

Submission No. 531
Date Received.....

From:
Sent: Thursday, 21 June 2007 3:27 PM
To:
Subject: Re: Legal and Constitutional Affairs Committee Transcript (proof) 4 June 2007

Att:)

In response to me submissions I would like to add the following which you may use as a further submission.

RECEIVED
21 JUN 2007
BY: LACA

The committee members have in receipt submissions which have been tendered by individuals criticising the current Guardianship Tribunals, particular the NSW body and the other two government bodies referred to as the NSW Public Guardian (OPG) and NSW Office of the Protective Commissioner (OPC).

If the Committee members are open and transparent and are sincere in every attempt to closely have an independent assessment of those bodies I suggest that they reinterview individuals who have been scathing of those bodies and give them more than the 3 minutes allocated or with-holding of their submissions because they consider those criticisms too sensitive of the system. A new committee could be formed after its tabling in Parliament, comprising individuals who have been through the system affected by the Guardianship Tribunals and OPC and OPG bodies, who can give their versions of events openly and I can assure the Committee members that I have a data base of families who would like to give evidence in how those governmental bodies have affected their lives.

It may surprise the Committee members on how damaging the decisions of the NSW Guardianship Tribunal and associated bodies, the OPC and OPG have had on hundreds of families affected by their illegal, intimidating and dishonest practices in seizing family members and their asset base comprising of pensions, bank accounts, properties, etc, etc.

I suggest the committee members make themselves more familiar with the NSW Guardianship Tribunal which operates under the Guardianship Act NSW 1987, and look at the acts in place which are specifically drawn up to protect its decisions and make them untouchable.

The Guardianship Tribunal makes decisions based on its own internal interests and that is to seize as many individuals and their asset base in order that they may be a viable agency and to create other beauracratc bodies such as the OPC and OPG which are entirely funded by seized asset base contributions.

For me to try and explain what changes are needed in the Guardianship Act, Current Guardianship legislation needs a change in legislation to ensure that all parties involved with these bodies are treated fairly, honestly and within the law of the Guardianship Act.

It clearly appears to me and many other family members that the NSW Guardianship Tribunal does not make decisions benefitting persons that need extra special care but is more concerned in making decisions that benefits the OPC and OPG bodies at the expense of damaging numerous persons in its process.

There are over 120 Acts in the NSW Guardianship Act 1987, which after careful viewing and research gives the average lay person the impression that this Act was created specifically to seize persons and assets to benefit the state and not the seized person or family but to create friction between families and Government appointed bodies.

To the average lay person it would take considerable effort to digest and understand every point in the NSW Guardianship Act 1987 and to adhere to its explanations. Again it basically gives the Guardianship Tribunal and appointed Governmental bodies such as the OPC and OPG a licence to make decisions and not be accountable for their decisions and based on keeping seized persons and assets under their control to fund a beauracrat body totalling over 400 staff which surprisingly has amongst its members a high concentration of Lawyers, Psychologists and psychiatrists, social workers, aged care specialists and beauracrats who appear in other governmental agencies and who happen to feather those industries with their decisions and management practices.

This issue will not go away and if it is not resolved I suggest to the Committee members that they were in a position to change the system in 2007 so that the system will function as it was supposed to be as a mechanism which treats all Australians equally, and legally when all other avenues have failed.

The NSW Guardianship Tribunal, OPG and OPC has failed in its duty to protect the innocent and vulnerable persons placed in its care.

Sincerely,

Frank Graf.