



# RECORD OF PROCEEDINGS

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## FIRST SESSION OF THE FIFTY-SEVENTH PARLIAMENT

### Wednesday, 11 May 2022

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## WEDNESDAY, 11 MAY 2022

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The Legislative Assembly met at 9.30 am.

Mr Speaker (Hon. Curtis Pitt, Mulgrave) read prayers and took the chair.

**Mr SPEAKER:** Honourable members, I respectfully acknowledge that we are sitting today on the land of Aboriginal people and pay my respects to elders past and present. I thank them, as First Australians, for their careful custodianship of the land over countless generations. We are very fortunate in this country to have two of the world's oldest continuing living cultures in Aboriginal and Torres Strait Islander peoples whose lands, winds and waters we all now share.

### REPORT

#### Auditor-General



**Mr SPEAKER:** Honourable members, I have to report that I have received from the Auditor-General Report 15: 2021-22—*Local government 2021*. I table the report for the information of members.

*Tabled paper:* Auditor-General Report 15: 2021-22—Local government 2021 [\[619\]](#).

### SPEAKER'S STATEMENT

#### School Group Tour



**Mr SPEAKER:** I also wish to advise that we will be visited in the gallery this morning by students and teachers from Holy Spirit School, New Farm in the electorate of McConnel. Congratulations, Education Minister.

### PETITIONS

The Clerk presented the following e-petitions, sponsored by the honourable member indicated—

#### Northern Gold Coast, Public Hospital and Health Precinct

**Mr Crandon**, from 1,210 petitioners, requesting the House to ensure the delivery of a public hospital and health precinct on the Northern Gold Coast [\[620\]](#).

#### Ormeau-Coomera Railway Stations, Bus Services

**Mr Crandon**, from 382 petitioners, requesting the House to upgrade bus services between Ormeau Railway Station and Coomera Railway Stations [\[621\]](#).

#### M1, Exit 38

**Mr Crandon**, from 224 petitioners, requesting the House to upgrade and improve the operation of Exit 38 of the M1 [\[622\]](#).

#### Beenleigh-Ormeau Railway Stations, Bus Services

**Mr Crandon**, from 91 petitioners, requesting the House to upgrade bus services between Beenleigh Railway Station and Ormeau Railway Station [\[623\]](#).

#### Jacobs Well, Bus Services

**Mr Crandon**, from 357 petitioners, requesting the House to provide a regular daily bus service for the residents of Jacobs Well to connect to the transport hub of Ormeau and the nearby Pimpama shopping precinct [\[624\]](#).

The Clerk presented the following e-petition, sponsored by the Clerk—

#### Southern Downs, Gendered Violence

664 petitioners, requesting the House to call upon their federal colleagues to implement the Jenkins recommendations; and to recognise and commit to rectifying the unmet needs of women and children impacted by gendered violence in the Southern Downs region [\[625\]](#).

Petitions received.

## TABLED PAPERS

### TABLING OF DOCUMENTS (SO 32)

#### REPORT BY THE CLERK

The following report was tabled by the Clerk—

[626](#) Report pursuant to Standing Order 169 (Acts to be numbered by the Clerk) and Standing Order 165 (Clerical errors or formal changes to any bill) detailing amendments to certain Bills, made by the Clerk, prior to assent by His Excellency the Governor, viz—

#### **Child Protection Reform and Other Legislation Amendment Bill 2021**

Amendments made to Bill

#### **Short title and consequential references to short title—**

*Omit—*

‘Child Protection Reform and Other Legislation Amendment Bill 2021’

*Insert—*

‘Child Protection Reform and Other Legislation Amendment Bill 2022’

#### MEMBER'S PAPER

The following member's paper was tabled by the Clerk—

Member for Southern Downs (Mr Lister)—

[627](#) Nonconforming petition in regards to the need for improved resources and services for women and children impacted by gender violence

## MINISTERIAL STATEMENTS

### Weather Events



**Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Olympics) (9.33 am): I want to advise the House that I have quite bad hayfever at the moment. I have taken a RAT test and I am negative.

It is my sad duty to report that a woman has passed away in floodwaters in North Queensland overnight. The woman went missing after a car washed off a road at Mount Ossa north of Mackay last night. I thank the emergency services personnel and SES volunteers who worked through the night to find this woman. Tragically, I am advised that they have recovered her body. I offer my heartfelt condolences to the family and I sincerely hope that this is the last tragedy.

This tragedy serves as a stark reminder to Queenslanders of the dangers of weather events. The SES have responded to more than 110 requests for assistance since 3 pm yesterday and they continue to assist the community as I speak. Emergency services were also called to reports of minor flooding affecting three properties after intense falls in Townsville overnight but were not required to evacuate any residents.

Heavy rainfall has hit many regions across the state in the last 24 hours. Overnight we have recorded 244 millimetres at Mourilyan mill south of Innisfail, 200 millimetres at Innisfail Wharf and 180 millimetres at Paluma, North Queensland. The Bureau of Meteorology advises that heavy rainfall may redevelop this morning over eastern parts of the Herbert and lower Burdekin as well as the northern Central Coast and Whitsundays. The risk of heavy rain is expected to ease later today as the heaviest falls continue to move offshore.

A number of flood warnings are now current across the state including major flood warnings for the Bohle River near Townsville, the Haughton River and the Cooper Creek. Our flood watch continues for numerous catchments across Northern, Central and Western Queensland and I am advised that multiple regions around the state have experienced flash flooding.

I am also advised that the man rescued from floodwaters in Mount Isa yesterday has been discharged from hospital. I wish him and his family all the best. I thank the thousands of emergency services personnel and volunteers who continue to put their lives on the line to take care of us this week.

Queenslanders have done a great job so far, but we know how quickly things can turn from bad to worse in heavy rain and storms here in Queensland. Again, I urge all Queenslanders to please be prepared. Do not travel unnecessarily on the roads during the weather events. Please monitor the weather warnings issued by the bureau and always remember: if it is flooded, forget it.

### Domestic and Family Violence, Commission of Inquiry



**Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Olympics) (9.36 am): Yesterday I announced historic changes to how this state will deal with domestic and family violence. These were the recommendations of Justice Margaret McMurdo and her inquiry. Key to them is a holistic approach that includes greater educational awareness, particularly of coercive control. It was also recommended that a commission of inquiry examine the role of police.

I once again make it plain that our police do a great job in this state. Their dedication has saved lives. As former commissioner Bob Atkinson said, last year police responded to 120,000 calls for help linked to domestic violence. The service itself estimates it responds to 300 incidents of domestic and family violence a day. However, among the 700 submissions to Justice Margaret McMurdo's inquiry were women who said the system had failed them. The commission of inquiry was set up to stop these women continuing to fall through the cracks.

The terms of reference will include: whether there are cultural issues within the Queensland Police Service relating to the investigation of domestic and family violence; how they might relate to the over-representation of First Nations people in the criminal justice system; assessing the capability, capacity and structure of the QPS to respond to domestic and family violence; and determining the adequacy and conduct of the handling of complaints.

The commission may receive submissions from relevant individuals and entities and hold public and private hearings. It will be conducted by Her Honour Judge Deborah Richards. She is a former crown prosecutor and public defender and is President of the Childrens Court of Queensland. I acknowledge the comments made by the Queensland Police Union President, Ian Leavers, who said the inquiry was an opportunity to appreciate the pressures and workload on police and to improve.

These are complex issues. Every day another 10 women are admitted to hospital because of domestic and family violence. Each of us has a role to play in confronting it, preventing it and ensuring perpetrators face justice. We have arrived at this historic turning point not as a government but as a community.

I thank Judge McMurdo and her task force. I thank the members of this government's own Domestic and Family Violence Prevention Council. Most of all I thank the families of the victims of these hideous crimes. Allison, Hannah, Hannah's children and hundreds of others are no longer with us, but their families continue to fight for them with grace, with patience, with dignity and with unbelievable strength. As Hannah's dad, Lloyd Clarke, said yesterday, 'Our angels have voices.' Justice McMurdo's report urges us to hear her voice, and so we have. We have heard it together.

### Resources Industries, Vanadium




**Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Olympics) (9.38 am): A strong resources industry is vital to rebuilding Queensland's economy and creating jobs for the people of this state. Queensland's resources industry has gone from strength to strength under our government. In total, we have supported \$21 billion worth of investment into resources projects, creating more than 8,000 jobs. Our government always backs Queensland's resources sector to create jobs and diversify our economy into the future.

Today I have some good news for our industry. Queensland's independent Coordinator-General has declared a \$242 million vanadium proposal in the state's north-west a coordinated project. The Richmond-Julia Creek Vanadium Project has the potential to mine up to 4.2 million tonnes of ore per year. The minerals will be processed on site to produce 790,000 tonnes of vanadium concentrate. Even more importantly, this project is expected to create 50 construction jobs and an extra 200 ongoing jobs once it is up and running.

Vanadium is one of the top five minerals required to develop renewable energy technologies. As a result, this project could help to drive Queensland's ambition to become a renewable energy powerhouse in the future. This development, and other projects like it, will be supported by our commitment to build a \$10 million critical minerals demonstration plant in Townsville. Of course, in order to proceed this proposal will have to meet stringent environmental proposals, but I am advised that this project is very promising. We understand how important this issue is and how it creates jobs. We will continue to drive the exploration of these new minerals to make sure they contribute to our renewable energy future.


### Queensland Reconciliation Awards

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Olympics) (9.40 am): The Queensland Reconciliation Awards, honouring initiatives which advance reconciliation across Queensland, will be held in the next few weeks in Cairns during National Reconciliation Week. Today I am pleased to update the House that 16 outstanding finalists across five categories have been shortlisted for this year's awards, now in their 20th year. These awards include a youth orientated Indigenous language program, a social media project sharing Indigenous stories and businesses enhancing job opportunities for First Nations people. I table a list of the 16 finalists.

*Tabled paper:* Document, undated, titled 'The 2022 Queensland Reconciliation Award finalists' [\[628\]](#).

Reconciliation is as much about the journey as it is about the destination—ensuring all voices are heard, acknowledging and accepting the wrongs of the past, and creating new systems built on fairness, equity and trust. I congratulate all the finalists and commend everyone who put forward a nomination. I look forward to attending the awards in Cairns.

### Resources Industries, Vanadium


 **Hon. SJ MILES** (Murrumba—ALP) (Deputy Premier, Minister for State Development, Infrastructure, Local Government and Planning and Minister Assisting the Premier on Olympics Infrastructure) (9.40 am): Queensland's North West Minerals Province is one of the world's most promising sources of critical new economy minerals. These are the minerals that the world needs to keep advancing new technology renewables and other new economy products. One of these critical minerals is vanadium, used to make products such as speciality vanadium redox flow batteries. This type of battery is just one of the exciting energy storage technologies being developed for use in electric vehicles and industrial-scale renewable power.

Queensland's North West Minerals Province and our state's role in the new economy supply chain have just taken another step forward. Queensland's Coordinator-General has made a coordinated project declaration for the \$242 million Richmond-Julia Creek Vanadium Project. This will be one of the first mines to produce vanadium in Queensland. It could mine up to 4.2 million tonnes of ore each year for processing on site into 790,000 tonnes of vanadium concentrate.

As a coordinated project, the proposal will undergo a rigorous assessment of all environmental, social and economic impacts and there will be extensive community consultation. Pending approvals, the project is expected to create up to 50 construction jobs. It is estimated there will be 200 operational jobs, with the mine expected to be in production for 20 years. Construction could start in 2023 and the mine could be operational in 2024.

The project is proposed by Richmond Vanadium Technology, which plans to transport concentrate to the Port of Townsville for export. There is also the potential for future use in local processing and manufacturing, and the Queensland government is also pursuing those opportunities. We have announced plans for a demonstration vanadium processing plant to be established in Townsville. We are also developing a Queensland battery industry strategy. The North West Minerals Province is already one of the world's richest sources of base and precious metals. Proposals such as the Richmond-Julia Creek Vanadium Project show that Queensland is ready to diversify into the next generation of commercial mineral production.

### Social and Affordable Housing; HomeBuilder

 **Hon. CR DICK** (Woodridge—ALP) (Treasurer and Minister for Trade and Investment) (9.43 am): The Palaszczuk Labor government understands the needs of Queenslanders in our rapidly growing state. We develop plans for the infrastructure Queenslanders need and we deliver on those plans. That is why in last year's budget our government announced ongoing funding to develop more social and affordable housing for Queenslanders including our \$1 billion Housing Investment Fund. Investment returns on the \$1 billion Housing Investment Fund will create an ongoing source of funding, which will be delivered through partnerships with property developers and community housing providers. Those returns will enable our government to deliver an ongoing pipeline of housing projects. Last week I was delighted to announce the first two along with the Minister for Housing and the member for Redcliffe. By working with the Brisbane Housing Company we will deliver 118 new affordable and social homes in Redcliffe and Chermside. This is an announcement that I know is also welcomed by the member for Stafford.



These demonstration projects under the Housing Investment Fund are just one element of the Palaszczuk Labor government's comprehensive plan to deliver the largest single, concentrated investment in social and affordable housing in Queensland's history. It is just the start, with many more projects to come working with partners like the Brisbane Housing Company, which was established by the then Beattie Labor government some two decades ago. It complements the work we are doing to bring on more affordable build-to-rent projects, like the units currently under construction for Frasers Property's Brunswick & Co. build-to-rent development in the Valley, supported by our government and the member for McConnel.

Another program designed to get more Queenslanders into a home is HomeBuilder. Members will be aware that this federal government program is administered by the states. As Scott Morrison might say, 'That's not my job.' Unfortunately, Scott Morrison did a bad job of designing the program. Because he did not work closely with the states, Scott Morrison ended up introducing a definition of 'new home' that was contrary to the longstanding and well-understood arrangements that apply for first home owners grants. Scott Morrison's approach, along with restrictive guidance from the federal government, meant that the Queensland Revenue Office was required to refuse some applications on the basis that work had commenced prior to the start of the program. This affected around 200 of 29,000 applicants, who have been left in the lurch by these federal rules.

With the Assistant Minister for Treasury, the member for Jordan, we have worked with industry bodies including the Property Council of Australia and the UDIA to push the federal government to fix their mistake. I am pleased to announce today that, after that relentless advocacy, the Commonwealth has now relaxed its guidance to allow the bulk of these rejected applications to be approved. That eligibility will also apply to other relevant applicants who may have applications pending. The Queensland Revenue Office will be writing to those applicants from this week to inform them that their cases are being reviewed.

As I indicated, this whole problem could have been avoided had Scott Morrison simply applied the definition of 'new home' that everyone has used for years for first home owner grant schemes. Once again, just like with flood support, Scott Morrison's failure to work collaboratively has led to unnecessary heartache for ordinary Queenslanders. In closing, I particularly recognise those MPs who raised this matter with me, including the members for Algeester, Barron River, Bundamba, Capalaba, Cooper, Hervey Bay, Mansfield, Mount Ommaney, Mulgrave, Nicklin, Noosa, Nudgee, Redlands, Stafford and Thuringowa.

### Cooler Cleaner Schools Program



**Hon. G GRACE** (McConnel—ALP) (Minister for Education, Minister for Industrial Relations and Minister for Racing) (9.47 am): Just over two years ago, the Premier and I announced an exciting and ambitious plan to air-condition every state school classroom, staffroom and library by June 2022.

**Opposition members** interjected.

**Ms GRACE:** Thank you. You are welcome, all of you.

**Opposition members** interjected.

**Mr SPEAKER:** Order! Minister, I can clearly see you are trying to conduct the orchestra. That is my job, not yours.

**Ms GRACE:** It is so lovely to be thanked for a job well done! I am delighted to advise that school air conditioning under our \$477 million Cooler Cleaner Schools Program is complete—and more than two months ahead of schedule. This is an outstanding achievement. I would be upset if I were them, too, because it is six years ahead of their inferior plan—six years ahead! Shame on you. All I need from you is 'thank you'.

**Mr SPEAKER:** Through the chair.

**Ms GRACE:** We know students learn best when they are in cooler and comfortable learning environments, with schools in the hottest parts of Queensland already air conditioned. I again acknowledge the good work by P&Cs and school communities that installed air conditioning in some—

**Opposition members** interjected.

**Mr SPEAKER:** Order, members, order!

**Ms GRACE:** They cannot contain their excitement, Mr Speaker. It is extraordinary. If I had all of my classrooms air conditioned, I would be excited too! The P&Cs never have to put their hands in their pockets for air conditioning again. Our program has finished the job and brought air conditioning to another 650 schools, with more than 10,000 school spaces having air conditioning installed—

**Dr Rowan:** Are they all working?

**Ms GRACE:**—and all working, yes!

**Opposition members** interjected.

**Mr SPEAKER:** Order!

**Ms GRACE:** So 650 schools and 10,000 spaces. Importantly, our program also includes funding for the ongoing maintenance and replacement of existing legacy air-conditioning units, with more than 35,000 school spaces in 1,258 schools being upgraded. Just think about it: every single day we are updating and upgrading units throughout Queensland. Let me say that again: with 35,000 learning spaces and 1,258 schools, every day we are upgrading and replacing units. I accept the photo from the Leader of the Opposition—a photo of a legacy unit requiring updating obviously following—

**Dr Rowan:** They're not the only ones!

**Ms GRACE:** Honestly and truly, you should be ashamed of yourself over there—

**Mr SPEAKER:** Through the chair, Minister.

**Ms GRACE:**—using such cheap political pointscore. The program sourced local contractors and tradies, with around 1,000 jobs supported during the height of the pandemic and part of our economic recovery plan. Schools from Talwood in the Southern Downs to Tamborine Mountain in the Scenic Rim are all now air conditioned through our program. On the Darling Downs 85 schools have seen over 700 spaces air conditioned, in Wide Bay-Burnett almost 100 schools and 830 spaces have been air conditioned, on the Sunshine Coast almost 50 schools and 1,170 spaces have been air conditioned and in the Brisbane area alone 323 schools and around 5,660 spaces have been air conditioned, and those opposite are still complaining! This is making a huge difference to school principals, who agree. Nerang State High School principal Scott Ison from Gaven said—

This is the most significant change in our school in the past decade.

Toowoomba State High School principal Ashley Roediger from Toowoomba North said—

Toowoomba summers are extremely hot and our winters are very cold so it's fantastic to now have temperature-controlled teaching spaces.

**An honourable member:** Hear, hear!

**Ms GRACE:** Thank you, member. We continue to install solar panels on state school rooftops, and this program is on time and on budget. We are committed to providing quality facilities to schools in all corners of the state. When the Palaszczuk government commits, the Palaszczuk government delivers. You're welcome!

### Domestic and Family Violence, Commission of Inquiry



**Hon. SM FENTIMAN** (Waterford—ALP) (Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence) (9.52 am): The Premier and I announced our government's response to the landmark Women's Safety and Justice Taskforce report, *Hear her voice*, yesterday. The report made 89 strong recommendations from the submissions of more than 700 very brave women and girls who came forward and shared their experiences.

Whilst the report noted that so many of our hardworking police are saving the lives of women and children escaping violence, it also noted that the senior leadership of the Queensland Police Service is absolutely committed to tackling domestic and family violence and addressing this insidious behaviour. The report did also note that many survivors found that they did not receive adequate police responses when making the brave decision to come forward and report domestic violence, and that is why we have accepted all recommendations of the report which includes a commission of inquiry into Queensland police.

The Acting Police Commissioner, Steve Gollschewski, welcomed the government's acceptance of the recommendation to hold an inquiry. He also acknowledged that there had been some instances where police have not gotten it right and welcomed the opportunity to learn and improve so the service could better protect victims of domestic and family violence. The President of the Queensland Police Union, Ian Leavers, said that after the recent inquest surrounding the deaths of Hannah Clarke and her


children it has now formed the view that the inquiry will present a real opportunity to continue to push for genuine reform. This is absolutely not about blaming police; it is about finding the best ways to improve how police respond to women who may be trapped in a controlling relationship. This is about the safety of women and girls.

We acknowledge that domestic and family violence is the single biggest issue that the police deal with—in some regions it makes up 50 per cent to 60 per cent of the work that they do—and we know that in many instances police are experiencing trauma and fatigue themselves due to the increasingly high rates of reports of domestic and family violence, and the cases are complex and distressing. We can do better and we want to make sure that every person impacted by violence, no matter where they live, has their matters heard and listened to. The terms of reference, which I will now table, outline that this four-month commission will examine any cultural issues within the Queensland police relating to the investigation of domestic and family violence, including the impact of over-representation of First Nations people in the criminal justice system.

*Tabled paper:* Governor-in-Council: Commissions of Inquiry Act 1950—Commissions of Inquiry Order (No. 2) 2022: Order in council commencing 30 May 2022 [629].

It will also look at the capability and capacity of the Queensland Police Service to respond to domestic and family violence. The inquiry will be led by Her Honour Judge Deborah Richards and supported by counsel assisting Pat McCafferty QC. Judge Richards is the President of the Childrens Court of Queensland and she is also a former crown prosecutor and public defender. She also served as a member of the Taskforce on Women and the Criminal Code in 1998 and I thank her for taking on this very important role. I look forward to receiving the report and any recommendations of the inquiry and working with the Premier and my colleagues and the Minister for Police and Corrective Services to continue to improve our responses to domestic and family violence and hold perpetrators to account.

### Health System

 **Hon. YM D'ATH** (Redcliffe—ALP) (Minister for Health and Ambulance Services) (9.56 am): The Health and Environment Committee reported to this House on 8 April 2022 its report titled *Inquiry into the provision of primary, allied and private health care, aged care and NDIS care services and its impact on the Queensland public health system*. I want to thank the member for Thuringowa as the chairperson of the committee for his work and all of the committee members, including the member for Lytton and the member for Pumicestone. This body of work is an extremely comprehensive and important body of work in our discussions around the healthcare system. I thank the stakeholders and all of the submitters who came forward and told their stories and gave input and ideas about how we can deal with the constant struggles of the health system across this state.

While the Palaszczuk government is continuing to review the findings of the committee, today, pursuant to section 107 of the Parliament of Queensland Act 2001, I table the Queensland government's interim response to the report in which the Queensland government agrees in principle with all of the report's recommendations.

*Tabled paper:* Health and Environment Committee, Report No. 18, 57th Parliament—Inquiry into the provision of primary, allied and private health care, aged care and NDIS care services and its impact on the Queensland public health system, interim government response [630].

Since 2016 Queensland hospitals have seen a 37 per cent increase in emergency department presentations and a 30 per cent increase in ambulance demand. While the state has been grappling with the ongoing impacts of the COVID-19 pandemic, the Queensland government has continued to invest and plan for our hospitals and health system to manage the increasing demand that is increasingly driven by the failings in the primary and allied healthcare sector caused by the underfunding experienced, particularly in aged care and NDIS and including the Medicare benefit scheme and our GPs, over many years by the Commonwealth government.

It is important in investing and planning to reduce pressures on the Queensland government's hospitals and the health system that we understand why we have more triple 0 calls, more emergency department presentations and more chronic and acute patients. The committee's report clearly demonstrates that presentations to Queensland hospitals are and will continue to grow without significant reform in key areas.

Primary and allied health care, particularly in relation to general practitioners, is increasingly becoming inaccessible and unaffordable for Queenslanders. Private insurance is increasingly not delivering value for money and being abandoned by Queenslanders. Aged-care facilities are increasingly relying on the Queensland Ambulance Service or Queensland hospitals to treat category 4 and 5 cases that have historically been best cared for by a GP or a nurse in the community.

Implementation of the NDIS continues to be challenging and suitable accommodation options and funding packages remain a barrier for access to full support. The latest audit of Queensland hospitals indicates 512 long-stay patients, either NDIS or aged care, who should be in a home or aged-care facility.

With the federal election on 21 May, we will provide a copy of the report to the new federal government and provide them an opportunity to work with us to develop a final detailed response and implementation plan in relation to all 40 recommendations for the benefit of the House. Services to Queenslanders are best when federal and state governments work together on their respective responsibilities. We need a federal government that listens, that values and that invests in health care, aged care and the NDIS in this state.

### **Homicide; Weather Events; Floods, Review**



**Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Corrective Services and Minister for Fire and Emergency Services) (9.59 am): Today is Homicide Awareness Day. I acknowledge the presence in parliament today of members of the Queensland Homicide Victims Support Group. This group is so critical to our community. These people reach out to those who are suffering. I thank the members of the group for being a light in the darkness and look forward to catching up with them later today, and encourage all members of parliament to join them for their session in the Undumbi Room.

I join with the Premier in conveying my condolences to the family and friends of the woman who lost her life in floodwaters as a result of the current severe weather event. Certainly these are tragedies that we never want to see. I know that many people will be feeling a loss today as a result of that lady's death. Today's constant rain is a reminder of the severe wet weather season Queensland has endured. Many people are still recovering.

It is critically important that as a community we learn from each of these disasters to ensure we can be best prepared for the next event. I am sure all Queenslanders are looking forward to the broad-ranging flood review being undertaken by the independent Inspector-General of Emergency Management. Obviously given the reputation of the Inspector-General of Emergency Management his report will carry great weight.

I note that in the meantime a separate review by Brisbane City Council has been released. I am advised that this review was relatively narrow in scope with no direct consultation with key state government agencies and senior disaster management and emergency services personnel. I also note that the reviewer was reportedly directed to expeditiously complete the review.

The review makes some comments about the national emergency alert system. It is important to note that this system is a national system implemented at a national level. In addition, on face value I am advised that there are inconsistencies and contradictions in the report, including in respect of important event time lines. These are matters which no doubt will be investigated by the Inspector-General Emergency Management.

