hope that compassion and reason will finally prevail. It is just that each generation wages wars in different ways. The NSW Law Reform Commission’s role in that war is to create such laws that are required and necessary to protect vulnerable people from all predators. The law cannot dictate that one adopts a moral compass, empathy, common sense, ethics, basic intelligence where there is none or to know the difference between right and wrong. What legislators can do is to implement the necessary recommendations by statute, to safeguard and effectively protect vulnerable persons who unfortunately come under guardianship AND include legal remedies and punishments for those who abuse their positions of power by physically, emotionally and financially harming the vulnerable person. Why is it that public servants who are guilty of wrongdoing are protected but the general public are not?

This current round of law reformers have not only a perfect opportunity but also a moral responsibility to make sure that its recommendations address the truth and act accordingly. Failure by law reformers to recommend and the legislators to comprehensively incorporate into Australian domestic law, the human rights of persons with disability as expressed by UNCRPD, will ensure that those human rights continue to be ignored. By not protecting these vulnerable people, Australia

will have another shameful legacy for its history books and those who failed to act, when they were in a position to do so, are just as guilty as if they perpetrated the abuses themselves.

Liquidate, Isolate and medicate

I will leave the following case history for you to ponder and **imagine how you would feel** in these circumstances. I would ask that you consider the evidence before you accept the falsehood that substitution decision making is only used as a “*last resort*” and why it is imperative that substitute decision making should be abolished. My mother was not given a voice when she was alive and under plenary guardianship – I speak for her now so that **you can stand in her shoes** and imagine how **you** would feel in the circumstances-

Guardianship Tribunal – The Hunter

1. You are 89 years of age. You have four children . Of the four, you have two loving children who adore you and do everything to make sure that your twilight years are the best they can be. You are provided with 24/7 home care in your own home by your two loving children. The son lives with you and the daughter across the road. You are very happy. They are happy and consider it a privilege to look after you. Your funds and health care needs (which are minimal) are managed in an exemplary manner, the quality of which is recognised by a myriad of authorities – there has never been a complaint by you, any authority or health care worker in this regard. You saw how well your loving daughter looked after her father for 7 years, in her own home, when he had Alzheimers and she was his Power of Attorney and Enduring Guardian. You trust her. Neither of your two other children took any interest in their father’s life or care nor do they care about you. Your loving son has taken care of you for the past 20 years. You trust him.
2. You appoint these two loving children as your Power of Attorney and Enduring Guardian. The instrument contains a clause which specifically stated “*not to be placed in a nursing facility*”. This was discussed with your Italian lawyer, in your own language, and in private without anyone else in the room.
3. You have worked hard all of your life. You have made many sacrifices and fulfilled your duties as a wife and mother. It is now your turn. You are in your twilight years when it is you who will be looked after and doted upon and, at last, free to consider your own wishes. Everything goes well for a number of years. Then your elder daughter wants you to do something which is detrimental to your wellbeing and best interests. Your two loving children step in and advise the elder daughter that as they are your Power of Attorney and Enduring Guardian they will not permit her to do so. The elder daughter screams “*you wait and see – I will show you*”.
4. The elder daughter takes you to her home and says she wants you to meet two nice friends of hers. They seem friendly but they are, in fact, two shoddy husband and wife “lawyers” who ask you to sign a document which they have already prepared. You have now signed a revocation of the Power of Attorney and Guardianship aided and abetted by the two shoddy lawyers. The two other children are now your new Attorneys and Guardian. You do not

know this because you do not understand English very well, let alone understand what this legal document means. Your comprehension is limited to uncomplicated day to day conversations and interactions. You have been diagnosed with cognitive impairment three years ago and the two shoddy lawyers are aware of this. You are now 93 years of age.

5. Your two loving children eventually find out what has happened and naively approach the Guardianship Tribunal believing that it will restore the Power of Attorney and Enduring Guardianship which has, by stealth, been revoked. Instead, the two loving children are told by the Tribunal that “**it is not their role to establish the truth**”, they are “**not bound by rules of evidence**” and place you under plenary guardianship. Your elder daughter laughs and says “*See, I have won – I told you so.*” You have done nothing wrong yet you are being punished. You have been stripped of your personhood and your freedoms. You have no voice. You do not understand this. The Tribunal is a farce – it is a sham – a Clayton’s Court of no value. But the real horror has yet to begin.

