



Ref: 18TDHS/1913

Ms Jacqui Rugless
Attention: Anne-Marie Holland
SACAT
GPO Box 2361
ADELAIDE SA 5001

Group Executive Director

Level 8 North
Riverside Building
North Terrace
Adelaide SA 5000

GPO Box 292
Adelaide SA 5001

DX115

Tel: 08 8207 0479

Fax: 08 8415 4233

ABN 11 525 031 744

Dear Ms Rugless,

Jacqui

Thank you for the opportunity to provide comment on the Australian Guardianship and Administrative Council (AGAC) draft guidelines on the participation of the proposed protected person in guardianship and administrative hearings (the Draft Guidelines).

We commend you on your efforts to ensure that individuals who are subject to tribunal hearings have the opportunity to participate as fully as possible in the decision-making process. This will assist in safeguarding people from abuse and provide a safer, appropriate process.

Your approach aligns with the goals of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and the *National Disability Strategy 2010-2020* which states that, "People with disability have their rights promoted, upheld and protected". The Draft Guidelines also align with the intent of the South Australian *Disability Inclusion Act 2018* to further the principles and purposes of the UNCRPD in upholding the rights of people with disability and ensuring that they are consulted about decisions that affect them.

We recommend you consider that tribunals provide the opportunity for people who have experienced, or are at risk of abuse, to meet with the tribunal members privately. This is recommended as a way to counter possible intimidation by an alleged abuser, which may be a close family member. Elder abuse awareness training could also be considered for registry staff and tribunal members.

I look forward to receiving the final Guidelines.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Gerrie Mitra'.

Gerrie Mitra
GROUP EXECUTIVE DIRECTOR

18/12/2018