We must have the facts. I am sure all Queenslanders will look forward to the inspector-general's findings which will be based on a comprehensive analysis of all pertinent factors and that is, of course, what should be expected in any such review. Queensland's Inspector-General Emergency Management is regarded as the gold standard across the nation. Accordingly, his findings will carry substantial weight.

### **Cross River Rail**



**Hon. MC BAILEY** (Miller—ALP) (Minister for Transport and Main Roads) (10.02 am): The Palaszczuk Labor government is transforming the future of travel right below our feet. We continue to make progress on Queensland's biggest ever infrastructure project each and every day: Cross River Rail. Thanks to Cross River Rail we will see trains running below the Brisbane River for the first time in history. It will be awesome!

After finishing tunnelling ahead of schedule last year, our focus is now on building stations and tunnel works. Already we have seen the first lengths of track being delivered at the new underground station at the Gabba, which we know will be a key transport hub for the 2032 Olympic and Paralympic Games. This rail was manufactured in Australia by Australian workers, showing that our investment in Queensland's transport infrastructure has far-reaching economic and employment benefits. Soon this track will be laid down in the tunnels to connect the four new underground stations with the existing rail network at Roma Street and Park Road stations.

One of these new stations is Albert Street station, the first new station to be built in Brisbane's CBD in over 120 years. It is at Albert Street where we hit another major milestone last night with the Deputy Premier going down to commemorate the event deep underground. We have excavated 50 metres deep right in the middle of the CBD where the future Albert Street station will sit, a record excavation in the history of Brisbane. That is the equivalent of a 13-storey building below ground level and can only be accessed by 40 flights of stairs each way—and I can assure members that it is a good workout. This depth almost doubles the 26-metre record set by the Queen's Wharf project which is also going very well.

The northern portal, north of Roma Street on the Ekka line, is where the final parts of the tunnel boring machines Else and Merle—much loved—were recently removed, marking the end of the tunnelling of the project. This is also where we will soon host a money-can't-buy experience for 40 lucky ABC 612 listeners to go down there. It will be the only opportunity the public gets to head into the tunnels below the city before they are fitted out with track and signalling infrastructure.

The Cross River Rail project is full of opportunity for a better transport network and for a growing South-East Queensland population. Construction will be complete in 2024 and trains running in 2025. We are five years in and only 3½ years to go.


### Tourism Industry

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Minister for Tourism, Innovation and Sport and Minister Assisting the Premier on Olympics and Paralympics Sport and Engagement) (10.05 am): Queensland tourism's economic recovery plan is firing. During April, Queenslanders and interstate visitors delivered an estimated \$2 billion for Queensland tourism operators and regional jobs. After a strong start to 2022, Queensland tourism broke records as school holidays merged with a hat-trick of back-to-back long weekends for a bumper month. The school holidays were followed by Easter, then the Anzac Day long weekend and the Labour Day long weekend, as members are all very well aware.

Visitors arrived in their tens of thousands for Queensland holiday getaways—and they stayed longer. Strong Easter travel saw Queensland airports recording their busiest days since COVID—some even busier than before. Accommodation providers in places like Cairns, the Whitsundays and the Gold and Sunshine coasts were hanging out 'no vacancy' signs. Occupancy rates in destinations peaked at 90 per cent and exceeded pre-COVID records for revenue, occupancy and demand. Daniel Gschwind, the now-retired CEO of the Tourism Industry Council, described Easter 2022 as a game changer.

The Palaszczuk government continues to stand shoulder to shoulder with tourism operators. We invested more than \$1.1 billion in the industry's economic recovery plan and now we are seeing the fruits of that investment. Part of the plan is the second phase of the Great Queensland Getaway campaign. We launched the second instalment in February to tempt the nation with unbeatable airfare and holiday deals. The results are now in. Discounted airfares from Virgin Australia and Webjet alone delivered almost 152,000 passengers direct to Queensland airport arrival halls. Our accommodation partners enticed visitors with luxury and family deals to book in a combined 90,000 visitor room nights. The Great Queensland Getaway campaign's national focus generated more than \$120 million in visitor spending. Right now, as temperatures dip across the ditch, we are on the air in New Zealand with iconic images of our state to remind Kiwis that Queensland is the place to be this winter. Get the message out to all your bros and get them to come over!

### Hydrogen Industry

 **Hon. MC de BRENNI** (Springwood—ALP) (Minister for Energy, Renewables and Hydrogen and Minister for Public Works and Procurement) (10.07 am): Queensland is powering ahead in the new global renewable energy era. In fact, we are setting the pace. Through the leadership of our Premier, this government is tapping into Queensland's abundance of sunshine, wind and water and our new economy minerals and, of course, our skilled workforce to power our energy evolution. In the race to become a global hydrogen superpower, the eyes of the world are fixed on Queensland. Market confidence in Queensland's ability to deliver on our green hydrogen commitment is already very high. More and more international companies are looking to Queensland to help achieve their decarbonisation ambitions.

I am pleased to provide this statement on the latest international developments in Queensland hydrogen. Overnight we delivered an address to the World Hydrogen Summit held in the Netherlands. On behalf of Queensland, we stated our intention to participate in the hydrogen supply chain throughout Europe. Indeed, I can confirm Queensland's future plans to export hydrogen to Europe's largest port,

the Port of Rotterdam. At the summit, Queensland also formally signed a memorandum of understanding with the port whose goal is to import up to 20 million tonnes of hydrogen by 2050, a production target that will require around 600 gigawatts of renewable energy generation.

Thanks to the Palaszczuk government, there are already seven gigawatts of projects in Queensland and another 23 gigawatts in our broader pipeline, making Queensland a major contributor to Europe's future energy supply. Europe knows Queenslanders can get it done. This landmark agreement will put Queensland and the Port of Rotterdam to work to establish our hydrogen supply chain to Europe. This is another ringing endorsement of Queensland's green hydrogen credentials because if our nation is going to successfully export our future fuels and renewable energy we must foster strong international trade partnerships. We are incredibly proud of the relationships our government has forged on hydrogen with nations such as Japan, South Korea and now those in Europe.

That stands in stark contrast to the Morrison government and a Prime Minister seemingly intent on dismantling our nation's reputation on the world stage. Whether it is the French President or the unfolding situation in the Solomon Islands, Australia's standing and our international reputation continue to erode under the Morrison government. The undermining of our global reputation by this Prime Minister must end. In contrast, our hydrogen partners trust the Palaszczuk government to deliver sensible, affordable green solutions. That trust is something that this government and federal Labor take very seriously. It is a trust we know that Australians will take to the ballot box next Saturday.

### Regional Queensland, Water Security



**Hon. GJ BUTCHER** (Gladstone—ALP) (Minister for Regional Development and Manufacturing and Minister for Water) (10.10 am): I would like to update the House on the great work being funded by the Palaszczuk government to support economic growth in three of Queensland's biggest foodbowl regions. We have invested over \$9 million across our Regional Water Assessment Program, focusing on three important regions: the Southern and Darling Downs, the Bundaberg-Burnett and the Tablelands regions.

**Mrs Frecklington:** How is that?

**Mr BUTCHER:** If you'd listen for a bit, I will tell you.

**Mr SPEAKER:** Minister, I am listening but I would love you to make your comments through the chair. That would be fantastic.

**Mr BUTCHER:** We are working with local stakeholders to investigate long-term water security solutions that create economic opportunity and drive growth in all of our regions. In late 2021, work commenced in each region including important early investigations into service needs and hydrology. All of the assessments being done are well underway and I know my department and Sunwater are engaging with stakeholders right across those regions to determine the best solutions possible.


In the Bundaberg-Burnett region, Sunwater has hosted three stakeholder advisory group meetings and a detailed online survey has been released so irrigators can identify their future water demand. Last month in the Southern and Darling Downs, the findings on service needs were presented to a stakeholder advisory group and work is now underway to develop and shortlist options for further exploration. In the Tablelands, representatives from the Mareeba Shire Council, the Tablelands Regional Council and the Cairns Regional Council, along with representatives from the agriculture industry and other peak bodies, are participating actively.

I would like to acknowledge all of the local council and industry stakeholders who have made the time to support the process to date. We are getting on with the job and getting great support in every region we are doing this. We want to consult thoroughly and get all options on the table so that priority projects can be considered. We can then determine which infrastructure and non-infrastructure options will best be delivered for water security and economic growth suited to each of those regions.

This investment is further evidence of our commitment to water security right across Queensland. We are constantly working to improve water security and bolster economic growth and we are planning for the future of Queensland—unlike the federal LNP, which has not delivered one project in Queensland despite being in government for nine years. We are getting on with the job and they do not like it because they know we are getting it done. We do not just talk about water; we deliver it because we know that water investment, especially in regional Queensland, is critical to Queensland's economic prosperity.


**Mr SPEAKER:** Member for Southern Downs, you are warned under the standing orders. Member for Nanango, you are certainly warned under the standing orders.

## ABSENCE OF MINISTER

 **Hon. YM D'ATH** (Redcliffe—ALP) (Leader of the House) (10.14 am): I advise that the Minister for Communities and Housing, Minister for Digital Economy and Minister for the Arts will be absent for question time today. The Deputy Premier, Minister for State Development, Infrastructure, Local Government and Planning and Minister Assisting the Premier on Olympics Infrastructure will answer questions relating to matters within the portfolios of the Minister for Communities and Housing, Minister for Digital Economy and Minister for the Arts during question time today.

## PARLIAMENTARY CRIME AND CORRUPTION COMMITTEE

### Parliamentary Crime and Corruption Commissioner, Report


 **Mr KRAUSE** (Scenic Rim—LNP) (10.14 am): As chair of the Parliamentary Crime and Corruption Committee, I lay upon the table of the House the Parliamentary Crime and Corruption Commissioner's report titled *Report on the results of the inspection of the records of the Crime and Corruption Commission pursuant to section 362 of the Police Powers and Responsibilities Act 2000*, dated January 2022.

*Tabled paper:* Parliamentary Crime and Corruption Commissioner: Report on the results of the inspection of the records of the Crime and Corruption Commission pursuant to section 362 of the Police Powers and Responsibilities Act 2000, January 2022 [631].

The report outlines that during the reporting period the CCC and law enforcement officers of the CCC complied with the provisions of the PPRA in most respects and outlines details of noncompliance on particular matters. The committee received the report on 24 January 2022 and, as required, is tabling the report within 14 sitting days of receipt.

## NOTICE OF MOTION

### Women in Sport

 **Mr KATTER** (Traeger—KAP) (10.15 am): I give notice that I shall move—


That this House supports women's rights by agreeing that:

1. allowing biological men to play in female sport will erode the integrity of female sport;
2. anyone who supports biological men playing in female sport, irrespective of age group, level or code, is complicit in eroding the integrity of female sport and therefore women's rights;
3. based on their insurmountable physical advantages, biological males participating in female sport pose an unfair competitive advantage against and/or safety risk towards female athletes.

## QUESTIONS WITHOUT NOTICE

**Mr SPEAKER:** Honourable members, today question time will conclude at 11.16 am.

### Palaszczuk Labor Government, Integrity

 **Mr CRISAFULLI** (10.16 am): My question is to the Premier. In the February sitting when asked about altering reports the Premier said to raise the evidence. The Coaldrake interim report outlines claims of reports being sanitised and recommendations being altered. Does the state government whitewash reports?

**Ms PALASZCZUK:** As I said, and I will say it again, if there is any evidence that a member has they should refer it to the appropriate bodies. Likewise—

**Opposition members** interjected.

**Ms PALASZCZUK:** Let me finish—Professor Coaldrake has handed down an interim report. We look forward to seeing the final report. We will look at those recommendations and we will take them very seriously. He has a lot of work to do. He is taking this very seriously.

**Opposition members** interjected.

**Mr SPEAKER:** Order! The Premier is being responsive to the question as asked.

**Ms PALASZCZUK:** We could have a whole separate one for the years of the Newman government. That would be volumes. We look forward to—

**Mr Crisafulli:** So, 'Yes, we do whitewash reports.'

**Ms PALASZCZUK:** I take the interjection of the Leader of the Opposition because when they were in government they did not produce reports. There was no production of crime statistics or reports. It is very hypocritical of the Leader of the Opposition to come in here—

**Ms Grace:** Sacked committees.

**Ms PALASZCZUK:** That is right: he sacked committees in the middle of the night; in the early hours of the morning. Let us not forget that the architect of all of that is now the Deputy Leader of the Opposition, the member for Kawana, who was front and centre at every attack on the judicial bodies in this state, including the courts and the institution of parliament. I will say very clearly that we will never be lectured to by those opposite on these matters.

### **Palaszczuk Labor Government, Integrity**

**Mr CRISAFULLI:** My question is to the Premier. The interim Coaldrake report highlights many damning cases of poor accountability and culture, including ministerial staff overreach, ministers being protected and lobbying laws being skirted. The CCC has also shot down the repeated claims of the Premier that it has the powers and resources of a royal commission. What is stopping the Premier from calling a royal commission into the integrity crisis gripping her government?

**Ms PALASZCZUK:** As we said very clearly, we are waiting for the final report of Professor Coaldrake. My understanding is that it is due later this month, but I will double-check that. We will make sure that we see those results and let him do his job.

I find it ironic that the Leader of the Opposition would ask a question about ministerial staff. Why do I say that? There is a very documented report where the former head of communications in the Campbell Newman government called the chair of the CCC into the Premier's office and collaborated on a piece in the paper to back in their anti-bikie laws in this state. Do not come in here—

**Opposition members** interjected.

**Mr SPEAKER:** Order!

**Ms PALASZCZUK:** Do not come in here—

**Opposition members** interjected.

**Mr SPEAKER:** Order! Members to my left!

**Ms PALASZCZUK:** The head of the communications department called the chair of the CCC into the Premier's office to back in the member for Kawana's laws.

**Opposition members** interjected.

**Mr SPEAKER:** Order! Well, that was unexpected!

**Ms PALASZCZUK:** Do not try and whitewash history, because the facts are there. If members opposite and the Leader of the Opposition want us to broaden Professor Coaldrake's review into the Newman years, I am happy to do that.

### **Regional Queensland, Health Services**

**Mr SMITH:** My question is to the Premier and Minister for the Olympics. Will the Premier please update the House on the Palaszczuk government's commitment to investing in health care, particularly in regional Queensland?

**Ms PALASZCZUK:** Thank you very much—

**Mr Stevens:** More ramps for ambulances.

**Mr SPEAKER:** Member for Mermaid Beach, you are warned under the standing orders.

**Ms PALASZCZUK:** Perhaps the member should not interject but talk to his federal counterpart on the Gold Coast who wants to strip the Gold Coast of funding. That is what the member for Mermaid Beach should be doing.

**Ms Grace:** Where are they?

**Ms PALASZCZUK:** That is right: front page of the *Gold Coast Bulletin*—absolutely embarrassing. Once again, it is about rejecting Queensland's fair share for important infrastructure that is also needed for the Olympics. Interject again, member for Mermaid Beach!



I thank the member for Bundaberg for that very important question, because he cares about his community and the health of his community. That is why we have detailed planning for a new Bundaberg Hospital. We know that no matter where families live they deserve good access to health care. In the Newman years we saw massive cuts of healthcare workers in regional Queensland. Those opposite gutted regional Queensland and axed workers. Under this government we have rebuilt those frontline services and are investing in the infrastructure and planning needed to enhance our health system.

In the past 12 months we have delivered a further record health budget of \$22.2 billion. We are delivering an extra 1,056 beds by 2026 and we have introduced the Care for Queensland initiative, which is a \$263.7 million investment that has delivered 351 additional beds, expanded the Transfer Initiative Nurse Model to an additional six facilities and expanded mental health co-responder models.

We do know that we have an issue with the federal government—and don't we have a few!—about the number of people currently in hospitals who simply should not be there. They are young people with a disability, older people with a disability and aged-care recipients who should not be occupying beds in our hospitals but who should be in aged-care facilities out in their community, close to loved ones and close to home. Currently, around 500 people are in our hospitals who should be elsewhere. We need a federal government with whom we can work to action these people being transferred out into the community to be near their loved ones. That is exactly what we will be doing. This is affecting regions right now across our state. In Cairns we have 18; Central Queensland, 46; Darling Downs, 47; Gold Coast, 58; Mackay, 32; Metro North, 104; Sunshine Coast, 39; Townsville, 55; West Moreton, 37; and Wide Bay, 29. These are fundamental issues.

*(Time expired)*

### **Palaszczuk Labor Government, Integrity**

**Mr BLEIJIE:** My question is to the Premier. The Integrity Commissioner has called for a royal commission into the integrity of the Queensland government, but the Premier says she will only do so if the Coaldrake report recommends it. Why is the Premier not listening to Queensland's first female independent Integrity Commissioner but will listen to her hand-picked reviewer?

**Ms PALASZCZUK:** For a start, Professor Coaldrake is very well respected. Once again, I will not have the typical member for Kawana—

**Mr Bleijie** interjected.

**Mr SPEAKER:** Order!

**Ms PALASZCZUK:** This is just the modus operandi of the member for Kawana: attack, attack, attack.

**Opposition members** interjected.

**Ms PALASZCZUK:** We will look very carefully at the recommendations that come from Professor Coaldrake. As I said, we will adopt those recommendations. In this state we have an anti-corruption commission. Federally, where is the federal ICAC?

**Ms Fentiman** interjected.

**Ms PALASZCZUK:** That is right. That is a big issue.

**Opposition members** interjected.

**Mr SPEAKER:** Ten days to go. Premier?

**Ms PALASZCZUK:** Thank you, Mr Speaker. The member for Kawana might want to ring his mates in Canberra and ask, 'Where is the federal ICAC?'

**Ms Fentiman** interjected.

**Mr SPEAKER:** Okay. The member for Waterford will cease her interjections.

**Ms PALASZCZUK:** Even today there is a division between the New South Wales Premier and the Prime Minister about funding for federal and state anti-corruption bodies. The member for Kawana did not mind ripping resources out of the CCC. That is right: I am having to talk about your integrity, because you have no integrity.

**Mr SPEAKER:** Premier, through the chair.

**Ms PALASZCZUK:** I look forward to the member for Kawana joining the Prime Minister on Sunday. They will put him right next to him—the member for Kawana and on that side the member for Broadwater. There you go: the three amigos. We will see how that goes with the public.

**Mr Bleijie** interjected.

**Ms Grace** interjected.

**Mr SPEAKER:** Member for Kawana and member for McConnel.

**Ms PALASZCZUK:** Let me end on this note: I just say to the member for Kawana—

**Mr Bleijie:** Forget about speaking about the Integrity Commissioner!

**Mr SPEAKER:** The member for Kawana is warned under the standing orders.

**Ms PALASZCZUK:** No-one can ever forget the member's appointment for Chief Justice.

**Ms Fentiman** interjected.

**Mr SPEAKER:** I remind the Premier and all ministers that comments will be directed through the chair or members will be warned under the standing orders.

### **Flood Mitigation**

**Ms HOWARD:** My question is of the Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning and Minister Assisting the Premier on Olympics Infrastructure. Can the Deputy Premier outline to the House what the Palaszczuk government is doing to protect Queenslanders' homes and businesses from floods and is the Deputy Premier aware of any alternative approaches?

**Dr MILES:** I know how tirelessly the member and other Ipswich members worked to support residents affected by the recent floods. I am sure that many of them, as we see the rain coming through this week, will have terrible memories triggered of those devastating floods in Ipswich, Brisbane, further west and north into Gympie and Maryborough—places that experienced more than one flood this calendar year.

QFES and QRA have completed flood damage assessments. They have identified 7,000 households with some level of damage and 3,600 households that are now rendered uninhabitable. That is why we have announced the largest program ever, not just to rebuild those homes but to rebuild them better—to raise them, to retrofit them, to buy them back if there is not an option to flood-proof them. The funds will allow us to do as many households as possible so that with the next flood there is less damage, there is less heartache and there is less devastation.

This has only been possible thanks to the hard work of our Queensland Reconstruction Authority—a world-leading, standing reconstruction authority; the same reconstruction authority that those opposite tried to wind up in 2014 and sacked 22 staff from. While our Queensland Reconstruction Authority is doing a good job, the Prime Minister and the Commonwealth government have made mistake after mistake.

It was a mistake when the Prime Minister said resilience was not his job. It was a mistake when he rejected our package the day before he accepted our package. It was a mistake when he said that they would never again fund a resilience program like it because we should always aim to build back better. Let us not forget the mistake he made when he took nearly two weeks to declare an emergency—when he declared an emergency in New South Wales before Queensland even though the floods hit Queensland first. After he said he would declare an emergency he then decided not to declare an emergency. It was of course a mistake to give New South Wales residents three times the level of flood assistance as Queensland residents. It was a mistake to reject our application to upgrade our flood-warning infrastructure, leaving places like Maryborough and Gympie at the peril of manual rain gauges. While the Prime Minister has continued to make mistakes, the Palaszczuk Labor government is stepping up and doing our job to help Queenslanders to rebuild their homes back better after these floods.

### **Palaszczuk Labor Government, Integrity**

**Ms SIMPSON:** My question is to the Premier. I refer to the interim Coaldrake review and ask: can the Premier detail which reports were allegedly sanitised or had their recommendations altered to appease a minister's position?

**Ms PALASZCZUK:** I thank the member for the question. I have addressed this earlier. It is an interim report. I have no further details than what everyone else has read in the interim report. We look forward to seeing the final report.

### Job Creation

**Mr KING:** My question is to the Treasurer and Minister for Trade and Investment. Will the Treasurer update the House on how the Palaszczuk government's investment strategy is bringing more skilled jobs to Queensland?

**Mr DICK:** I thank the member for Kurwongbah for his question and for his strong support for our government's economic plan to create more jobs for Queenslanders. That is what we are doing each and every day. We are leading the nation. We are supporting more jobs and supporting more businesses by attracting more employers to our state who can grow jobs in Queensland. We want to see those jobs in every region in Queensland and we want to see them in new as well as in our strong traditional industries. That is why I was very pleased to be asked to officially open Westpac's new software engineering hub, located in the heart of Surfers Paradise, last week. That IT hub will support 200 new, highly-skilled jobs in an industry that is a long way removed from the Gold Coast's traditional industries.

Some have asked what incentives were provided to Westpac to enable this investment. First is Queensland's lifestyle—the world's best. Second is a proven pool of talent identified by the company through relationships with the University of Queensland and QUT. Third is an environment conducive to business investment and growth which is what our government is all about and what we have delivered for Queensland. That is the heart of what Queenslanders want their government to do for them.

It should be at the heart of what happens in this place during question time. The LNP are fond of talking about anniversaries. We heard that yesterday. Here is another anniversary for the LNP. Today is exactly two years to the day since I became the Treasurer of Queensland.

**Opposition members** interjected.

**Mr DICK:** I say to the LNP: mark it in your dairies because there are many more to come. Here is another fact. For the second half of that period—

**Honourable members** interjected.

**Mr SPEAKER:** I am sorry, Treasurer. I knew you were facing the other way. Members, the interjections are getting to a level that is unconscionable and particularly unhelpful for Hansard.

**Mr DICK:** Here is another fact. For the second half of that period, for nearly an entire year, the LNP has not asked me a single question in question time about the Queensland economy—not the member for Toowoomba South; not the member for Maroochydore; not the member for Kawana, who puts himself as the shadow minister for finance, whatever that is; and certainly not the Leader of the Opposition. I do not often do this, but I will give the member for Everton his due. At least he had a go.

For almost a year now the LNP have walked off the field when it comes to the Queensland economy. They forfeited what should be one of the great contests of ideas in this state. What an indictment on the LNP that for almost a year they did not ask the Treasurer a question about the Queensland economy. They have no vision or ideas when it comes to our economy. This is the party that once claimed to be the party of business and not just the party of property developers.

*(Time expired)*

### Palaszczuk Labor Government, Integrity

**Mr LANGBROEK:** My question is to the Premier. It has been 20 days since the release of the interim Coaldrake review. Has the Premier spoken to all of her ministers to find out who has asked for reports not to reach them to maintain plausible deniability and whose staff—

**Government members** interjected.

**Mr SPEAKER:** Members to my right, if there are any further interruptions during a question being asked you will be warned under the standing orders. Member, please continue with your question.

**Mr LANGBROEK:** It has been 20 days since the release of the interim Coaldrake review. Has the Premier spoken to all of her ministers to find out who has asked for reports not to reach them to maintain plausible deniability and whose staff are overreaching by directing public servants?

**Ms PALASZCZUK:** I thank the member for the question. There are some imputations there. I will correct something I said earlier. I said that the report would be handed down in May. My understanding is that public submissions close in May and the report will be handed down in June. I just wanted to put that on the record.

Secondly, I expect public servants to provide frank and fearless advice. I think the member is selectively quoting. The interim report was quite broad ranging. In relation to that particular matter, I have no further information than what is contained in that report. There will be a final report that will be handed down in June. There is not long for those opposite to wait for the report to be handed down.

**Ms Bates** interjected.

**Mr SPEAKER:** The member for Mudgeeraba will cease her interjections.

**Ms PALASZCZUK:** Let me say that—

**Mr Minnikin** interjected.

**Mr SPEAKER:** Pause the clock. Member for Chatsworth, I have just called the House to order. You are warned under the standing orders.

**Ms PALASZCZUK:** It is my expectation that there is a free flow of information from departments to ministers because ministers have to make decisions based on the advice they are provided. This is unlike those opposite who chose to make their decisions however they wanted to make them and who treated the Public Service with the worst kind of contempt that any modern government in the history of this state has displayed. We will not be lectured to by those opposite. If they did not like people they sacked them. They sacked 14,000 public servants.