The Public Guardian – The Jailer

6. Suddenly you are deemed totally incapacitated and are stripped of your dignity and basic individual rights. You are regarded as a statistic - an amoeba. But you are not. You are still a human being who is capable of stating what you want and why you want it, what makes you happy and what makes you sad. You can still partake in the community. But not anymore. You are now at the mercy of a faceless organisations called the “Public Guardian” and “Public Trustee” which know nothing about you, do not care about you and incompetently intrude in every aspect of your life.
7. The Public Guardian does not listen to the concerns of the two loving children who know that you are being manipulated, harassed and maltreated by the two dishonest children on their access days. The Police can’t help you because you are owned by the Public Trustee and Public Guardian – they cannot interfere. You no longer exist – the Public Guardian is You.
8. When you come home from your access with the elder daughter you are exhausted, confused and terrified. The Public Guardian is not interested. Instead, it tells you what to do, when to do it and how to do it and with whom, even when you say you don’t want to. You have no right to live a normal life in your own home and you and your two loving children are derided, ignored and treated with no respect despite the loving son being appointed by the Tribunal as your “key carer”. It is simply a term – it means nothing to them.
9. The Public Guardian has only met with you once in three years at the elder daughter’s home – not with your son who is the designated key carer and provides you with 24/7 care in your own home. Your son only finds out when you tell him about it. The Public Guardian is now the predatory elder daughter’s best friend who expertly manipulates them with her web of lies.
10. If you need to go to the doctor, you have to ask the Public Guardian’s permission. If you are not well enough to go out with one of the other two children, “Too bad” you are forced

to do so because that is what the Guardian says – you are now cut in half and must adhere to the access order – go to the doctor another day! You realise that You do not exist – the Public Guardian is You.

11. Your two loving children had foreshadowed that you would eventually need a lift two years before you came under guardianship. As you became less mobile, a lift would not necessitate you having to navigate the 15 stairs to ingress and egress the home. You are more comfortable going out in a wheelchair. You can walk but your knees are very painful. An architect and lift supplier had already drawn up the plans and you were in the process of having it ordered and installed but the Public Trustee stopped that as soon as you came under their control. The two loving then children have to stand by and see and hear the pain and screaming from the manhandling that occurs when the elder daughter roughly pulls you down the stairs on her access days. You have more than \$100,000 in the bank and your two loving children have offered and are prepared to pay for half of the costs, from their own funds even though they are not wealthy. The lift will cost \$45,000. This will allow you easy access to the front of the house but also the back garden which you love to visit and work in. This battle for the installation of a lift has been going on for three years. You are now 96 years old.
12. You have developed a raspy chest cold. Your two loving children take you to hospital to make sure that it is not a chest infection. It is a chest infection. You are ready for discharge after one week. You are now well and happy and looking forward to going home. Instead, the Public Guardian steps in and refuses to allow the hospital to release you. They are looking for a nursing home for you. They bully the hospital to keep you a prisoner there for 3 months, against your wishes and against the hospital's wishes. You are using a hospital bed that you don't need and the taxpayers are paying for it. The Public Guardian does not care.
13. Your loving children go to court to seek a Stay to stop the process of having you placed in a nursing home. They appeal to the ADT to have you returned home. The Public Guardian will not allow you to attend the Court to speak for yourself. It costs your loving children \$65,000 in legal fees which they pay from their own funds. The elder daughter and other son pay nothing. They side with the Public Guardian and want you placed in a nursing home so that you are isolated. When pressed by the barrister as to why, the Public Guardian says "*We always do - and we were going to do it anyway*". The Public Guardian then says that you can go home only if you have the lift but the Public Trustee says if the Public Guardian won't let you go home, then you can't have a lift. Catch 22!! The elder daughter says in court "*She is 96 years of age, she is too old, it is a waste of money.*" The transcripts of the court hearing will confirm these statements. You work all your life, you save for your old age and yet you can't spend your own money to do so. The Public Trustee wants your money for its own coffers and exorbitant fees and your two other children believe that money should be their inheritance.
14. The application for a Stay fails. The system failed you and it failed your two loving children. The Public Guardian finds a nursing home placement. You are then removed from the hospital and transported to the nursing home without notice to your two loving children.

They only find out what happened when they come to visit you in hospital and you are not there. You have been abducted from your home, isolated from your family and cultural environment and “placed” in some random nursing facility while your assets are being pillaged. The authorities that should be protecting you and acting in your best interest are, in fact, the ones committing these heinous acts AND you are forced to pay your abusers in the process.

