



Council for
Intellectual Disability



Position statement on guardianship law change



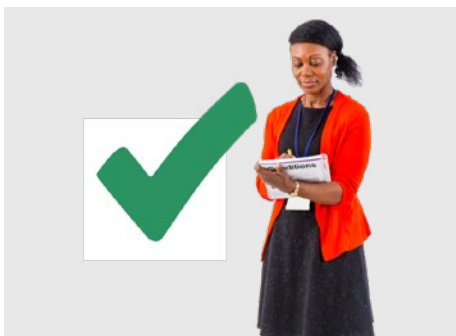
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www.cid.org.au

Guardianship law change



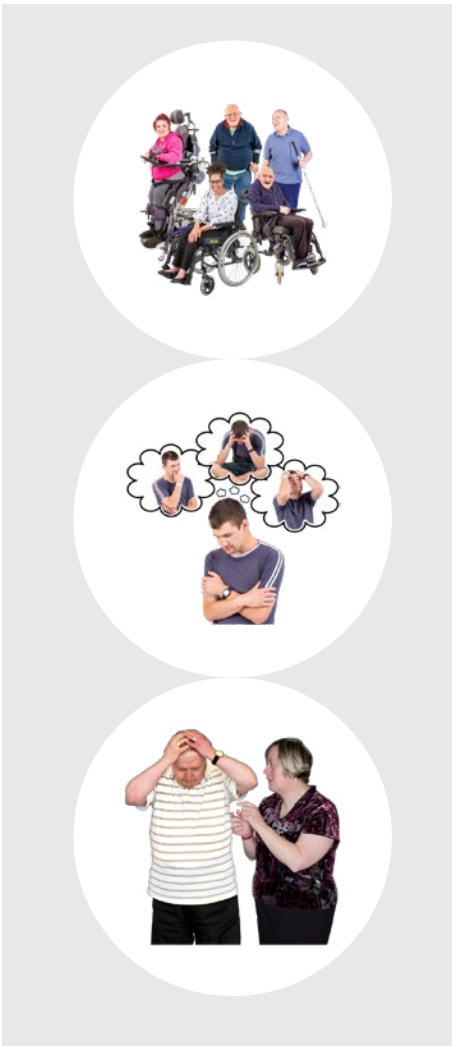
CID wants the NSW **guardianship** law to change.



Guardianship means another person has the right to make a decision for you.

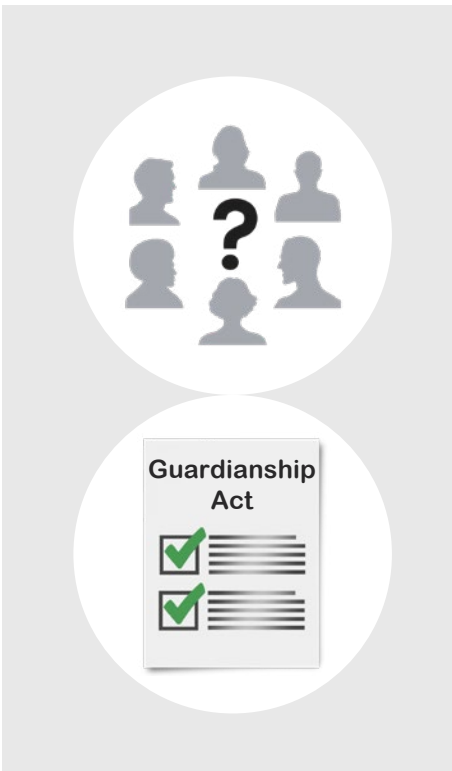


The person who makes the decision for you is called a **guardian**.



People who get a guardian are often

- People with intellectual disability
- People who live with mental illness
- People who have dementia.



The Guardianship Act is the law that says

- who can get a guardian in NSW
- what a guardian can do.



NCAT
NSW Civil &
Administrative
Tribunal

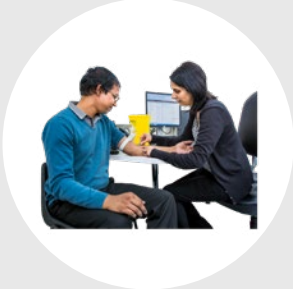
The **NSW Civil and Administrative Tribunal** make decisions about whether someone has a guardian.