I commend the men and women of our Public Service. I commend the men and women who work tirelessly for this government—whether it is in our hospital system, whether it is as paramedics, whether it is during COVID or whether it is at the moment during these weather events. These people go above and beyond to look after our state. I will not be lectured to by those opposite who held the Public Service in complete and utter contempt for the entire three years they were in office.

The Treasurer talks about a two-year anniversary. Those opposite had a three-year anniversary. They had three years of ramming laws through this state without consultation, abusing the committee system, sacking the CCC in the middle of the night, attacking the courts, attacking the doctors. That is the record of those opposite, and the member for Broadwater was front and centre of that.

### **Early Childhood Education and Care**

**Mr MELLISH:** My question is of the Minister for Education, Minister for Industrial Relations and Minister for Racing. Can the minister update the House on how the Palaszczuk government is supporting and investing in the early years and advise if there are any alternative approaches?

**Ms GRACE:** I thank the member for the question. He knows the importance of investment in the early years to give our kids a great start while also providing the opportunity for parents and carers, particularly women, to participate in the workforce. That is where child care comes in.

Mr Speaker, it was great to attend the event you hosted last night, the Thriving Queensland Kids program, which is all about giving our kids a great start in the early years. That is why the Palaszczuk government has announced the most significant kindergarten funding program of a billion dollars over five years. As part of that plan, working families will have fee relief and 14,000 kids will get kindy for free. As we know, costs in the broader childcare sector are going up and the cost of living is going up in Queensland. I know that Queensland families are very much feeling the crunch when it comes to this. We welcome the federal government's—the federal Labor government, sorry. It is not the federal government. They have done nothing in child care over the last 10 years. That was really a very bad misspeak, Mr Speaker. Federal Labor is committing to a \$5.4 billion plan for cheaper child care. The kindy plan we announced was done in consultation with groups. We liaise with them respectfully and closely, and we take what they say in those consultations as very dear to our heart.

That is why I am very concerned about the seat of Brisbane, which is in my electorate, because I want to tell the House what locals are really saying about the member for Brisbane, Trevor Evans. What they are really saying is that they were duped into supporting some sort of leaflet which, for cheap political purposes, used peak organisations. Not one, not two, not three, but more organisations are coming out and saying they are deeply concerned at the misuse of quotes in party political advertising during the federal election campaign. Not only that but they are also putting the funding of some of these organisations at risk because they have obligations not to support any particular political party. It is unconscionable. There is an integrity issue right across it. This member has form; he did it last time. I remember getting calls during the last federal election from very concerned organisations about similar pamphlets. They were duped into give a statement and they were used for party political purposes.

This is what integrity is all about. We hear nothing from them about candidates who enrol at fraudulent addresses, fraudulently using statements from organisations that were not provided for the purpose for which it was used. It is deeply concerning that we do not hear one thing from those opposite or the Prime Minister. Shame on all of you!

**Mr SPEAKER:** Member for McConnel, you are warned under the standing orders. I have asked ministers to direct their comments through the chair. That was not done.

### Queensland Building and Construction Commission

**Mr KRAUSE:** My question is to the public works minister. The minister has previously claimed in this House that neither he nor his office involve themselves in operational matters of the QBCC. Can the minister explain why his office vets the commission's social media posts and delayed its website launch for months, as media reports assert?

**Mr de BRENNI:** I reiterate and confirm my earlier remarks that there is no involvement in the operational matters of the commission. The regulation of social media is purely a matter for them. They regularly publish important information to licensees and consumers, and certainly we have no involvement in that.

I would like to address the issue of the website. There is a new website. It went live on 6 April. It provides an improved experience for licensees and home owners. Some of the positive things that visitors to that website will see are that it is now easier to navigate on your phone or tablet. It has simplified content so licensees and home owners can find information more quickly, which I think is a good result. The website also aligns with our government's commitment that digital services are fit for purpose, customer focused and present value for money.

I am advised that technical elements of the website's construction were largely completed in December 2021. Like a lot of other digital projects, there were other tasks delivered prior to launch. Importantly, they are not limited to staff training and walk-throughs with stakeholders. I am advised that at year's end there was the holiday period, there were interruptions with the Omicron outbreak, and consultation with various stakeholders was conducted through the first quarter of 2022. The commission launched the website without seeking approval from my office on 6 April 2022. I invite consumers and licensees to avail themselves of the useful information it contains.

### Health System

**Mr HARPER:** My question is of the Minister for Health and Ambulance Services. Can the minister update the House on the pressures on the primary healthcare system in Queensland, the actions being taken to deal with bed capacity constraints in our health system, and any alternative approaches?

**Mrs D'ATH:** I thank the member for Thuringowa for his question and for his leadership in the committee's report into primary and allied health care, particularly aged care and the NDIS.

While the Morrison government has not only been missing in action but has seriously failed the people of Queensland when it comes to aged care and the NDIS, the Palaszczuk government has been stepping up and looking after these people. As of February we had 512 long-stay patients in our hospital system. This costs the health system around \$1 million a day. Since April 2021 the Palaszczuk government has had our long-stay rapid response program in place, funded through the Care4Qld initiatives, and we have supported 225 long-stay patients to leave hospital. If these individuals had not left, we would have seen the equivalent of 46 years of bed days at a cost of \$33,764,000. Because of what we did and our intervention, we have saved patients 6,462 bed days and over \$11 million.

All of these statistics ignore the fact that we are talking about individuals. We know that those opposite like to talk about patients' stories. Let's talk about a couple. Let's give a voice to those who have been stuck in hospital beds unnecessarily. Let's talk about T, whose family has given us authority to talk about him. He is 18 years old. He was stuck in hospital for seven months. He was only admitted because of a breakdown in his accommodation and support arrangements, not because of any medical needs. We became the provider of last resort. Because of the complexity of his conditions, this young man required 24/7 security and one-on-one nursing support.

The NDIS completely failed this family. It cost \$2 million to provide support for this individual. It took Queensland Health to fund home modifications in the interim and provide housing solutions in lieu of an appropriate and timely response from the NDIA. We continue to fund his support in the community because the NDIA refused to cover all of his care. Since his discharge to an appropriate disability

support provider he has thrived in the community. His mother has applauded the supports provided to her son. There are so many stories like his. We need to give a voice to the people who have to live in our hospitals because the Morrison government is failing them.

*(Time expired)*

### **Ambulance Ramping**

**Ms BATES:** My question is to the Minister for Health. I refer to media reports confirming Queensland has the worst ambulance ramping in the country and ask: what is the health minister going to do about it?

**Mrs D'ATH:** I went through those details at length yesterday about our ongoing investment in a pipeline of capital infrastructure as well as frontline health workers. We have put on thousands of doctors, nurses and allied healthcare workers in our hospital system since the Newman government gutted our health system. It was absolutely gutted. They sacked 4,400 health workers and left the department and our hospital and health services absolutely gutted of experienced and qualified staff. That is the challenge for us. We cannot just bring in all new graduates because they need the experience of qualified healthcare workers, particularly nurses, to mentor them through the system, but they were removed. They were gutted. They lost all of that experience from those nurses. They were ripped out of the health system because of the actions of the Newman government.

Of course the LNP are no better at a Commonwealth level. They have no interest in supporting a public health system in this country. They not only have ignored our calls for fair funding, but they have actually said to state and territory health ministers, 'There's no extra demand. There's nothing to see here.' It has taken the constant pressure of the health ministers to shine a light on this. We have been standing up with the stakeholders—standing up with the Royal Australian College of GPs, standing up with the AMA, standing up with the disability groups, standing up with the aged-care groups—saying, 'Enough is enough. We need our fair share. We can't do this alone.'

The Commonwealth have a responsibility. The parliamentary committee report clearly outlines the responsibilities of the Commonwealth, but they are failing in every area of their responsibility. They are ignoring the people in aged care. Margaret is 56 years old. She had to stay in the Darling Downs Hospital and Health Service. In June 2021 she had an above-knee amputation. She was ready for discharge in August 2021. The NDIA left her waiting to get modifications. She wanted to go home. She had lived in Stanthorpe since birth and she wanted to go back to live in her home. We stepped in and we provided interim accommodation to get Margaret out of hospital. It took until December 2021—four months after she was medically able to be discharged—for the NDIA to even approve the modifications. Margaret finally got back home in February, but she is still living in a house that is in need of modifications.

### **South-East Queensland, Transport Infrastructure**

**Mrs McMAHON:** My question is to the Minister for Transport and Main Roads. Can the minister update the House on transport projects that will benefit communities in South-East Queensland? Is the minister aware of any alternative approaches?

**Mr BAILEY:** I thank the member for Macalister, who has been a consistent supporter of infrastructure across modes, which is something we cannot say about those opposite. When you look at the front page of the *Gold Coast Bulletin* this morning, it is a train wreck. You have to ask yourself: why are the LNP so lightweight on light rail? That is the question. Every step of the way with light rail, it has been Labor which has driven it on the Gold Coast. We saw criticism on stage 1 from the member for Surfers Paradise. We saw nothing from the Newman government in three years with their record majority. We have seen nothing but criticism. The member for Mermaid Beach says it is an infliction. The member for Burleigh, who is not here today and I wish him well, is a vehement critic of light rail, as is the member for Currumbin. It is only Labor that does light rail on the Gold Coast.

We saw an incredible backflip from Karen Andrews, the member for McPherson. She is in a safe seat of 12 per cent, and she was backflipping at the last minute with a federal election around the corner and opposing light rail progressing beyond Burleigh. Here we have the LNP saying that they do not want light rail to be connected to the Gold Coast Airport. It is bizarre. They have said they want it on the heavy rail corridor, which would mean no heavy rail connection to the airport ever. We have got a coordinated southern Gold Coast plan—with M1 upgrades, light rail along the Gold Coast Highway, heavy rail along the heavy rail corridor, all coming together to deal with the population growth.

It is only Labor that has a plan on the southern Gold Coast, and it is only Labor that does light rail and is consistent about light rail. We do not get spooked by a few critics and we get it done, with infrastructure for the Gold Coast and jobs for the Gold Coast. That will only happen under this Labor government and under federal Labor, with Anthony Albanese who got stage 1 going when he was the federal infrastructure minister. What a visionary—versus the numpties on the other side.

**Mr SPEAKER:** Order!

**Mr BAILEY:** I withdraw. On the second M1, what we see again is the LNP taking the Gold Coast for granted.

**Mr Boothman** interjected.

**Mr BAILEY:** They have signed off on the development deed but they have not signed off on the delivery deed, which we have been trying to get since November of last year. They did not deal with it before the caretaker period, leaving a massive funding void on the second M1. The Palaszczuk Labor government, with this Premier, is filling the void—bringing forward funding to make sure the second M1 is not delayed by LNP ineptitude at a federal level. Barnaby Joyce's department have had it in writing since November and they have done nothing. The LNP talk a big game on the Gold Coast but they always take it for granted and let down Gold Coast residents. It is Labor which delivers infrastructure, light rail and the second M1.

**Mr SPEAKER:** The member for Theodore is warned under the standing orders.

### **Domestic and Family Violence, Reforms**

**Mr DAMETTO:** My question is to the Attorney-General. The Queensland government will implement all 89 recommendations made by the Women's Safety and Justice Taskforce, including new coercive control laws. Homicide victims like Stanley Obi and Kerry Rooney and the men who make up 20 per cent of domestic violence victims here in Queensland must not be forgotten. Will the Attorney-General ensure gender equality when drafting legislation and implementing these recommendations?

**Ms FENTIMAN:** I thank the member for the question. Absolutely we know that men can be victims of domestic and family violence. We also know that, when men experience domestic and family violence as young children, often that cycle of violence continues. But we do have to be very clear. The statistics are very clear and we know that, overwhelmingly, the majority of victims of domestic and family violence are women—

**Mr Dametto** interjected.

**Mr SPEAKER:** Member, you have asked the question.

**Ms FENTIMAN:** Overwhelmingly, the majority of victims are women but of course we acknowledge that men can be victims too. The legislation will absolutely apply to all Queenslanders. All of the reforms announced yesterday—high-risk teams, co-responder models—will be available to all victims of domestic and family violence, but if we do not apply a gendered lens to this problem we will never absolutely eliminate domestic and family violence.

**Mr Dametto** interjected.

**Ms FENTIMAN:** Let me tell you why we have to have a gendered lens.

**Mr Dametto** interjected.

**Mr SPEAKER:** Pause the clock. Minister, please direct your comments through the chair. Member for Hinchinbrook, you are warned under the standing orders. The minister is being responsive to the question as asked. I would like to hear her answer.

**Ms FENTIMAN:** We know that domestic and family violence is inextricably linked to gender inequality. It is absolutely linked to gender inequality. That is why we absolutely need to work with young men on the attitudes and behaviours that underpin the cycle of violence. That does not mean that there are not services available in Queensland for men. There absolutely are. That does not mean that our laws will not apply to protect all Queenslanders. They absolutely will. But we have a huge problem in our system. We have a huge problem with men's violence against women, and if we do not apply a gendered lens to this problem we will never be successful in eliminating domestic and family violence. We do acknowledge men are victims too. Our services and our systems are there to protect all victims. We heard many stakeholders yesterday talk about this issue. We have a problem with men's violence against women and that is what we have to tackle.

### Agriculture Industry

**Mr WHITING:** My question is to the Minister for Agricultural Industry Development and Fisheries and Minister for Rural Communities. Will the minister update the House on how the Palaszczuk government continues to back farmers to deliver Queensland's economic recovery plan from COVID-19 and how that compares with the federal government's approach to Queensland agriculture?

**Mr FURNER:** I thank the member for Bancroft for his question and acknowledge his ongoing support as chair of the committee he represents. The government members on that committee do a sterling job. You only need to cast your mind back over the last few years to see what the Palaszczuk government has done in terms of agriculture.

**Mr Millar** interjected.

**Ms Fentiman** interjected.

**Mr SPEAKER:** Member for Waterford, you are warned under the standing orders for quarrelling with the member for Gregory, who is also warned under the standing orders.

**Mr FURNER:** There has been ongoing support for our droughted farmers right across the sector of Queensland in drought preparedness. With pride and joy, we announced the drought preparedness package only a few weeks ago in Charleville. There has been ongoing support for our farmers in terms of flooding and flood victims. It was only a few months ago that the Treasurer, the Premier and I were out at Qualipac in Lockyer Valley talking to farmers about the support they need.

Let's not forget COVID. It was this government, the Palaszczuk government, that supported our primary producers in terms of making sure the gateways were open, in terms of ensuring primary producers are considered essential in regards to the primary industry portfolio itself. We declared it an essential industry and we allowed the flood of essential goods and services to continue.

Let's focus on the need for labour. This is on the lips of every primary producer I talk to and if those opposite spoke to primary producers and farmers, they would understand the same message that I and many of our ministers and regional members in this House are getting. They are crying out for labour. We supported them right through the pandemic with over 5,200 Pacific labourers. The leading state in this nation was Queensland. We supported them with regional quarantine facilities on their farms—

**Mr Mickelberg:** What about the ag visa?

**Mr FURNER:** I will take that interjection. What about the ag visa? The ag visa was meant to be in place by Christmas last year. That is what we get from David Littleproud. Nothing! He likes to blame his foreign affairs minister for the fact it has not been delivered, he blames unions, but he cannot stand up and support farmers in this nation. What a disgrace this Commonwealth government is in terms of supporting any worker coming to this nation. We are still waiting for those protocols to be signed off and delivered from Vietnam. Will it be this Christmas or the following Christmas we see those?

It is not a case of comparing apples with oranges; it is a case of comparing oranges with the lemons in the Commonwealth government, and the lemons are those opposite. The Palaszczuk government supports the lemons on our shelves in Coles, Woolworths and every fruit shop, but those opposite, they have lost the plot, I tell you what!

### Alcohol Fuelled Violence

**Ms BOLTON:** My question is to the Attorney-General. Within the upcoming budget and the tackling alcohol fuelled violence policy, will the minister ensure to include funding for areas not designated safe night precincts, such as Noosa, to assist in addressing AFV hotspots, as local governments and associations have had to fund themselves this year?

**Ms FENTIMAN:** I thank the member for Noosa for the question. Our tackling alcohol fuelled violence initiatives have been incredibly successful. I particularly want to thank the now health minister who spearheaded these reforms and Anthony Lynham, a former member of this House, who was very passionate about tackling alcohol fuelled violence.

Our key measures, which include reducing liquor trading hours to 3 am for venues and safe night precincts, mandatory ID scanners and banning the sale of rapid intoxication drinks after midnight, have worked. An independent evaluation saw a 49 per cent decrease in the monthly number of serious assaults between 3 am and 6 am, a 52 per cent reduction in the Valley between 3 am and 6 am, and an average number of monthly ambulance calls during high-alcohol hours reduced by 26 per cent in



Fortitude Valley and 20 per cent in Surfers Paradise. Our policy has been to support these safe night precincts, but I absolutely understand that other local government areas may want to fund initiatives to reduce alcohol fuelled violence.

I am advised that the department has been working with the local government at Noosa Council in relation to becoming a safe night precinct, and I am very happy to work with the member for Noosa if the council decides they do not want to become a safe night precinct on what other avenues there may be for programs. The Community Gambling Benefit Fund, for example, would be a great opportunity for the council to submit proposals for tackling alcohol fuelled violence initiatives that do not take place in a safe night precinct. Our safe night initiatives are working, we are reducing harm, and I am incredibly proud of the tackling alcohol fuelled violence policies of our government because it is working.

### Climate Change, Jobs

**Ms LUI:** My question is of the Minister for Environment and the Great Barrier Reef and Minister for Science and Youth Affairs. Can the minister update the House on Queensland's blueprint for climate action and jobs, the Queensland action plan and the risk Scott Morrison and the LNP pose to it?

**Ms SCANLON:** I thank the member for Cook for the question. I know as someone who represents coastal communities, particularly the Torres Strait, she knows how important it is that all levels of government take action on climate change. I am happy to report to the House that, since the last time we met, in Queensland we have opened Australia's first all-electric bus depot on the Gold Coast; we have hit another milestone with the Kidston Clean Energy Hub project which is supporting 900 jobs; we have announced a grid-scale battery near Chinchilla to provide cleaner and cheaper energy; and CleanCo has struck a major deal with retailers like KMart, Bunnings and Office Works.

On this side of the House, we take our obligation to take action on climate change seriously. That is in stark contrast to what we have seen in this federal election from Scott Morrison and the disunity between the Nationals and Liberals who are putting Queensland jobs at risk.

You do not need to just take my word for it. You have the extraordinary position where a former Newman government minister, Jack Dempsey, is running in this next election because of the LNP's position on climate change. We also have the former LNP leader, Malcolm Turnbull, refusing to even say he will vote for the LNP at the next election and encouraging people to vote for Independents. That is how bad this current federal government is. They are so out of step with major industries: Meat and Livestock Australia, the Australian Farmers Federation—the list goes on of people who want to see governments take this issue seriously and really speaks to the chaos and inaction, frankly, from the federal government, which has had almost a decade in power, on this particular issue.

We have, at the same time, self-described progressives like Warren Entsch, Julian Simmonds and Trevor Evans out there desperately trying to grab onto any climate credentials they might have. They have woken up and decided that they believe in climate change, but do not have any real actions to underpin it, and then at the same time their Nationals colleagues are saying the complete opposite.

Just when we thought we heard the end of Colin Boyce in this chamber, we all saw him on national TV networks saying that their net zero commitment was 'a flexible plan that leaves us wriggle room'. Then, not one to be outdone, cosplay coalminer himself Matt Canavan had to double down on that, saying, 'The net zero thing is all sort of dead anyway.' Then at the beginning of the week, we had Bridget McKenzie not answering whether the Nationals would be taking action on climate change.

This is what true minority government looks like. The reality is that you cannot trust the federal LNP when it comes to action on climate change, or those opposite. A vote for people like Warren Entsch, Julian Simmonds and Trevor Evans is really a vote for Barnaby Joyce who we know is really calling the shots in the federal LNP.

### Social Housing

**Mr MANDER:** My question is to the Premier. Since 2018, the Premier's electorate of Inala has seen the fewest number of new social housing bedrooms in the state. In fact, it has gone backwards. Can the Premier explain what matters more to her: red carpets and photo-ops or putting a roof over the heads of vulnerable Queenslanders?

**Mrs D'ATH:** Mr Speaker, I rise to a point of order. Not only is that seeking an opinion but also it is impugning, I believe, the character and reputation of the Premier and should be withdrawn or ruled out of order.

**Mr SPEAKER:** Premier, that is a question directed at you. I think that the Leader of the House's point of view is relevant.

**Ms PALASZCZUK:** Mr Speaker, I rise to a point of order. I find that offensive and I ask that it be withdrawn.

**Mr SPEAKER:** The question has been found personally offensive by the Premier. I ask that it be withdrawn.

**Mr MANDER:** I withdraw.

**Mr SPEAKER:** Premier, do you wish to respond to the question because the question has been asked? The remarks have been withdrawn, but the question still stands. I have not ruled it out of order.

**Ms PALASZCZUK:** Mr Speaker, I am more than happy to address the member for Everton because his record in his electorate is that he wanted to close a school. That is what he did. We saved that school.

**Mr Dick:** What about all the homes in Logan they wanted to sell?

**Ms PALASZCZUK:** Yes.

**Mr Dick** interjected.

**Mr SPEAKER:** The Treasurer will cease his interjections.

**Ms PALASZCZUK:** Thank you, Mr Speaker. I am happy to give a history lesson. When my grandparents came out from war-torn Germany they came out here with absolutely nothing. They spent time in the Wacol migrant camp and they raised their family in Crocus Street, Inala where my uncle still lives. Let me say very clearly that there has been substantial community renewal in Inala and Carole Park over many years. When Rob Schwarten was the minister and my father was the local member, community renewal happened which gave people dignity—and it continued under the Beattie government as well—because kitchens and balconies that were falling down were able to be repaired.

When I first became the member I remember going to a house in Carole Park where a young woman who had Huntington's disease lived. She was very young. All she wanted was a deck put on the social house she shared with her mother so she would be able to go out, get fresh air and paint. I helped facilitate that. Over the years—

**Mr Mander:** Happy with it going backwards?

**Ms PALASZCZUK:** I am happy to give a history lesson. Then with the housing company we were able to transform the old Richlands site into a combination of affordable housing and a community centre—and there is now a domestic and family violence area there as well—to enable people to enter that market and to have a roof over their head. I find that absolutely disgusting from the member for Everton as a former minister for housing. When they were in government they wanted to kick elderly people out of their home where they had raised their family; they wanted to kick them out onto the street and for them to find somewhere else to live. Then his colleague Bruce Flegg or whoever was the housing minister at the time wanted to rent out the rooms in those people's houses—their family homes. That is right; then they would not allow them to take a holiday. If they did, they were going to throw them out of social housing.

I am absolutely pleased with the renewal that is happening in my electorate. I am pleased with the new complexes that have been built during my term as the member.

**Mr Mander:** The Premier is happy with it going backwards?

**Mr SPEAKER:** The member for Everton will cease his interjections. The Premier is responding to the question.

**Ms PALASZCZUK:** I say to the member that it was set up as a social housing suburb many years ago. Since then the families of the wonderful Vietnamese community have been staying there. They are buying houses and they are raising their families there. The area is—

**An opposition member** interjected.

**Mr SPEAKER:** The Premier's time has expired.

**Ms Palaszczuk:** You are a disgrace.

**Mr SPEAKER:** Premier, please withdraw the comments directed at the member.

**Ms PALASZCZUK:** I withdraw.

**Mr Mickelberg** interjected.

**Mr SPEAKER:** I will also ask that those comments be withdrawn.

**Mr MICKELBERG:** I withdraw.

### Fuel Supply

**Mr WALKER:** My question is of the Minister for Energy, Renewables and Hydrogen and Minister for Public Works and Procurement. Can the minister please inform the House how the Palaszczuk government is establishing a clean fuels supply chain for use in the global and local economies, and is the minister aware of any alternative approaches?

**Mr de BRENNI:** I thank the member for the question. As one of Queensland's and this government's three hydrogen champions, the member for Mundingburra has been at the forefront of future fuels in this nation for some time and knows what it takes to be a global hydrogen superpower. He will be the first to say that Townsville is holding its own in the global hydrogen race. Just look at the partnership that he has helped to deliver with Sun Metals, Edify Energy and the Port of Townsville producing Queensland-made clean future fuels. I say 'race' because that is exactly what this is. We are in a race against other nations to be the world's hydrogen superpower. We are in a race against other nations.

Of course, we all noticed when the Prime Minister showed up in Townsville a couple of weeks ago. He hopped in his jet and took a little trip north promising a hydrogen hub for the north. However, in true Scott Morrison form, this hydrogen announcement is too little too late, putting aside the fact that on the very same day the Prime Minister was in Townsville announcing a hydrogen hub, his senator Matt Canavan said, 'We do not need hydrogen.' It has taken an election campaign and repeated bad polls for Scott Morrison to finally back the biggest opportunity this state and this nation have had to make a contribution to the global economy in generations. Here is this nation's Prime Minister once again being dragged kicking and screaming to the starting line in a race that started literally years ago. Maybe he thought it was just good timing for his photo-op.

This Labor Premier and this government put Queensland in the world hydrogen game four years ago with real funds. She went on a trade mission to Japan, not a ukulele solo in Hawaii. Three years ago it was this Labor government that released our Hydrogen Industry Strategy, a five-year plan to create tens of thousands of jobs in the future fuels sector, and Labor has invested to make green hydrogen a commercial reality in this nation. In all that time Scott Morrison has been hitting snooze repeatedly and on the eve of the election it seems finally he will be waking up.


