

# ABIO Bulletin No. 31

## October 2001

### Disability, incapacity and banking issues

This is a special edition of our Bulletin focussing on disability and incapacity issues in banking. The Bulletin has been produced in co-operation with:

- the Victorian Office of the Public Advocate (OPA) which, like its counterparts in other states and territories, has special responsibilities for people with disabilities; and
- the Victorian Civil and Administration Tribunal (VCAT) which, through its Guardianship List, has the power to make administration orders and revoke enduring powers of attorney.

This Bulletin may be of assistance to banks, particularly branch and call centre staff, consumer representatives, disability legal centre staff and bank customers and their families facing disability and incapacity issues. Please feel free to circulate the Bulletin to anyone you think may be interested in it. An electronic version is available. Please send an e-mail to [abio@werple.net.au](mailto:abio@werple.net.au) requesting a copy of Bulletin 31.

#### *In this Bulletin*

- An outline of some of the legal and practical issues that arise in the banker-customer relationship when the customer has a disability and /or legal incapacity;
- A description of the work of the OPA, which has counterparts throughout Australia, contributed by the OPA;
- A description of the role of the Guardianship List of VCAT, as an example of a state tribunal with power to make relevant orders where necessary and appropriate, contributed by VCAT; and
- ABIO case studies, illustrating the situations in which disability and incapacity issues have arisen and the approach taken by this office.



**BULLETIN**

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## *Legal and Practical Issues*

The case studies set out in this Bulletin illustrate cases where a bank customer had a disability affecting their capacity to determine what was in their own best interests and, as a result, was at risk of dissipating their savings, overusing credit or themselves being financially exploited by a third person.

### *Disability of itself does not mean incapacity*

It must be emphasised that the existence of a disability does not of itself mean that a person lacks the capacity to determine what is in their own best interests or to otherwise manage their financial affairs.

It should not be assumed by a bank that a customer lacks capacity purely because of some disability. In particular cases, however, a disability such as intellectual impairment, brain injury, mental disorder or dementia may affect a customer's ability to make reasonable judgements about their financial affairs. That this may occur is recognised in state legislation such as the *Guardianship and Administration Act 1986* (Vic) which provides for applications to be made to the Victorian Civil and Administrative Tribunal for administration orders where there are concerns that by reason of a disability, (defined as intellectual impairment, mental disorder, brain injury, physical disability or dementia) a person lacks the capacity to make decisions in their own best interests.

### *Discrimination*

A bank may argue in a particular case that it did not want to discriminate against a customer with a disability and therefore granted the loan or processed the transaction. Clearly, a bank should not discriminate against customers with disabilities. Where, however, a bank through its officers is on notice of a disability which affects the customer's capacity to make reasonable judgements about their financial affairs, the bank may be exposed to liability for any loss caused if it proceeds with a transaction that is exploitative of the customer.

Examples are:

- The provision of credit where the customer will receive no benefit from the money lent but provides security for the loan or will otherwise have the obligation to repay;
- A transfer of substantial sums of money to a third person exercising undue influence over the customer, against the customer's own best interests; or
- A transfer of funds by a third party holding a power of attorney which amounts to a breach of trust.

### **ABIO Case Study 1 Protective measure fails**

*The complainant's son suffered from schizophrenia. To help him save and to protect him from the effects of a gambling problem the complainant and her son opened a passbook account and a term deposit account, both of which required both to sign for any withdrawals.*

*The complainant contributed about a third of the funds in the savings account and her son contributed the rest from income from his part-time job. As funds built up in the savings account, they were transferred into the term deposit.*

*In 2000, the bank allowed the complainant's son to withdraw all the funds in both accounts, about \$20,000, via telephone banking. The complainant believed that the funds had been spent in gambling venues. The error occurred because the information from the original account applications was not transferred when the accounts were converted to a new format. Although telephone banking is not available for accounts which must be jointly operated, the accounts did not have the required restriction on the system.*

*After the ABIO commenced an investigation, the bank made an offer to resolve the complaint by making a payment of \$10,000 in full and final settlement. The offer was accepted and the complainant requested that the funds be placed in a trust account in her name to be held on her son's behalf.*

## ***Legal and practical issues (cont)***

What gives rise to the need for a bank to take special care is the possibility of financial exploitation of the disabled person, whether unintended exploitation by the bank or deliberate exploitation by a third person.

