

Appendix D: Lived experiences of Victorians under public guardianship

We asked people who had an office guardian or investigation to share their feelings and experiences about guardianship.

We also accepted submissions from the public about their lived experiences.

We did not independently verify the accuracy of information provided to us through consultations or submissions.

We also did not verify if the expectations of the people in the case studies are consistent with guardians' requirements under the Act or the office's policies.

Figure D1: Julia's story

Lived experience: Julia

'They don't listen to what I want to do'.

Julia* has a public guardian, who makes decisions about where she can live, who can visit her and which services she can access.

Julia was assaulted in a particular area of Victoria. She told us that her guardian has since placed her in accommodation in this area, despite her not feeling safe in that area.

Julia also attends a hobby class each week. She suffers from motion sickness on public transport, but must travel one hour by bus each way from her accommodation to attend. Julia told us that no one explained to her why she cannot move to a different accommodation.

Julia told us that she explained her preferences about where she lives to her guardian, but that she feels that they will not listen to her. Julia said her guardian told her they do not have a phone number, so she has to communicate with them via email. Julia finds it easier to communicate with her guardian face-to-face. She said she did meet her guardian in-person a few months ago, but that she has not seen them since.

Julia also told us she has been asking her guardian to change her support coordinator 'for the last 2 years'. Julia does not trust her support coordinator and does not think they are supportive.

Julia said that her guardian and support coordinator do not explain things to her properly, and that 'I can feel it in my heart that they're not protecting [me]'.

When asked what the office could do better, Julia said 'listen to me'.

Notes: *Names and some identifying details have been changed to protect privacy.
Source: VAGO.

Figure D2: Patrick's story

Case study: Patrick

Independent and unbiased advice

Patrick's* mother lived in a nursing home in Victoria. The nursing home applied to VCAT to have a guardian appointed for his mother. Although Patrick had an enduring power of attorney, the nursing home sought to appoint one of their staff to make decisions on his mother's behalf about:

- accommodation
- the use of chemical or physical restraint.

VCAT engaged the office to conduct an investigation. Patrick told us that the office fast-tracked their report and identified a number of issues around human rights and neglect in the nursing home. Patrick said that the office's independent and unbiased advice helped him make decisions about her care.

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Figure D3: Yvonne's story

Case study: Yvonne

'My daughter ... should be able to choose the relationships she wants to have for her life'.

Yvonne* wrote to us to tell us about her experience with the office. Yvonne's daughter has a public guardian who can make decisions about who she can meet with.

Yvonne told us that 2 family members requested access to her daughter. Yvonne expressed her concerns about this to the guardian because the family members had criminal records and were in her view 'unsafe people'.

Yvonne showed the office documents that verified her claims, and the office denied the access request. However, Yvonne expressed her concern that the office does not do background checks on people seeking access to people with disability under guardianship orders.

Yvonne also told us that her daughter's will and preference was to not see her grandmother. She said that her daughter experienced emotional distress due to visits with her grandmother, which led to her self-harm. Despite telling the guardian this, Yvonne said it took recommendations from 3 doctors to stop the visits.

Yvonne told us that while the visits are currently on hold, the office informed her that they will resume in the future.

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Figure D4: Jessica's story

Case study: Jessica

Communicating well and making decisions that protect a person from harm

Jessica* had a public guardian that made decisions about where Jessica could live, her healthcare and who she could interact with. Jessica told us that she had a positive experience with her guardian. Her guardian asked her what she wanted and made decisions that protected Jessica from harm. However, Jessica told us that not all decisions promoted her wellbeing.

Jessica told us that her guardian communicated decisions in a timely manner and in a way that was easy for Jessica to understand.

However, Jessica told us that she would like more contact with her guardian. She told us that her guardian only spoke to her when Jessica needed to talk or when the guardian made a decision for her.

Notes: *Names and some identifying details have been changed to protect privacy.
Source: VAGO.

Figure D5: Linda's story

Case study: Linda

Wanting more communication from a guardian

Linda* has a public guardian who makes decisions about where she can live, her healthcare and who she can interact with. Linda told us that her guardian does not stay in contact with her as much as she wants, so she has to wait to hear from them. Although Linda has been under public guardianship for about a year, she still does not have a permanent home.

Linda said that her guardian did not ask what she wanted or where she wanted to live. When asked how the way the guardian spoke to her made her feel, Linda responded 'sad'.

Linda told us she would like to be more involved in making decisions. She also said the guardian could communicate with her better about the decisions they intend to make on her behalf.

Notes: *Names and some identifying details have been changed to protect privacy.
Source: VAGO.

Figure D6: Kylie's story

Case study: Kylie

'No one explained it to me'.

Kylie* has a public guardian who can make decisions about where she can live.

Kylie told us that she did not understand the role of her guardian because no one explained it to her.

However, Kylie agreed that she felt her guardian had her interests at heart and was trying to do the right thing for her.

When asked how guardianship made her feel, Kylie said 'like a child'. When asked what the office can do better, Kylie said 'get me out of here [her accommodation]'.

Notes: *Names and some identifying details have been changed to protect privacy.
Source: VAGO.

Figure D7: John's story

Case study: John

'Talk to him, talk to his parents. Be around. Listen. I didn't have that'.

Maria's* son, John*, had a public guardian appointed to make decisions about:

- where he lives
- which services he could access.

Maria told us that it was difficult for her and John's support coordinator to contact his guardian. She said that John's guardian visited him on one occasion, but he was sleeping. She said the guardian did not try to contact John again to ask what his will and preferences were.

Maria does not think the guardian did everything they could to try to find suitable accommodation for John. Maria said she told the guardian that the accommodation would not work very well, but that 'they didn't try to find something better'. However, Maria told us that John is now happy at his accommodation.

Maria told us that the office should visit people more. She also said if the office does not know your language, it should get an interpreter.

When asked what the office could do more of, Maria said 'listening. Talk to him, talk to his parents. Be around. Listen. I didn't have that'.

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Source: VAGO.

Figure D8: Dylan's story

Case study: Dylan

'The office does not care at all about what I want and treats me with contempt'.

Dylan* wrote to us about his experience under an investigation by the office. He told us the investigation started over a year ago and is ongoing.

Dylan told us he completed a form about his will and preferences at VCAT's request. But he said the office 'ignored' this document and visited him instead to ask about his views. Dylan told us that the office's report of this visit did not include his complete will and preferences, just one part of what he told the investigator.

Dylan does not trust the office's investigator or team leader. He feels that the investigator is working on behalf of the applicant, his daughter, rather than to achieve the best outcome for him.

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Source: VAGO.

Figure D9: Alice's story

Case study: Alice

Accurately responding to the needs of the state's most vulnerable

Alice* wrote to us about her friend, who alleged that a nursing home staff member abused his mother. She said that the office investigated the issue and as a result the nursing home could not continue to cause her friend's mother harm.

Alice also worked as a support person for people with complex needs in the past. She said that the office 'despite considerable resourcing issues, always responded in time, accurately responding to the needs of the states' most vulnerable'.

Notes: *Names and some identifying details have been changed to protect privacy. This story is from the perspective of a friend of a person under a guardianship order, which may be different to the experience of the represented person.
Source: VAGO.