25. J Finch

Full name: Judith Finch

Question 1:

Question 2:

Question 3:

Question 4:

Question 5:

A family member is often the primary care giver, decision maker, and manager of supports for a person with a disability who is not able to contribute to their decision making due to severe impairment intellectually and physically.  Family members are the most natural due to kinship and close knowledge of their loved one, to be the best people to fill these necessary roles.  All too often the ability to conduct the activities necessary to ensure their loved one is supported is being eroded and hindered by unecessary intervention by Government Departments by way of unreasonable demands, such as obtaining Guardianship, simply to carry out normal activities that all people expect that they can do.  Examples of this are claiming Medicare benefits, obtaining utility accounts such as telephone and electricity are just a few.  In the case of claiming the Medicare benefit, it is ironic that the family member is the Statutory Health Attorney and is the only person who can assign the benefit to a medical practitioner.  Commonwealth laws and legal frameworks should recognise the family member in the exact way that a Legal Guardianship does.

Question 6:

Question 7:

Question 8:

Question 9:

Commonwealth laws and legal frameworks should allow for people with a disability to choose who they wish to conduct their administrative functions.  In the case of the person with significant intellectual impairment, the family member/s supporting the person should automatically have the authority to perform these roles without obstruction.  The law shoud allow a family member to apply for the role of financial administrator without having to apply for Guardianship also.

Question 10:

Question 11:

Question 12:

Question 13:

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Question 19:

Question 20:

Question 21:

Question 22:

Question 23:

In October 2008, there was a fire at the rented house where my brother with a disability and I resided.  He has a severe intellectual impairment, is not able to speak, and has significant health issues.  He was accused of lighting the fire by the attending Police.  He cannot tie his own shoelaces let alone light a match.  The Police officers would not recognise me as ther person who could act on his behalf, nor would they believe that he had not lit the fire.  I took the matter further to the Officer in charge of the station of the attending officers, who visited us and agreed that there was little evidence.  However, my attempts to have the recording of the accusations erased failed, and my innocent brother is now recorded as a criminal.  It is disgraceful that I have not had the means to represent him and to have his name cleared.  It has caused a great stress that remains a burden.  I don't know what changes should be made.  I am not a Lawyer.  Perhaps one of your Lawyers will recognise this injustice and have the just answer.

Question 24:

Question 25:

Question 26:

Question 27:

Question 28:

Question 29:

Question 30:

Question 31:

Question 32:

Question 33:

Question 34:

Question 35:

Question 36:

Question 37:

Question 38:

Question 39:

Question 40:

Question 41:

Other comments?:

File 1:

File 2: