

What is the Office of the Public Advocate (OPA)?



The Office of the Public Advocate (OPA) was created to:

- Promote the rights of people with mental incapacity.
- Help people with impaired decision-making capacity, their family, carers and friends.
- Provide information to other organisations.

OPA provides Information and Education about:

- Consent to Medical Treatment
- Advance Care Directives
- Guardianship and Administration
- Mental Health

OPA Dispute Resolution Service can provide Preliminary Assistance and Mediation if:

- A person has made an Advance Care Directive (ACD).
- There is a dispute about consent to medical treatment.
- There is a disagreement about decisions or decision-makers.

The Public Advocate can be appointed by the South Australian Civil and Administrative Tribunal (SACAT) as a Guardian of Last Resort if:

- A person has a mental incapacity.
- There is a lifestyle, accommodation, and/or health decision to be made.
- There is no other appropriate person to be appointed.

SACAT can direct OPA to investigate a person's circumstances if:

- SACAT have received an application,
- The person is believed to have impaired decision-making capacity, **and**
- There is risk of harm to the person.

OPA can advocate for:

- The rights and interests of individuals with mental incapacity.
- Systemic change.
- Legislative and/or operational change.

The Public Advocate is an independent statutory officer, accountable to the South Australian Parliament. The Office is separate from the South Australian Civil and Administrative Tribunal (SACAT).