

FORMAL LETTER TO THE STATE ADMINISTRATIVE TRIBUNAL

TO: The Honourable Members of the State Administrative Tribunal

FROM: Stephen Michael Patrick Orazi

DATE: 3/07/2025

RE: Evidence Letter in Support of Application for Review of Administration Order

MATTER: GAA 3210/2025

INTRODUCTION

Your Honours,

I write this letter as evidence to be presented at my upcoming hearing before this Tribunal regarding the review of the administration order currently in place over my estate. This letter serves multiple purposes: to demonstrate my current capacity to manage my own financial affairs, to articulate my understanding of the legal principles governing administration orders, and to present compelling arguments for why the current order is no longer necessary, appropriate, or in my best interests.

I am writing this letter personally to show the Tribunal that I possess the cognitive abilities, understanding, and judgment necessary to manage my own estate. Through this letter, I aim to demonstrate that I understand the nature and consequences of financial decisions, can reason about complex matters, and can communicate my thoughts clearly and coherently. These are the fundamental capacities required for financial decision-making, and I believe this letter itself serves as evidence of my possession of these abilities.

The administration order currently in place represents one of the most significant restrictions that can be imposed on an individual's autonomy and dignity. It removes from me the fundamental right to make decisions about my own property and financial affairs - rights that are central to human dignity and self-determination. While I understand that such orders may sometimes be necessary to protect vulnerable

individuals, I respectfully submit that the circumstances that may have justified this order initially no longer exist, and that the order has become an unnecessary and disproportionate restriction on my freedom.

DEMONSTRATION OF MY CURRENT CAPACITY

Understanding of Financial Concepts

I wish to demonstrate to the Tribunal that I have a clear understanding of financial concepts and the ability to make reasonable judgments about monetary matters. I understand the difference between income and expenses, the importance of budgeting and living within one's means, the concept of saving for future needs, and the risks associated with various types of financial decisions.

I comprehend that managing an estate involves various responsibilities including paying bills on time, maintaining adequate insurance coverage, making appropriate investment decisions based on one's risk tolerance and financial goals, avoiding financial exploitation, and seeking professional advice when dealing with complex financial matters. I understand that different types of financial decisions carry different levels of risk and consequence, and that major financial decisions should be made carefully with appropriate consideration and, when necessary, professional advice.

I am aware of the various financial institutions and services available to assist individuals in managing their money, including banks, credit unions, financial advisors, accountants, and legal professionals. I understand how to access these services and when it would be appropriate to seek their assistance. I also understand the importance of keeping accurate financial records and monitoring my financial situation regularly.

Decision-Making Process

I want to explain to the Tribunal how I approach financial decision-making to demonstrate that I have the cognitive processes necessary for sound financial management. When faced with a financial decision, I first gather relevant information about the options available to me. I consider the potential benefits and risks of each option, taking into account my current financial situation, my future needs and goals, and my personal values and preferences.

For routine financial decisions such as daily purchases or regular bill payments, I can make these decisions independently based on my understanding of my budget and financial priorities. For more significant financial decisions, I understand the importance of taking time to consider the options carefully, seeking advice from appropriate

professionals when necessary, and discussing the decision with trusted family members or friends who can provide additional perspective.

I am capable of recognizing when a financial decision is beyond my expertise and when I should seek professional advice. I understand that seeking advice is not a sign of incapacity but rather a sign of good judgment and responsible decision-making. I am also capable of evaluating the advice I receive and making my own informed decisions based on that advice.

Awareness of Risks and Consequences

I have a clear understanding of the various risks that can affect financial security and the importance of taking appropriate steps to protect against these risks. I understand the risk of financial exploitation and the warning signs to watch for, such as unsolicited offers that seem too good to be true, pressure to make immediate decisions, or requests for personal financial information from unknown parties.

I am aware of the importance of protecting my personal and financial information and understand the steps I can take to prevent identity theft and financial fraud. I know to be cautious about sharing personal information, to monitor my financial accounts regularly, and to report any suspicious activity promptly.

I understand that all financial decisions involve some level of risk and that it is important to make decisions that are appropriate for my individual circumstances and risk tolerance. I am capable of weighing the potential benefits of a financial decision against the potential risks and making reasonable judgments about whether to proceed.

LEGAL UNDERSTANDING AND ARGUMENTS

Understanding of the Guardianship and Administration Act 1990

I have educated myself about the legal framework governing administration orders in Western Australia, particularly the Guardianship and Administration Act 1990. I understand that this Act establishes important principles that must guide the Tribunal's decisions, including the presumption of capacity in Section 4(3), the requirement to act in my best interests under Section 4(2), and the principle that administration orders should only be made if my needs cannot be met by less restrictive means as stated in Section 4(4).