The two loving children return from the Court hearing appealing for your return home. They come to the nursing home. Disconsolate and in tears, they tell you that you will never be able to come back home. You cannot get out of this lion’s den of plenary guardianship. You cry and say you want to die if you have to remain institutionalised for the rest of your life. You cannot understand why – you have done nothing wrong. The Tribunal has done its job of placing you in the lion’s den of plenary guardianship; the Public Guardian is now rid of you and uses the nursing institution for buck passing and has no care or responsibility and the Public Trustee is now ready to pounce and plunder your estate. The system has won – the predators have won.

The Public Trustee – The Exploiter

15. The Public Trustee engages real estate agents to evaluate your home ready for sale. You have no debts. You have sufficient money to cover your expenses and you have surplus funds. Your two loving children, from their own funds, pay for everything you need, clothes, toiletries, mobility items etc. That means nothing to the Public Guardian and Public Trustee. The Public Trustee wants the cash from the proposed sale. You do not understand why? **This is not a case of “last resort”. This is human trafficking. This is legalised theft of a person’s assets and estate and a denial of their basic human rights.**
16. You remain in the nursing institution. Isolated from your cultural and familiar environment. You are placed amongst residents with severe behavioural difficulties who moan throughout the night and come over to your bed and frighten you. You feel scared and alone and you fall into a deep depression. You lose the will to live. Your loving children have never seen you cry despite all the hardships and suffering you have endured during your lifetime. You cry now. You cry every day. Your loving daughter becomes distraught not only because of your despair but because she and her brother are rendered powerless in light of the failure of the Guardianship Act to protect you. There are no effective laws to prevent the Tribunal, Public Guardian and Public Trustee from abusing their positions of power. You are not a case of “last resort”. You are simply their cash cow, a persona non grata, as they callously control every aspect of your life. The nursing home owners tell the Public Guardian that you are very happy there. They lie. The staff see you cry daily as you beg them to call your son to take you home. But he can’t.
17. There are access orders with designated dates and times. In their “wisdom” you have been split in half by the Public Guardian. Every time the two loving children come to the facility you are inconsolable. When the other two children come to visit you, they tell you to “*stop crying – this is your home, get used to it*”. You become even more distressed at this cruel

betrayal. Your loving children do all that they can to stop the tears, they give you a little present every day, they bring you your favourite food, play your favourite music and they distract you so that you eventually smile again. They tell you every day that they love you. You smile until it is time for them to go. But they quickly pop back in the room for a final goodbye for the day and they see that you are again very sad. You ask God to take you. You do not want to live any more.

18. The depression sets in and seven months after admission to the nursing home you die. You are healthy but all the stress and heartache caused you to have a mild stroke. The Public Guardian refuses to let you have any medical care. The doctor at the facility tells your loving children that you should not be deprived of food or drink or medical care – you can recover. You are not an appropriate candidate for Nil By Mouth. The Public Guardian does not care. They refuse to let you get medical care and they refuse to let you go to a Palliative Care Hospital. Your two loving children beg them to do so and offer to pay all expenses from their own funds. The Public Guardian refuses.
19. For three weeks your two loving children watch your life slowly wither away. This is monstrous. The only palliative care provided is by your two loving children who attend the nursing home every day for four hours – the only time allotted to them. They are not permitted to stay longer – your greatest fear materialises - you die alone. The nursing home gets higher funding because they claim they provide palliative care even where there is none. And so, yet another organisation rorts the system – you are their cash cow once again.

The Legacy of Australian Laws

20. You are now in God's care. Your wishes will be carried out in your Last Will and Testament. You die before the Public Trustee sells the home. Your two loving children are the Executors and Trustee. In your earthly life your wishes were ignored but finally in death your wishes will be respected. Alas, that is not to be. Another substitute decision maker is waiting in the wings. It is the Supreme Court Judge who will be “standing in your shoes” - another stranger – who does not know you but thinks he knows best – the law says so. You don't need to guess which children are now contesting your Will.
21. Your two loving children remain traumatised by these events and feel they failed you. They did not fail you. The system and the barbaric guardian regime did. It fails everyone.

In today's society Aged care, disability and the elderly are big business. The elderly and disabled are the new currency for the many predatory individuals and organisations that seek to profit handsomely from them. The Guardianship Tribunal and Guardianship Act are the enablers and are the predators' best friend.

And so it seems, the law does not punish everything that is dishonest because that would seriously interfere with business. Guardianship is not a benevolent regime – it is simply big business.

How can any civilised human being or society, in good conscience, seriously ask the question “should substitute decision making be retained”?