We call them **NCAT** for short.



Guardians can make decisions about things like

- where you live



- your health



- who supports you.



Guardians who make decisions about money are called **Financial Managers**.

The problem with guardianship laws



There are too many people with intellectual disability who have a guardian.



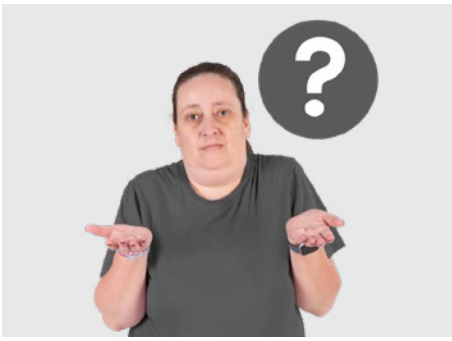
There are too many First Nations People who have a guardian.



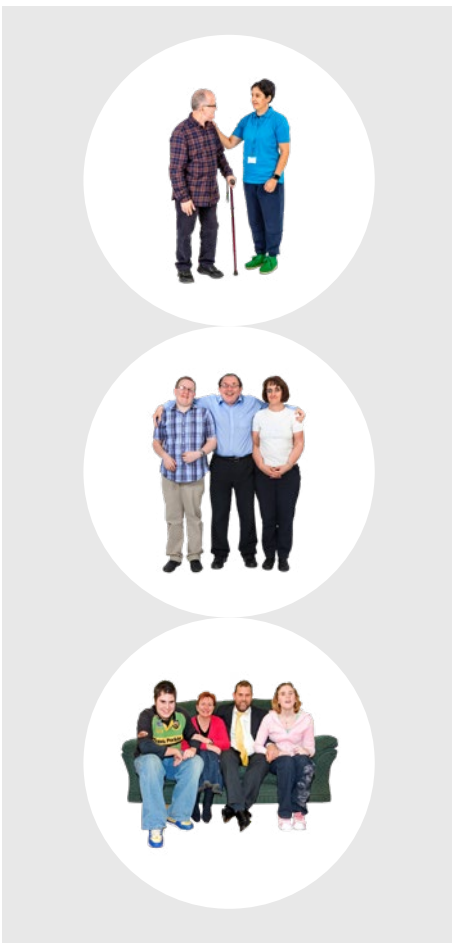
The Guardianship Act does not talk about getting support to make decisions.



Many people are given a guardian instead of support to make their own decisions.



Many people do not know the best way to support people to make their own decisions.



This can be

- support workers
- friends
- family.



People with intellectual disability can make more of their own decisions with the right support.

This is called **supported decision making**.

What CID wants the government to do



We want the government to change the Guardianship Act to say people have the right to get support to make their own decisions.



We want the law to say NCAT must have proof that supported decision making has been done.



We want the Ageing and Disability Commissioner to be a leader in Supported Decision Making in NSW.



We want the NSW Government to make information to tell everyone how to do supported decision making well.



We want the government to find out

- why so many people have a guardian
- what can be done about it.

What we will do

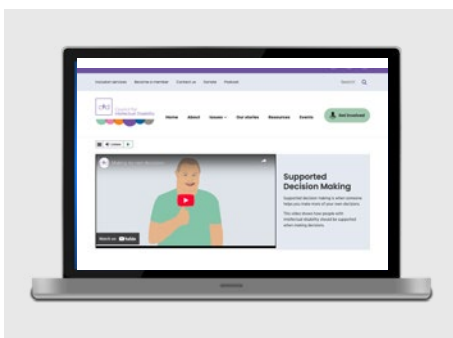


CID will keep working to make sure supported decision making is included in laws that impact people with intellectual disability.



We will work with people like the

- Minister for Disability Inclusion
- Attorney General
- Department of Communities and Justice
- The Ageing and Disability Commissioner.



CID has more information about supported decision making on our website.



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