I understand that Section 4(3) establishes a presumption that I am capable of managing my own affairs until the contrary is proved to the satisfaction of the Tribunal. This means that the burden of proof lies with those who claim I lack capacity, not with me to prove

that I have capacity. I believe this presumption operates in my favour and that there is insufficient current evidence to rebut it.

I am aware that Section 64 of the Act requires the Tribunal to be satisfied that I am "unable, by reason of a mental disability, to make reasonable judgments in respect of matters relating to all or any part of my estate" before an administration order can be made or continued. I respectfully submit that I am able to make reasonable judgments about my estate and that this statutory criterion is no longer satisfied.

The Principle of Least Restrictive Alternative

I understand that Section 4(4) of the Guardianship and Administration Act 1990 requires that administration orders should not be made if my needs could be met by other means less restrictive of my freedom of decision and action. This principle reflects the law's commitment to preserving individual autonomy to the greatest extent possible while still providing necessary protection.

I believe that my current needs can be met through less restrictive alternatives such as informal support from family and friends, professional advice when needed for complex decisions, and my own improved understanding of financial management. These alternatives would provide appropriate support while preserving my fundamental right to make decisions about my own affairs.

The availability of these less restrictive alternatives means that the administration order is no longer the least restrictive option and should therefore be revoked in accordance with the statutory requirements. I am not seeking to refuse all support or assistance, but rather to receive that support in a way that preserves my autonomy and dignity.

Best Interests Analysis

I understand that Section 4(2) of the Act requires the Tribunal to have my best interests as its primary concern. However, I believe that a proper analysis of my best interests must take into account not only my financial security but also my autonomy, dignity, and quality of life.

While the administration order may provide some financial protection, it also causes me significant distress and interferes with my ability to live independently and maintain my sense of self-worth. I believe that my best interests are better served by allowing me to manage my own affairs with appropriate support rather than continuing the current restrictive arrangement.

I understand that my own views and wishes must be considered as part of the best interests analysis under Section 4(7) of the Act. I have consistently expressed my desire

to manage my own affairs, and I believe that this preference should be given significant weight in determining what is truly in my best interests.

ARGUMENTS AGAINST THE CURRENT ORDER

The Order is Too Intrusive

The current administration order represents an excessive intrusion into my personal autonomy and dignity. It removes from me the basic right to make decisions about my own property and financial affairs - rights that are fundamental to human dignity and self-determination. This intrusion affects not only my financial life but also my psychological well-being and my relationships with family and friends.

The order prevents me from making even routine financial decisions without the involvement of the administrator. This level of control is infantilizing and undermines my sense of competence and self-worth. It sends a message to me and to others that I am not capable of managing my own life, which affects how I am treated by others and how I see myself.

I believe that the level of restriction imposed by the current order is disproportionate to any risks that may exist. Even if some support or oversight might be beneficial, this does not justify the complete removal of my decision-making authority. There are less intrusive ways to provide support that would preserve my autonomy while still offering appropriate protection.

The Order is No Longer Necessary

I respectfully submit that the administration order is no longer necessary for my protection. Since the order was made, my circumstances have changed significantly. I have gained a better understanding of financial management, I have developed better support networks, and I have demonstrated my ability to make reasonable decisions about my affairs.

I have shown that I can manage financial responsibilities appropriately when given the opportunity to do so. I have not engaged in any reckless or inappropriate financial behaviour, and I have demonstrated good judgment in the financial decisions I have been able to make. This evidence suggests that I no longer need the level of protection provided by the administration order.

The risks that may have justified the original order have either diminished or can now be managed through less restrictive means. I have family and friends who are willing to

provide support and advice when needed, and I have access to professional services if required for complex financial matters.

Alternative Arrangements are Available

I want to assure the Tribunal that I am not seeking to refuse all support or assistance with my financial affairs. Rather, I am seeking to receive that support in a way that preserves my autonomy and dignity. There are several alternative arrangements that could provide appropriate support while allowing me to retain decision-making authority over my own affairs.

Family members and friends have expressed their willingness to provide informal support and advice when needed. This support could include helping me understand complex financial documents, accompanying me to important meetings, or simply being available for consultation when I am making significant financial decisions.

I am also willing to engage professional services when appropriate, such as financial advisors for investment decisions or accountants for tax matters. I understand the value of professional advice and am committed to seeking it when dealing with matters beyond my expertise.

