

'It was horrible': Woman wins long battle to regain control of her finances

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The NSW public trustee is facing an internal review and questions from the Attorney-General after a woman successfully restored her capacity to manage her own financial affairs, ending a decade of financial management that left her in greater debt and living on a pittance.

Last month Monique Beach, 48, from Yetman in north-western NSW, became one of the few clients of the NSW Public Trustee and Guardian (NSWTG) to have her legal decision-making capacity restored by the NSW Civil and Administrative Tribunal (NCAT). "It's fantastic - it's been a long time coming," Ms Beach said.

Usually people fall under the public trustee when they are incapacitated by mental illness, Alzheimer's disease, have an intellectual disability or an acquired brain injury and there is not a suitable family member to look after their affairs. In Ms Beach's case she was a survivor of violence that left her traumatised and thousands of dollars in debt.

Ms Beach said she went under financial management voluntarily but regretted the decision because she was treated badly and her finances were not managed competently.

Ms Beach said when she was under the public trustee, NSWTG staff members spoke to her "like a piece of garbage under their feet", while friend Judy Scrivener - who witnessed some of these calls - described it as "bullying".

"It was horrible - the number of times someone reduced me to tears after being on the phone with them is just ridiculous," Ms Beach said. "I'm pretty strong ... but imagine what it would be like for an intellectually disabled person."

Attorney-General Mark Speakman has sought an urgent briefing from NSWTG chief executive Adam Dent. "I expect standards and practices at NSWTG to meet community expectations," he said. "If this standard falls short, it's always of great concern."

Mr Dent said he had requested an internal review and would take appropriate action if needed. "I know that we haven't always, in 150 years, been a perfect



Monique Beach, from the New England region of NSW, is unhappy with how the NSW Trustee and Guardian managed her financial affairs.

organisation and I'm deeply committed to continuing to improve," he said.

Mr Dent said he had been working to improve customer service at the organisation since his appointment in January 2018. This included training staff to deal with clients "with empathy", recording conversations so managers could review and provide feedback to case workers, and hiring people with a disability or social work background.

Ms Beach was under financial management by the NSW TG from 2010 to 2019. Ms Scrivener then served as a private manager for the past 12 months. NCAT ruled on December 11 that all financial management orders be lifted, making Ms Beach an autonomous adult again.

In evidence seen by *The Sun-Herald*, the NSW TG failed to make debt repayments for several years, letting Ms Beach, a pensioner, incur more than \$6000 in interest and legal costs.

After Ms Scrivener took over as financial manager, she applied to ProCollect for a debt waiver and this was granted in January 2020. She also applied to AGL for a waiver and the energy company offered to reduce the debt instead.

The NSW TG told NCAT in 2019 it had requested debt waivers from both ProCollect and AGL but *The Sun-Herald* has seen letters from both organisations saying Ms Scrivener's request was the first they received.

A letter from Mr Speakman's office to Ms Scrivener shows the NSW TG admitted it submitted incorrect evidence about the size of Ms Beach's debts to NCAT in an earlier hearing in 2019.

Ms Beach has physical disabilities. She lives with her adult son, who is her full-time carer, and receives about \$930 a fortnight in disability support pension. While under financial management, Ms Beach received an allowance of \$200 a fortnight. She sometimes had thousands of dollars of savings in her NSW TG account, but said she had to "beg and plead" to spend her own money.

Ms Beach said public trustee officers threatened to sell the house at least two or three times when she wanted to make minor home repairs, such as repairing a broken window or replacing flyscreens.

When she needed \$600 to fix her car for a pink slip, she was told she could not afford it and would have to use public transport instead. She lives in a rural area with no public transport and can't walk more than a few hundred metres on her own, but trustee officers only backed down when Ms Beach had others advocate on her behalf.

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