There is no doubt that these are difficult issues. A bank officer may be concerned that someone else is exploiting a customer with a disability but may well be reluctant to articulate those concerns for fear of being over-protective or giving offence. In the ordinary course, a bank is not the financial manager of its customer's affairs. A customer with capacity is free to deal with their money as they think fit, including giving it away. And yet it is important that bank officers act appropriately when financial exploitation of a disabled customer is a real possibility. The first reason is that the bank may have legal liability if it allows the transaction to proceed. The second reason is that a bank officer will sometimes be the only person who is in a position to recognise the financial exploitation.

### ***Guidelines and sources of advice***

In such a situation, clear internal practice guidelines are essential. Banks should also be aware that state offices such as the OPA have advice lines for community members and service providers. This may be a useful resource for bank officers who are concerned that a customer is at risk but uncertain as to what the appropriate course of action may be. Bank officers should also seek internal legal advice and, where concerned about fraud on the customer, contact the bank's internal fraud department.

External advice can be sought without identifying the customer or without providing any account information. It may also be appropriate for a bank officer faced with inquiries from a concerned family member to suggest that they use the advice line of the relevant state office. Such a course is less likely to expose a bank to an action for breach of confidentiality, which is a risk where information about the customer's accounts is given to family members.

### ***Advice and confidentiality***

There is a good argument that disclosure to third persons in situations where fraud is a real possibility is in the bank's legal interests (so that the bank does not knowingly assist a fraud or knowingly receive funds transferred as part of a fraud) and thus covered by one of the exceptions to the banker's duty of confidentiality. This has not yet been tested in the courts however and it may be that a court would only uphold the action of the bank where there was no other alternative course of action open.

### **ABIO Case Study 2 Out of control overdrawn**

*C had a business account, savings account and home loan account with the bank. After the birth of a child, C suffered a mental breakdown. She needed money one day, but only had an uncleared cheque in her savings account. A teller told her that she could write a cheque on that account, deposit it into the business account and then draw on it the same day. She did this. Over the next six months she did this hundreds of times. She shuffled over \$1 million between accounts and ran up an overdraft of \$75,000.*

*The bank let her draw on cheques without ever writing to her about the increasing overdraft or stopping payment. When the bank realised what was happening (six months later), it froze the accounts and sent a deed to C to sign (acknowledging debt and undertaking to repay) without speaking to her first. She signed, made one payment of \$700 and then attempted suicide.*

*After a case conference between the bank and C, the bank accepted the \$700 in full and final settlement of the debt and removed all listings that it had made with CRA.*

*The bank's decision was based mainly on its systems flaw which allowed the problem to continue so long and the manner in which it had dealt with C.*

## *Acting on Administration Orders and Orders Revoking Powers of Attorney*

Bank officers should also be aware of the effect of, and the reason for, administration orders and orders revoking enduring powers of attorney and respond quickly to notice of such orders. Tribunals such as VCAT make administration orders where there is no less restrictive alternative than the formal appointment of an administrator. In other words the tribunal has determined that the person has a disability affecting their capacity to make reasonable judgements about their financial affairs and that it is necessary to appoint a third person to take control of those affairs. Orders revoking powers of attorney are made where the tribunal has formed the view that the attorney should not continue to have authority.

The fact that an order has been made is an indication that a situation of risk has been identified. A bank should ensure that notice of any such order is communicated immediately to the relevant branch and entered immediately on the bank's computer system to ensure that transactions are not processed in breach of the order.

Bank officers should also be aware that a tribunal may refer an application to OPA or the equivalent office for investigation and report prior to a hearing. Staff at an office may contact a bank seeking information relevant to such an investigation.