We all know—Australians know—that, again, it is too little too late, an approach that has defined Scott Morrison's leadership of this nation. He was too little too late on the COVID quarantine. He was too little too late on vaccines and RAT tests. He was too little too late on the bushfire response. He was too little too late on the flood response. He was too little too late on the Pacific region's national security and he has been too little too late on energy security. However, if you ask him, it is not his job. On 21 May Australians will make sure that it really is not his job anymore.

*(Time expired)*

**Mr SPEAKER:** The period for question time has expired.

## HEALTH PRACTITIONER REGULATION NATIONAL LAW AND OTHER LEGISLATION AMENDMENT BILL

### Introduction

 **Hon. YM D'ATH** (Redcliffe—ALP) (Minister for Health and Ambulance Services) (11.16 am): I present a bill for an act to amend the Health Ombudsman Act 2013 and the Health Practitioner Regulation National Law Act 2009 for particular purposes. I table the bill and explanatory notes and a statement of compatibility with human rights. I nominate the Health and Environment Committee to consider the bill.

*Tabled paper:* Health Practitioner Regulation National Law and Other Legislation Amendment Bill 2022 [632].

*Tabled paper:* Health Practitioner Regulation National Law and Other Legislation Amendment Bill 2022, explanatory notes [633].

*Tabled paper:* Health Practitioner Regulation National Law and Other Legislation Amendment Bill 2022, statement of compatibility with human rights [634].

This bill implements the second stage of nationally agreed reforms to the National Registration and Accreditation Scheme for health professions. The reforms include important measures to protect the public and ensure the national scheme remains up to date and fit for purpose. These are the most wide-ranging reforms in the scheme's history and represent a major milestone for the regulation of Australia's health professions.

The national scheme was established in 2010 after the adoption of the health practitioner regulation national law by all states and territories. As agreed nationally, Queensland hosts the national law on behalf of all participating jurisdictions. Any amendments to the national law must be made by the Queensland parliament.

The national scheme is central to the safe and effective regulation of Australia's health professional workforce. It ensures that only health practitioners who are suitably trained and qualified to practise in a competent and ethical manner are registered. By allowing practitioners to have their registration recognised anywhere in Australia, the scheme promotes a health workforce that is agile and responsive to the needs of patients, practitioners and the health system. The scheme also supports innovation in health education and service delivery by providing uniform standards for the registration of health practitioners and the accreditation of health education providers.

Over the past decade the national scheme has grown and matured. At its commencement, 10 national boards were established to regulate approximately 500,000 health practitioners in 10 health professions. Today 15 national boards regulate over 825,000 registered health practitioners across 16 professions.

The scheme's governance and administration have also evolved under the stewardship of the Australian Health Practitioner Regulation Agency, Ahpra, which is responsible for the overall management and administration of the national scheme under the national law. When the national scheme came into effect, Australian health ministers committed to continually review and update it to ensure it continues to protect the public and meet future workforce needs.

In 2014, health ministers commissioned an independent review of the national scheme. That review made 33 recommendations and led to additional reviews into specific aspects of the national scheme and the national law. In 2017, the first stage of reforms to the national law was passed by the Queensland parliament, supported by all Australian states and territories. This included amendments to provide for the national regulation of paramedics.

In 2019, the national law was further amended to clarify the mandatory reporting obligations of treating practitioners and to increase penalties for persons who unlawfully hold themselves out as registered health practitioners. These amendments were fast-tracked ahead of the second stage of amendments contained in this bill. Building on these initial reforms, in November 2019 Australian health ministers approved preparation of a second stage of amendments to the national law.

On 14 February 2022, after extensive interjurisdictional collaboration and stakeholder consultation, the final form of the amendments was approved on behalf of all Australian governments. On behalf of Queensland as host jurisdiction for the national law, it is my privilege to introduce these much anticipated reforms. I will now speak to the specifics of the reforms and to other significant provisions of the bill.

The national scheme and the national law play a vital role in protecting the health and safety of patients and the public. This requires holding registered health practitioners to the highest professional standards while ensuring that any issues with a practitioner's performance, conduct or health are promptly identified and addressed. It also requires effective enforcement to deter unlawful practices, such as the unauthorised use of protected titles, that can cause harm and undermine public trust.

A major focus of the reforms in the bill is to strengthen public safety and increase public confidence in health services provided by registered health practitioners. The bill refocuses the guiding principles of the national law to make protection of the public and public confidence the paramount consideration in administering the law. This will require Ahpra, the national boards and other entities operating under the national law to place protection of the public and public confidence in health services foremost in all decisions and actions. In this way, the new principle will encourage a responsive, risk based approach to regulation within the national scheme. Since 2013, Queensland has modified the application of the national law to make the health and safety of the public paramount. As this paramount principle will now apply nationally, Queensland's modification is no longer needed and is removed by the bill.

The guiding principles and objectives of the national law will also be amended to set clear expectations for national scheme entities to foster culturally safe health services for Aboriginal and Torres Strait Islander peoples. This reform recognises the important role the national scheme has in contributing to health equity for Aboriginal and Torres Strait Islander peoples.

The bill includes a range of measures that will increase and improve the tools available to regulators to respond to public health and safety risks. The bill introduces powers for Ahpra and the national boards to issue interim prohibition orders to unregistered practitioners. These powers will be new in most states and territories. In Queensland, the Health Ombudsman already has power to issue interim prohibition orders and will continue to do so in most cases. Extending the power to issue an interim prohibition order to Ahpra and the national boards will complement the Health Ombudsman's existing powers.

While it is expected that the Health Ombudsman will still issue most interim prohibition orders in Queensland, the amendments will empower the national regulators to take swift action to address risks from people wrongly holding themselves out to be a registered health practitioner. They will allow the regulators to require a person to stop providing some or all health services, or using a specific title, while an investigation or disciplinary proceedings are pursued. To ensure natural justice, Ahpra and the national boards' power to issue an interim prohibition order is subject to a show cause process and appeal to the Queensland Civil and Administrative Appeals Tribunal. Every order must be reconsidered after 60 days. Extensions beyond 120 days must be approved by the tribunal.

The bill also empowers Ahpra, the national boards and the Health Ombudsman to issue public statements about persons whose conduct poses a serious risk to public health and safety and who are the subject of investigations or disciplinary proceedings. This will allow regulators to warn the public or relevant entities about serious risks that may impact them. For example, if an investigation revealed that a practitioner routinely failed to follow sterilisation procedures and potentially exposed patients to an infectious disease, the regulator would be able to notify the local community of their potential health risk, while also undertaking disciplinary proceedings against the person. These warnings could result in people receiving early treatment to mitigate risks to their health that they otherwise would not have known about. As with interim prohibition orders, a decision to make a public statement is subject to a show cause process and appeal to Queensland's Civil and Administrative Appeals Tribunal.

Other provisions of the bill amend the national law and Health Ombudsman Act to broaden the ability of national boards to share information about practitioners who are subject to disciplinary action or who may have posed a risk to persons or the public. The amendments will allow this information to be shared with certain persons who have, or had, an employment or similar arrangement with a practitioner—people who are in a direct position to help protect the public.

Further reforms in the bill to improve public safety include measures to strengthen the registration process, require health practitioners to report scheduled medicine charges and offences to the national boards, and increase the maximum penalties for advertising and direct and incite offences to reflect the seriousness of these offences. In addition to approving public protections, the bill includes a range of amendments to improve the governance of the national scheme and to enhance the scheme's efficiency and effectiveness.

The bill will allow the ministerial council to delegate its powers to approve registration standards to any entity it considers appropriate to exercise those powers. This will ensure minor or non-controversial updates to standards can be progressed more efficiently. However, the council will retain its obligation to ensure the function is properly exercised.

Separately, the bill will allow national boards to accept an undertaking from a person when deciding the person's application for registration or endorsement of registration. Currently, national boards can impose a condition on a practitioner's registration but cannot accept a voluntary undertaking from the practitioner during the registration process. Allowing boards to accept undertakings will provide increased flexibility, reduce some delays in registration and increase the involvement of practitioners in the registration process. Related amendments allow the Health Ombudsman to accept undertakings as an immediate registration action to mitigate risks to the public. This provides the Health Ombudsman with the same powers that the national boards already possess in relation to accepting an undertaking as a disciplinary measure. Registered practitioners will be able to apply to vary or revoke an undertaking given to the Health Ombudsman, and a decision to refuse to vary or revoke the undertaking is subject to a show cause process and appeal.

The bill includes amendments to streamline registration and disciplinary processes under the national law. National boards will be given limited discretion to decide not to refer matters to a tribunal when there is no public interest in doing so. This might occur, for example, where a national board is

investigating a practitioner for charging excessive fees and the health practitioner agrees to tender their resignation and cease practising. Even though there is no ongoing risk to the public, the board currently has no discretion not to refer the matter to a tribunal. Giving national boards limited discretion to decide not to refer matters to the responsible tribunal where there is no public interest to do so will help ensure resources can be better allocated to areas of greater risk.

Queensland established the Office of the Health Ombudsman to strengthen the health complaints management system, improve transparency and accountability, and resolve confusion as to which entity is responsible for dealing with risks and complaints about healthcare practitioners. Under Queensland's co-regulatory arrangements, the Office of the Health Ombudsman is the first point of contact for all health service complaints. This includes complaints about the conduct or performance of both registered and unregistered health practitioners. The Health Ombudsman and national regulators work together to oversee and regulate registered health practitioners, with the Health Ombudsman having power to refer appropriate matters to Ahpra and the national boards to deal with under the national law.

To ensure Queensland's co-regulatory arrangements continue to operate effectively under the reforms to the national law, the bill includes amendments to the Health Ombudsman Act 2013 and modifies how some of the national law reforms will apply in Queensland. Most of these amendments are necessary to ensure the amendments to the national law will operate as intended under Queensland's co-regulatory framework. The bill also includes a small number of provisions that will support cooperation and coordination between the Health Ombudsman, Ahpra and the national boards in the broader context of the reforms being made to the national law. Significantly, a modification of the national law's interim prohibition order powers will require Ahpra and the national boards to advise the Health Ombudsman when they issue an interim prohibition order to a Queensland practitioner. This will ensure the Health Ombudsman is aware of potential risks in the community.

Another modification will allow Ahpra and the national boards to refer matters relating to an interim prohibition order to the Health Ombudsman. These matters can only be referred with the agreement of the Health Ombudsman. This modification will help ensure the appropriate regulator is responsible for seeing these matters through to resolution. The bill also amends the Health Ombudsman Act to align the maximum penalties for contravening an interim prohibition order and prohibition order to the equivalent penalties under the national law. This increases the maximum penalties from 200 penalty units to 450 penalty units or three years imprisonment. This is an appropriate penalty for wilfully ignoring a lawful order and continuing to practise in ways that could seriously harm the public. The alignment of penalties also avoids having different penalties apply to the same conduct depending on which regulator issues an order.

Finally, the bill modifies the national law to insert a general regulation-making power allowing Queensland to make regulations under the national law. Currently, the law only allows the making of regulations that are approved by national health ministers. The inclusion of a regulation-making power for Queensland provides more flexibility for accommodating Queensland-specific circumstances. The national scheme was created in 2010 with the overarching goal to protect the public. Since its commencement, the scheme has grown and matured but the central goal of protecting the public remains. The amendments in this bill build on the successes of the national scheme and will ensure that the national law continues to meet its objectives. The bill demonstrates an ongoing commitment to protecting the health and safety of the public and a focus on professional and competent practice by health professionals.

The changes in the national law in the bill are supported by all Australian health ministers. They reflect the policy positions approved by governments in each state and territory. If this bill is passed by the Queensland parliament, the changes to the national law will apply automatically in other jurisdictions except New South Wales and South Australia, which must make regulations to adopt the changes, and Western Australia, which enacts its own separate legislation. I am proud of Queensland's important role as the host jurisdiction for the health practitioner regulation national law and for the responsibility of progressing these important changes on behalf of all participating jurisdictions. Achieving policy agreement across every state and territory and the Commonwealth was a big task requiring dedication, leadership and a commitment to collaboration across all levels of government with the health sector and with the broader community.

I take this opportunity to thank my fellow members of the ministerial council for the spirit of collaboration in which they worked to develop these important reforms. I also thank the stakeholders who participated in numerous consultation processes throughout the development of the reforms. The

input from practitioners, healthcare consumers, peak bodies, insurers, unions and others has been critical in refining the reforms and preparing for their implementation. Finally, I thank our health professionals for their dedication, professionalism and hard work to keep Queenslanders healthy and safe. These past few years have posed many challenges requiring innovation and new ways of working for everyone. Our health professionals rose to the occasion, providing extraordinary and inspirational service to their communities. I commend the bill to the House.

### First Reading

**Hon. YM D'ATH** (Redcliffe—ALP) (Minister for Health and Ambulance Services) (11.33 am): I move—

That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

### Referral to Health and Environment Committee


**Mr DEPUTY SPEAKER** (Mr Lister): Order! In accordance with standing order 131, the bill is now referred to the Health and Environment Committee.

## PUBLIC TRUSTEE (ADVISORY AND MONITORING BOARD) AMENDMENT BILL

### Second Reading

Resumed from 10 May (see p. 1004), on motion of Ms Fentiman—

That the bill be now read a second time.

 **Dr ROWAN** (Moggill—LNP) (11.34 am): I rise to address the Public Trustee (Advisory and Monitoring Board) Amendment Bill 2021. The Public Trustee has a significant role in our society and one in which it is placed in an utmost position of trust, responsibility and ultimately power over many Queenslanders. In fact, more than 10,000 Queenslanders each year are provided financial management services by the Public Trustee, including more than 9,300 people under a formal administration appointment by the Queensland Civil and Administrative Tribunal, QCAT.

For too long substantial concerns and detailed issues were raised by Queenslanders with respect to persons who were under the administration of the Public Trustee. Indeed, as outlined by the Public Advocate over a number of years, persons under administration of the Public Trustee, their families and supporters have raised concerns with the Public Advocate about the level and types of Public Trustee fees and charges and their negative effect on financial outcomes for people under administration. It is against this backdrop that the Public Advocate instigated its own review to explore a number of important matters related to the Public Trustee and in January 2021 the Public Advocate tabled its report to the Queensland Legislative Assembly titled *Preserving the financial futures of vulnerable Queenslanders: a review of Public Trustee fees, charges and practices*.

From the outset I wish to acknowledge and thank the Public Advocate for its detailed work in preparing and delivering this report to the Queensland parliament. This is a comprehensive and, I believe, a long overdue report. With 32 recommendations made by the Public Advocate, it is incumbent on both the Public Trustee and the Queensland state Labor government to ensure that the hard work by the Public Advocate is not wasted and that the opportunity is seized upon to provide meaningful and lasting reform for the benefit of all Queenslanders under the administration of the Public Trustee.

This legislation that is before the Queensland parliament seeks to implement recommendation 30 of the Public Advocate's report—that is, that the Queensland government consider whether the Public Trustee and its clients would benefit from additional oversight and/or reporting mechanisms to improve the Public Trustee's performance, transparency and public accountability. To that end, the Queensland state Labor government through this legislation is seeking to establish a Public Trustee board that will have an advisory and monitoring function.

As articulated by my Liberal National Party colleagues, including the shadow Attorney-General and member for Clayfield, this is a missed opportunity by the Queensland state Labor government and is not a true reflection of what was recommended. By being only advisory in its nature and with no governance power, this newly established board will not have the power to direct the Public Trustee or

the minister. It must be noted that the Public Advocate has detailed how there are structures that already exist in other Queensland statutory commissions with mechanisms that can provide oversight and direction, including the Crime and Corruption Commission and Legal Aid Queensland.

I also wish to note serious concerns with respect to the reporting requirements of the Labor state government's proposed board. In its current form, the board would have been subject to only limited reporting requirements. In fact, as originally drafted, the board would have no obligation on the minister to table or make its recommendations public. Understandably, such a lack of transparency and accountability drew considerable criticism by most stakeholders, leading to the Community Support and Services Committee in its report No. 15 of the 57th Parliament to recommend that the bill be amended to ensure that a separate annual report of the board of the Public Trustee be provided to the minister and that it also be tabled in the Queensland Legislative Assembly.

It is disappointing that, whilst the Queensland Labor government has agreed to this recommendation, it will require the board to provide a separate annual report to be completed as soon as practicable after the financial year and be tabled in the parliament within 14 Queensland parliamentary sitting days. In a modern society and in upholding the ideals of a responsive Public Service, there is no genuine justification for such a delay in transparency and accountability. That is why the Liberal National Party will be moving an important amendment to legislate that a report from the board be completed within 30 days of the end of the financial year and tabled within 30 days of submission to the minister. Such an amendment will ensure a level of transparency and accountability that has significantly been lacking from the Queensland state Labor government. Ultimately, the Liberal National Party wants to ensure that all Queenslanders have access to a Public Trustee that is affordable, responsible and, above all else, always acts in the best interests of vulnerable Queenslanders.

As the local state member for Moggill, like many elected representatives, I have sat with and endeavoured to assist many constituents who have felt significantly let down by the Public Trustee. I have received detailed correspondence from local constituents outlining the significant stress and financial hardship caused by the management and alleged mismanagement of the financial affairs of a relative by the Public Trustee of Queensland.

Despite the many genuine efforts of these constituents to engage with the Public Trustee and other agencies to properly rectify these matters, it took direct advocacy to the Queensland government for meaningful action to be taken by the Public Trustee. This is just one of many examples where the Public Trustee has ultimately failed Queenslanders and a reminder of why genuine reform by the Queensland state government is so important. In closing I want to quote the Victorian Ombudsman who made this powerful observation when reviewing the State Trustees in Victoria in 2019—

There can be few more potent examples of the imbalance of power between the individual and the state than when the state assumes control over someone's financial affairs. Whatever money or property a person has is no longer theirs to deal with, homes can be sold and personal property dispersed. The impact of this is obvious, the responsibility it places on those entrusted with their affairs equally so.


Whilst these reforms before the Queensland parliament are long overdue, like all Queenslanders, the LNP also wants to see faster action in bringing the other recommendations of the Public Advocate forward so as to ensure that Queenslanders are receiving the best representations from their Public Trustee without being excessively financially burdened. This is especially pertinent given the matters that were widely canvassed and highlighted during the recent ABC *Four Corners* program.

Finally, I thank all members of the Queensland parliament's Community Support and Services Committee for their work and the diligence with which they undertook their inquiry into this legislation. I particularly acknowledge the deputy chair, the member for Burnett, as well as the member for Scenic Rim, the committee secretariat for its support and all stakeholders who contributed to the committee's consideration of this legislation. All of those who provide input into legislation—those stakeholders and submitters—are vitally important when it comes to scrutinising legislation and ensuring that the best possible legislation is brought forward to the Queensland parliament. I also acknowledge those Queenslanders who bravely shared their experiences.

As we know, when people are under administration and have their financial and other affairs managed in this way it is complex and sensitive. There can certainly be a lot of trauma for families. Ensuring that we have the most robust system of oversight and governance with respect to these matters is vitally important for all of Queensland but in particular for those who are involved in such matters. I encourage all members to support the LNP's amendment as circulated to the House.



**Mr DEPUTY SPEAKER** (Mr Lister): Before I call the member for Bundamba I will remind the House of the members who were this morning warned under the standing orders: members for Southern Downs, Nanango, Mermaid Beach, Chatsworth, McConnel, Theodore, Hinchinbrook, Gregory and Waterford.

 **Mr McCALLUM** (Bundamba—ALP) (11.42 am): I rise in support of the Public Trustee (Advisory and Monitoring Board) Amendment Bill 2021 which will help further enhance performance, transparency and public accountability by establishing the Public Trustee Advisory and Monitoring Board. The Public Trustee is a statutory authority that helps to make important decisions that can enhance the dignity, rights and interests of Queenslanders. The Public Trustee provides important financial management services to more than 10,000 Queenslanders each year, including more than 9,300 people who are under an administration appointment by the Queensland Civil and Administrative Tribunal. Importantly, the Public Trustee forms a central role in the guardianship system in Queensland which provides for a range of substitute decision-makers to make decisions on behalf of adults with impaired decision-making capacity.

The Public Trustee may be appointed by the Queensland Civil and Administrative Tribunal under the Guardianship and Administration Act 2000 as an administrator and by a principal under the Powers of Attorney Act 1978 as an attorney in an enduring power of attorney to make decisions about financial matters or legal matters in relation to property. Protecting Queenslanders and especially our vulnerable is a priority of the Palaszczuk government. The establishment of a Public Trustee Advisory and Monitoring Board is a great step forward in doing that. It is part of a broader response to a comprehensive report by the Public Advocate that also reviewed the Public Trustee's fees, charges and practices.

While the government is, of course, always respectful of the Public Trustee's independence, there is also a responsibility to ensure that the body is open, accountable and transparent and meets community expectations. We are committed to improvement. We also acknowledge that the Public Advocate's report found many of the Public Trustee's customers appeared to have a high level of service for very little or no cost. At the same time, there are opportunities to improve the way that the Public Trustee engages with customers and it is clear that the agency can take steps to be more transparent about its fees and charges.

Turning to the board, the new monitoring board will support the performance of the Public Trustee's functions and provide advice and make recommendations about how the performance of these functions can be improved. Specifically, the board will monitor and review the performance of the Public Trustee's functions; monitor complaints received by the Public Trustee about the performance of the Public Trustee's functions; monitor and review the Public Trustee's processes for managing these complaints; give written advice or make written recommendations to the minister; give advice or make recommendations to the Public Trustee about matters related to the performance of the Public Trustee's functions; and, finally, functions given to the board under the Public Trustee Act.

The Public Trustee Advisory and Monitoring Board will provide additional oversight over the Public Trustee to enhance transparency and public accountability of the service the organisation provides to Queenslanders. The board will monitor the performance of the Public Trustee's functions and make recommendations about how the performance of these functions can be improved. In performing its functions, the board must act independently and be in the public interest. It is not subject to direction by anyone, including the minister, about how to perform its functions.

It is important, given the nature of the Public Trustee's roles and functions, that the board is comprised of persons with relevant knowledge, qualifications and skills, including in relation to the management and delivery of public sector services, including executive experience in management of human, physical and financial resources, experience in legislation, policy and programs for seniors and people with disabilities, including people with impaired decision-making capacity, finance, banking, financial services and legal frameworks and practices relevant to succession, powers of attorney, duties and obligations of trustees and substituted decision-making for adults with impaired capacity, also commercial litigation and the principles and rules of equity law.

I am very pleased to note that at least one member of the board is to be an Aboriginal or Torres Strait Islander person. It is important that boards such as these reflect the broader composition of Queensland and are diverse and have appropriate equity representation. I acknowledge the representations made to the committee by Aged and Disability Advocacy Australia which stated—

ADA supports the proposed composition and board membership, particularly, the obligation that members reflect the diversity spectrum of the Queensland community, inclusion of at least 1 member who is an Aboriginal or Torres Strait Islander person, as well as having regard to the lived and professional experiences of members.


In response to recommendations made by the Community Support and Services Committee in its report into this bill, the Attorney has notified the House that she has brought forward amendments to include a board member who has lived experience of impaired capacity, including as a carer or family member of a person with impaired capacity. I would like to acknowledge the committee's work in relation to that particular recommendation and the contribution of Dr Emma Phillips, the Deputy Chief Executive Officer and principal solicitor of QAI. She made representations in support of a board member with lived experience, stating—

... it is really important that people with firsthand understanding can provide that insight like no-one else can. We really think that is such a valuable insight to inform the work of the board in an authentic way.

That is an absolutely true statement. I am very pleased to see that the Attorney has brought forward amendments that will give effect to that representation.

In other jurisdictions there are no comparable boards or boards that are exactly the same as the board that is proposed in this bill in terms of having an advisory and oversight role. Yes, there are boards for similar public trustees but they are not exactly the same as this one. In effect, this is a national first. Given that, the committee's additional recommendation that the board should provide an annual report to the minister is very welcome. Again, it has been accepted by the Attorney who has circulated amendments that will give effect to it. I acknowledge the work of the minister in bringing this bill before the House, the committee for their diligent work inquiring into the bill and all of the department officers who have worked so tirelessly to bring this bill before the House.

In conclusion, this bill will provide independent and effective oversight of the Public Trustee to improve its performance, transparency and accountability. The proposed board is widely supported by those who submitted to the committee's inquiry process and it is specifically designed to be independent from both the Public Trustee and government. Importantly, it gives the board the tools it requires to effectively perform its oversight function, including a skilled and knowledgeable membership that will provide a fresh perspective. I commend the bill to the House.

 **Mr MILLAR** (Gregory—LNP) (11.52 am): As their local state member of parliament, I am often asked by constituents for advice about navigating government services and departments. In Gregory people often talk to or email me about their experiences with different government departments and, by and large, we usually find a way through. I have only praise for our valued public servants who provide frontline services and advice across the Central Highlands and the central-west. Only in relation to the Queensland Public Trustee have those two strands come together in such a way that my only advice to constituents considering the services of the Public Trustee for a loved one or for their own estate is, simply, 'Don't. Find another way. Any other way would be better.'

This is a disgraceful state of affairs. Many of the people needing those services are unable to make decisions for themselves through disability or old age. For many, the additional factor that drives them into the arms of the Public Trustee is that they are alone in the world. I have heard of bequests to charities such as the Royal Flying Doctor Service and BUSHKids being severely diminished by the Public Trustee's charges against the estate, but that is just the surface. In fact, I could almost guarantee that every country member in this House has their own collection of sad stories in relation to this institution. However, we are not at liberty to talk about them, which is the key point, and neither is the media.

