

## Access function

**This is the Easy English version of the Public Guardian's Access Function Guideline.**



It uses easy words and pictures to help explain things.

There are some hard words in this document. Hard words are in **bold**. When we use a hard word we will explain what it means.

For the Public Guardian's full Access Function Guideline (10 pages) go to our website [www.publicguardian.lawlink.nsw.gov.au](http://www.publicguardian.lawlink.nsw.gov.au)



This document,

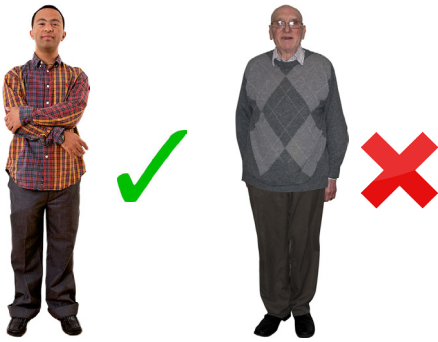
- ◆ is for people under guardianship
- ◆ tells you about the access function
- ◆ you can read it on your own, or
- ◆ get someone to help you read it



The **Guardianship Division of the NSW Civil and Administrative Tribunal (NCAT)** has given the Public Guardian the legal power to make certain decisions for you. The Guardianship Division of NCAT is like a court.

The Tribunal has given the Public Guardian the power to make access decisions for you. This is called an **access function**.

## What does access function mean?



**Access** means who gets to see you and visit you

**Function** means what kind of decisions your guardian can make for you.

So if your guardian has an **access function** that means your guardian gets to decide;

- ◆ who you can see
- ◆ who you visit
- ◆ who visits you
- ◆ who phones you



It does not mean everyone you see or visit. It will only be a certain person or people. This will usually be because:

- ◆ there is a lot of fighting between people when someone comes to visit you which is upsetting you
- ◆ you don't get to see who you want to see because someone else is stopping it
- ◆ the person upsets you or is a risk to you but you don't want to stop seeing them altogether.

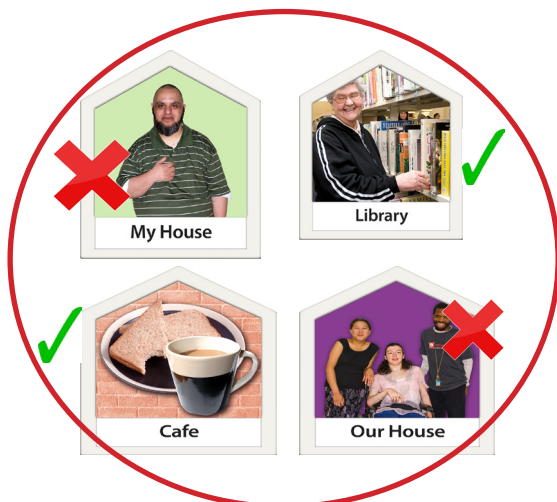




Your guardian can also decide how the access, or visits will work.

Things like;

- ◆ how often visits can happen
- ◆ when the visits will happen
- ◆ how long the visits will be



- ◆ where the visits will be



Also things like;

- ◆ if someone else has to be with you during the visit to keep an eye on things



- ◆ that the person is not allowed to ask you for money
- ◆ that there can't be any alcohol or drugs during the visit.



## How does my guardian decide who gets to see me?

The main thing your guardian will think about is what is best for YOU.

They will talk to you about what YOU want. Your guardian will always try to make the decision you want if they can.



You should be able to spend time with whoever you want to spend time with. You don't have to see anyone that you don't want to see.

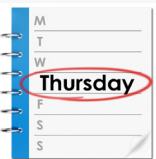
Your guardian will only decide to stop you seeing someone to keep you safe.

## Access Plans


If someone wants to see you or visit you they need to give your guardian an **access plan**. The access plan will include things like;

- ◆ when the person wants to see you
- ◆ how often they want to see you
- ◆ where the visit will be
- ◆ who else will be there


### Access Plan




✓



✓



✓



✓

Your guardian will say yes or no to this plan. If the person wants to change the plan they need to let your guardian know at least 5 days before.

## Can my guardian stop me seeing someone altogether?



Yes. This doesn't happen often.

