

**INQUIRY INTO SUBSTITUTE DECISION-MAKING FOR
PEOPLE LACKING CAPACITY**

Name: Mr Wayne Sampson

Date received: 26/10/2009

Partially Confidential

**Submission to the NSW State Government inquiry on Social Issues
Substitute decision making for people lacking capabilities**

My name is Wayne Sampson & I have been in the process of applying to gain control of the finances of my cousin Mr A has had a mental health problem for over 10 years & has been under constant supervision by the Mental Health Department for most of this time.

I am Mr A's first cousin & have been Mr A's guardian (health & housing) since May 2009 & my reason for applying for the financial control is my frustration with the OPC who has had control of his finances for around 10 years.

I applied to the guardianship tribunal who on receipt of my application notified me that they could not process the application as the original order had been granted to the OPC through the Mental Health Department & this could not be changed only by permission of the person concerned Mr A.

Mr A is not in any position to make decisions like this & who is looking after his financial status or where his money is going but it is very frustrating when I can see how much money it is costing him unnecessarily now & before he went into care because of all the red tape & different departments that the OPC have to put it through. I am concerned that his money is being wasted in costs & not on his care as in the past. An example of this recently is when Mr A was admitted into care in May 2009 he had to pay a bond of \$100,000.00 which has, up until last week had not being paid & he is being charged interest weekly by the care facility on the bond not being paid. Now they are telling me he has to pay \$280,000.00 & I have many more examples as well. I would like the opportunity to put my case to the inquiry.

My apologies for the late submission but was only advised last Thursday that there could be some changes made to this order of financial control

I will send a copy of my application to the guardianship tribunal with a hard copy of this letter immediately.

Thank you for receiving my application

Yours sincerely

Wayne Sampson.