The Queensland Public Trustee operates under such strict confidentiality and privacy laws that the media literally cannot report on its activities, even if clients want the media to do so. The ABC is to be commended on its recent *Four Corners* report and follow-up coverage, but it had to go to the Queensland Supreme Court to lift a ban on identifying former clients of the Queensland Public Trustee in order to run the story. Having achieved the right to report that story, the ABC had to hire forensic accountants to gain a sufficient understanding of each situation in that report. That is because of the complicated and exorbitant charges levied against clients' accounts.

I raise this to demonstrate that the Public Trustee is the very opposite of what many Queenslanders believe it to be. It is not simply a government department subject to all the checks and balances that apply to government departments. It is essentially being run as a corporation with a monopoly over the services it provides to its so-called clients, but trading on the government brand. It sets its own fees and charges as if it were a firm of solicitors but, unlike dealing with a private solicitor, you cannot just walk away. If a private solicitor proves to be incompetent or the client thinks they are overcharging, the client can end the relationship and find another solicitor. Clients of the Public Trustee cannot do that because they are not really clients at all. That is a weasel word being used to smooth over the fact that, by law, people living under public guardianship automatically cede significant human and civil rights and find it hard to get them back.

On 15 March, the ABC news website put it this way—

Lawyers say it is almost impossible to escape the Public Trustee because it controls a person's bank account and can refuse to release funds for them to hire a lawyer.

Right there is another problem: how can it be possible that any Australian—any Queenslander—can be denied access to their own money and then also be denied access to the legal representation that they need to get that access restored? There seem to be limited rights to information, dispute resolution and mediation. There is no right to a solicitor and clients have almost lost the right to publicise their situation in the media. We must remember that those clients are, by definition, some of Queensland's most vulnerable citizens. It was to protect them that historically the Public Trustee was brought into existence. Clearly the Public Trustee Act has not kept pace with modern times, not just in terms of charges to estate management but also in terms of human rights concerns and justice concerns as well. For all of those reasons I was pleased and hopeful that the 2020 review by the Public Advocate would result in fruitful change, not least in the much needed area of safeguards.

The bill before us today essentially deals with recommendation 30 of 32 recommendations made by the Public Advocate as a result of the review. That recommendation asks the Queensland government to consider whether the Public Trustee and its clients would benefit from additional oversight or reporting mechanisms to improve the Public Trustee's performance, transparency and public accountability. Clearly, the answer is, yes. It was envisaged that this could be achieved through a method similar to Legal Aid Queensland or State Trustees Victoria, where a vigorous and independent board of directors provides governance and oversight.

The bill establishes an advisory and monitoring board, but the spirit of recommendation 30 has been betrayed. The board is granted no real power. It can give advice but cannot give directions. It cannot force anyone to correct errors or change their approach at a micro or meta level. The reporting requirements set out in the bill are also completely inadequate. They are so limited that it is almost as if they are designed to allow inconvenient advice to be permanently and deeply buried.

I also point out that, while this bill permits the board to give advice to the minister or make recommendations to the minister regarding the performance of the Public Trustee's functions, it contains no legal requirement for the minister to act on the board's recommendations. The board is essentially powerless and has no ability to direct either the Public Trustee or the minister, nor is there any requirement for the minister to publicly report board recommendations or table them in this parliament. In other words, they can just be buried. So much criticism was received from stakeholders about this arrangement that, in its report on the bill, the parliamentary committee recommended that clause 5 be amended so that the bill requires, by law, a separate annual report of the board of the Public Trustee be provided to the minister and tabled in parliament.

The third failure relates to the composition of the board. The bill requires the board, in performing its functions, to act independently and in the public interest. However, the bill also proposes that fully half the board be comprised of departmental representatives, that is, public servants whose contracts will not be renewed if they displease their political masters. In their position, to act independently and in the public interest would be to risk attracting a bite from the department.


Furthermore, under the current administrative arrangements, three of these five Public Service board members will be from the same department. In response to stakeholder criticism about the aspect of board membership, the parliamentary committee recommended an amendment to require the minister to ensure that at least one appointed board member has a lived experience with someone who has suffered an impaired capacity in terms of decision-making. This requirement will increase the board membership by one.

At this point, I have to say that the bill seems very close to pointless. I cannot see how we will be able to act with any independence or power, so nothing really has changed. It needs a board that brings independent thought with a depth of experience including financial and legal, estate management, knowledge of superannuation, investment, property as well as advocacy for disability including Centrelink, NDIS entitlements, homelessness and community participation.

The LNP is proposing amendments to address the composition of the board and the experience it needs to reflect. We will be putting forward an amendment to ensure that government employees do not comprise a majority of the board. The LNP also proposes an amendment to legislate public reporting requirements. I very much support these amendments and hope that all members consider them in a positive light.

We have a real chance here to change a woeful situation. We cannot claim ignorance because the bill comes before us after the ABC Supreme Court action, after the *Four Corners* broadcast and in the context of the ongoing federal Royal Commission into Violence, Abuse, Neglect and Exploitation of

People with a Disability. That report in 2023 will be heartbreaking, but we in the House should not wait to act until then. We have an opportunity right now by supporting the amendments to ensure that this piece of legislation functions effectively to ensure that the Public Trustee acts protectively in the interests of our vulnerable, as it was intended to do all along.

 **Mr KELLY** (Greenslopes—ALP) (12.01 pm): It is always a pleasure to get the opportunity to speak in a debate and respond to this week's or this bill's standard LNP speech, which we just heard again for about the 15th time and no doubt will hear 30 more times today. I would have thought the member for Gregory could do better than to just read out somebody else's notes!

Let us start by responding to some of what the member for Gregory said. The member talked about the bill not living up to or betraying the spirit of recommendation 30. I thought it was probably important that we read out recommendation 30. I wonder if the member for Gregory read recommendation 30 before he suggested that we betrayed recommendation 30. I suspect not. Recommendation 30 states—

The Queensland government should consider whether the Public Trustee and its clients would benefit from additional oversight and/or reporting mechanisms to improve the Public Trustee's performance, transparency and public accountability.

I fail to see how this bill is betraying the spirit of recommendation 30.

**Mr Nicholls:** Read the whole statement, Joe. That's not the whole recommendation.

**Mr KELLY:** I take that interjection. That is recommendation 30 in its entirety. How can we stand here and honestly, with hand on heart, say that this bill is a betrayal of recommendation 30?

The member also got to his feet and suggested that the minister would not make the reports of the board available, but we have amendments coming into this House whereby a report from the board will be tabled annually into this parliament. I know that these reports are tabled regularly, that all members of this House take that information and use it in ways that they see appropriate, but entirely one of the most accountable measures we can take is to put a report on the table of this parliament and make it available for access not just to the members of this parliament but to all Queenslanders.

In fact, the members for Moggill, Gregory and I am sure some of the others—because it was probably in the standard LNP speaking notes—talked about some sort of amendment coming forward. When I asked for the amendment, it had not been circulated. How many times have I sat in this House listening to the false outrage of those opposite about the failure of amendments to be circulated? I would love to have a look at the amendment. I would love to be debating that amendment at this time, but it has not actually been circulated at this particular time.

**Mr Nicholls:** We table amendments when they are moved, not at any other time.

**Mr KELLY:** I will not take that interjection. It sounds like the member wants to have an argument about parliamentary practice! I am here to debate this very important bill.

We all know and understand the importance of the Public Trustee. I do not think anybody could have watched that ABC program without having some deep misgivings and concerns, but I also want to say that, having witnessed the Public Trustee's work in action on many occasions in many various jobs and roles that I have held over the years, they often also provide absolutely the only support that many people have in this entire world. In that respect, I have seen them do a fantastic job.

**Mr Nicholls:** That's their job.

**Mr KELLY:** Absolutely, it is their job. Like all institutions, like all organisations, at times they fail at their jobs. That is what was revealed in that program. That is why this bill and all of these recommendations are so crucially important.

Starting at the point of this particular board is a really important starting point in relation to these recommendations. I was extremely pleased to see recommendation 2 from the committee. I acknowledge the chair of the committee, all the members of the committee and all those people who took the time to make submissions. I was really pleased when I read the report to see recommendation 2 put forward by the committee. As I said yesterday in relation to another bill in terms of our inquiry into the opportunities to improve the lives of people with mental health in Queensland, the inclusion and involvement of people with lived experience in the mental health field is fundamentally important. It was not something that I had put a lot of thought into prior to that inquiry, but through my involvement in that inquiry I can see how it will and does improve service delivery. I see the potential for that to occur in this particular board structure.


I am also pleased to see that some other equity measures, particularly the First Nations equity issues, have been addressed. Involving somebody who actually has had a lived experience of having to use or utilise the services of the Public Trustee either for themselves or someone very close to them will improve the operations.

Members in this debate have talked about the governance model that has been put forward here. The governance model, as far as I can see, is not designed to be a classic board structure—in fact, there is already one in place—and subsequently we would expect this in an organisation managing financial matters, risk committees et cetera. The proposed board structure is designed to be independent of both government and the Public Trustee, to look into the activities of the Public Trustee, to provide advice, guidance and a spotlight on their activities and to present that to government as well as to the management of the Public Trustee. When all of that occurs, that information will be tabled here in this parliament, on that very table. They are very important accountability measures.

I read all of that report and the recommendations of the Public Advocate. I saw a whole range of suggestions that clearly anticipate much more work to do in this area. As I said, no-one could have watched that program and not been moved by the stories of the people impacted by the Public Trustee. I hope that there will be further movement on these recommendations.

As a government, we have shown ourselves to be very capable and willing to stand up for vulnerable Queenslanders. Through the composition of this board, we are ensuring that people who do not always get a seat at the table get a seat at this table—people with lived experience, First Nations people and people with other equity issues. There are so many programs that we roll out that are aimed at empowering vulnerable Queenslanders. The Skilling Queenslanders for Work program is aimed at empowering vulnerable Queenslanders by getting them into jobs. The social and affordable housing programs that we are rolling out as we speak are aimed at getting people, particularly vulnerable people, into housing. The Fairer Fares program, aimed at bringing down the cost of public transport, is helping vulnerable Queenslanders. The fact that we signed up to all the recommendations contained in the *Not now, not ever* report and rolled those out and that we continue, as announced in this parliament yesterday, to improve our response to domestic violence with the announcement around coercive control shows that this is a government that takes the needs of vulnerable Queenslanders and the desire to empower those Queenslanders very seriously indeed.

This is an important step forward. It is not the only step. It is a step that I think will create greater transparency, greater accountability and greater capacity for every single member of this House to do what they claim they want to do which is to scrutinise the activities of the Public Trustee. I commend the bill to the House.

 **Ms SIMPSON** (Maroochydore—LNP) (12.10 pm): I rise to speak to the Public Trustee bill and on the establishment of the advisory and monitoring board. This is still fluffing around the edges of the tough issues and what needs to happen so that there is not one victim of the imbalance of power when it comes to the way the Public Trustee's office operates.

I am very familiar with the unfortunate story of my constituents, Sue Nunn and her brother John. They were victimised by the misuse of power by the Public Trustee's office. I hear some members of the Labor Party laughing. It is not a laughing matter when we see what happens when there is an abuse of power in the very office that needs to be standing up for the vulnerable. It should be helping and working with families who love and care for their family members.

We need a Public Trustee to protect and support those who need assistance with their affairs. The structure around the way it operates still has not been fundamentally addressed. There is a conflict of interest when the funding for the Public Trustee in Queensland comes from the very clients they represent. Some pay more than others. There have not been appropriate checks and balances in relation to the way they have misused their power to gouge the estates of clients.

The story of Sue Nunn and her brother is a disgrace. To have \$80,000 ripped from that family and taken from this client to fight legal cases that are unconscionable is an absolute disgrace. Information proven to be fraudulent has been used to prosecute families in these cases. No-one has been held to account for this misuse of power. As I understand it, while \$80,000 in legal fees has been refunded to Sue's brother and family, this story is one that is repeated for other families. This has not finished.

To suggest that a board alone is going to bring about the necessary changes is naive. It is only an advisory board. I heard the Attorney-General say that there needs to be independence when it comes to the Public Trustee. There needs to be accountability. There needs to be transparency. There

needs to be, as my colleague the shadow minister for justice and shadow Attorney-General said, an understanding of the true fiduciary duty when looking after these vulnerable Queenslanders. We need a Public Trustee's office that does that.


I acknowledge that there were significant issues under former public trustee Peter Carne. I acknowledge that there are many fine staff who work in that office, but the structure is wrong, the funding mechanism is one of conflict and stories are still being replicated. The story of Sue and her family who care for their brother John is one that is repeated in other families.

There should not be one victim of the Public Trustee's office. It is not good enough to say that they are there for a purpose and they largely do good things. There should not be one victim of this imbalance of power. There should be nobody who has their estate—their finances—gouged by the Public Trustee's office. Some very questionable behaviours have been raised with regard to how the Official Solicitor has operated in not ensuring the fiduciary duty is understood in terms of some clients.

These stories will not go away until the matters are addressed. While I acknowledge that there are some amendments to be moved to the bill before the House with regard to the composition of this advisory board and how it will operate, I support the proposed amendments to be moved by my colleague the member for Clayfield and shadow minister. What we are saying is that there needs to be proper reform, there needs to be protection for the vulnerable and there should not be one victim of the imbalance of power in the way the Public Trustee's office operates. There should be no more denial that this is not a real issue because the matters still have not been effectively addressed.

All those who are still labouring under a system where there is a lack of integrity and accountability will continue to raise these issues. There are vulnerable Queenslanders who need appropriate support. There needs to be an understanding that simply racking up legal fees and ripping those out of the estates or purses of vulnerable Queenslanders is not a good system. It is a bad way to look after the vulnerable if the office is taking money out of the pockets of the vulnerable and not giving them the appropriate care they need. There needs to be respect for their money—the hard-earned dollars in their accounts—that is oversights by the Public Trustee's office.

This bill does not go far enough. The system needs reforming. Let us not try to dress it up and say that this is the answer. Far more needs to be done in terms of accountability and looking after the vulnerable in Queensland. There have to be mechanisms in place to allow these people and their families access to mediation and not a situation where lawyers just pocket the money. It is a disgrace. It is time to protect the vulnerable. This does not do it. It is time for an answer that will protect Sue and John Nunn and all the other families who have been gagged from speaking due to the mechanisms that exist in this state. There must be real reform and no more denial that there is a problem. This bill does not fix it.

 **Mr RUSSO** (Toohey—ALP) (12.17 pm): I rise to speak in support of the Public Trustee (Advisory and Monitoring Board) Amendment Bill 2021. The purpose of the bill is to amend the Public Trustee Act 1978 to establish the Public Trustee Advisory and Monitoring Board. The board is intended to provide additional oversight over the Public Trustee to enhance transparency and public accountability. To say one-size-fits-all in this space is possibly a misunderstanding of the work of the Public Trustee and the protection of the most vulnerable in our community. The bill was introduced into the Legislative Assembly and referred to the Community Support and Services Committee on 28 October 2021. The committee in its report, which was tabled in the Assembly on 21 January 2022, has recommended to the Assembly that this bill be passed along with additional recommendations.

The Public Trustee of Queensland provides a range of vital services to Queenslanders, including financial administration and financial attorney services for those with impaired capacity for financial decision-making. I believe it is important to ensure that the Public Trustee is held to the highest level of integrity and confidentiality. Over 10,000 people, whose finances the Public Trustee manages, are some of the most vulnerable members of our community and it is our responsibility to them and their families to ensure that their interests are protected.

There have been concerns raised by people who are under the administration of the Public Trustee and their families and supporters about the level and types of fees and their negative effect on the financial outcomes of people under administration. In 2020 the Public Advocate launched a review to explore the concerns raised. In March 2021 the Public Advocate's report *Preserving the financial futures of vulnerable Queenslanders: a review of Public Trustee fees, charges and practices* was tabled. The government's response to that report was also tabled on 10 March 2021. The government's response publicly committed to the establishment of a Public Trustee board with an advisory and monitoring focus.

The Public Advocate's report made 32 recommendations relating to the Public Trustee's fees, financial management, client services, legal services and administration. While 23 of the recommendations were the responsibility of the Public Trustee to implement, the government accepted the Public Advocate's recommendation 30 to establish additional oversight and/or reporting mechanisms to improve the Public Trustee's performance, transparency and public accountability. The government's response accepted this recommendation and stated that the government 'has committed to establishment of a Public Trustee board that will have an advisory and monitoring function'.

The bill acts on recommendation 30 of the report; that is, that the government consider additional oversight and/or reporting mechanisms to improve the Public Trustee's performance, transparency and public accountability. The government's response to the report was to publicly commit to the establishment of a Public Trustee board with an advisory and monitoring focus. This bill is to amend the Public Trustee Act 1978 to establish the Public Trustee Advisory and Monitoring Board. The board is intended to provide additional oversight over the Public Trustee, improve the importance of the Public Trustee and enhance transparency and public accountability.

The committee invited written submissions and a public hearing was held. The Public Trustee provided overall support of the bill, the Public Guardian provided support for the establishment of the board, and the Public Advocate provided a submission to the committee, noting that the proposed functions of the board as set out in the bill were consistent with the government's commitment. The committee received submissions from stakeholders describing some of the barriers and challenges experienced by clients of the Public Trustee. The committee recognised that the objectives of the bill will help improve the performance, transparency and public accountability of the Public Trustee and this will better protect vulnerable Queenslanders.

The department advised that, while all public trustees in Australia are statutory corporations, they vary concerning structure and governance. In other jurisdictions there is no comparable board similar to the board proposed in the bill, which is to oversee with an advisory and monitoring role rather than a governance role. The oversight proposed in this bill reflects the conclusion of the report, which stated—

The Public Trustee has significant power over its administration clients. It is in a position of trust, controlling the person's money and property, making many, if not all, of the financial decisions for the person and having significant power over their lives. The administrator's role can include paying household bills, buying or selling property, running a business, entering into contracts, applying for government benefits, making business decisions, managing investments, and bringing or defending legal proceedings of a financial nature.

During the examination of the bill it was noted that in their submission the Queensland Human Rights Commission expressed that 'the additional oversight will go towards promoting and protecting the human rights of people who have interactions with the Public Trustee'.

Several submitters and committee members have commented that the board should have stronger governance functions, with the ability to direct the Public Trustee in the exercise of their functions. However, it would be problematic to introduce a governance board in Queensland and maintain the current structure of the Public Trustee because it is the Public Trustee that owes a range of statutory, fiduciary and common law duties to its clients and the Public Trustee must ensure those duties are discharged. It would be inappropriate to allow any other entity to direct the Public Trustee where the Public Trustee remains responsible and liable for meeting those obligations. By having a board with advisory and monitoring functions reporting to the minister on the outcomes of that monitoring, the Public Trustee would then not be subject to any direction about the administration of estates of financial administration clients and you would not have that fundamental conflict.

In response to submitters' views, the department advised that the board will not have any governance or management functions and will have no power to direct the Public Trustee. The department advised that this would maintain the Public Trustee's position as an independent statutory office and avoid a conflict with the Public Trustee's fiduciary and other obligations and duties. The department further advised—

The purpose of the Board (to provide additional oversight over the Public Trustee) can be achieved by the proposed advisory and monitoring model, without the need to alter the Public Trustee's existing corporate framework.

Many stakeholders' submissions focused on the skills and experience of the board, including ensuring there was someone on the board who reflected the diverse spectrum of the Queensland community with regard to the board, including: at least one Aboriginal or Torres Strait Islander person who also had lived and professional experience of members; someone with expertise in advocacy, services and support for the person with impaired decision-making ability; a consumer or carer representative with lived experience; expertise in mental health or human rights; and that people with a lived and firsthand understanding, including as a carer or family member of a person with lived impairment capacity, could provide an insight based on this experience.

The committee agreed with the stakeholders on these points. This led to the second recommendation from the committee: to increase the number of board members by one. This will bring the maximum board membership up to 11, being up to five permanent board members and at least five, but no more than six, appointed board members.

There were many comments on the reporting framework. The committee recognised the importance of the board's independence and transparency. They noted the evidence of the deputy commissioner of the Queensland Human Rights Commission, who stated—

The board's effectiveness would be strengthened by a requirement to publish its recommendations or that it report to a parliamentary committee.

The committee noted that in its annual report the Public Trustee must include information about the performance of the board and the exercise of board's powers during the financial year. The evidence of the deputy commissioner was noted where she stated that 'the board's effectiveness would be strengthened by a requirement to publish its recommendations'. I commend the bill to the House.



**Mr WEIR** (Condamine—LNP) (12.27 pm): I rise to make a contribution to the debate on the Public Trustee (Advisory and Monitoring Board) Amendment Bill 2021. The Public Trustee operates under the Public Trustee Act 1978 as a corporation sole. A corporation sole is described as a corporate entity embodied in a singular titular head whose personal identity changes as the office is vacated and a new appointment made. According to the *Public Trustee annual report 2020-2021*, the role of the Public Trustee of Queensland is to guide the Public Trustee to deliver high quality, sustainable and reliable financial, trustee and administration services to the Queensland public in a supportive, compassionate and ethical manner.

The Public Trustee may be appointed by the Queensland Civil and Administrative Tribunal under the Guardianship and Administration Act 2000 as administrator and by a principal under the Powers of Attorney Act 1978 as an attorney in an enduring power of attorney to make decisions about financial matters or legal matters in relation to property.

In 2020 the Public Advocate commenced a review into concerns that were raised by members of the public who had not had a good experience with the Public Trustee. That report was published in January 2021 and tabled in the parliament, along with the government's response, on 10 March 2021.

The report made 32 recommendations; 23 of these recommendations were the responsibility of the Public Trustee and 10 were the government's responsibility. Of these, the government supported five in principle and four for further consideration and accepted one. That would appear to be a very poor uptake of the recommendations that were made in the report. Recommendation 30 called on the Queensland government to consider whether the Public Trustee and its clients could benefit from additional oversight and/or reporting mechanisms to improve the Public Trustee's performance, transparency and public accountability. Queensland Advocacy Incorporated expressed support for the establishment of the board. However, they noted—

The establishment of the Board alone is not sufficient to address the numerous issues of concern raised by the Public Advocate's report.

The QAI recommended—

... the government to continue working towards implementing the remainder of the Public Advocate's recommendations that fall within the government's remit.

Membership of the board would comprise permanent members, ex-officio members appointed by virtue of the office that they hold and at least four but no more than five appointed board members appointed by the minister for a maximum term of three years. Submitters expressed concern as to the composition of the board. In relation to the proposed permanent members of the board, the Public Advocate stated—

I wonder whether the Board's expertise in the area of seniors, for instance, could be achieved by removing one of the permanent Board positions ... and by adding the requirement for one of the appointed Board members to have expertise in that field.


**Dr Emma Phillips**, the deputy chief executive officer and principal solicitor of QAI, stated—

There is some really significant skills that will be needed on this board to ensure that it is not, as the concern has been raised, simply another layer of reporting requirement—that it is actually genuinely making a difference to the lives of people who are under the administration of the Public Trustee. There are many, many Queenslanders. We would certainly like to see a person with lived experience—someone who has had impaired decision-making capacity or currently has impaired decision-making capacity. We believe that, with support following the capacity guidelines, they can make a really important contribution to a board. That could be someone with intellectual disability or someone with psychosocial disability or mental illness. They can bring quite different experiences to the board.



I am pleased to see the recommendations to the committee regarding these concerns will be included in the bill. Whilst I welcome these amendments, they are but a first step in resolving the issues involving the Public Trustee. The experience that we have had in the Condamine office with problems arising from dealings with the Public Trustee means we would certainly benefit from some real-life experience. The public need to be confident in that process. Too often we receive complaints that the Public Trustee lacks compassion and is inflexible at a time of deep distress for the impacted family. The public deserve a decent hearing and for their concerns to be dealt with in a respectful and timely manner.

There is no doubt that this bill was introduced in reaction to the *Four Corners* program, which shone not a very favourable light on the Public Trustee. This bill is really a bill so the government is seen to be doing something because of the number of recommendations in that report that are still to be addressed. There was a chance to bring in a bill to address all of those recommendations. Instead of that, we are standing here talking about one. This goes nowhere near far enough to restore the public's confidence in the Public Trustee. It is another example of this government always being seen to be doing something rather than actually getting in, doing the hard work and doing something.

 **Hon. LM LINARD** (Nudgee—ALP) (Minister for Children and Youth Justice and Minister for Multicultural Affairs) (12.33 pm): I rise in support of the Public Trustee (Advisory and Monitoring Board) Amendment Bill. The bill aims to amend the Public Trustee Act and establish the Public Trustee Advisory and Monitoring Board. The board is intended to provide additional oversight over the Public Trustee and enhance its transparency and accountability.

In March last year the Public Advocate's report—*Preserving the financial futures of vulnerable Queenslanders: a review of the Public Trustee fees, charges and practices*—was published along with the government response. The report made 32 recommendations relating to the Public Trustee's fees, transparency, sustainability and legal services. Recommendation 30 of the report requested the government consider additional oversight and/or reporting mechanisms to improve the Public Trustee's performance, transparency and public accountability. Our government's response to recommendation 30 led to the introduction of this bill to establish a Public Trustee board that had an advisory and monitoring function.

The board will be comprised of a mix of ex-officio members appointed by the office that they hold and members appointed by the minister. Following the report by the Community Support and Services Committee, the government has agreed to add an additional seat to the new board. This will be reserved for an appointed board member with lived experience of impaired decision-making capacity, either for themselves or for someone they care for. The value of lived experience, and learning from that experience, cannot be understated.

In a submission to the committee, Queensland Human Rights Commission's principal lawyer Rebekah Leong emphasised the importance of having a person with lived experience on the board to ensure the board could learn from their expertise and their experiences. As the Minister for Children, I know how important it is to talk with and hear the stories of those with lived experience. There is nothing more powerful than drawing on the wisdom and knowledge of young people who have been in care. Through conversations with key stakeholders, such as the Create Foundation, I certainly have a much better understanding of the issues affecting young people in care.

