



I can make my own decisions

Our ideas about supported decision making and guardianship for the Disability Royal Commission



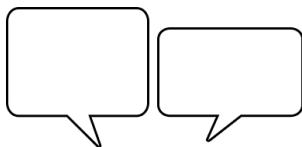
This information was made by Inclusion Australia.



Inclusion Australia speaks up about big issues for people with an intellectual disability and their families in Australia.



The Disability Royal Commission (or DRC for short) looks at some of the important problems for people with disability.



The DRC has 2 jobs:

- Listen to the stories of people with disability and their supporters.
- Tell the Government what needs to change.



The DRC is having a **public hearing** to look at supported decision making and guardianship in November 2022.



A **public hearing** is when people tell their stories to the DRC in person.



We are glad the DRC is looking at guardianship and supported decision making.



We think there are a lot of things that could be done better to support people with disability around decision making.



Some people with disability are under **guardianship**.

Guardianship means someone else makes their decisions for them.



Supported decision making is making your own decisions with support from people you trust.

Being able to make your own decisions is important because it means



- your wants and needs are listened to and respected
- you become more confident at making your own choices
- you get more opportunities to try new things



People with disability have the right to make their own decisions but a lot of the time they are not given the chance.



The United Nations Convention on the Rights of Persons with Disabilities (or UN CRPD for short) says people with disability:

- Have the same decision making rights as everyone else.
- Should be able to get good support for making decisions if they want it.



The Australian Law Reform Commission (ALRC) told the Government what needs to change about supported decision making in 2014.



The ALRC gave the Government a report about how to make sure their laws and rules support people with disability to make their own decisions.



The Government still have not done this.



We think the current system around decision making for people with disability in Australia isn't good enough and some big changes need to happen to make it better.



In 2021 we wrote a submission to the National Disability Insurance Agency (NDIA) about supported decision making.

[Click here for our submission to the NDIA.](#)

More support



We asked the NDIA to work together with the Government to support people with disability and their families to learn about supported decision making.



We want the Government and the NDIA to put money into training programs that help people with disability and their families build their skills and knowledge around supported decision making.



The training programs should be made with and led by people with disability.



This means people with disability are involved in planning, developing and presenting the training.



Guardianship

We have heard many stories about people with an intellectual disability and their families being pressured into guardianship.



This means the person with an intellectual disability has their right to make decisions taken away from them without agreeing to it.



We are worried this might happen to people with disability more often than it should.



We cannot get information that tells us to show how many people are being pressured into guardianship.



We want the DRC to tell the Government to collect and look at information around guardianship so we can learn more about why this is happening.



We think all people with disability have the right to make their own decisions with the right support.



We understand guardianship might be the only possible option for some people with disability but we should try all the other options first.

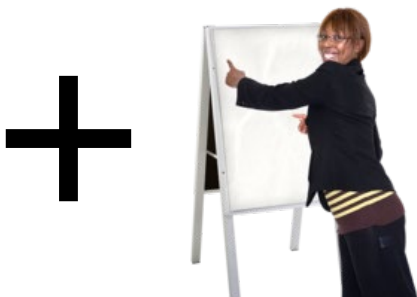


We think the Government needs to look closely at guardianship and work on making it better for people with disability and their families.



The UN CRPD says that when guardians make decisions for a person with disability they should think about the person's wants, rights, likes and dislikes.

But often guardians do not think about these things.



We think there needs to be more supports and training for guardians to get more skills and knowledge to help them in their role.

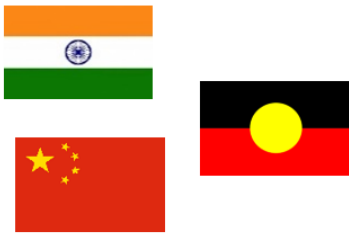


This would also help keep people with disability safe from being abused or exploited by their guardians.



The training should be made with and led by people with disability.

Including Everyone



We know that First Nations people and those from culturally and linguistically diverse backgrounds might have different experiences and issues in supported decision making



We want the DRC to think about this and make sure what they tell Government to do will make things better for all people with disability.

