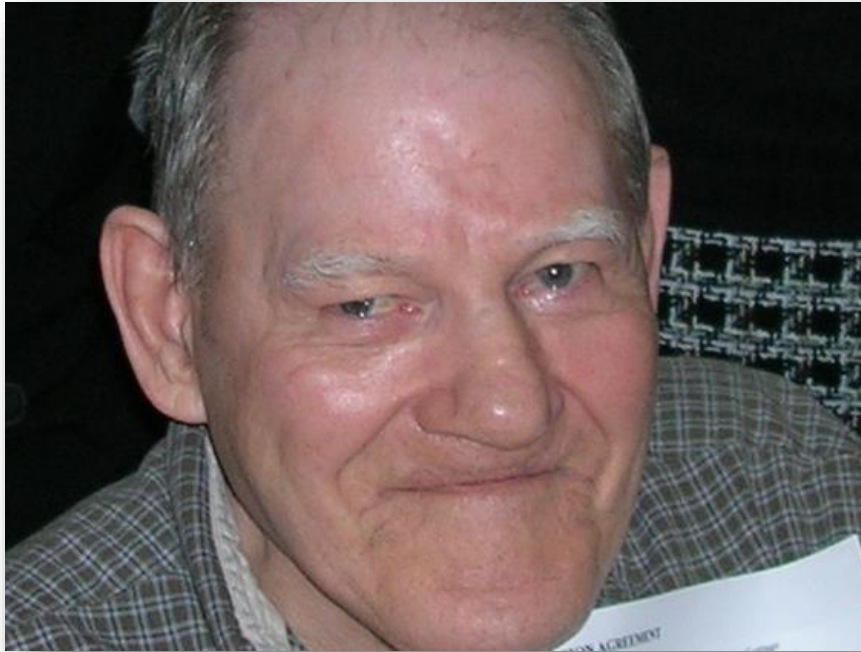


*Bob asked Nidus to
help him share his story.*

This is Bob's Story

Meet Bob.



Bob is 74 years old at the time this story was made.

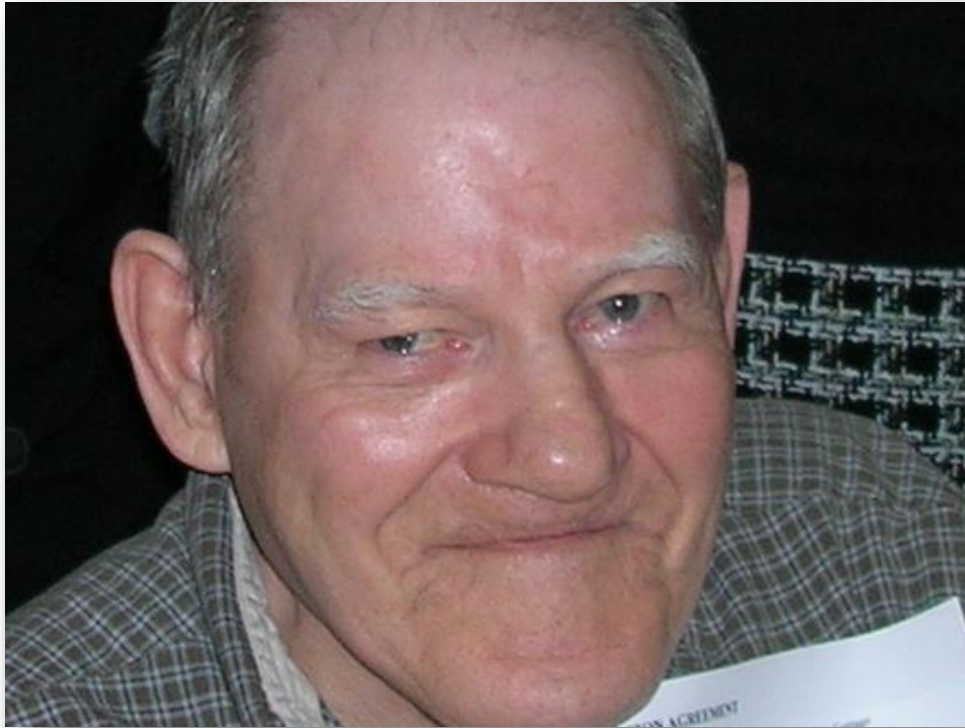
He is a kind and gentle man with a strong spirit.

Bob is active in his community.



This photo was taken at a conference on Representation Agreements and supported decision making held in Abbotsford in 2008. Bob and other conference participants posed with the Hon. Michael de Jong, then B.C.'s Attorney General. Mr. de Jong is Bob's MLA and they are well acquainted.

Bob has a wish.



Bob wants to be able to manage his own financial and legal affairs, with the help of a representative if needed.

What is in the way of Bob's desire?

- The Public Guardian and Trustee (PGT) – a government official - is committee of estate (guardian) of Bob's financial and legal affairs.
 - Bob is under PUBLIC guardianship.
 - Public guardianship is not free. The PGT has to charge Bob fees for managing his affairs.

