



The Hon Jarrod Bleijie MP
Attorney-General and Minister for Justice

In reply please quote: Petition 2134-13

18 DEC 2013

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Mr Neil Laurie
The Clerk of the Parliament
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Laurie

A handwritten signature in black ink, appearing to read "Jarrod Bleijie", written over the typed name "Dear Mr Laurie".

I refer to the petition number 2134-13 lodged with the Legislative Assembly by Ms Verity Barton MP, Member for Broadwater, regarding the administrative location of the Community Visitor Program.

The Community Visitor Program is established pursuant to Chapter 10 of the *Guardianship and Administration Act 2000* (the Guardianship Act). The role of a Community Visitor is to visit visitable sites where persons with a mental or intellectual impairment live or receive services.

The Community Visitor Program monitors and observes the living arrangements and service delivery for such persons, liaises with the person and identifies any issues of concern raised by the person or identified through the Community Visitor's own observations. Visits occur both on a regular and random basis and can be initiated at any time, as a result of any concerns that may be raised with the Office of the Adult Guardian.

Detailed provisions in Part 10 of the Guardianship Act enable Community Visitors, in extenuating circumstances, to enter sites, outside of usual business hours and obtain access to all necessary documents and information, to discharge their duties.

Community Visitors are not public servants but rather are employed on a contract, casual or part-time basis in accordance with specific provisions for their recruitment and employment as set out in Part 10 of the Guardianship Act.

Community Visitors perform a vital role in the check and balance system ensuring the services provided to persons with mental or intellectual impairment are in accordance with legal requirements and appropriate community standards. Issues identified by Community Visitors can lead to improvement in the services delivered to individual persons, the transfer or removal of persons to more appropriate service providers, disciplinary action being taken against service providers and, in some cases, the subsection of service providers or their staff to criminal sanctions.

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Community Visitors are a vital part of the Guardianship system for adults in Queensland. The necessity to appoint a guardian and/or an administrator is determined by the independent quasi judicial tribunal the Queensland Civil and Administrative Tribunal (QCAT).

Queensland Government statutory bodies (i.e. the Adult Guardian and the Public Trustee) exist to provide last resort services as guardians and/or administrators in the absence of anyone more suitable for appointment. Both statutory offices are independent and as such cannot be directed by the Government on how they perform their duties. They are also, subject to the oversight of bodies such as the Queensland Ombudsman, QCAT and the Queensland Courts. Systemic Advocacy in Queensland for persons with mental or intellectual incapacity is provided through an independent Public Advocate whose independence has been enhanced as part of the implementation of this Government's election commitments.

For administrative purposes, the Community Visitor Program, including its own administrative arm, is attached to the Office of the Adult Guardian. Through that arrangement, the Community Visitor Program has direct access to the resources of the Office of the Adult Guardian through whom matters of concern can be speedily escalated for appropriate action.

A recent major recruitment program has now resulted in all administrative support positions in the Community Visitor Program being filled on a permanent basis, with an enhanced number of Community Visitors now providing services throughout the whole of Queensland.

These administrative support arrangements actively enhance the capacity of the Community Visitor Program to discharge its duty to all persons at visitable sites, including any person at a visitable site who might be subject to the Restrictive Practices Regime established under the *Disability Services Act 2006* for individuals with serious behavioural issues.

Suggestions advanced by the petitioners that current administrative arrangements for the Community Visitor Program raise "*conflicting authorities and practices*" are not supported either by any provided example or by practical experience in the administration of the program.

Any specific issue that is ever raised about a Community Visitor or any action they have taken or not taken is always the subject of immediate examination and action by the Community Visitor Program management team.

Community Visitors take great pride in their independence in the performance of their duties. They believe their actions result in positive enhancement of the rights and lifestyles of a very vulnerable segment of the Queensland Community.

Yours Sincerely



JARROD BLEIJIE MP
Attorney-General and Minister for Justice