

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

**Name:** Ms Maryjo Thomas

**Date received:** 24/09/2009

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I wish to make the following submission to the Social Issues Committee, substitute decision making for people lacking capacity.

I am Maryjo Thomas friend of Maria. I sent a brief email about this lady on Sat but I feel there is more to say.

Maria is an orphan and came from Italy about 60 years ago. For the last 30 years she has lived in Chatswood where she has some good friends and neighbours. Maria never married. She worked in the Post Office for the greater part of her life and saved her money. Maria started investing in Real Estate and over the years she established a portfolio of 4 properties. Unfortunately, she used to talk about this and for those of us who knew her that was fine, it probably made her feel good.

One day when this little lady was in the park at Chatswood a good looking man sat beside her. Perhaps she was flattered or lonely, whatever it was they got talking. Maria, obviously was out to impress because she told this man about the properties she owned. From that time Mr X and his de Facto Ms Y pursued Maria without letup. Maria cried to her very close neighbour, George and begged him to get them to leave her alone. Whatever Mr G suggested they had too greater hold on her, keys to her house, her mailbox and other things. She was not able to free herself of them.

Before these people came on the scene Maria was managing her life just fine and George would help with her yard and whatever else was needed. Somehow these intruders were able to convince the Guardianship Tribunal Maria wasn't doing well and was demented. With some strange twist of fate the Tribunal appointed them as her Guardians. We were all shocked that George and his wife were not chosen.

Now that Mr X and Ms Y were in charge they told Maria they were going on a holiday so she should pack her bag.

They took her to a Nursing Home miles away and had her locked up. It took me quite awhile but I finally found out where they had her imprisoned. George and I went to visit her and she was so delighted to see us but then the Nursing Home staff asked us to leave.

I called for a hearing with the Tribunal about this. The result was, they would now let Maria have visitors. These Guardians located Maria a long way from Chatswood so it was difficult for her friends to get to see her. I took several of them over but when it was time to leave she wanted to come with us. She had no understanding of why she couldn't go to her home so it was difficult. The Guardians had her on heavy drugs to subdue her because she made a fuss when the staff wouldn't let her out. She managed to get away 3 times on her own.

The Guardianship Act 1987 Sec 4 has a list from (a) to (h) on how people should be treated when they have Guardians. None of these are being applied in Maria's case. Item (g) states such persons should be protected from neglect, abuse and exploitation.

Maria has been stripped of her life, possessions and has been isolated. If you will help me with this matter I have many documents concerning the shocking things Maria has had to endure. I have spoken to a Detective Insp from the Fraud Squad. Chatswood Police have been involved in this situation.

Yours Sincerely  
Maryjo Thomas