## *Relevant legal principles*

Where a customer is under a disability and lacks capacity, a transaction may be set aside under the following principles.

### *Non est factum*

*Non est factum* (it is not my deed) is a defence to an action founded on a document. It operates within narrow limits.

*Non est factum* is available to those who are unable to read owing to blindness or illiteracy and therefore must rely on others for advice as to what they are signing, and to those who, through no fault of their own, are innately incapable of any real understanding.

It is not necessary that the other contracting party have notice of the disability for the principle of non est factum to be established.

### *Mental Capacity to Contract*

Entry into a contract requires the capacity to give full and free consent to the terms of the contract and sufficient capacity to form the necessary legal intention to enter into contractual relations. A person must therefore have sufficient mental capacity to understand the nature of the transaction and what they are doing by entering into it.

## **ABIO Case Study 3 Credit Cards**

*C complained that her son, diagnosed with schizophrenia, had been given a credit card with an \$8,000 credit limit. Her son was apparently abducted for a period of 7 days. During this period he was not on medication and spent approximately \$5,500 using his credit card, apparently under the influence of his abductors. Prior to the abduction, the balance of his account was \$2,500 approx.*

*When C called the bank to cancel the credit card, the bank stopped her son's transaction card in error. Her husband then contacted the bank and had the credit card cancelled. The bank however later issued a new card and, in addition, joined it to the transaction card, without anyone's permission.*

*The bank's response to the complaint was that at the time C's son applied for the credit card he was in full time employment and met all the bank's criteria to get a credit card of \$8,000. It had indicated however that it was prepared to accept 50% of the amount spent during the seven day period.*

*The complaint was resolved without the need for a finding when the bank said it was willing to accept \$2,500 in full settlement of the debt.*

A contract entered into by someone of insufficient mental capacity is voidable at the option of that person. They must show that they lack capacity and that the other party was aware of their lack of capacity.

### ***Undue Influence***

The concept of undue influence in equity looks to the quality of the consent of the weaker party. If undue influence is established the acts of the person influenced are not regarded as free and voluntary acts. Undue influence makes a contract voidable at the option of the weaker party. It is presumed in the relationships of parent and child, guardian and ward, solicitor and client, doctor and patient, religious adviser and devotee. There is no presumption of undue influence between a banker and customer. In such a case it must be proved to have operated.

### ***Consumer Credit Code (“UCCC”)***

A contract regulated by the UCCC may be set aside or otherwise re-opened if it was unjust (Section 70). The factors that may be considered include:

- Whether the customer was reasonably able to protect their interests;
- Whether the credit provider or any other person exerted or used undue influence;
- Whether the customer obtained independent legal advice.

### ***Unconscionable Conduct***

The basic doctrine is that:

*“...if one party to a contract suffers a special disadvantage and this is sufficiently evident to the other, it will be unconscionable for that other party to procure or accept an agreement that is not fair and just. Knowledge of the disadvantage is essential to relief for unconscionable dealings in equity, but the knowledge can be actual or constructive. If the disadvantage and awareness of it are established, the onus is in the stronger party to show that the transaction is fair and just.”*  
(Halsbury’s Laws of Australia [95-965]).

A bank will be relieved from liability for unconscionable conduct if the customer obtained independent legal advice before entering into the transaction. It is important to note that merely recommending independent advice will not relieve a bank from liability. This reflects the reality that a person not able freely and voluntarily to consent to a transaction will not usually be in a position to act on such a recommendation.