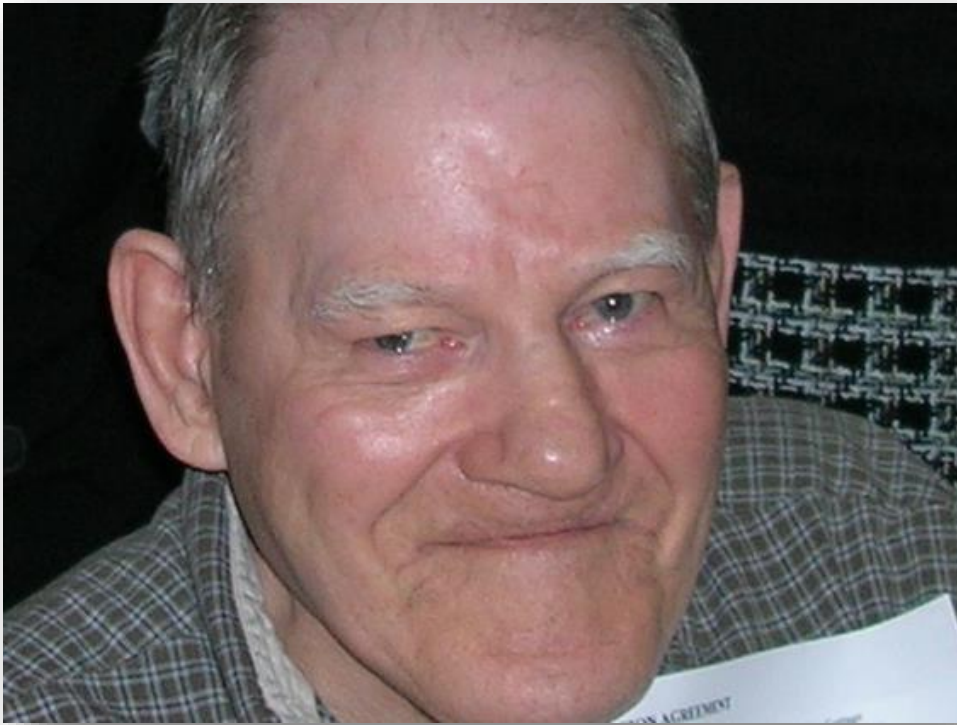
What is in the way of Bob's desire?

- In British Columbia, guardianship of adults is called Committeeship (kaw-me-tay-ship).
 - There are two kinds of Committeeship in BC – 1) PUBLIC guardianship (when the PGT can take over an adults financial and legal affairs through assessments by the health system) ; 2) court-ordered PRIVATE Committeeship .
- **Public** Committeeship (PGT) is governed by the Patients Property Act and the Adult Guardianship Act. **Private** Committeeship is governed by the Patients Property Act.
- Under Committeeship, an adult loses their decision making rights. In legal terms, they become a non-person.

How did Bob end up under Committeeship?

- When Bob was a teenager, he was admitted to Tranquille Institution in Kamloops, which, like Woodlands Institution, was a facility for people with disabilities.
- Bob has cerebral palsy.
- When the B.C. government closed the institutions, Bob went to live in the extended care ward at a Hospital in the Lower Mainland.

Bob had a dream.



Bob wanted to move out of the hospital. He also wanted to get married. But no one was listening to Bob. He did not have control of his money to pay for different living arrangements and for his wedding.

In 2005 Bob made a Representation Agreement.



On October 13th, 2005 Bob signed his Representation Agreement. Bob's Agreement was for minor and major health care and personal care (RA7H+P). This gave his friends legal authority to help him advocate with the PGT and leave institutional life and make a home in the community.

Bob and Annie get married.



Bob and Annie were married on December 16th, 2005, two months after he signed his Representation Agreement. They were married for one year before Annie died in December 2006.

Bob's current goal.



Before he dies, Bob wants to have ownership over his own financial and legal affairs. In order for this to happen, Bob has to go through a medical assessment to be determined 'capable.'

Bob's current goal.



If a psychiatrist signs a 'Certificate of Capability', the PGT will no longer be Bob's Committee (guardian). Bob will be in charge of his own affairs and he will be able to make a Representation Agreement that includes financial and legal affairs—with people he knows and trusts—in case he needs help.

Who is vulnerable to adult guardianship?

- Seniors with dementia who have not made legal arrangements or who have gaps in their plan.
- Adults with an acquired brain injury (perhaps from a car accident or a fall or a stroke).
- Adults with a recurring or episodic mental illness.
- Adults who, in the course of getting a diagnosis or being assessed for services, are labelled 'incapable' or 'disabled'.
- Adults who do not communicate in a traditional way.
- Adults with no legal arrangements in place prior to a health crisis.

Law Reform in British Columbia

- Since 1989, citizens and community groups worked very hard to reform adult guardianship in B.C. by establishing the Representation Agreement in law and practice.
- A Representation Agreement provides a way to assist adults with their affairs without taking away their rights.
- The community was not able to carry out the implementation of new procedures for Committeeship that were passed in 1993.
 - Under the Adult Guardianship Act of 1993 there would be no more Certificates of Incapability and only very specific types of adult guardianship through the B.C. Supreme Court, limited by task and/or length of time. This Act has been re-written by government officials and no longer reflects the community vision of reform.

Law Reform in British Columbia

- One of the principles of the B.C. law reform is that adult guardianship must be the last resort.
- With Representation Agreements, we have the opportunity to make this possible for today's adults.
- However, as Bob's story shows, adult guardianship is difficult to reverse once an adult is already in the system.

What can you do?

- Find out how you can make your own legal arrangements so that if you need support with managing your affairs or making decisions, you will get help from the people you trust and who know you.
- Sometimes people end up under adult guardianship because they do not have any personal supporters who can be their representative. They may only have paid staff in their life due to their disability or disease.
 - Are you willing to be a friend? Are you willing to be a representative?

What can you do?

- For information visit www.nidus.ca
- Each province and country has different laws – the Nidus website has information about the laws in British Columbia.
- If you have a story to share, please email us at info@nidus.ca

*Nidus is the Latin term for nest:
A symbol of safety, support and self-development.*