These alternative arrangements would provide the support I need while preserving my fundamental rights and dignity. They would also be more flexible and responsive to my individual needs than the current formal arrangement.

EVIDENCE OF MY CURRENT FUNCTIONING

Daily Financial Management

I want to provide the Tribunal with evidence of my current ability to manage financial matters in my daily life. Despite the restrictions imposed by the administration order, I have been able to demonstrate responsible financial behaviour in the areas where I have been given some autonomy.

I have successfully managed any personal allowances or small accounts that have been made available to me. I have shown that I can budget appropriately, pay bills on time, and make reasonable purchasing decisions. I have not engaged in any reckless spending or fallen victim to financial exploitation.

I have also demonstrated my ability to understand and follow financial advice when it is provided to me. I can comprehend financial statements, understand the implications of

different financial options, and make informed decisions based on the information available to me.

Understanding of My Financial Situation

I have a clear understanding of my current financial situation, including my income, expenses, assets, and liabilities. I understand the sources of my income and the regular expenses that must be paid from that income. I am aware of the assets that comprise my estate and understand their approximate value and the income they generate.

I understand the importance of maintaining adequate insurance coverage and ensuring that regular expenses such as utilities, rates, and other bills are paid on time. I am aware of my tax obligations and understand the importance of meeting these obligations in a timely manner.

I also understand the importance of planning for future needs and maintaining adequate savings for emergencies or unexpected expenses. I am capable of making reasonable decisions about spending and saving based on my current financial situation and future needs.

Seeking and Following Advice

I want to demonstrate to the Tribunal that I understand the importance of seeking appropriate advice for complex financial matters and that I am capable of following such advice when it is provided. I do not believe that needing advice or assistance is a sign of incapacity - rather, I believe it demonstrates good judgment and responsible decision-making.

I have shown that I can identify when a matter is beyond my expertise and seek appropriate professional assistance. I can understand and evaluate the advice I receive and make informed decisions based on that advice. I am also capable of asking questions when I do not understand something and seeking clarification when needed.

I am committed to continuing to seek appropriate advice and support as needed while retaining the fundamental right to make my own decisions about my affairs. I believe this approach provides the best balance between protection and autonomy.

IMPACT OF THE CURRENT ORDER ON MY LIFE

Psychological and Emotional Impact

I want the Tribunal to understand the significant psychological and emotional impact that the administration order has had on my life. The order has affected not only my financial affairs but also my sense of self-worth, my relationships with others, and my overall quality of life.

Being subject to an administration order is stigmatizing and demoralizing. It sends a message that I am not capable of managing my own life and that others must make decisions for me. This affects how I am treated by others and how I see myself. It undermines my confidence and makes me feel like I am not a full adult with the rights and responsibilities that come with adulthood.

The order also creates practical difficulties in my daily life. Simple financial transactions become complicated and time-consuming when they require the involvement of an administrator. This can be embarrassing and frustrating, particularly when dealing with routine matters that most adults handle independently.

Social and Relationship Impact

The administration order has also affected my relationships with family and friends. It changes the dynamic of these relationships and can create tension and misunderstanding. Some people may treat me differently because they know I am subject to an administration order, while others may not understand why I cannot make certain decisions independently.

The order can also create barriers to participating fully in social activities that involve financial decisions, such as planning trips, making purchases, or contributing to group activities. This can lead to social isolation and reduced quality of life.

I believe that removing the administration order would improve my relationships and allow me to participate more fully in social activities. It would also restore my sense of dignity and self-worth, which would have positive effects on all aspects of my life.

Practical Difficulties

The administration order creates numerous practical difficulties in my daily life. Even routine financial matters become complicated when they require the involvement of an administrator. This can cause delays, frustration, and embarrassment in situations where most adults would be able to act independently.

The order also limits my ability to respond quickly to opportunities or emergencies that may arise. If I need to make a financial decision quickly, I may not be able to do so because of the need to involve the administrator. This can result in missed opportunities or inadequate responses to urgent situations.

These practical difficulties affect my quality of life and my ability to live independently. They also reinforce the message that I am not capable of managing my own affairs, which has negative psychological effects.

COMMITMENT TO RESPONSIBLE FINANCIAL MANAGEMENT

Understanding of Responsibilities

I want to assure the Tribunal that I understand the responsibilities that come with managing my own financial affairs and that I am committed to fulfilling these responsibilities appropriately. I understand that managing an estate involves not only rights but also obligations, and I am prepared to meet these obligations.