#### **ABIO Case Study 4 Conflicting Powers of Attorney**

*C complained on behalf of her mother. C said that she had an enduring power of attorney from her mother. Another party had used an earlier power of attorney to gain access to information about her mother's accounts, 2 term deposit accounts and an account in C's name as trustee for her mother. The information included that large sums had been transferred from the term deposits in C's mother's name into the account in C's name as trustee for her mother. The other party had instructed the bank to put a 'hard hold' on the accounts and also changed the address that statements were to be sent to. When C complained to the bank it released the 'hard hold' on the trustee account but maintained the hold on the other accounts, saying that it recognised both powers of attorney and would await joint instructions or a Guardianship order.*

*C said that her power of attorney was executed in Queensland and under Queensland law a later power of attorney revokes an earlier one. She maintained that the bank had breached her and her mother's privacy.*

*Further inquiry of both the bank and the complainant disclosed the following information:*

*At the time C complained to the ABIO, (but not at the time the matters complained of took place) her power of attorney had been suspended and an application was pending before the Guardianship Tribunal in Queensland. The Office of the Adult Guardian in Queensland had notified the bank that C was not to have access to the accounts in her mother's name and that her power of attorney had been suspended because of conflict of interest. An administration order had then been made in favour of the Office of the Adult Guardian. This meant that C did not have standing to make the complaint about the accounts in her mother's name to the ABIO but did have standing to complain about the disclosure of information relating to the account in her name, as trustee for her mother.*

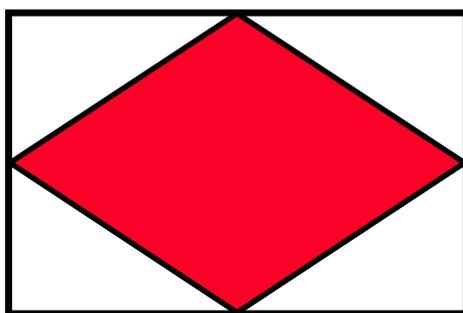
*The earlier power of attorney was in favour of C's sister and her husband and had been executed in Victoria. Under Victorian law, a power of attorney must be revoked in writing. Under Queensland law, a power of attorney revokes earlier powers, provided the donor had capacity at the time it was executed. C's sister had apparently told the bank that when her mother executed the later power of attorney in favour of C, her mother had dementia.*

*The inquiries by C's sister as holder of the Victorian power of attorney were made at a branch in Victoria. The accounts were situated in Queensland. C's mother lived in Queensland.*

*The additional information was relevant to the claim by C that her privacy had been breached - ie was it a breach of C's privacy for the bank to allow access by a holder of an apparently valid power of attorney from the beneficiary of the account. It also raised conflict of law issues - ie does Queensland law or Victorian law apply to determine whether C's sister had authority to make inquiries of the bank in Victoria as to an account in Queensland for the benefit of a resident of Queensland?*

*Legal counsel's view was that, subject to questions about the validity of the Queensland power of attorney (whether C's mother had capacity at the time she executed it) Queensland law was probably the applicable law. However, for a number of reasons, this was not a case where compensation for breach of privacy was warranted.*

*The case highlights the practical difficulties caused by lack of uniformity in legislation dealing with Powers of Attorney. It also raises the question of whether the holders of powers of attorneys in all states should be required to provide accounts to an independent body so that information is not only held by the bank and holders of powers of attorney are externally accountable.*



## **OFFICE OF THE PUBLIC ADVOCATE**

The Victorian office of the Public Advocate was established in the middle 1980s to promote the rights and dignity of people with disabilities, to strengthen their position in society and to reduce their exploitation, abuse and neglect. The position of the Public Advocate within the disability community is independent of government, care givers, families and service providers. The Public Advocate seeks to encourage and support people with disabilities and to sustain their case where choices, interests or rights may be prejudiced.

Similar offices exist throughout Australia, each with differing mandates and titles, but essentially having the same responsibility to promote the rights and dignity of people with a disability. Details of these offices are listed at the end of this Bulletin.

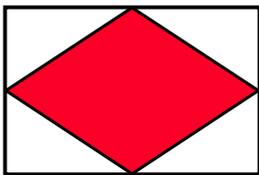
In Victoria, the office of the Public Advocate works closely with the Victorian Civil and Administrative Tribunal, Guardianship List, in the context of applications for a guardian or administrator. As alternative decision-makers, guardians are responsible for lifestyle matters, such as where a person lives, access to services and health care decisions, whereas an administrator is responsible for decisions relating to finances and legal concerns. In these applications it must be established that a person has a disability, that the disability affects reasonable decision-making and that there is a current (rather than speculative) need for a substitute decision-maker to be appointed.