Similarly, Micah Projects' Queensland Parent Advisory Committee, a representative group for the parents and grandparents of children in out-of-home care, and the Truth, Healing and Reconciliation Taskforce, which advises government in relation to our response to the Royal Commission into Institutional Responses to Child Sexual Abuse, have both been invaluable in informing our work through amplifying the voices of those with lived experience. That was an excellent recommendation of the Community Support and Services Committee and a job well done. I thank all members on that committee and the chair for making that additional recommendation which our government has supported.

The Public Trustee of Queensland has been providing a range of services for Queenslanders since 1916, including acting as an administrator for those with impaired capacity, either under an enduring power of attorney or by order of the Queensland Civil and Administrative Tribunal. The Public Trustee has for a long time had a role in managing the finances of some children in or exiting the child protection system. Most children and young people in care have experienced trauma throughout their lives. Unfortunately for some children and young people in care, this trauma places them at even greater risk of financial abuse, particularly if they also have a disability that impacts their decision-making capacity.

Under division 5 of the Child Protection Act, the Department of Children, Youth Justice and Multicultural Affairs may seek to have the property of a child who is in the custody or guardianship of the chief executive managed by the Public Trustee until the young person turns 18. This property may include financial entitlements such as payments from Victim Assist Queensland, a disability support pension or an inheritance. All property administered by the Public Trustee is for the child only, and the department of course does not access this property to fund or subsidise funding for any costs related to their care. Victim Assist Queensland payments made to children who have been the victim of a criminal offence are often less than \$3,000. This sum is often eroded by fees charged by the Public Trustee until the child reaches adulthood.

The establishment of a Public Trustee Board is vital. They will provide oversight of the fees, and hopefully young people in care who were victims of crime will be able to access the compensation they received without having to go through the process of having those fees reimbursed once they turn 18. For young people with impaired decision-making who turn 18 and leave care, the department may seek to have the Public Trustee appointed to manage their finances. During the transition to adulthood planning process, which commences when a young person turns 15, the department will work with the young person and members of their care team to plan for their transition from care. If during this process it is identified the young person cannot make significant financial decisions or is vulnerable to financial abuse, the department may ask to have a financial administrator appointed by the Queensland Civil and Administrative Tribunal.

The department works closely with the young person to help them understand the process. They also assist the young person to give evidence to QCAT and liaise with the appointed QCAT human rights case manager to ensure the young person's human rights are being upheld. Once an administrator is appointed, the department will support the young person to meet and build a relationship with their administrator. They will continue this work through to when case management is formally handed over when the young person turns 18.

The report by the Community Support and Services Committee also recommended that the board prepare an annual report, separate to that provided by the Public Trustee, to increase the transparency and independence of the board. As noted in the report by the Office of the Public Advocate—

... clients of the Public Trustee are some of the most vulnerable members of the Queensland Community. The Public Trustee has been appointed to protect the person's interests.

It went on to say—

The Public Trustee has significant power over its administration clients. It is in a position of trust, controlling the person's money and property, making money, if not all, of the financial decisions for the person and having significant power over their lives.

It is important that a body with such a powerful role in the lives of more than 10,000 Queenslanders every year is held to a high standard of public accountability. The additional transparency recommended by the committee, and accepted by our government, will be a significant step to building public confidence in the operation of the Public Trustee.

I would like to thank the chair of the Community Support and Services Committee, the member for Mansfield, and all members of that committee and the secretariat for their hard work during the inquiry process for this bill. I would also like to thank the Attorney-General for introducing this important and timely bill to the House.

Our government was elected on a commitment and promise to be an open and transparent government. The creation of an oversight body described in this bill will provide greater transparency and oversight to an agency doing very important work supporting vulnerable Queenslanders. I commend the bill to the House.



**Dr MacMAHON** (South Brisbane—Grn) (12.40 pm): This bill takes a small step towards reforming how the Public Trustee operates. Unfortunately, it goes nowhere near the scale of reform needed to establish the kind of fair, caring and ethical system needed to support vulnerable Queenslanders. I am pleased that, after decades, some sunlight is finally being shone on the failings of the Public Trustee.

Vulnerable Queenslanders need to be seen, heard and cared for. Every single person in this place owes that to them. The Greens will always fight for the rights of Queenslanders who are under the protection and care of the state, and my colleague, the member for Maiwar, has prepared important amendments to this bill.

Establishing an oversight committee to provide additional oversight over the Public Trustee to enhance transparency and public accountability is commendable, but only if that transparency is guaranteed. The QHRC notes that the current reporting arrangements have 'the potential to undermine

the Board's effectiveness and limits its transparency and public accountability'. The QHRC and QLS also note that the bill does not oblige the minister to table or make the board's reporting actively publicly available.

I am sceptical, given the poor track record of this government on integrity. Just a few months ago we passed a bill that will block much of the work of the Olympics Committee from the right to information requests. I asked then, and I ask again now, what has the government got to hide? Is this the kind of dealings we can expect over the next 10 years as we approach an Olympic Games that no-one asked for and more and more Queenslanders are sceptical of? Transparency for some, but not for others.

We have heard much already about the serious failings of the Public Trustee, ripping off some of the most vulnerable Queenslanders. The Audit Office found serious gaps in the Public Trustee's complaints system, and the Public Guardian found damning evidence of shortfalls and abuse of trust of people under the guardianship of the Public Trustee. As a self-funding organisation, the Public Trustee has a perverse incentive to find ways to charge clients fees to fund their work. The Public Advocate writes—

The conflicts inherent in this funding arrangement appear to be incompatible with the duties and obligations of a trustee and fiduciary to not profit from its clients and to avoid conflicts.

And—

The *Public Trustee Act* is silent or ambiguous about when and how the Public Trustee can 'profit' from clients, and/or earn revenue on clients' funds. The Act is substantially the same as the *Public Curator Act* passed in 1915.

They note that—

All other State and Public Trustees in Australian jurisdictions receive some financial assistance from their respective governments to fund their CSO obligations.

However, being a self-funding organisation—

As a result, its expenditure does not appear to be subject to the same level of scrutiny as agencies receiving funding from government.

My office has heard many stories from constituents whose loved ones or friends have struggled with the Public Trustee—people ripped off, thousands stripped from estates and people trapped in the system. I want to highlight one particular case from an active and valued member of my community. This constituent had spent the previous decade caring for her mother and her sibling, both of whom were clients of the Public Trustee. Her mother's financial affairs were being managed by the Public Trustee, and the Public Trustee had helped her prepare her will. Her mother sadly passed away last year. My constituent, one of two beneficiaries under this legally valid will the Public Trustee had helped write, was then told that the Public Trustee intended to contest the will. Significant fees would accompany this contestation. In contesting the will, the Public Trustee ignored the wishes of her mother, contesting a will that they themselves had helped prepare. It also risked depleting the estate with administration and legal fees.

After a process of complaints and advocacy, stressful for my constituent and compounding of grief, I am pleased to say that the will was not ultimately contested. To me, this highlights serious ongoing issues with the governance framework of the Public Trustee.

This case did not happen in a vacuum. The *Four Corners* report in March highlighted that the clients of the Public Trustee have been subjected to financial and emotional abuse by its actions.

The submission by Zorica Stankov, a disability support worker, is quite moving in how it describes the unfair decisions of the Public Trustee and how this impacts people's ability to even access a coffee or a snack on an outing. She says the majority of people she supports have the Public Trustee as their financial administrator. In July 2020, with no consultation, the Public Trustee decided that clients cannot access their own money for outings to pay for things like food, drinks, activities and personal items. Receipts would have to be provided to the Public Trustee. When this practice was changed overnight, the Public Trustee proposed solutions like disability support workers cash-flowing these items and then claiming them back. To be clear, some of the hardest working and most underpaid members of our community were asked to take the risk and administration on themselves.

Ms Stankov reports that many people with the Public Trustee as their administrator are on unreasonably tight household budgets. She provides examples like: a huge delay in the purchase of a cheap stick blender to puree food in accordance with dietitian's advice; the Public Trustee refusing to allow a client's parents to purchase her new clothes after she had lost weight; things like haircuts,

everyday clothing, pairs of socks, underwear and bed sheets all needing to be itemised with quotes and pricing and sent to the Public Trustee for approval; if food spending is over as little as \$5, the Public Trustee must give permission for this to occur. No member of this place would tolerate the lack of dignity in their everyday lives or the lives of their families, so why should we mandate it for vulnerable Queenslanders?

The submission from Michelle Dubois is similarly damning. She has been a client of the Public Trustee for most of the last 24 years. She was awarded \$650,000 in compensation after a motor vehicle accident, and she estimates she has paid \$270,000 in fees to the Public Trustee. At one point she had over \$500,000 in her account and requested a couch. She was living alone and going to university. The Public Trustee dropped her allowance to \$80 per week. At one point her father was able to take control of her administration, but had to hand it back in time due to his old age. Once the Public Trustee had control over her accounts, they prevented her from using things like PayID or merchant banking in her small business. As Ms Dubois says, 'That money was meant to look after me, not pay the government.'

I hope that the mild reforms this bill proposes will make cases like this less likely, but there is much more that we can and must do. There have been some really important issues raised by stakeholders during the inquiry on this bill, which I understand will not be addressed by the government's amendments. If these issues are unable to be resolved, the very funding model of the Public Trustee should be reconsidered.


The Together union raised the issue of board remuneration. Despite the high workloads that Public Trustee staff have, the members of the board can still be remunerated at the minister's discretion. Like many other public entities, our universities being a prime example, the current framework risks executive pay being many times more than the pay of workers in the institution. This is also the case for private entities wishing to take government funds to do government work.

This situation with the few at the top being paid much more than those doing the work is out of step with community expectations, and it is something that this government can and should take action on. Here it needs to clarify whether the high pay of board members, as set by the minister, would come out of the budget or that of the Public Trustee.

As the Together union states in its submission, its members have serious concerns considering the existing issues that this would exacerbate. These issues will inevitably have an impact on the Public Trustee's clients.

After a century of its operation, this regime really needs a refresh. We now have decades of case studies about how the Public Trustee has denied people dignity and autonomy and even essential household items. The Attorney-General said yesterday that implementing the stronger governance board called for by many submitters would require a change to the corporate structure and it would not be simple. Queenslanders expect us to be doing the hard work of setting up a Queensland that protects and supports everyone. I have faith that we could do it if there were the political will.

I want to echo the faint praise of the expert submitters to this inquiry, those doing the heavy lifting here, and note that this review takes a step or two towards reform. However, this regime, and the indignity it enforces on vulnerable people, is no longer sustainable. I commend my colleague the member for Maiwar for his amendments and I urge the government to hear the voices of vulnerable people and their carers. If the Public Trustee cannot act in their interests and support them to lead full and comfortable lives, its entire model needs to be reformed.

 **Mr MADDEN** (Ipswich West—ALP) (12.50 pm): I rise to speak in support of the Public Trustee (Advisory and Monitoring Board) Amendment Bill 2021 as well as any proposed amendments to be moved by the Attorney-General. On 28 October 2022 the Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence introduced this bill into the Legislative Assembly. As the minister said in her explanatory speech, this bill amends the Public Trustee Act 1978 to establish the Public Trustee advisory and monitoring board to monitor and review the operations of the Public Trustee.

The Public Trustee performs a vital role in our community, including providing financial management services to more than 10,000 Queenslanders each year. Importantly, the Public Trustee forms a central role in the guardianship system in Queensland. The guardianship system provides a range of substitute decision-makers to make decisions on behalf of adults with impaired decision-making capacity. The Public Trustee may be appointed by the Queensland Civil and Administrative Tribunal under the Guardianship and Administration Act 2000 as an administrator and by a principal under the Powers of Attorney Act 1978 as an attorney in an enduring power of attorney to make decisions about financial matters or legal matters in relation to property.

After its introduction, the bill was preferred to the Community Support and Services Committee for consideration. On 21 January 2022 the committee tabled its report No. 15 of the 57th Parliament in relation to the bill. In its report, the Community Support and Services Committee made three recommendations. Firstly, the committee recommended that the bill be passed. Secondly, the committee recommended that at clause 4, new section 117ZD, Appointed board members, be amended to add another appointed board member to the board with lived experience, increasing the number of board members by one. The government's response was that it accepts this recommendation. The government acknowledged the value of lived experience and the important contribution and insight that this experience can bring to the board.

The government also acknowledged concerns raised by some submitters in relation to the balance of impairment and appointed board members. The government advised that it would move amendments to the bill during the consideration in detail to provide that: the minister appoint at least five, but not more than six, appointed board members; in appointing the board members, the minister must ensure that at least one appointed board member has lived experience with impaired capacity, either in regard to themselves or others; and a quorum consists of at least half the board members including at least four appointed board members.

Thirdly and finally, the committee recommended the bill be amended at clause 5, new section 141B, to ensure a separate annual report of the board of the Public Trustee be provided to the minister and tabled in the Queensland Legislative Assembly. The government accepted this recommendation. The government acknowledged that requiring the board to prepare a separate annual report rather than including a report in the Public Trustee's annual report will increase the independence and transparency of the board. The government will move amendments to the bill during consideration in detail to require: the board prepare and give to the minister as soon as practicable after the end of each financial year an annual report; and the minister table the annual report within 14 sitting days of receiving the report.

I note the Queensland Law Society's submission to the committee—and at this point I declare that I was formerly a member of the Queensland Law Society when I was a practising solicitor—and it recommended a stronger oversight mechanism for the Public Trustee. The Queensland Law Society recognised the Public Trustee advisory and monitoring board's establishment was a response to the former public advocate's report in relation to how the Public Trustee of Queensland deals with certain clients.

In 2020 and 2021 the Public Advocate undertook a review of the Public Trustee's fees and charges levied on its financial administration clients. The Public Advocate undertook a review in response to concerns expressed by people with impaired decision-making ability and their supporters about the negative impact of the Public Trustee's fees and charges on their financial outcomes. The report resulting from this project, *Preserving the financial futures of vulnerable Queenslanders: a review of Public Trustee fees, charges and practices*, was tabled in the Queensland parliament by the Attorney-General on 10 March 2021. On 10 March 2022, one year after the tabling of the report, the Public Advocate released an implementation update that identifies actions that have been undertaken in relation to the report's 32 recommendations.

The Public Advocate reported that in 2019-20 the Public Trustee provided financial management services to 10,071 Queenslanders, including 9,316 people under an administration appointment by QCAT, the Queensland Civil and Administrative Tribunal. The Public Advocate acknowledged that the Public Trustee is a key member of Queensland's guardianship and administration system, delivering services to vulnerable Queenslanders for more than 100 years and supporting them to live safe and financially secure lives. As well, the Public Trustee has significant power over the administration of its clients' financial matters. It is a position of trust, controlling the person's money and property, making many, if not all, of the financial decisions of the person and having significant power over their lives.

The administrator's role can include paying household bills, buying and selling property, running a business, entering into contracts, applying for government benefits, making business decisions, managing investments and bringing or defending legal proceedings of a financial nature. The Public Trustee has significant obligations to its clients under the Guardianship and Administration Act 2000, the Trusts Act 1973 and in terms of the broader fiduciary duties of a trustee.

The review was undertaken to explore concerns raised with the Public Trustee. In its report, the Public Trustee highlighted two possible oversight mechanisms to improve the Public Trustee's performance, transparency and public accountability: the first, that a governance board be established that would provide direction and oversight to the Public Trustee; or the requirement that the Public Trustee report to a parliamentary committee, similar to the requirement for the Crime and Corruption Commission to report to the Parliamentary Crime and Corruption Committee. The bill, however,

proposes that the board will only have an advisory and monitoring function in that it will monitor the Public Trustee's performance and provide general advice and recommendations to the Attorney-General.

I think the recommendation of the Queensland Law Society that a governance structure whereby the Public Trustee would report periodically to a parliamentary committee has merit. I note that in her article dated 21 January 2022 published in *Proctor*, the principal Queensland Law Society publication, Dr Brooke Thompson acknowledged that, while the committee's recommendations did not extend to the governance structure that the Queensland Law Society recommended in its submission, the committee has recognised a need for an additional appointed board member to balance the large number of government appointments and an added oversight mechanism that the board table an annual report.

In closing, I would like to thank the Attorney-General for introducing this important bill. I would like to thank the members of the Community Support and Services Committee. I would like to thank the committee secretariat, the submitters and Hansard. I commend the bill to the House.

Sitting suspended from 12.59 pm to 2.00 pm.



**Mr MICKELBERG** (Buderim—LNP) (2.00 pm): I rise to address the Public Trustee (Advisory and Monitoring Board) Amendment Bill 2021. This bill seeks to remediate the longstanding failings of Queensland's Public Trustee by establishing an advisory and monitoring board, which will provide additional oversight of the Public Trustee, with the aim of enhancing transparency and public accountability. The Public Trustee is just that—a position of trust to Queenslanders. It holds considerable power. Unfortunately, the Public Trustee has been under a cloud of scandal for many years now. It is time to clean things up and give confidence back to Queenslanders. The LNP has been calling for a review for some time and for changes to be made to the Public Trustee.

In March last year, a report from the Public Advocate was tabled in the parliament. It contained 32 recommendations relating to the handling of the Public Trustee's fees and charges, financial management, client services, legal services and administration. More than a year later, we are still waiting for most of those recommendations to be implemented. The failings of such a powerful position should be taken far more seriously. The one recommendation that is being considered is for there to be more oversight, which is why it is critical that an appointed board is independent, empowered and fair. I find it concerning that the watered down board structure being put forward by the state government in this bill is not what was recommended by the OPA report. The board in this bill holds no real power and cannot make changes. We know of this government's fondness for prioritising public perception rather than reality, and that appears to be the case in this instance.

I acknowledge that the minister has indicated support for the committee recommendation to limit the number of permanent members and increase the number of appointed members to ensure the majority is not held by government employees. Ironically, this is the same situation that existed with the Queensland Veterans' Council Bill, which we dealt with a couple of months ago. I am unsure why the Labor state government continue to try and structure things to their advantage rather than in a way that is in the best interests of Queenslanders.

**Mrs Frecklington:** Surely you can work it out.

**Mr MICKELBERG:** I take the interjection. Surely they can work it out in advance of being called out through the committee process—that it should be structured in the interests of Queenslanders, not in the interests of opacity and government control.

Members on the new board should have a varying background, with different skills and experience levels, to best advocate for all Queenslanders. It is important that there be no ministerial interference to sway decisions one way or another. This should not even have to be stated; however, given this government's track record on transparency and integrity issues, Queenslanders are well justified in questioning if the proposed board will indeed be independent.

I support the amendment foreshadowed by the shadow Attorney-General requiring that a report from the board be tabled within 30 days of submission to the minister and completed within 30 days of each new financial year. It is important that the board and the minister are open and transparent and ensure that information is not hidden from the public. We should be hearing about what the board finds and, in turn, how the government plans to fix the issues without obstacles and delays.


My office in Buderim has been contacted by many constituents over the years who have been overwhelmed with problems with the Public Trustee. Just recently, an elderly gentleman who was the sole carer and appointed power of attorney for his disabled daughter was unable to update her will. He

was afraid that he would not be around much longer to care for her. He was extremely distressed and was unable to get anywhere with the Office of the Public Trustee. His daughter is legally blind and confined to a wheelchair, yet he was told that she would have to attend the office in person to sign forms—a task that she was simply not able to complete. There was no consideration for the challenges that Queenslanders like him experience and there was no willingness from the Public Trustee to provide a solution to meet his daughter's needs.

Since entering the parliament in 2017 I have also had many phone calls and emails from upset family members over the mishandling of estates. The horror stories are well known, but situations where the Public Trustee has exhausted the entire value of an estate in fees and charges are not uncommon. If bankers and solicitors acted in such a manner, they would be rightly criticised and held to account for their actions—and so, too, should the Public Trustee. Constituents have raised issues about loved ones who are still alive and in vulnerable situations being subjected to having their property sold out from underneath them and about vulnerable Queenslanders being moved against their wishes and in a manner that is clearly against their best interests. We know that money can create divides in families—it is a horrible reality—but that is why the Public Trustee must act fairly and provide trusted services that are always in the interests of the people they represent.

More must be done to protect the most vulnerable Queenslanders. These types of issues have long been challenging ones for individuals and for families, especially when it involves finances. It causes incredible stress at times when they cannot handle any more. These issues greatly impact the lives of many Queenslanders, unfortunately.

Others have spoken about the *Four Corners* stories that aired damning testimony around the Public Trustee mismanaging clients' property, costing one man around a million dollars in what can only be described as elder abuse. It is cases like these that have Queenslanders losing confidence in the Public Trustee. That confidence and trust need to be earned back. It starts with the state government supporting the amendments, which will be moved by the shadow Attorney-General, seeking proper oversight of the Office of the Public Trustee.

 **Mr WHITING** (Bancroft—ALP) (2.05 pm): I rise to speak in support of the Public Trustee (Advisory and Monitoring Board) Amendment Bill 2021. I will quickly go over how this bill creates this board and who is on this board, because it is pertinent to what I will be saying in a moment. The board will have a mix of ex officio members appointed by virtue of their office—they will be the permanent board members—and members appointed by the minister. There are to be a minimum of four appointed board members for a term of three years. Permanent board members will all be directors-general or senior executives within the public sector. Appointed board members will be people with knowledge, qualifications and skills in areas such as corporate governance, finance and banking, disability, litigation and law, and human resource management. Obviously, that board will meet at least three times a year.

I think this bill represents quite a good advancement on where we are at the moment with the Public Trustee. It is very clear that this bill will bring in stronger governance and oversight of this particular body. I think we can all agree that that is very much needed. The question is one that you look at within government: do you need a new board or do you need a whole new structure? You choose a new structure if there are broad, pervasive structural failings. The question then becomes, to use a building analogy: do you need to demolish and rebuild? After listening to everyone and examining this issue, I think the answer is no. Very serious issues have been raised, but I think what we have here is still the best option.

If you go for a complete restructure—the demolition and rebuild—it takes enormous time and resources. The Attorney-General referred to this in her speech. It takes years to get right. If you bring in a new act, it takes years to draft, to consult on, to bring in and to bed down. There would be a delay of years. Creating a body corporate would be a complete rebuild as well, once again taking years. If you create an independent body, once again you are looking at a complete rebuild. If you do that restructuring and rebuilding over years, how are the surrounding governmental structures and bodies affected during the rebuilding? It would be quite disruptive to all of the architecture around that body. Creating a body corporate or independent organisation minimises the ability of ministers, government and parliament to have direct impact, direct insight and direction into that body. I question whether or not that would lead to an increase in public oversight or public intervention.

As I said a moment ago with regard to the broader options of demolish and rebuild, what will the effect be on the clients? It comes back to this question: what is in the best interests of the clients of the Public Trustee? As we have heard, there are 10,000 vulnerable Queenslanders who rely on the Public

Trustee. If we implement the options that have been canvassed today by the opposition and other people, we would get years of delay and disruption. One would have to ask: would that be in the best interests of all of the broader clients of the Public Trustee?

I believe the best option is what we have in front of us in this legislation with this board with oversight and a review function and a board that can monitor and advise as part of what will clearly be ongoing reform for this organisation. The Attorney-General and the member for Bundamba pointed out that this board is a first within Australian public trustees. No other jurisdiction has quite this model and we have something here that is worth pursuing that can deliver what we need.


It is very clear, as I said, that if there are problems that need to be fixed they are not of the magnitude that require a complete demolish and rebuild, and I would question whether that impact would see its clients better off in the long run. I look forward to the option in this bill fixing the problem because it will preserve the protections that already exist for these vulnerable Queenslanders.

I also point out to the LNP—and this is something that we cover many times when we have these kinds of debates—that we need to be aware of the morale that these kinds of criticisms have within those bodies and the impact that has on staff within the Public Trustee. I am sure that they know of the issues that need to be dealt with, but I would point out that we cannot continue to undermine internal confidence in our public units. We cannot continue to traduce morale if in fact we are wanting a better outcome for Queenslanders. That is something that we need to keep in mind when we are looking at these issues.

There is one particular issue that we have not talked about within this bill. The members for Burnett and Buderim mentioned the people who come through their offices with issues, and I do agree that there are people who come through our offices with issues. However, I want to point out that I often talk to people who are thankful that the Public Trustee is doing its job. That is something that we cannot forget. I have seen people coming through the office who are chasing alterations in those arrangements with the Public Guardian or the Public Trustee and I question sometimes whether they are in the best interests of their family members or the people who are the clients. That is something that we do need to be aware of. We do get a lot of complaints, but we need to look within ourselves and ask: what is in the best interests of the client, not what is in the best interests of the person whom we may have before us?

My experience is that, by and large, the Public Trustee, the Public Guardian and those sectors act in favour of their clients—the most vulnerable—and that is something that we need to be aware of when we deal with these issues. When we deal with issues of the Public Trustee and the Public Guardian—and the member for Cook also mentioned this briefly—the role that they play within our society is crucial. When there are people in front of us who have difficulty communicating who are relying on people who may not be family members or who are being represented by people who are not family members, we should be asking what is in the best interests of the client and looking at what the Public Trustee delivers in terms of service and protections to the most vulnerable within our society.

As I said, I am sure that there will be continuing change and continuing reform as we continue to protect those most vulnerable. However, the board option presented by this bill today is a great advance on what we have which will deliver some great benefits to how the Public Trustee operates and the regard with which it is held within the state. This board will work with the staff and it is not something that will traduce or undermine their morale. I commend the bill to the House.

