



NEWS RELEASE

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Public Guardian and Trustee of BC

PGT supports recommendations to strengthen protections for vulnerable adults

Vancouver – The Public Guardian and Trustee, Catherine Romanko, has issued the following statement on the Ombudsperson’s report entitled “No Longer Your Decision: British Columbia’s Process for Appointing the Public Guardian and Trustee to Manage the Financial Affairs of Incapable Adults”.

“I would like to thank the Ombudsperson for her thorough report and thoughtful recommendations,” said Ms. Romanko. “Her assessment of the issues relating to the process for protecting vulnerable adults from abuse, neglect and self-neglect was balanced and I support many of the recommendations directed at the Public Guardian and Trustee”.

The report examines the administrative process in BC for the appointment of the Public Guardian and Trustee (PGT) to manage the affairs of adults for whom a Health Authority has issued a certificate of incapability.

Five of the seven recommendations directed at the PGT focus on the way in which the office communicates with vulnerable adults and families involved in the certificate process. Ms. Romanko said that her office is already taking steps to enhance its communication with vulnerable adults and those who support them to provide more information about what to expect during an investigation and capacity assessment.

Ms. Romanko agreed with the Ombudsperson’s assessment that the current law governing the certificate process for the appointment of an adult guardian is outdated and lacks sufficient due process. She is encouraged that the government has indicated that it intends to make legislative amendments to address some of the Ombudsperson’s findings.

“I understand that the government is now prepared to bring into force some sections of the 2007 *Adult Guardianship and Planning Statutes Amendment Act* which has long been awaiting proclamation. My office will continue to call on government to ensure that both these sections and the balance of the much needed new laws, which reflect the principles of modern adult guardianship, should be brought into force in a reasonable time frame,” said Ms. Romanko.

Ms. Romanko said that any legislative amendments must come with proper resources and funding to ensure that the PGT can effectively fulfill its duties under the new law.

The PGT has consistently advocated for a modern and effective legal system for adult guardianship which would provide for procedural fairness in the certificate process. In 2005, the PGT published a discussion paper that provided several recommendations on how to modernize the process around adult guardianship and enhance procedural fairness. The PGT has reiterated this position and the recommendations in every annual report since that time.

The PGT remains committed to protecting the interests of vulnerable adults and to advocating for a modern adult guardianship system.

About the Public Guardian and Trustee

The Public Guardian and Trustee (PGT) is a corporation sole established under the *Public Guardian and Trustee Act*. Its mandate is to serve:

- Children and youth under the age of 19 by protecting their legal and financial interests;
- Adults who require assistance in decision making through protection of their legal rights, financial interests, personal and health care interests; and
- Deceased persons where there is no one willing or able to administer their estates, the estates of missing persons and the beneficiaries of personal trusts.

The PGT has a fiduciary duty to represent the interests of its clients and is independent of government in its case related decision making. For more information see the PGT Annual Report at www.trustee.bc.ca.

– 30 –

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