The Public Advocate's investigations may also explore the existence of an enduring power of attorney, and consideration of whether it is in the best interests of the donor for this power to continue, or whether the enduring power of attorney should be revoked and an administrator appointed to manage that person's financial affairs.

The Public Advocate will often prepare a report for the Tribunal in a proceeding. The Public Advocate can also make an application for a guardian or administrator. In a recent matter, a bank contacted the Public Advocate, raising concerns about a number of transactions by an attorney on the donor's account. The Public Advocate made an application to the Tribunal (as bank staff felt unable to play this role for a variety of reasons) for the revocation of the power of attorney and the appointment of an administrator, importantly with the support of evidence provided by the bank.

Investigatory and advocacy work of the office has been greatly assisted by the practice of banks, throughout Australia, in nominating a liaison person to assist with enquiries. This can benefit all those involved in any matter. Some banks have established policy, practice and procedure statements to guide and support their staff in dealing with situations involving issues of disability or capacity. This is to be encouraged. The office of the Public Advocate provides an advice line for community members and service providers. This may be

a useful resource to assist in determining an appropriate course of action in any set of circumstances. It operates after hours for emergencies.



### *Office of the Public Advocate (cont)*

The Public Advocate is aware of the complexities which can arise in practice. On the one hand, there may be a need to protect a person with a disability from some form of abuse, including financial abuse. However, there is also a legislative and policy imperative to promote the independence of a person with a disability and give effect to their wishes. In this context, banks are faced with the challenge of appropriately responding, in any set of circumstances, to the autonomy-protection continuum. This means ensuring that people with disabilities do not face discrimination, as a consequence of an overly protective approach which does not facilitate independence, at the same time as responding to the signs which may indicate that a more restrictive approach is warranted, because a person is at risk or is perhaps being financially abused by a friend or family member.

Many issues hinge on the question of capacity. It is important to emphasise that the existence of a disability does not mean that a person lacks capacity. Similarly, while a person may lack capacity in one area of their life they may be competent in a range of other areas. With some disabilities, capacity may be intermittent. As with any member of the community over the age of 18, it should be assumed that a person with a disability has capacity until there is some indication to the contrary. At this point, a service provider is on notice that a person's wishes may not accord with that which is in his or her best interests.

The capacity to manage one's financial affairs will often be determined on the basis of medical or neuropsychological reports where a matter is before a Tribunal. In a bank setting, some careful questioning of a person may assist in identifying those instances where a more protective approach is required. This will require observant and responsive staff. Some useful questions may include:

- How much money is in this account?
- Can you tell me when you last withdrew money from this account?
- How much money did you withdraw?
- What effect will this transaction have on your bank account?

The Public Advocate in Victoria, or the equivalent office elsewhere, can be used as a resource to assist in working through complex situations of disability and capacity, in a manner which maximises the independence of a person with a disability at the same time as adopting a best interests approach where this is required.



## *The Guardianship List of the Victorian Civil and Administrative Tribunal*

An administration order is an order appointing an administrator who has power to manage the financial and legal affairs of another person.

An administration order is usually sought where there are concerns that, by reason of a disability, a person lacks the capacity to make decisions in their own best interests.

In Victoria, applications for an administration order are made to VCAT (Victorian Civil and Administrative Tribunal), Guardianship List (formerly the Guardianship and Administration Board). VCAT conducts hearings at venues convenient to the parties located throughout Victoria, including hospitals and nursing homes.

The following briefly describes the powers and procedures of VCAT and the matters taken into account by VCAT when deciding whether to make an administration order.