 **Mrs FRECKLINGTON** (Nanango—LNP) (2.14 pm): I rise to contribute to debate on the Public Trustee (Advisory and Monitoring Board) Amendment Bill 2021. As the shadow Attorney-General has alluded to, we will be supporting this bill, but make no mistake: this bill is all talk and no substance. There were 32 recommendations made by the Office of the Public Advocate to the government and how many does this bill fix up, help or change? One of those recommendations. What is that recommendation? To extend the board by one person and tinker around the edges with the reporting recommendations. Honestly, that one recommendation—

**Mr Healy** interjected.

**Mrs FRECKLINGTON:** I take that interjection: because we do back that one recommendation, but we would like to see more of the recommendations adopted. I note that the shadow Attorney-General has spoken about that and will continue to speak about that during the consideration in detail stage of the debate. Again this looks like another one of the Palaszczuk government's photo-ops but then forgets about the follow-ups. That is exactly what this bill is all about.



I remind the House that the Public Trustee was established in Queensland in 1916 during the First World War to secure the affairs of Queenslanders in times of need and since then the Public Trustee has grown significantly. It has maintained bipartisan support, but unfortunately it just simply has not kept up with changes in estates and estate law in Queensland, and I speak from experience with that as a former estate lawyer. The LNP is well aware, as we have heard, of the community's growing concerns about the Public Trustee and has been calling for a review and changes into its practices for years.

The Public Trustee has strict legal obligations under its act, which states that it must always act in the interests of its clients and avoid conflicts with clients' interests and not profit from the relationship. The OPA report found that the opposite was more likely than not occurring. In fact, the review had to be expanded from its initial consideration about fees and charges to include significant broader concerns as more and more issues were raised by the community and agencies across the state. The Public Advocate raised serious concerns about the level of complexity in the Public Trustee's system of fees and charges and its lack of transparency. Further, it found that the Public Trustee was profiting from clients' funds.

It is all well and good to say that a lawyer can profit from its clients' funds, but the Public Trustee is there to act on behalf of the most needy in our state. It has raised issues in relation to the Public Trustee's investment policies and practices, its use of external financial advisers, its use of the Official Solicitor and the charging of management fees on clients' money invested in its own financial products.

The Public Advocate was most concerned with the Public Trustee's administration clients who had modest assets such as a home, superannuation or a pension. These clients are not entitled to fee rebates from the Public Trustee and for many in this group the fees and charges in combination with their regular expenses simply exceeded their income, requiring them to spend their cash assets and eventually get rid of their assets over time. I just heard the member for Buderim give a very good local story about that exact case. As an example, it was found that the Public Trustee's personal financial administration fee for those on the highest level of the fee level equates to almost 37 per cent of a single person on a disability support pension.

This is a very large proportion of this pension and a significant financial burden for those clients. I note that it is 12 months since this review and there is still no word on the updated fee structure. This is a review that found major issues in relation to the fee structure. Those clients are waiting to hear about the update of that fee structure. It is simply not good enough.

I would like to share with the House the story of one of my constituents. This is just one of many Public Trustee complaints that we get into our offices. This is the story of Sue Goodman and her son John and their experience in this space. Sue first came into my office in November 2020 seeking advice and my advocacy in her dealings with the Public Trustee and their management of her son's affairs. Her son John, who at the time was 46, had suffered brain damage in 2018. He had an intellectual impairment, lack of capacity and could no longer read or write. His affairs were placed with the Public Trustee because Sue believed at the time that they were best placed to look after her son's best interests given his age at the time and, I dare say, her age.

Towards the end of 2020 Sue realised this was simply not the case. She looked at the budget, she looked at the fees and started to make inquiries. She could see that John's funds would be severely eroded in just 10 years if they were to continue where they were. She was hit with more fees because if you make more than two calls to the Public Trustee in one fortnight you are placed on a higher fee schedule.


With enormous tenacity, strength and determination Sue took on the Public Trustee through QCAT. She had no lawyer, relying on the help of Carers Queensland to lodge hundreds of pages of evidence and documents. Her wish was to help John build his own home on land that she owns in the South Burnett, a home where he could live with dignity and have his beloved dogs with him and be comfortable. Sue won her fight. She won the right to be free of the Public Trustee and was appointed as administrator of her son's finances. Unfortunately the story does not end there. After winning this David and Goliath battle Sue found out that the Public Trustee had placed all of John's finances in his super and therefore they were inaccessible. A second battle started for these funds and it continues to this day.

Sadly, John was never able to see his home. He passed away in November 2021. The delays and the unnecessary pain that the Goodmans experienced in their dealings with the Public Trustee should never have occurred. Sue should never have had to come to her local member of parliament to

help her advocate. She should never have had to spend the last year of her son's life fighting for his financial security. May John rest in peace, but may Sue's fight on John's behalf speak loudly and proudly on behalf of other victims who are subjected to the same unfortunate circumstances. Let us hope that, while this bill is only one tiny step toward improvements to the Public Trustee, this government actually listens to people like Sue and the other people whose stories have been told in this House and that it makes changes.

In 1916 when the Public Trustee was set up in this state, it was set up to help those less fortunate, those people who needed advocacy on their behalf to look after their affairs. It was not set up to rip people off. It was not set up to make sure that people like John were not able to get into their own home for the last year of their life.

This bill does not go far enough. In my opinion it is a toothless tiger and another layer of bureaucracy with no real power but to provide general advice. It is a weak solution to just one of the 32 recommendations made by the Office of the Public Advocate. It has been 12 months since the review and we are still waiting on the updated fee structure. It is not good enough. People continue to lose almost everything at the hands of the very body that should be safeguarding their future. The LNP will continue to fight. We will fight for people like Sue so that vulnerable people like her son are protected into the future.

 **Mr SKELTON** (Nicklin—ALP) (2.24 pm): I rise to speak in support of the Public Trustee (Advisory and Monitoring Board) Amendment Bill 2021. I acknowledge the testimony of those opposite with regard to people who have been poorly treated by this public body and acknowledge that that is why we are here today debating this bill. I would like to thank my chair and deputy chair and colleagues on the Community Support and Services Committee for their work in considering the legislation, Parliamentary Services for their guidance and the office of the Public Trustee, in particular Marion Hall, who took the time to come to my office and brief me on the role and the future of the office. I also wish to acknowledge the work of the Attorney-General's office and Minister Fentiman.

Countless Queenslanders have relied on the Public Trustee of Queensland since its inception in 1916. The office of the Public Trustee in Queensland is the largest body of its kind in the Southern Hemisphere. The services they have provided have assisted millions of Queenslanders over the past 106 years of operation to make a will through their enduring powers of attorney, with the management of deceased estates, the management of investment and trusts on behalf of minors or those with a disability, and financial administration for those with impaired capacity and no-one else to help them manage their money. The Public Trustee also acts as trustee for many philanthropic trusts and organisations such as the Queensland Community Foundation and the Queensland Aboriginal and Torres Strait Islander Foundation.

As a member of the Palaszczuk Labor government I know this side of the House is committed to ensuring our most vulnerable Queenslanders and those in their time of need are receiving the best services possible, hence our amendment to this bill. I wholeheartedly support the establishment of the Public Trustee Advisory and Monitoring Board to better monitor and review the operations of the Public Trustee as recommended by the Public Advocate's report *Preserving the financial futures of vulnerable Queenslanders: a review of Public Trustee fees, charges and practices*, which was tabled in this House just over a year ago. This is a government that understands the need for transparency and accountability and delivers on its commitment. The Palaszczuk Labor government is committed to getting things done.


The Public Trustee Advisory and Monitoring Board will monitor and review the performance of the Public Trustee's functions, monitor complaints received by the Public Trustee about the performance of the Public Trustee's functions and monitor and review the Public Trustee's process for managing these complaints. The board may also make written recommendations to the Attorney-General regarding changes to legislation or improvements to the policies, practices, resources, services or training of the Public Trustee to ensure the Public Trustee can effectively perform its duties and improvements or enhancements to the performance of the Public Trustee's functions to promote the interests of the Public Trustee's clients, particularly clients with impaired decision-making capacity.

The board will maintain the trustee's independence, not having any management functions or the ability to direct the trustee except to require it to provide the board with information about the performance of the trustee's functions. The advisory and monitoring board will be made up of 10 people, including five permanent board members made up of various public servants, including chief executives

from the department that administers the Public Trustee Act 1978, the department in which the Financial Accountability Act 2009 is administered, the department in which the Disability Services Act 2006 is administered, the department responsible for seniors and the department in which the Aboriginal Cultural Heritage Act 2003 and the Torres Strait Islander Cultural Heritage Act 2003 is administered.

The make-up of the board needs to be representative of the people it is providing oversight for. First Nations, seniors and different needs representation has been considered and reflected in the composition of the board. There are to be at least four but no more than five members appointed by the minister including: one person with knowledge, qualifications or skills in corporate governance, finance and banking, financial investment, financial services, insurance or the management of financial funds, financial risks and trusts; at least one person with knowledge, qualifications or skills in relation to advocacy services and support for seniors and persons with a disability, including persons with impaired capacity; at least one person with legal knowledge, qualifications or skills in commercial litigation duties and obligations of trustees, powers of attorney, substituted decision-making for adults with impaired capacity, secession law or the principles and rules of equity; at least one person with knowledge, qualifications or skills in relation to human resource management and, importantly, culture change management, which is what we are discussing here with the Public Trustee's office; and other any persons with knowledge, qualifications or skills whom the minister considers appropriate.

I think this bill goes a good way towards addressing a lot of the issues seen in the Public Trustee's office and provides a board that will continue to monitor the Public Trustee so that it evolves and meets the needs of vulnerable Queenslanders. While those opposite are busy considering the implications of the failures of their own federal colleagues and their own time in government, and are staring at their own navels, the Palaszczuk Labor government will keep getting things done for the people of Queensland. As such, I commend the bill to the House.

 **Mrs GERBER** (Currumbin—LNP) (2.31 pm): 'They are evil. They're terrible. They are heartless. They are thoughtless. And they're just money-hungry users.' Those are not my words. They are the words of a former Queensland Public Trustee client. In March this year, Anne Connolly's *Four Corners* report shed light on the appalling practices still occurring inside the Queensland Public Trustee. That was after the Public Advocate delivered her scathing report into the financial practices of the Queensland Public Trustee in March last year and after the Auditor-General's report into the Public Trustee's handling of complaints, tabled in September 2020, which made damning findings about the Public Trustee's processes.

The Public Trustee of Queensland is tasked with providing financial management services to approximately 9,300 vulnerable Queenslanders. However, the experience expressed by many is more like financial mismanagement. One Queensland advocate went so far as to say—

The Public Trustee are the biggest perpetrators of financial abuse of elders. And this is actually legal, and this is part of the system. So, this to me is state sanctioned elder abuse.

The committee heard from a number of submitters who provided firsthand accounts of experiences with the Public Trustee's management of personal finances. They include having to get approval to purchase a stick blender to puree food and waiting weeks for that approval. In another case a family member was not given approval to purchase their daughter new clothes after she had lost a significant amount of weight. Another submitter told the committee—

I estimate the Public Trustee has taken upwards of \$270,000 in fees from me. They were unnecessarily cruel in how they managed the money. I had over \$500,000 in my accounts and I asked for a couch. They dropped my living allowance to \$80 per week. I was living alone and going to university at the time. It was not enough and there was no need for it.

In general, complaints about the Public Trustee range from not looking after assets properly to not consulting with loved ones and a complete lack of communication with the person they are supposed to be looking after, excessive fees and charges, charging property management fees when there has been no management of the property at all and forcing people with capacity issues to live where they do not want to live by selling their assets. Lives are ruined by those actions.

However, this state government refuses to address these systemic issues, turning a blind eye because the Public Trustee pays for itself. It is self-funded, paid for by the people under its administration, creating an inherent conflict of interest. I suspect this government does not want to have to ensure adequate funding for the Public Trustee in order to reform the Public Trustee in the way that is necessary. Therefore, the Public Trustee continues to operate as a law unto itself. The bill before the House today will not fix these very great issues with the Public Trustee. Instead, it tinkers around the edges.

Recommendation 30 of the Public Advocate's report calls for the government to implement an additional oversight or reporting mechanism within the Public Trustee to improve its performance, transparency and public accountability. While this bill does establish an additional board, it has no power. Instead, it will be advisory only. The government has tried to hide behind the departments, insisting that this format will maintain the Public Trustee's position as an independent statutory office and avoid conflicts with various duties and obligations owed. However, this is just another example of how this government is more concerned with how things look rather than how things are. The board will have no power to direct the Public Trustee on administrative issues. It will have no bearing whatsoever on the Public Trustee carrying out its common law and statutory duties. It cannot challenge the Public Trustee's decisions. It cannot even investigate a complaint. This is not the type of board proposed by recommendation 30 in the Public's Advocate's report and it is not the type of board that vulnerable Queenslanders deserve.

I note the comprehensive submission from the Queensland Law Society that reads—

... a stronger oversight mechanism than an advisory and monitoring board is required, given the central role that the PTQ plays in Queensland, its breadth of services, and the significant amount of funds under its management.

Given that similar entities and commissions manage to navigate boards with stronger governance functions—entities such as Legal Aid Queensland—there is absolutely no reason the Public Trustee could not have a similar system. Once again, political convenience and expediency trump meaningful reform, thanks to this Palaszczuk Labor government. Rather than giving the board the powers it needs to be effective, this state government is content to point to this toothless tiger and claim political victory.

Further, the composition of the board as originally proposed was going to be senior executives and public servants. As we have seen before, submitters expressed very serious concerns that this would result in a board that is unwilling to effectively review government decisions. The Queensland Law Society was firm in its disapproval of the original board composition, stating in its submission—

... QLS considers that it is problematic for the Board to have such a large number of Government department chief executives, and further, for the majority of permanent board members to come from the same Government department ... We highlight that the boards of other statutory entities, for example the Legal Aid Board, do not have permanent Government appointments.

It seems highly improbable that board members from government departments will feel confident criticising the state government given they are employed by that very state government—a government that will not afford whistleblowers the protection of a royal commission in the current integrity crisis.

In response to the immense criticism by stakeholders on this point, the committee made recommendation 2, which has been accepted by the government. There will now be an increase by one in the number of appointed board members, ensuring that the balance lies with the appointed members and not the bureaucracy. Had the government not agreed with the committee's recommendations about the composition of the board, the LNP would have moved amendments to ensure that the board is better balanced and free to pursue its mandate, as weak as it is.


I turn to the lax reporting requirements in the bill, which also leave much to be desired. This portion of the bill also attracted significant criticism from stakeholders and the committee rightly recommended changes to this section too. Originally, there was no obligation for the minister to table or release any recommendations made by the board. The government has accepted the committee's recommendation to require the minister to table the report in the House but is proposing an amendment that will require the bare minimum of reporting with no time limit. Currently, the clause simply says that the board will provide a report as soon as practicable and the Attorney has 14 sitting days to table that report after receiving it.

To ensure this state government upholds robust reporting requirements, the LNP will be moving an amendment to insert time frames around the reporting proposal, requiring the board's report to be tabled in the Queensland parliament annually within 30 days of being finalised, and it must be finalised within 30 days of the end of the financial year each year. This amendment will improve the timeliness of the board's deliberations, address the warnings given by the Auditor-General about the timeliness and adequacy of reports, and better reflect the recommendations made by the Public Advocate in her report of last year.

The work that the Public Trustee does is immensely important for our most vulnerable Queenslanders, but time and time again it is subjecting people affected by an incapacity to financial and emotional abuse. Significant reform is needed, but this bill barely scratches the surface. While with this bill some oversight will be provided and the amendments at least make it palatable, it is a missed opportunity to give hope to those who have been trapped, to those stripped of their assets and to those

silenced by the Public Trustee to assure them that they are being listened to, that their concerns are being taken seriously. Meaningful action is necessary. Even if properly implemented, this board does not have the power to fix the substantial shortcomings of the Queensland Public Trustee, leaving our most vulnerable to pay the price for this state government's incompetence and failure to properly reform the system.

This bill had the potential to change lives, to give back Public Trustee clients their dignity. Instead, it barely scratches the surface of the issue so many Queenslanders currently face within the Public Trustee. It is a bill reflective of a government that only cares about how things look—not how things are. Sadly, it is Queenslanders paying the price for this government's incompetence. We deserve accountability from the state government and from the Public Trustee.

 **Ms PUGH** (Mount Ommaney—ALP) (2.40 pm): I mention at the outset of my contribution to the bill that in my community is a senior team member of the Public Trustee with whom I meet semiregularly in his capacity as a senior committee member at a local sports club.

As we know, the purpose of this bill is to amend the Public Trustee Act 1978 to establish a Public Trustee advisory and monitoring board. The board is intended to provide additional oversight over the Public Trustee to enhance transparency and public accountability which we all know is so important. The establishment of this board is in response to the Public Advocate's report, which hopefully I will have time to touch on later, that has recommended this additional oversight of the Public Trustee to improve its performance, transparency and public accountability. The Public Trustee Advisory and Monitoring Board proposed in this bill will provide independent and effective oversight of the Public Trustee to improve its performance, transparency and public accountability in all aspects of its functioning.

Let me speak briefly about some of the different functions of the office of the Public Trustee. The remit of the Public Trustee is a wide one. It assists members of the public with writing their wills. It also provides advice about writing those wills where people may want to write their own. It provides a large amount of advice about the importance of keeping your will up to date should your family circumstances change. It provides an enduring power of attorney service. Its website even provides very important information about organ donation.

For the information of the House, the best thing to do is to not register in your will your interest in being an organ donor as some people may have done. Including the information in a will is not best practice. It is very likely that, by the time your will is read, it would be too late to action such a request. In fact, people need to register on the website. If members have not registered to be an organ donor, they can certainly do that. There is a link on the Public Trustee site, such is the depth and breadth of functions it carries out. The key takeaway, of course, is not to put it in your will. By the time people are reading a will, it will be far too late to action that request. I digress. It is very important information.

It is worth recognising the emotive nature of the many issues that the Public Trustee deals with. If you need assistance with a will or with an enduring power of attorney, these are issues that can be traumatising, challenging and emotional for families at the worst of times. At best, they can be incredibly upsetting. Unfortunately, many of us leave these sorts of decisions until they have to be made. It is sad to see, but it is often the way things are.

When members of this House reflect on executor planning in their own family, I am sure that we can each attest to the difficulty of the task, the emotional duress and fractures that it can also create within families. It is in this environment that family members operate. It is for this reason that ensuring the best possible oversight through the creation of an advisory board is critically important, because we are dealing with vulnerable people in their time of need even if they are simply emotionally vulnerable. We know that this board was widely supported by submitters to the committee. The proposed board is specifically designed to be completely independent both from the function of the Public Trustee and, of course, from the government.

This bill gives the board the tools it requires to effectively perform its oversight function, including: a skilled and knowledgeable membership providing a fresh perspective; the power to require the Public Trustee to provide the board with information; and the responsibility to publicly report on any recommendations made by the board to the Public Trustee or the minister. The composition of the board will have to include a person with lived experience. We all agree—and we have heard many stories today—that that is critical, because that person with lived experience will be able to provide that all-important, critical lens as to what it is like to work within the system and ensure that that is considered by the board in future dealings. This individual will have personal experience and firsthand knowledge of living with impaired capacity, including using and navigating Queensland's guardianship system.

As I said, a board member with lived experience will bring a unique perspective to the board, providing it with an insight it otherwise would not have had. Certainly, I do not think any of us in this House would have that lived experience. That is why it is critically important that we get that perspective.


The government considers that the addition of such a board member will result in an improved and more authentic performance of the board's function. The board will be accountable to the parliament through the tabling of an annual report—giving the community an assurance that the board's recommendations will be heard in parliament.

As I said, I believe—and I am sure every single member of this House believes—it is important to ensure that the Public Trustee is held to the highest level of integrity and confidentiality. There are over 10,000 people, some of the most vulnerable in our community, whose finances the Public Trustee manage. It is our responsibility to them and their families to ensure that their interests are protected.

In January 2021 the Public Advocate published its report titled *Preserving the financial futures of vulnerable Queenslanders: a review of the Public Trustee fees, charges and practices* which was tabled in parliament on 10 March. This bill acts on recommendation 30 of that report being that the government consider an additional oversight and reporting mechanism to improve the Public Trustee's performance, transparency and public accountability. In its response to the OPA report, the government publicly committed to the establishment of a Public Trustee board with an advisory and monitoring focus and, as I mentioned earlier, with that all-important lived experience. The board will have oversight of the Public Trustee to improve the performance of the Public Trustee.

We accepted written submissions from 4 November. We had public hearings. The Public Trustee has provided overall support for the bill. The Public Guardian has also provided support for the establishment of this board. During the submissions process we heard from stakeholders who were able to describe to the committee, and members of parliament, some of the barriers and challenges they experienced as clients of the Public Trustee. The committee recognised that the objectives of this bill are squarely targeted at ensuring those issues are not experienced again.

I return to the importance of lived experience. By having those with lived experience on the board we will ensure we always listen to the voices of the people who use this important service. We have over 10,000 Queenslanders currently relying on this service. As the member for Nanango said, this service has existed for about 100 years. When we think of the number of people who have used this service in the past and will use this service in future, it adds up to tens of thousands if not hundreds of thousands of Queenslanders. We owe it to past, present and future Queenslanders to ensure we get this vital service right. I believe that the creation of this board as proposed in this bill today is a vital step in doing that. With those few words, I commend this bill to the House.

 **Ms BOLTON** (Noosa—Ind) (2.50 pm): The Public Advocate, or PA, is an independent statutory entity established under the Guardianship and Administration Act 2000. In 2020 the Public Advocate commenced a review to explore concerns raised by people under administration with the Public Trustee, their families and supporters about the level and types of Public Trustee fees and charges and their negative effect on financial outcomes for people under administration.

In 2019-20 the Public Trustee provided financial management services to over 10,000 Queenslanders, including 9,316 people under an administration appointment by QCAT. They form a central role in the guardianship system in Queensland, making decisions on behalf of adults with impaired decision-making capacity.

In January 2021 the Public Advocate's report titled *Preserving the financial futures of vulnerable Queenslanders: a review of the Public Trustee fees, charges and practices* was tabled in the Legislative Assembly. The government response was tabled on 10 March 2021. As we have heard many times today, the OPA report made 32 recommendations relating to the Public Trustee's fees and charges, financial management, client services, legal services and administration. The government accepted one recommendation—recommendation 30—which called on the Queensland government to consider whether the Public Trustee and its clients would benefit from additional oversight and/or reporting mechanisms to improve the Public Trustee's performance, transparency and public accountability. The reform proposed by the Public Trustee (Advisory and Monitoring Board) Amendment Bill 2021 is in response to that recommendation. Specifically, the bill intends to amend the Public Trustee Act 1978 to establish the Public Trustee Advisory and Monitoring Board whose role it will be to monitor and review the operations of the Public Trustee.


As we have heard, many have expressed concerns with the proposed provisions in the bill. For example, Queensland Advocacy Incorporated submitted that the establishment of the board alone is not sufficient to address the numerous issues of concern raised by the Public Advocate's report. I agree.

The Queensland Law Society, while supporting the government's move to establish an oversight mechanism, submitted a preference for a stronger mechanism in the form of a governance board given the central role that the PTQ plays in Queensland, its breadth of services and the significant amount of funds under its management. A governance board would also be consistent with what occurs in some other Australian jurisdictions—for example, Victoria and Tasmania. While the amendments contained in the bill may provide an additional layer of transparency and oversight, the recent ABC story, which called out high fees and financial mismanagement together with two separate investigations into Queensland's office of the Public Trustee which are underway, raised significant doubts as to the capacity of this board to affect the changes needed.

The Public Trustee is an agency representing the state of Queensland, with a critical role in the lives of some of the most vulnerable members of our communities. It has been extremely disturbing to learn that these Queenslanders may have been mistreated, taken advantage of or financially abused. We should all be deeply concerned about what has been reported and carefully consider the Public Advocate's concerns regarding the Public Trustee's fees and charges and other practices such as investment policies, information access and decision accountability.

There is considerable work to be done with regard to reforms to the operations of the Public Trustee. The establishment of the Public Trustee Advisory and Monitoring Board, while a first step, is not anywhere near enough without the needed accountability and transparency to ensure the rights of these vulnerable Queenslanders are protected. It is imperative that immediate action be taken in bringing the other OPA recommendations forward in response to the many devastating stories that were shared during the inquiry.

I thank the committee, submitters, attendees to the public hearing and public briefing and the department for their examination of this bill. While supporting the intent of the bill, it is difficult to support endeavours that continue to fall far short of community expectations.

 **Mrs GILBERT** (Mackay—ALP) (2.55 pm): The Public Trustee (Advisory and Monitoring Board) Amendment Bill 2021 is an important bill for those Queenslanders who find themselves using the services of the Public Trustee. The Public Trustee operates as a corporation, is governed by the Public Trustee Act 1978 and provides a range of financial, trustee and legal services to Queenslanders. Importantly, the Public Trustee forms a central role in the guardianship system in Queensland. The guardianship system provides for a range of substitute decision-makers to make decisions on behalf of adults with impaired decision-making capacity. The Public Trustee may be appointed by the Queensland Civil and Administrative Tribunal, QCAT, under the Guardianship and Administration Act 2000 as an administrator and by a principle under the Powers of Attorney Act 1978 as attorney in an enduring power of attorney to make decisions about financial matters or legal matters in relation to property.

As other speakers have mentioned, we have all had constituents contact our electorate offices seeking assistance with their dealings with the office of the Public Trustee. Some constituents have gone down the path of seeking a QCAT decision to place a family member into the financial supervision of the Public Trustee to prevent financial elder abuse by another family member. There have also been disputes between family members as they decide who the best person is to look after a family member. When they cannot agree they go to QCAT to have a decision made. There are also families that do not feel comfortable having the responsibility for the management of funds on behalf of an incapacitated family member because they do not feel confident or are time poor or do not believe that they would do the right thing. Some family members want to be at arm's length of a loved one's finances so that lines do not get blurred.

