




Speech By
Tim Mander

MEMBER FOR EVERTON

Record of Proceedings, 26 March 2019

**GUARDIAN AND ADMINISTRATION AND OTHER LEGISLATION AMENDMENT
BILL**

 **Mr MANDER** (Everton—LNP) (Deputy Leader of the Opposition) (3.00 pm): I rise to speak to the Guardianship and Administration and Other Legislation Amendment Bill 2018. I do not intend to speak for very long. We support this bill. I am standing up today because a constituent in my electorate who has met me a couple of times is urging me to support this bill, which I have said we will. I am glad that the Attorney is here in the House.

My constituent's case is an example of how frustrated parents can feel when they feel like they are being shut out of the system. Her name is Jean Wilkie and she has a 22-year-old disabled son named Gilbert John Wilkie, who has severe autism, intellectual impairment and epilepsy. She was the administrator of his financial affairs. She made some investment decisions that she felt were in the best interests of the long-term care of her son, which was investing the money that Gilbert received from the Supreme Court to house him and care for him for the rest of his days—not just him but also a couple of other disabled people.

There was a review of this arrangement by QCAT. Without getting into all the complexities of it, QCAT ruled that Mrs Wilkie should no longer be the financial administrator but instead that should be done by the Public Trustee's office. Since then the Public Trustee has ruled that the investment they have made is not one that they think is in the best interests of Gilbert. She is incredibly upset by this decision. She is somebody who cares for and loves her son. She is responsible for her son's wellbeing. She has gone through the process—I understand the complexity of these situations—appealed the QCAT decision and written to the Attorney-General.

The point I wanted to make is that often parents in this situation feel shut out from the system. What caught her attention in the explanatory notes is where it states 'requires QCAT, in carrying out functions or powers under the GAA, to seek and take into account the views, wishes and preferences expressed or demonstrated by an adult and the views of any member of the adult's support network'.

I have a great deal of sympathy for her. I understand her frustration. I understand that the journey is far from over as she now has to rearrange her finances. I support her appeal. Hopefully the amendments being introduced with this bill will allow the views of parents—those who love their children dearly and who are committed to their welfare—to be taken into account very seriously. They have an impact on the long-term decision. I do not want to say anything else other than to put Mrs Wilkie's concerns on the record and to say that we do support the amendments and this bill.