The Guardianship List of VCAT has power under the *Guardianship and Administration Act 1986* to appoint an administrator for a person aged 18 years or over who resides in Victoria (or, in relation to a person who resides outside Victoria but the whole or part of whose estate is in Victoria, to appoint an administrator in respect of so much of the estate as is in Victoria). VCAT must be satisfied that the administration order would be in the person's best interests.

Usually it will be a carer, relative or friend who applies for an administration order, but the Act states that "any person" may apply. The applicant, the proposed represented person and any proposed administrator are parties to the proceeding. (The applicant may nominate as administrator a person who has agreed to act as administrator, or may ask VCAT to choose an administrator). Other persons entitled to notice of the application, the hearing and any order made by VCAT include the person's nearest relative, the person's primary carer and any person who has advised VCAT of an interest in the person or their estate.

VCAT must be satisfied that the person about whom the application is made:

- has a disability (intellectual impairment, mental disorder, brain injury, physical disability or dementia);
- is, by reason of the disability, unable to make reasonable judgments about all or part of their estate;
- and
- needs an administrator.

In particular, VCAT must consider whether the person's needs could be met by other means less restrictive of their freedom of decision and action.

### ***The Guardianship List of the Victorian Civil and Administrative Tribunal (cont)***

An administrator must act in the best interests of the represented person. An administrator's powers are those given by the Act and any additional powers which VCAT may give as are specified in the VCAT order. The Act provides that action taken or a decision made by an administrator under a VCAT order has effect as if made by the represented person and that person had legal capacity. Administration orders may be reassessed at any time but must be reassessed within 3 years.

VCAT has power also under the *Instruments Act 1958* to revoke an EPA (enduring power of attorney) if satisfied that it is not in the best interests of the person who gave the EPA for the EPA to continue. An application to revoke an EPA may be made by the Public Advocate, any person who in VCAT's opinion has a special interest in the person who gave the EPA, or the attorney.

#### **VCAT Case Study**

*Mr. Y is an elderly self-funded retiree who has substantial investments. He has no relatives living in Australia but some time ago employed a woman to assist him with home care.*

*Mr. Y and his carer attended a branch of the bank with which Mr. Y had been dealing for several years. He had signed a cheque for \$500,000.00 made payable to the carer. The teller was concerned about the value of the cheque. There were discussions between the teller and the manager and Mr. Y and his carer. When questioned, Mr. Y said that he thought that he had signed a cheque for \$500.00 so that the carer could buy a new dress. He did not appear to understand the difference between \$500.00 and \$500,000.00. The carer had mentioned to the teller that the funds were intended for the purchase of a property. The teller refused to process the cheque. Mr. Y and the carer left the bank at which time the carer had the cheque and all Mr. Y's cheque books in her possession.*

*Later that day the teller contacted a social worker at a welfare organisation located close to Mr. Y's home. The next day the teller informed the social worker that a person was reported to have presented the cheque at another branch of the bank but payment was not made.*

*On the next business day the social worker faxed VCAT an application for an administration order with supporting medical and other evidence. VCAT convened an urgent hearing and, satisfied that Mr. Y had cognitive impairment and needed an administrator made a temporary order appointing State Trustees Limited as administrator. Within minutes of the order being made VCAT notified the administrator of the order. The administrator immediately contacted the bank so as to preserve Mr. Y's assets pending a reassessment of the temporary order. VCAT also referred the case to the Public Advocate for investigation.*

## **ABIO Case Study 5 Disability, undue influence and unconscionable conduct**

*The case concerned loans made to a man with a significant intellectual disability who had been befriended by 2 fraudsters.*

*Mr X's sister, Ms Y, lodged Mr X's complaint with this office. Ms Y was appointed Administrator of Mr X's estate on the order of the Victorian Civil and Administrative Tribunal.*

*Mr X's parents initially sent him to the local Primary School. He was assessed as mentally retarded and transferred to a Special School for Retarded Children. After leaving that school he received an invalid pension and worked in sheltered workshops until his mother secured for him a low level labouring job. He worked in that job until recently. He had resigned from that job as he found the stress intolerable. He was subsequently placed again on an invalid pension. Mr X is single and lives alone in a modest flat purchased with the financial assistance of his family.*

