



Review of Supported Decision-Making in South Australia

Fact Sheet 1 – Background Information

About SALRI

The South Australian Law Reform Institute ('SALRI') is an independent non-partisan law reform body based at the University of Adelaide Law School that conducts inquiries into areas of law. SALRI is not an advocacy body. SALRI identifies options that will modernise the law, resolve issues with the law, remove unnecessary laws, or, where desirable, adopt an approach used in other States and Territories. To do this, SALRI looks at how the law works in South Australia and elsewhere, conducts research, and consults widely with the community, interested parties and experts. Based on its research and consultation, SALRI makes recommendations to the State Government, who, with the State Parliament, decide whether to change the law. It is wholly up to the Government and Parliament whether to accept any of SALRI's recommendations.

Review of Supported Decision-Making in South Australia

SALRI's current project focuses on promoting supported decision-making ('SDM') to empower people with decision-making support needs. This project will use a comprehensive research methodology, including multidisciplinary analysis, international comparisons, and active and inclusive engagement with interested parties and the community. SALRI will build on the insights from the recent Disability Royal Commission. Importantly, the project is designed to offer a broad overview of existing frameworks, using them as guiding references to identify best practices and gaps in the current landscape for SDM. SALRI's focus will be to examine and advance the principles of SDM to enhance autonomy for people with decision-making support needs, whilst acknowledging where safeguarding may be necessary.

SALRI will raise existing frameworks such as guardianship, administration, Powers of Attorney and Advance Care Directives as well as considering the role and use of microboards and other 'new' options to facilitate supported decision-making. However, capacity assessment, and an in-depth analysis of the NDIS is outside the project's immediate scope. SALRI will draw upon, but not duplicate, the recent work of the Disability Royal Commission in this review.

Your input is needed

SALRI is committed to an active and inclusive consultation process and wants to hear from you about your knowledge of, experience with, and your views on supported decision-making in South Australia. There are a number of consultation questions. Please feel free to answer only those that are of interest.

SALRI is particularly interested in ways that present law, policy and practice can be improved. Please note that any comments can be deidentified, and that SALRI does not seek any information that can identify individuals.



How to get involved

There are three ways that you can be involved:

1. Fill out the survey available at https://adelaideuniwide.qualtrics.com/jfe/form/SV_6QfXw3onPYWOZ6K.
2. Send SALRI a written submission or letter (formal or informal) via email or post:
 - a. Email: salri_sdm@adelaide.edu.au (please view the Participant Information Sheet and complete and return a Consent Form – both available at <https://law.adelaide.edu.au/south-australian-law-reform-institute#supported-decision-making>) ; or
 - b. Postal address: The South Australian Law Reform Institute, Ligertwood Building, University of Adelaide, North Terrace, Adelaide, SA, 5005 (please view the Participant Information Sheet and complete and return a Consent Form – both available at <https://law.adelaide.edu.au/south-australian-law-reform-institute#supported-decision-making>).
3. Attend an expert or interested party roundtable discussion (by invitation only).

SALRI's consultation process will open in July 2024 and close on 30 September 2024.

Please note: SALRI does not, and cannot, provide legal advice to individuals. If you are in need of legal advice, we encourage you to speak to a lawyer and/or contact a community legal service.

