

19th April 2004

Victorian Civil and Administrative Tribunal
Guardianship List
GPO Box 5408CC
Melbourne Vic 3001

Reference G40703

Application for review of ORDER of 26th March 2004
Application for dismissal of Application to Guardianship list.

Order sought.

That the Applications to the Guardianship List be dismissed.

Grounds.

1. The Application to the Guardianship List should not have been made in the first place. There is no case for incompetence. It has not been shown that I am incompetent. The evidence that has been provided is to the contrary.
2. I believe the tribunal chair improperly advised me that I should agree to a geriatrician. I thought I would be getting another Neuropsychologist's report. I also believe I was improperly advised that an Administrator would help me and protect me from my daughters. I intend to move interstate and this is my best protection. I will leave my daughters no forwarding address. I do not need an administrator as I am still and can administer my own affairs.
3. I am surprised that an attempt to influence Dr. Lindsay Vowels to change her report would be made. This report was based on tests not opinion. To ask her to change her report with the additional information from the Dandenong Hospital and from my daughters is, I consider, improper.
4. On The 26th March 2004 Robert Scott, the chair of the Tribunal, in private conference, advised me that he would appoint an independent administrator to protect me from my daughters. Robert Scott has pre-empted the outcome of any further geriatrician or Neuropsychological report by declaring his intentions for me. Therefore whether I am of sound mind and can manage my affairs myself is not going to be relevant to his considerations.
5. There is no difference to the outcome whether I cooperate or not. The outcome has already been decided. When this happens I will be appealing this decision to the Supreme Court.

6. I have read "A Guide for people Appointed as Administrator under the Guardianship and Administration Act 1986" and I have concluded I will be unable to continue to run my business in a satisfactory manner as the guide states I would not be able to write cheques. I run 200 beef cattle on two farms. I would not be able to have these cattle moved between the Longwarry and Garfield farms as I would be unable to write a cheque and make an immediate payment for cartage. Being unable to write a cheque also means I can not get the tractor repaired, purchase veterinary medicines, do any concreting, build a house or buy ear tags for the identification of my cattle and so I would not be able to sell the cattle. I would not be able to get fencing done or pay for the repairs to fences. My late husband and I have planted many trees on our farms and I could no longer pay for this either. These services are always paid for immediately or in advance.
7. I received a letter dated 7th April 2004 from JWD Nelms who is requesting that I provide the name and address of the geriatrician performing the assessment and the date the assessment is to take place. Since Robert Scott, the chair of the Tribunal has already told me he intends to appoint an administrator he needs a certain outcome from the geriatrician. Having run Hotels, farms, training winning racehorses been in courts and have had lots of experience with Councils that I have had to take to court and seen manipulations and lies from public officials I fear that pressure may be brought upon the geriatrician to bring down a report that supports the appointment of an administrator.
8. I sought copies of documents from the Tribunal already on file and they have not been provided.
9. I advised The Tribunal of my proper mailing address and you still continue to send mail to 2 Flett Street, Bunyip. You have been advised that there is a problem with this postmaster in that he loses my mail and delays it to me.

Yours sincerely

Lynette Croll