*A Neuropsychological Assessment Report indicated that Mr X has a significant intellectual disability.*

*Around Christmas of 1997 Mr B and Ms C befriended Mr X. Mr X trusted them and handed over to them his personal and financial papers. At Mr B's instigation Mr X applied for an \$8,000 personal loan. Mr B attended the meeting regarding the application at the bank to 'help with the paperwork'. The loan was approved and then paid to Mr X's savings account. Mr X subsequently also signed papers for the lease of a new vehicle and apparently lodged an application, as company secretary of D Pty Ltd, for a \$20,000 overdraft. The application was approved. Security for the overdraft was a mortgage over Mr X's property. It was claimed that Mr X did not receive the benefit of any of these funds.*

*Mr X's sister maintained that her brother's mental disability is obvious and that given it, the bank should never have approved the personal (or company) loans. She considered that her brother was under the influence of Mr B and Ms C.*

*The bank responded that Mr X fully understood the nature of the commitment being made during the application process and that there was no indication that Mr X suffered from any mental condition that would ultimately affect the serviceability of the facilities. It said that the loans were considered under its normal lending criteria. It noted that Mr X conducted his own bank account; held a driving licence; drove a car; lived on his own and had held down a job for three years.*

### *Finding*

*After investigation of the facts and assessment of the relevant legal principles, the case manager concluded that:*

- Both the Administration Order and the independent report by a Clinical Neuropsychologist supported a conclusion that Mr X could rely on a plea of non est factum but it was unnecessary to reach a final view on this issue as the contract was voidable under other principles;*
- Mr X did not have the mental capacity to contract and that lack of capacity was known or ought to have been known to the bank;*
- Mr X was under a special disability in dealing with the bank;*
- The disability was or ought to have been evident to the bank;*
- It was unlikely that Mr X ever signed the Credit Code Schedule to the personal loan documents and as a consequence the bank appeared to be in breach of the Credit Code. In any event the funds were advanced without Mr X ever accepting the bank's offer;*
- Mr X did not receive any direct benefit from the personal loan funds; and*
- In all the circumstances the contract was unconscionable and should be set aside.*

*Resolution: Finding accepted*

## Contact numbers:

### *Interstate offices of the Public Advocate or Guardian and relevant Board or Tribunal*

<i>State</i>	<i>Office of Public Advocate or Guardian</i>	<i>Board or Tribunal</i>
ACT	Office of the Community Advocate, Ph: (02) 6207 0707	Guardianship and Management of Property Tribunal Ph: (02) 6217 4383
NEW SOUTH WALES	Office of the Public Guardian, Ph: (02) 9265 3184	Guardianship Tribunal Ph: 02 9555 8500
NORTHERN TERRITORY	Office of Adult Guardianship, Ph: (08) 8999 2633	
QUEENSLAND	Office of the Adult Guardian, Ph: (07) 3224 0870 1300 653 187	Guardianship and Administration Tribunal Ph: 07 3234 0666
SOUTH AUSTRALIA	Office of the Public Advocate, Ph: (08) 8269 7575	
TASMANIA	Office of the Public Guardian, Ph: (03) 6233 7608	Guardianship Board Ph: (03)6233 3085
VICTORIA:	Office of the Public Advocate, Ph: (03) 9603 9500	Victorian Civil and Administrative Tribunal Ph 03 9628 9911 <a href="http://www.vcat.vic.gov.au">www.vcat.vic.gov.au</a>
WESTERN AUSTRALIA	Office of the Public Advocate, Ph: (08) 9278 7300 Toll free: 1800 807 437 Email: <a href="mailto:opa@justice.wa.gov.au">opa@justice.wa.gov.au</a> <a href="http://www.justice.gov.au">www.justice.gov.au</a>	Guardianship and Administration Board Ph: 08 9278 7350