



Government
of South Australia

Office of the Public Advocate

Special Powers Orders

Easy Read fact sheet



How to use this fact sheet



The Office of the Public Advocate (OPA) wrote this fact sheet.

When you see the word 'we', it means OPA.



We wrote this fact sheet in an easy to read way.

We use pictures to explain some ideas.

Not bold
Bold

We wrote some important words in **bold**.

This means the letters are thicker and darker.



We explain what these words mean.

There is a list of these words on page 12.



This Easy Read fact sheet is a summary of another fact sheet.

This means it only includes the most important ideas.



You can find the other fact sheet on our website.

www.opa.sa.gov.au/information-service/fact-sheets



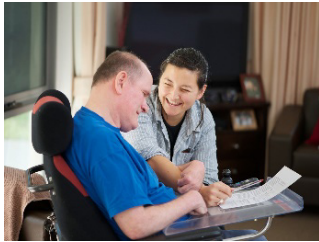
You can ask for help to read this fact sheet.

A friend, family member or support person
may be able to help you.

Making decisions



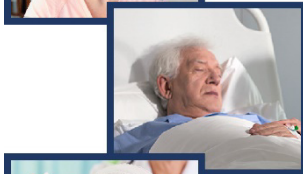
If you can make decisions on your own, we say you have **decision-making capacity**.



Some people can't make decisions on their own.



Some people need support to make decisions because they have:



- a disability

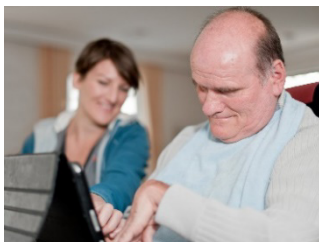


- an illness

- an injury.



When you can't make decisions on your own, we say your decision-making capacity is **impaired**.



When your decision-making capacity is impaired, other people can:

- help you make decisions
- make decisions for you.



A **guardian** might make decisions for you.

A guardian is someone who makes decisions for you about:



- your health
- where you live
- who you live with
- personal matters.



A **substitute decision-maker** might make decisions for you.



A substitute decision-maker is someone you choose to make decisions for you.



But there are rules about the decisions that can be made by a:

- guardian
- substitute decision-maker.

What is a Special Powers Order?



A guardian or substitute decision-maker might need to be given the power to make some decisions for another person.



The South Australian Civil and Administrative Tribunal (SACAT) can give them this power.



SACAT help people find ways to work out:

- problems
- disagreements.



SACAT find ways that:

- are fair
- follow the law.



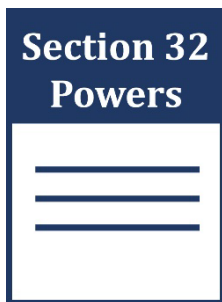
A guardian or substitute decision-maker must ask SACAT for more power when they make decisions someone doesn't agree with.



When SACAT give a guardian or substitute decision-maker more power to make decisions we call it a **Special Powers Order**.



A Special Powers Order is a legal document.



We also call them Section 32 Powers.



SACAT will only make a Special Powers Order if someone's health or safety is at risk, including:

- the person
- other people.



SACAT must make sure you have tried all other options first.



SACAT can change or cancel a Special Powers Order if things change for you.



SACAT will set a date to **review** a Special Powers Order.



When SACAT reviews something, they check to see if it:

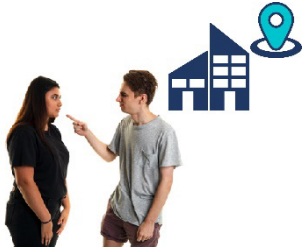
- works well
- needs to be better.

What can a Special Powers Order do?

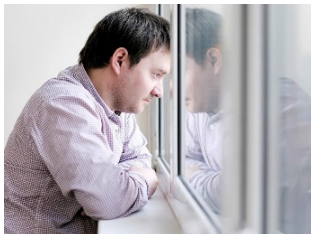


A Special Powers Order gives a guardian or substitute decision-maker power to make decisions someone doesn't agree with.

A Special Powers Order can give a guardian or substitute decision-maker power to:



- tell someone where they must live



- keep someone in a place so they can get the support they need.



A Special Powers Order can also allow a carer or doctor to use **physical force**.



When you use physical force, you control:

- someone's body
- how much someone can move.

A carer or doctor might need to use physical force to make someone have:

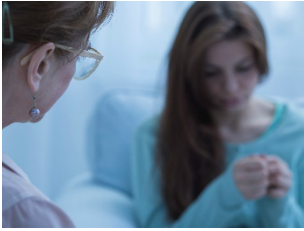


- medical treatment they need



- dental treatment they need.

You can't use a Special Powers Order to keep someone
in a:



- hospital for people with mental health problems



- prison or justice centre.

Word list

This list explains what the **bold** words in this document mean.



Decision-making capacity.

If you can make decisions on your own, we say you have decision-making capacity.

Guardian

A guardian is someone who makes decisions for you about:



- your health
- where you live
- who you live with
- personal matters.



Impaired

When you can't make decisions on your own, we say your decision-making capacity is impaired.



Physical force

When you use physical force, you control:

- someone's body
- how much someone can move.



Review

When SACAT reviews something, they check to see if it:

- works well
- needs to be better.



Special Powers Order

When SACAT give a guardian or substitute decision-maker more power to make decisions we call it a Special Powers Order.



Substitute decision-maker

A substitute decision-maker is someone you choose to make decisions for you.

Contact us



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