



A goal of the Trust is to increase awareness of the need for the WG service, and slowly but surely, we are fielding enquiries from around the region for assistance not only for elderly persons, but our most recent requests for assistance are for intellectually impaired, where for varying reasons, including aging parents, they have been left without an advocate.

The trustees decided during the year to accept applications from any person lacking capacity, that requires on-going support. We are currently working to support two intellectually disabled persons.

WWGT will also extend their services to support family members who have become Welfare Guardians, by providing access to experienced professionals that can assist with any questions or problems that may arise.

Through the middle of this year we have had around 8 requests for Welfare Guardians and we are now at a stage we need to recruit more volunteers to meet the demand. Many of the requests are from the Hutt Valley and Porirua, so we are actively seeking volunteers residing in these locations.

## Trustee Update

Roz Fraser has recently accepted a new role based in Christchurch, so she resigned as a trustee earlier this year. We thank Roz for her contribution in the initial set up of the trust and wish her well.

We are pleased to advise the appointment of a new trustee Judge Pat Grace.

The trustees have also been discussing other roles with experienced industry specialists who are keen to provide additional support or mentoring to our volunteers.

## Legal Costs of Appointment

Annette Gray undertook the legal work pro-bono, for the first welfare guardian's appointments. We thank her for this work and we all gained valuable experience on the process and length of time involved for these legal appointments.

It is apparent that the trust requires ongoing legal assistance with the court applications. Most often the subject person does not have the ability to pay legal fees.

## Trust Objectives



1. To assist all persons who lack capacity to make decisions relating to their personal care and welfare.
2. To recruit and train suitable persons to apply for Welfare Guardian Appointments
3. Provision of Education and Training to promote and mentor volunteers.
- 4 To promote and educate the public on the role of Welfare Guardians
5. All WWGT Activities are consistent with a charitable Trust

Several law firms have been approached and there is the possibility of funding each individual application through a grants process.

Pelorus Trust has indicated these applications meet their criteria. We are intending to submit applications in the future to assess this process particularly in terms of timing.

Buddle Finlay have recently advised they would be happy to assist with the preparation of documentation on a case by case basis.

## Promotion

Vicki Wilde met with a group from ANZASW They were from a range of agency's / interests: Oranga Tamariki, Whitireia Social Work tutors, Veterans Affairs, Catholic Social Services. There was keen interest in the WWGT, how it operates, sources of referrals and SPs, area we're serving, support of volunteers.

## Media

Dr Ben Gray contributed to a publication called "This is not my home" prepared by The Privacy Commissioner – and included a piece on Welfare Guardians. The press release relating to this publication follows:

### **Concern for those held in aged care facilities without consent**

A new report published by the Human Rights Commission raises concerns about the legal and human rights safeguards for an

estimated 5000 elderly New Zealanders in secure dementia units and psychogeriatric facilities.

The publication, *This Is Not My Home*, considers the legal and ethical issues around residential care for older people when the care is provided without the person's consent. The report contains a collection of essays from lawyers, doctors, academics and a District Court judge.

*This is Not My Home* identifies serious issues with the current legislative frameworks and associated policy and practices, such as a lack of legal safeguards protecting the rights of people placed in care.

"The report's co-editor Dr Mark Fisher has previously cited about 4000 New Zealanders being detained in secure dementia units and a further 1000 are in residential psychogeriatric facilities.

"Very few of these people have formally consented to being held in these locked facilities, so it is critical that appropriate safeguards are in place to ensure everyone's rights and preferences are respected to the greatest extent possible" says Ms Tesoriero.

"This requires a real commitment to actively support individual decision-making. I hope that the calls for law reform and change of practice identified by the contributors will be carefully considered by all those who can influence change in this area."

Ms Tesoriero says that strong advocacy for this group of New Zealanders is critical, including more work to understand their perspectives.

"We do not know much about how they feel about the situations they are in or what it is like to be forced, against your will, to live in a place that is not your home and is not where you want to be," says Ms Tesoriero.

"This makes it even more important that we advocate for these people and do whatever we can to ensure that they are supported to live the best life that they can, and that their rights, preferences and wishes are respected as much as possible."



The papers in *This is Not My Home* were originally prepared for a series of seminars and workshops on the legal safeguards and ethical issues around the care of psychogeriatric patients in New Zealand

The link to this publication is:

[https://www.hrc.co.nz/files/1315/3471/5450/HRC\\_This\\_is\\_not\\_my\\_Home.pdf](https://www.hrc.co.nz/files/1315/3471/5450/HRC_This_is_not_my_Home.pdf)

## Being a Welfare Guardian

For a year now, I've been acting as WG for a rest home resident who has a dementia. The formal task is to be ready to make any necessary welfare or wellbeing decisions on this person's behalf.

I do this by establishing and sustaining a comfortable personal relationship, and by offering consistent companionship. It means regular visits, occasional briefings with professional staff and touching base from time to time with WWGT colleagues. It also means always being alert to this person's needs and interests rather than simply my own perception of them. That's quite a challenge!

I've learnt to set a gentle rhythm in our engagements that is not dependent on constant conversation. We share quietness together as well as mutual recognition: aspects that will be more important in future times as changes occur. For me the WG responsibility is stimulating and most satisfying. I commend it.

Ken Irwin

## Training and Social Function with our Patron – Annette King

The Trustees continue to hold training sessions for new volunteers.

Each volunteer is assigned a trustee as a point of contact for any issues that may arise in their role as welfare guardian.

We recently held a gathering for volunteers and trustees, also

attended by our patron Annette King – an informal forum to discuss relevant topics and experiences of volunteers

## Website

The WWGT Website has been designed so volunteers have a secure place to record their visits and notes on their subject person, the welfare guardian to advise carers and health professionals on any decisions related to their care.

All relevant documents provided to WWGT are also held on the website, so the appointed welfare guardian can access these at any time.

## Donations

Any donations would be gratefully received.

The WWGT bank account is:

**38-9018-0370537-02**

*Trustees of the Wellington Welfare Guardianship Trust 2018*

**Dr Ben Gray - Vicki Wilde - Annette Gray - Darien Mahony - Judge Pat Grace**



For further details on the Trust please refer to our website

<https://welfareguardians.nz/>

email [wwgtrust@gmail.com](mailto:wwgtrust@gmail.com)

Please send this newsletter onto any person that would be potentially interested in WWGT services or as a potential volunteer. Donations gratefully received.

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