

Family fights to lift order controlling finances of stroke survivor

By investigative reporter [Emily Baker](#)

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An emergency order was placed on Ben while he was unconscious in hospital. (Supplied)

Ben* was just six months into a relationship with Jessica when he suffered a near-fatal stroke in 2017.

She stayed by his bedside waiting for him to recover.

"New romance, still on a high, I just wasn't really ready to let that go," Jessica said.

"It took a long time, but it was definitely worth it."

After Ben learned to walk again, he started to practise going down on one knee.

But the now 34-year-old needed permission to buy the engagement ring he wanted for his dream New York proposal.

"You have to tell them what you've spent your money on down to the last dollar," Ben said.

"When I wanted to buy an engagement ring for my now-wife, that was made hard."

Ben lives under an administration order, meaning he has been assessed as unable to make sound financial decisions.

It started with an emergency order, which was put in place while he was unconscious in hospital so his mum could sign off on the pending sale of his house.

Key points:

- A Tasmanian man wants to have a 2017 emergency order controlling his finances removed
- The order means he has needed permission to spend money, even to eat out or to plan his wedding
- Advocacy Tasmania says the situation was "absolutely horrendous"



The couple had been together only six months when Ben had a stroke. (Supplied)

But despite annual reviews, his family's backing and his hard work on recovery, Ben has been unable to have the order lifted.

The family has to report to the Tasmanian Civil and Administration Board each year on his finances — including his spending on things like eating out and buying coffee — and pay about \$190 in annual audit fees.

The order meant Ben also needed permission to spend money on his own wedding.

"The board actually made snide comments about us and made us feel like they said it was too expensive," he said.

Jessica agreed it felt there was judgement from board members on their proposal and wedding.

"A remark was made by one of the board members like, 'You can spend this much, but I wouldn't if I was you,'" she said.

"You're trying to be happy and celebrate your love and do what you want to do, and to have people make comments about your life and your choices is really hard."

The couple, who married in 2018, worry about what the order means for their ability to buy a house together and choose a school for their future children.

Living 'under a shadow'

Advocacy Tasmania chief executive Leanne Groombridge said the situation was "absolutely horrendous".

"We've got a couple trying to live their lives, but they're living their lives under the shadow of somebody in an office in downtown Hobart making decisions about their lives — what they think is appropriate and is not," she said.

"It is hard, but we have to try to get these clients off this administrative order. We're trying desperately to get a hearing to put before the tribunal that that has to be ended forthwith."

Ben said his wish was simple: to be given a fair hearing and have the administration order lifted.

"I don't think I've been listened to, or heard properly," he said.

A Tasmanian Civil and Administration Tribunal spokeswoman said the body was unable to comment on Ben's situation.

Advocacy Tasmania has been campaigning for broader changes to Tasmania's guardianship and administration system, and Ms Groombridge said there had been an "avalanche of calls" since [a Four Corners expose on the role of the public trustee system in other states aired last week](#).

Two reviews in the past four years have recommended reform to Tasmania's laws, which Ms Groombridge said were the nation's most outdated.



Leanne Groombridge says Advocacy Tasmania is "trying desperately" to get a hearing to end the administrative order. (ABC News: Luke Bowden)

An examination of Tasmania's Public Trustee found it had ["fundamentally misunderstood" its role for 26 years.](#)

"People are dying, having their lives stolen, giving up hope, and basically dying under these orders because they've got no life, they've got no will to continue," Ms Groombridge said.

Attorney-General Elise Archer said she expected advice from relevant agencies "shortly" on implementing recommendations from the 2021 review, with work on a separate 2018 review to continue.

"Importantly, this will include a response to the calls for compensation made by community advocates, as a result of identified shortcomings or failure," she said.

"It is my expectation that these recommendations and important reforms will be progressed and implemented as a matter of priority."

**Ben is not able to be identified because of the administration order he lives under.*

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