

# Victorian man with disability felt silenced and 'like a number' under guardianship laws, royal commission hears

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Posted Thu 24 Nov 2022 at 4:58am, updated Thu 24 Nov 2022 at 6:32am



The state of Victoria had control of Uli Cartwright's finances for three years. (ABC News: Chris Taylor)

A Victorian man has told an inquiry that his "life stopped" when the state had "absolute" control over his finances for three years.

Uli Cartwright gave evidence to the disability royal commission that he felt "silenced" and treated like "just a number" by the State Trustees while under its administration orders.

"You can't do anything ... you may as well have your identity stripped," Mr Cartwright said.

"I can't even go to the bank and ask to withdraw money, because if it's over the limit, there's no money there."

He said he had to get permission from the State Trustees to spend his own money on a holiday.

"The fun was taken out of it because there was so much wait time."

Mr Cartwright, 27, was one of the witnesses at a hearing examining the experiences of people with disability under guardianship and administration laws.

The inquiry is hearing from people with lived experience from Western Australia, Queensland, Victoria and New South Wales, along with the relevant representatives from public trustees, advocates and guardians.

There are an estimated 50,000 Australians whose affairs are under state control through guardianship and administration systems.

The royal commission was told there were an estimated 700,000 Australians with disability who required support making decisions.

## 'I don't know why they did it'

In 2015, Mr Cartwright was living in a group home when a support worker applied for his finances to be taken over by the State Trustees.

Mr Cartwright lives with a chronic lung condition and intellectual disability. He manages his nutrition entirely via peg tube.

He was born prematurely and lived at the Children's Hospital in Melbourne until a week before his third birthday.

Mr Cartwright told the royal commission he was not informed about the application made by the support worker to take control of his finances.

### Key points:

- The royal commission is this week looking at issues around Australia's guardianship laws
- Guardianship laws exist to protect society's most vulnerable but advocates are concerned it strips people with disability of their independence
- An estimated 50,000 Australians have affairs under guardianship systems

"To this day, I don't know why they made the application," Mr Cartwright said in his statement.

"There were no problems with my finances. My rent and bills were paid."



Uli Cartwright says he felt "silenced" and treated like a number by the State Trustees.

*(ABC News: Chris Taylor)*

He said staff at the group home frequently disagreed with his spending decisions, but they took the "easy way out", putting him on an administration order when they should have encouraged him to see a financial counsellor.

Documents obtained by Mr Cartwright's lawyer state the reason for the application was that Mr Cartwright was "unable to make financial decisions".

Mr Cartwright first saw the document six years after it was filed.

"It makes no sense to me that it could be determined that I was unable to make financial decisions, yet the same doctor stated I had capacity to make medical decisions," he said in his statement.

## 'It doesn't have to be like this'

Mr Cartwright said there was a stigma around being a person with disability and they weren't considered equal to everybody else.

"When we [rightly] get frustrated and upset, we just get labelled as difficult," he said.

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Josie Brown, from Victoria's State Trustees, told the royal commission there were currently 9,256 people under administration.

Of those under administration, a third live with intellectual disability, a third live with mental illness and the remaining third are a combination of people living with dementia, Alzheimer's, acquired brain injury and stroke.

The administration order over Mr Cartwright was eventually revoked in 2019 after he applied to the Victorian Civil and Administrative Tribunal.

In his statement, Mr Cartwright said it was hard to understand the process.

"One minute, I was considered incapable of making decisions. The next minute I wasn't."



Naomi Anderson said the justice system doesn't understand people with disabilities.  
(ABC News: Patrick Stone)

Mr Cartwright's lawyer, Naomi Anderson, told the royal commission the entire justice system needed to better understand people with disabilities.

She said that when financial mistakes were made by people with disability, there was "panic" and they were treated like the "sky was falling in".

"It doesn't have to be the end of everything," Ms Anderson said.

"How does anybody learn from their mistakes if the only response is to take control away from them completely?"

## 'I am loving the freedom'

The disability royal commission is also using the hearing to examine models of supported decision-making as an alternative to guardianship and substituted decision-making.

Mr Cartwright no longer lives in a group home.

A participant in the National Disability Insurance Scheme (NDIS), he recruits his own support workers and has lived in his own unit since late 2021.

"It was terrifying at first, but I am loving the freedom of directing my own support and no-one has the final say," he said in his statement.

"I budget for my rent and bills, and these get paid on time ... I save money to buy things I need and to buy things I want."

Thanking the royal commission, Mr Cartwright said he felt "heard and listened to".

"I appreciate you supporting us to try and change [the laws]," he said.

"It's been very comforting."

### **If you're affected by the disability royal commission:**

- The National Counselling and Referral Service is supporting the inquiry: Call **1800 421 468** or **02 6146 1468**
- If you are deaf, hard of hearing or have a speech impairment: Call via **133 677**
- If you require an interpreter: Call **131 450** and ask for connection to the NCRS

### **For more help:**

- Lifeline **13 11 14**
- Beyond Blue **1300 224 636**
- Mens Line **1300 789 978**
- Kids Helpline **1800 551 800**
- [Find a disability advocate near you](#)