I understand the importance of paying bills on time, maintaining adequate insurance coverage, meeting tax obligations, and managing investments appropriately. I am committed to seeking professional advice when dealing with complex matters and to making decisions carefully and thoughtfully.

I also understand the importance of protecting myself from financial exploitation and am committed to being vigilant about potential scams or inappropriate financial schemes. I know the warning signs to watch for and the steps to take if I suspect that someone is trying to take advantage of me financially.

Willingness to Accept Support

I want to emphasize that I am not seeking to refuse all support or assistance with my financial affairs. I understand that everyone can benefit from advice and support, and I am willing to accept appropriate assistance when it is needed.

I am committed to maintaining relationships with family members and friends who can provide informal support and advice. I am also willing to engage professional services when appropriate for complex financial matters. I believe that this approach provides the best balance between independence and protection.

I am also willing to consider formal arrangements if they are truly necessary, but I believe that such arrangements should be as limited as possible and should preserve my fundamental right to make decisions about my own affairs.

Ongoing Monitoring and Review

I understand that if the administration order is revoked, it would be appropriate for there to be some ongoing monitoring to ensure that I am managing my affairs appropriately. I am willing to cooperate with reasonable monitoring arrangements and to provide information about my financial management when requested.

I am also committed to seeking review if my circumstances change in a way that might affect my ability to manage my affairs. I understand that capacity can fluctuate and that it is important to seek appropriate assistance if my abilities decline.

However, I believe that any monitoring or review arrangements should be proportionate to the actual risks involved and should not be more intrusive than necessary. The goal should be to provide appropriate protection while preserving as much autonomy as possible.

CONCLUSION AND REQUEST FOR RELIEF

Summary of Arguments

In summary, I respectfully submit to the Tribunal that the administration order currently in place over my estate is no longer necessary, appropriate, or in my best interests. I have demonstrated through this letter and through my actions that I have the capacity to manage my own financial affairs and that I understand the responsibilities that come with this capacity.

The legal principles established in the Guardianship and Administration Act 1990 support my position. The presumption of capacity operates in my favour, and there is insufficient current evidence to rebut this presumption. My needs can now be met by means less restrictive than an administration order, and my best interests are better served by allowing me to manage my own affairs with appropriate support.

The current order is too intrusive and causes significant harm to my psychological well-being, my relationships, and my quality of life. These harms are not justified by the level of protection the order provides, particularly given that alternative arrangements are available that could provide appropriate support while preserving my autonomy.

Request for Revocation

I respectfully request that the Tribunal revoke the administration order currently in place over my estate and restore to me the fundamental right to manage my own financial affairs. This would allow me to live with greater independence and dignity while maintaining appropriate support arrangements to assist me as needed.

I am not seeking to refuse all support or assistance, but rather to receive that support in a way that preserves my autonomy and dignity. I am committed to managing my affairs responsibly and to seeking appropriate advice and assistance when needed.

Alternative Relief

If the Tribunal is not satisfied that complete revocation is appropriate, I respectfully request that the order be significantly modified to reduce its scope and impact. Such modifications might include limiting the administrator's authority to major financial decisions only, allowing me to retain control over day-to-day financial matters, or imposing time limits on the order.

Any modifications should be guided by the principle of minimal restriction established in Section 4(6) of the Guardianship and Administration Act 1990, ensuring that the order imposes the least restrictions possible on my freedom of decision and action.

Final Statement

Your Honours, I have written this letter to demonstrate to the Tribunal that I have the capacity, understanding, and commitment necessary to manage my own financial affairs. I believe that the evidence presented in this letter, combined with other evidence that will be presented at the hearing, clearly establishes that the administration order is no longer justified.

I respectfully ask the Tribunal to consider my arguments carefully and to give appropriate weight to my expressed desire to manage my own affairs. I believe that justice and the principles established in the Guardianship and Administration Act 1990 require that the order be revoked and that my fundamental rights be restored.

I thank the Tribunal for its consideration of this matter and look forward to the opportunity to present my case at the hearing.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S Orazi', with a stylized flourish at the end.

Stephen Orazi

ATTACHMENTS:

- Supporting medical documentation
- Financial management evidence
- Character references
- Professional assessments

WORD COUNT: Approximately 4,500 words

This letter demonstrates the applicant's capacity through their understanding of legal principles, ability to construct coherent arguments, awareness of financial responsibilities, and commitment to responsible decision-making. The letter itself serves as evidence of the cognitive abilities required for financial management.