If your guardian thinks you might be at risk if you see someone your guardian may decide that person is not allowed to see you.

If your guardian thinks a person is a risk to you they may ask you to apply for an **AVO** (Apprehended Violence Order). This is a way to keep you safe. It says the person is not allowed to come near you.



If you can't apply for an AVO, or don't want to, your guardian can ask the police to apply for one for you.

If the police won't apply for an AVO, your guardian can apply for an AVO for you.

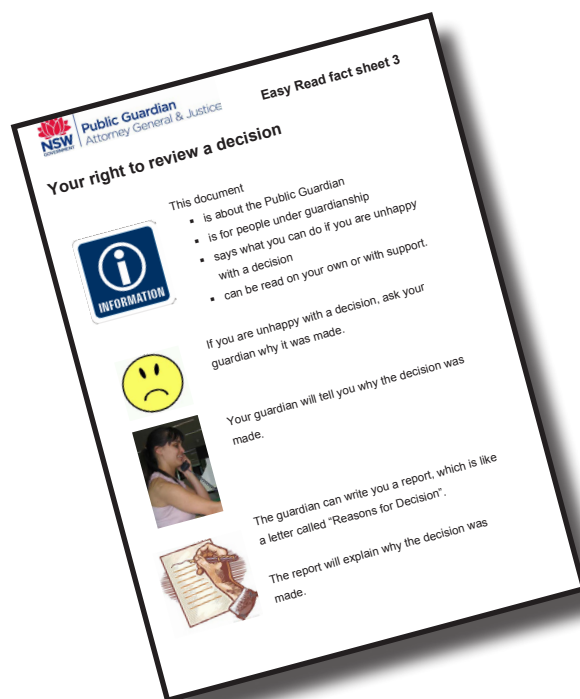


An AVO is done through the courts.



It means that if that person comes near you the police can come and arrest them.





## What if you disagree with what your guardian decides?

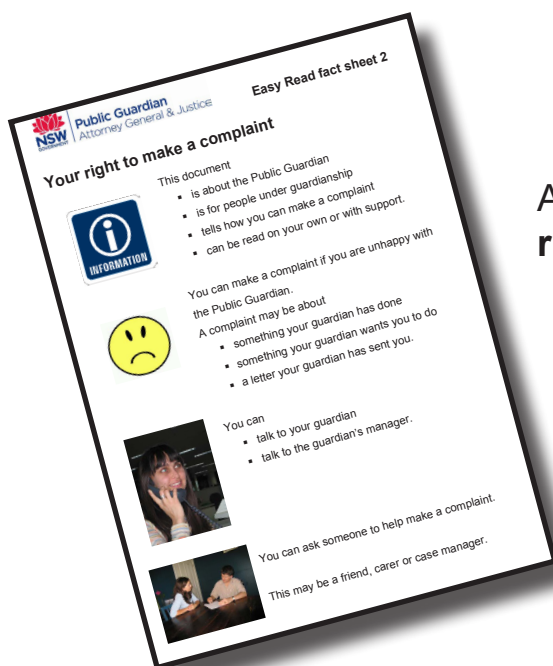
You can ask for a **Review of Decision**.

This means that the office will look at your guardian's decision to make sure it is the right decision.

You can ask to see our Easy Read fact sheet called **'Your right to review a decision'** for more info about how to do this.



You can also make a complaint if you think your guardian hasn't done the right thing.



Ask for a copy of our Easy Read fact sheet **'Your right to make a complaint'**.



## More Information?

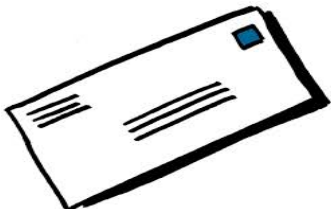
If you need more information you can,



- ◆ call the Public Guardian Information and Support branch on **8688 6070**. If you live outside Sydney call **1800 451 510** and the call will be free



- ◆ fax us on **8688 9797**



- ◆ write to us at **Locked Bag 5116 Parramatta 2124**



- ◆ visit our website at **[www.publicguardian.lawlink.nsw.gov.au](http://www.publicguardian.lawlink.nsw.gov.au)**