My late sister-in-law Annette became a client of the Public Trustee when she had a stroke in her 60s. As a single woman this was the best outcome for her. She had made this decision with her solicitor legally before becoming unwell. She had set herself up and said what she wanted to happen to her if she ever became incapacitated. Her adult siblings were spread from North Queensland to Melbourne. She did not have the support she needed while she was in a nursing home on the Gold Coast.

During Annette's later years, when she was unable to make financial decisions for herself and for her estate, her finances were managed well by the Public Trustee. She was one of those people who had a good experience. At times the process was tough for her sister Mary Rose who would do some of her personal shopping. There was rigorous paperwork to be attended to to ensure that the money in her bank account was accounted for. It gave the family a lot of confidence in the system. After her death they also managed her will. Going through a local solicitor may have sped up the finalisation of her will, but the outcome was satisfactory and her siblings thought it was fair. I know that not every client of the Public Trustee and their family has had the same outcome.

To deliver a quality service to vulnerable Queenslanders, on 10 March 2021 the former public advocate's report titled *Preserving the financial futures of vulnerable Queenslanders: a review of the Public Trustee fees, charges and practices*, the OPA report, was tabled. Recommendation 30 of the OPA report is that the government consider additional oversight or reporting mechanisms to improve the Public Trustee's performance, transparency and public accountability. The government's response to the OPA report was also tabled on 10 March 2021. The government's response publicly committed to the establishment of a Public Trustee board with an advisory and monitoring focus.

The bill amends the Public Trustee Act 1978 to establish the Public Trustee Advisory and Monitoring Board to provide additional oversight to the Public Trustee to improve its performance, transparency and public accountability. The board's functions are as follows: to monitor and review the performance of the Public Trustee's functions; to monitor complaints received by the Public Trustee about the performance of the Public Trustee's functions; to monitor and review the Public Trustee's processes for managing these complaints; to give written advice or make written recommendations to the minister about changes to legislation or improvements to the policies, practices, resources, services or training of the Public Trustee to ensure the Public Trustee can effectively perform its functions and improvements or enhancements to the performance of the Public Trustee's functions; to promote the interests of the Public Trustee's clients, particularly clients with impaired decision-making capacity; if asked by the minister, to give written advice or make written recommendations to the minister about matters relating to the performance of the Public Trustee's functions; and to give advice or make recommendations to the Public Trustee about matters relating to the performance of the Public Trustee's functions and another function given to the board under the PTA.

The Public Trustee Advisory and Monitoring Board will have a membership of up to 10 people, comprising up to five ex officio members or permanent board members and at least four, but no more than five, members appointed by the minister. The permanent board members will be the chief executive or nominated senior executive officer of the following departments: the department that administers the Public Trustee Act 1978; the department that administers the Financial Accountability Act 2009; the department that administers the Disability Services Act 2006; the department mainly responsible for seniors; and the department that administers the Aboriginal Cultural Heritage Act 2003 and the Torres Strait Islander Cultural Heritage Act.

There have been many stories today about unhappy clients of the Public Trustee. It upsets everyone to hear of vulnerable people's distress. On the whole, my family's personal experience with the Public Trustee was a very positive one because particular staff looked after Annette's finances with care. They were not always timely, but they did look out for her best interests. I would like to thank all of those employees of the Public Trustee who work very hard every day to look after vulnerable Queenslanders. They are doing the best they can with the resources at hand, so I would once again like to thank them. I support the bill.



**Mr BOOTHMAN** (Theodore—LNP) (3.03 pm): I rise to make a short contribution to the Public Trustee (Advisory and Monitoring Board) Amendment Bill 2021. The Public Trustee's website states—

The Public Trustee is a socially and fiscally responsive Statutory Authority that helps to make decisions that enhance the dignity, rights and interests of Queenslanders.


Over the years, my office has been contacted by many distraught constituents who have been dealing with the Public Trustee, yet these are only a few of what I suspect is a much larger number who are suffering at the hands of this organisation on a daily basis. There are 10,000 Queenslanders who rely on the Public Trustee to control their assets, where they live, what car they use and what gifts or items they buy for themselves, collecting receipts for reimbursement. Very few of us would tolerate this type of interference in our daily lives, but for many Queenslanders this is a daily occurrence. We should also think about the families forced to deal with the Public Trustee because of their loved ones. The families I have spoken to previously were frustrated by the culture of the Public Trustee's office and horrified by the enormous fees they charged. These families felt they were trapped by government bureaucracy and could see very little light at the end of the tunnel. They felt that the Public Trustee was more interested in protecting its own position than theirs.

On 15 March 2022 *Four Corners* highlighted damning criticism of the Public Trustee. There were allegations of: corrupt conduct; unfair commissions and fee gouging; dysfunctional office culture; financial mismanagement and investing in the PTO growth fund; unqualified personnel giving legal advice; poor management and delays in administering deceased estates; lack of transparency regarding the fees and policies that guide how and when they are charged; enticing people with the offer of a free will, only to upsell their executor services and charge excessively for these services after



the person dies; and conflicts of interest relating to the use of the official solicitor's policies and practices. This bill does little to resolve the issues highlighted by the *Four Corners* program or help the 10,000 Queenslanders who rely on the Public Trustee.

I need to reiterate that these are some of our most vulnerable people and families; therefore, this bill is nothing more than window-dressing. The government had an opportunity to introduce real reforms that will help these vulnerable Queenslanders, but they have chosen not to. This bill could have delivered reforms that are desperately needed and given our most vulnerable the voice they desperately need. I also ask those opposite to consider the amendments moved by the shadow Attorney-General, as they will give further transparency to this office. These are very well thought out amendments that give a time period for tabling their report so people can see what is going on with the Public Trustee. I implore the House to support those amendments.

 **Ms PEASE** (Lytton—ALP) (3.07 pm): I rise to speak to the Public Trustee (Advisory and Monitoring Board) Amendment Bill 2021. I am happy to stand up here and talk about this today because I have been fortunate to have had some fantastic experiences with the Public Trustee over my years. I have had great service, and I acknowledge the great work of the people who work in the Public Trustee office. I also acknowledge that sometimes in our community there are people who do need a bit of a hand and they do not have anyone in their family who is capable or competent enough to undertake their financial care. I am also very proud to have done some review and revision, unlike those opposite who are just reading a pro forma speech one after another—

**Mrs Frecklington** interjected.

**Madam DEPUTY SPEAKER** (Ms Lui): Order! Member for Nanango!

**Ms PEASE**: It is also very good fun—

**Mrs Frecklington** interjected.

**Madam DEPUTY SPEAKER**: Member for Nanango, order!

**Ms PEASE**: Thank you very much for your protection, Madam Deputy Speaker. I have obviously touched a bit of a nerve there, but I shall continue.

**Mrs Frecklington** interjected.

**Madam DEPUTY SPEAKER**: Member for Nanango!

**Ms PEASE**: Do I need to ask for a withdrawal? I try to ignore the carry-on from that side. Perhaps I need to ask for a withdrawal; I am not sure. Was it inappropriate? No? I will continue. I am sorry that you take offence—

**Mrs Frecklington** interjected.

**Madam DEPUTY SPEAKER**: Member for Nanango, please cease all interjections.

**Ms PEASE**: Thank you very much for your protection, Madam Deputy Speaker.

**Mrs Frecklington** interjected.

**Ms PEASE**: Excuse me. That is inappropriate. That is absolutely inappropriate parliamentary language.

**Ms McMILLAN**: Madam Deputy Speaker, I rise to a point of order. I consider the comment made by the member for Nanango a threat and I ask that it be withdrawn.

**Madam DEPUTY SPEAKER**: Member for Nanango, I asked you to come to order and you continued to interject after my directions. I please ask you to—

**Mrs FRECKLINGTON**: I withdraw.

**Ms McMILLAN**: Madam Deputy Speaker, I rise to a point of order. The member for Clayfield made a comment that I find offensive, and I ask that it be withdrawn.

**Madam DEPUTY SPEAKER**: Member for Clayfield, I did not hear the comment that you made but can I ask you to withdraw.

**Mr NICHOLLS**: On the point of order, firstly, without hearing the comment, I do not know what it is you are asking me to withdraw. I would otherwise be happy to withdraw. Secondly, there is no naming of any person in any comments that I may have made to any person that they could take offence at. You can only be asked to withdraw if the member was named or directly able to be identified by the comment and there is no such thing. With respect, I ask you to reconsider your ruling.

**Madam DEPUTY SPEAKER:** I will seek advice. I did not hear the comments made directly. We will go back and review the tapes and will consult with Mr Speaker. Member for Lytton, you have the call.

**Ms PEASE:** Madam Deputy Speaker, thank you again for your protection. I would like to talk about this very important piece of legislation that is before the House today, the Public Trustee (Advisory and Monitoring Board) Amendment Bill 2021. As I have already said, the Public Trustee performs a vital role in our community, including financial management services to more than 10,000 vulnerable Queenslanders each and every year. Importantly, the Public Trustee forms a central role in the guardianship system in Queensland. The guardianship system provides for a range of substitute decision-makers to make decisions on behalf of adults with impaired decision-making capacity. The Public Trustee may be appointed by the Queensland Civil and Administrative Tribunal under the Guardianship and Administration Act 2000 as an administrator and by a principle under the Powers of Attorney Act 1998 and as an attorney in an enduring power of attorney to make decisions about financial matters or legal matters in relation to property. It is a very important role that the Public Trustee undertakes.

Protecting Queenslanders, especially those experiencing vulnerability, is a priority for the Palaszczuk Labor government, and that is why this government has moved decisively to establish the Public Trustee Advisory and Monitoring Board. This board is part of the government's response to the Public Advocate's report, *Preserving the financial futures of vulnerable Queenslanders: a review of Public Trustee fees, charges and practices*, which was tabled in the Legislative Assembly on 10 March 2021.

That report made recommendations in relation to the Public Trustee's fees and charges regime, sustainability and provision of legal fees. Government is responsible for the implementation of 10 of these recommendations, including one jointly with the Public Trustee. The report found that many of the Public Trustee's customers are happy to receive a high level of service for very little or no cost. However, the report also identified opportunities for improvement in the way the Public Trustee engages with its customers. Relevantly, recommendation 30 of the report was that the government consider additional oversight and reporting mechanisms to improve the Public Trustee's performance, transparency and public accountability.

The bill is consistent with the government response to the Public Advocate's report, which was tabled in March this year, in which government publicly committed to the establishment of a Public Trustee board with an advisory and monitoring focus. The board will monitor the performance of the Public Trustee's functions and provide advice and make recommendations about how the performance of these functions can be improved.

Specifically, the bill provides that the board will have these functions: to monitor and review the performance of the Public Trustee's functions; to monitor complaints received by the Public Trustee about the performance of the Public Trustee's functions; and to monitor and review the Public Trustee's processes for managing these complaints. The board may also give advice or make written recommendations to the Attorney-General about, for example, changes to legislation or improvements to the policies, practices, resources, services or training of the Public Trustee to ensure the Public Trustee can perform its duties. The board may also suggest improvements or enhancements to the performance of the Public Trustee's functions to promote the interests of the Public Trustee's clients, particularly clients with impaired decision-making capacity.

The Attorney-General can also request the board to give advice or make written recommendations to the Attorney-General about specific matters relating to the performance of the Public Trustee's functions. Separate to this, the board may also give advice or make written recommendations to the Public Trustee about matters relating to the performance of the Public Trustee's functions. The board will not have any management functions or the ability to direct the Public Trustee, except to require the Public Trustee to provide it with information about the performance of the Public Trustee's functions. This will maintain the Public Trustee's independence as an independent statutory office and avoid a conflict with the Public Trustee's statutory, fiduciary and other obligations.

In performing its functions, the board must act independently and in the public interest and is not subject to direction by anyone, including the minister, about how to perform its functions. That is important, given the nature of the Public Trustee's role. The board is comprised of persons with relevant knowledge, qualifications and skills including in relation to: management and delivery of public sector services, including executive principles in management of human, physical and financial resources; legislation, policy and programs for seniors and people with disability, including people with impaired


decision-making capacity; finance, banking and financial services; and legal frameworks and practices relevant to succession law, powers of attorney, duties and obligations of trustees, substituted decision-making for adults with impaired capacity, commercial litigation, and the principles and rules of equity.

The committee recommended that clause 4 be amended to add an appointed member to the board with lived experience, which is a sensible and welcome amendment. The permanent board members will be the chief executive, or nominated chief executive, of the following departments: the department that administers the Public Trustee Act; the department in which the Financial Accountability Act 2009 is administered; the department in which the Disability Services Act 2006 is administered; the department mainly responsible for seniors; and the department in which the Aboriginal Cultural Heritage Act 2003 and the Torres Strait Islander Cultural Heritage Act 2003 are administered.

The appointed board members will be comprised of: at least one person with knowledge, qualifications or skills in corporate governance, finance and banking, financial investment, financial services, insurance, or the management of financial funds, financial risk or trusts; at least one person with knowledge, qualifications or skills in relation to advocacy, services and support for seniors and persons with a disability, including persons with impaired capacity; at least one person with legal knowledge, qualifications or skills in commercial litigation, duties and obligations of trustees, powers of attorney, substituted decision-making for adults with impaired capacity, succession law, or the principles and rules of equity; at least one person with knowledge, qualifications or skills in relation to human resource management and, importantly, culture change management; and any other persons with the knowledge, qualifications or skills the minister considers appropriate. When appointing board members, the minister must ensure the members reflect the diversity of the Queensland community and that at least one person is Aboriginal and Torres Strait Islander and one person, as I said, has a lived experience.

Given that the purpose of the board is to provide oversight over the operations of the Public Trustee, the Public Trustee will not be a member of the board. However, the board may invite a person to attend board meetings for the purposes of advising or informing the board and this could include the Public Trustee.

Before I conclude, I would like to again acknowledge the great work that the Public Trustee has done over many years and the service that they have given and their care of many people. In my community, some people have had problems, but on the whole many have had great success and a great relationship with the Public Trustee's office. I acknowledge their great work. I look forward to the continual growth and improvement of the service. I commend the bill to the House.

 **Hon. G GRACE** (McConnel—ALP) (Minister for Education, Minister for Industrial Relations and Minister for Racing) (3.19 pm): I rise to support the bill before the House. As we know, it amends the Public Trustee Act 1978 to establish the Public Trustee Advisory and Monitoring Board—a key recommendation in the former public advocate's report—which will monitor and review the operations of the Public Trustee.

On 10 March last year, the report of the former public advocate, *Preserving the financial futures of vulnerable Queenslanders: a review of the Public Trustee fees, charges and practices*, was tabled. It was a timely review; I think the Attorney-General said the same. It is always good for an independent reviewer, like the Public Advocate, to come into an organisation, review it and make recommendations. There were 30 recommendations in the former public advocate's report related to the government considering additional oversight and all reporting mechanisms to improve the Public Trustee's performance, transparency and public accountability.

I have heard time and time again members opposite refer to the other recommendations and say that they do not know what has happened with those. I suggest that they go onto the Public Advocate's website. I have it up on my phone now. There was a report done on 10 March 2022. They should go onto the website to see it. There is another one due next week. There is an update on the progress of the implementation of the recommendations on the Public Advocate's website—I have it on my phone. Members should do some research instead of reading from material that is prepared. They just recite the same thing over and over again. The final line on the front page of the report reads—

The Public Advocate will continue to monitor activity surrounding the recommendations included in this report and we would like to thank the Public Trustee and the Queensland Government for their contributions to this implementation update.

It is monitoring. If those opposite believe that updated reports on where the recommendations are at are not adequate, then that it is extraordinary. They do not do their research and read what is happening out there in the real world.

For example, they went on about improving the transparency of fees and charges—‘We do not know where that is at. This has been ignored.’ The report update on 10 March says, ‘Recommendation 2: Improve the transparency of fees and charges’—accepted and implemented. It has been done. It is in the Public Advocate’s independent report. I will not go through the 30 of them—I will pick out some particularly apt ones based upon some of the criticism that was levelled by those opposite. ‘Recommendation 4’—accepted and implemented—‘Obtaining external financial advice. Changes made.’ There was a concern about the requirement to obtain that. Accepted and implemented is what the Public Advocate’s report says.

‘Recommendation 13: Clearly report the fees and costs of managing Public Trustee investments’—accepted and implemented. They are only three of the 30 recommendations.

**Mr Nicholls:** So why haven’t they changed the fees yet?

**Ms GRACE:** I will not be lectured to by the member for Clayfield.

**Mr Nicholls:** Why haven’t they changed the fees?

**Ms GRACE:** I suggest the member for Clayfield does his own research. I am reading directly from the Public Advocate’s website and the report in relation—

**Madam DEPUTY SPEAKER (Ms Lui):** Pause the clock! Member for Clayfield, you are now warned under the standing orders.

**Mr Grace:** They like to get up and throw stones and dirt and continue to misspeak in relation to this, but when they get it back, they do not like it.

**Mrs Gerber** interjected.

**Ms GRACE:** Member for Currumbin, I do not doubt you don’t like it. They do not like it when they are caught out. They do not like it at all. Do some research. Do your job. Do the work and go online. Do not come in here and mislead the public on what has been happening in this space. I commend the Attorney-General for what they have done in providing a board that is going to monitor and report in relation to the activities of the Public Trustee.

The Public Trustee is not an easy job; I will agree with the member for Clayfield on that. There are very vulnerable people in our society, no more so than in my own electorate. I have an electorate that has some very well-to-do people, I will say that, in an electorate where they are valued and respected, but at the same time I also have very vulnerable community members, some of whom are subject to the Public Trustee. I agree with the member for Clayfield, it is not nice to be subject, but sometimes various tribunals will instruct that their affairs are undertaken by the Public Trustee. In fact, more than 10,000 Queenslanders fall under this category. I thank the good Lord that I am not one of those and I hope never to be, but obviously the Public Trustee has a very difficult job to do. Are they perfect in every respect? I doubt any organisation would get up and say that they are perfect in every respect. Are there differences of opinion about how money should be invested, what it can be spent on, and what money should be allowed to be spent? We get those cases all the time.

When someone comes to me in relation to this, I think to myself that there are always two sides to every story, unfortunately. You hear one side and unfortunately you have to hear the other side as well. It is a balancing act with some of this. You have to protect these vulnerable people from sometimes those closest to them wanting to take advantage. We have heard about the elderly abuse when it comes to finances, sometimes by very close members of their own family.

The Public Trustee has a difficult job. They needed to reform and I believe they are doing exactly that. The guardianship system provides a range of substitute decision-makers to make decisions on behalf of adults with impaired decision-making capacity. To a large extent—I agree with the member for Lytton—they do a very good job. Do they need to improve? Yes, and they are reporting regularly on the 30 recommendations of the Public Advocate, as I have pointed out.

I can see some of those members opposite getting on their phones now and looking up the website—it is about time.


The functions of the board will be to monitor the performance of these functions and make recommendations. They will monitor and review the performance of the Public Trustee’s functions. They will monitor complaints received about the performance, of how they are handling them. Remember, we are talking about an independent body here. They will monitor and review the Public Trustee’s processes for managing these complaints.

I congratulate the Attorney-General. When it comes to taking a considered view on how these recommendations should be implemented and the legislative changes to be made, none more so does it better than the Attorney-General. The thought processes that go into the best way that we can do this is what the Attorney-General brings to this piece of legislation, and I commend her and the committee's work on what they have done.

I commend the committee's recommendations. I am particularly pleased that at least there be one board member with lived experience. I think that was an excellent recommendation and I know the Attorney-General agrees. It would be nice to have someone with experience who can also guide the board. Also there will be at least one Aboriginal or Torres Strait Islander person on the board. I really commend that as well. The board ensures that they will have expertise in the areas of corporate governance, finance, legal, advocacy or support for seniors and persons with a disability. Remember, a lot of these clients are seniors and we often hear about the abuse of seniors in some of their vulnerable positions in society. Public sector management, cultural change and these individuals' expertise will be brought to the board to navigate Queensland's guardianship system, and I support that immensely.

In summary, I think this bill demonstrates the commitment of the Palaszczuk government to look after the interests of vulnerable workers. Anyone who suggests that any government—and I do not care what colour; I would not even say the LNP would not want to protect the interests of vulnerable workers—anyone who criticises and accuses the Palaszczuk government of wanting to somehow hurt vulnerable workers is offensive and downright wrong. I would not even say that about them because I know in this House every one of us was elected to protect our constituents whether they are under the Public Trustee or not.

The government will continue to work with the Public Trustee, the Public Advocate in particular, who continues to report—honourable members should have a look at the website and see the updated report of 10 March—and other experienced stakeholders for detailed consideration of the remaining recommendations that are the government's responsibility. I know the Attorney-General will work through that. This is about the board, the monitoring board. It is a great piece of legislation. I commend the bill to the House.

 **Mr WATTS** (Toowoomba North—LNP) (3.30 pm): I rise to make a brief contribution to the Public Trustee (Advisory and Monitoring Board) Amendment Bill. This bill is really about bringing some accountability and transparency to the people making decisions on other people's behalf. There are some 10,000 Queenslanders with impaired decision-making capacity who are looked after by this organisation. The structure and the powers of its board in terms of governance and capacity to compel are very important to ensure those vulnerable Queenslanders are treated fairly.

It is even more important that any decisions, complaints or opportunities for improvement to the structure of the organisation are provided to this House and are done so in a timely manner. That would then bring some transparency and accountability to this organisation. As has previously been mentioned, some allegations were made in the *Four Corners* program. Everybody should be concerned that a press organisation such as *Four Corners* is concerned about corrupt conduct, unfair commissions and fee gouging—these are our most vulnerable Queenslanders—dysfunctional office culture, financial mismanagement and investing in the PTO growth fund, unqualified people giving legal advice, poor management or delays in administering deceased estates, lack of transparency regarding fees and policies that guide how and when they are charged, and enticing people with a free will offer that only upsells the executive services and charges excessively for those services after the person has passed away. The one that is probably most concerning to me is the conflict of interest, and there are several areas of conflict of interest.

With all of those allegations out there, why would this House not support an amendment that would require some reporting back to this House? That is really the question: should this House have some purview on a regular basis of what is going on in this organisation that has been given control over 10,000 Queenslanders' lives and assets? Our amendment seeks to: ensure greater transparency of the board and the advice provided to the minister by including limits and additional reporting requirements—and that is to provide a time limit of 30 days for the delivery of the board's report to the minister, which I do not think is unreasonable—detail additional items the board must report on including its own expenses; and require the annual report be tabled in the parliament by the minister within 30 days to avoid uncertainty and delay. These are very reasonable things. One would think that an office that has 10,000 people's lives under its control, and a board that is advising that office, should be accountable to this place, and the minister should have an obligation to receive a report and table it in this place in a timely manner. I urge this House to support the amendments.

I think there is a real missed opportunity in this bill. There are many other things that could have been put in place to bring them into the purview of the people of Queensland by speaking about them in this House rather than relying on the organisation to start implementing some of the changes. The question is: should they be regulatory or statutory? Should they be internal? How should those things be managed? Given the damning report we have seen on *Four Corners*, maybe there should be some statutory regulations. I think there is a real missed opportunity and we are barely scratching the surface of some of the problems that this organisation has exhibited.


In my office and on my regular community corners many people have come and spoken to me. These people are relatives and loved ones—and most recently even a carer of one of my constituents—of people under the Public Trustee. I will not go into the details of the case. However, the carer was so distressed about how the Public Trustee was administering things they resigned as the carer because having to deal with it every day was causing problems for them. The mechanism by which the carer could take action is cumbersome, not very transparent and very difficult to put into place particularly because the person she sees being impacted by these poor decisions has impaired decision-making capacity. They cannot decide to bring their own legal action or hold the Public Trustee to account, so it is left to carers, loved ones and family members to try to achieve that outcome, all of which is about making sure that our most vulnerable have dignity and rights.

Why would we not want to bring about transparency and accountability in a piece of legislation for an organisation that is designed to protect the dignity and rights of Queensland's most vulnerable people? It is welcome to have someone on the board with lived experience so they can contribute to that board's deliberations, but I think the reforms should go further. I think the amendment should absolutely be supported by this House.

One further area that I am concerned about is how the organisation is currently funded. The very people whose lives they are controlling and whose assets they have complete control over are their source of income. Without them, the organisation does not exist, so there is an inherent conflict of interest for the organisation when giving direction as to how those assets and expenses should be managed because of the potential risk of gouging and otherwise overcharging.

A young lady comes into my office regularly asking if I can help her sort things out with the Public Trustee because she is frustrated. On her last visit she was simply trying to buy a kettle and the Public Trustee would not release the money to her to do that. She was told to go and buy the kettle and then produce the receipt. She did not have the money to buy the kettle because she was not getting her next payment till the following week. She was asking, 'Can't they just give me the money to buy the kettle and I will take them the receipt afterwards?' It is only a little thing, but honourable members should imagine that someone has control over their life to the point they cannot go and buy a kettle and their only source of income is controlled by the same person who is refusing to give them an advance on their income or part of their own asset base to go and buy a kettle.

It seems ridiculous, but this experience was incredibly stressful and incredibly frustrating for her. That led her to tell me of a raft of other issues she had had in her interactions with the Public Trustee. I think this bill represents a missed opportunity. I think we could have done a much better job in serving the most vulnerable people in Queensland by going further than this bill has gone. That said, I welcome the change to the board structure. I encourage the House to bring about greater transparency and accountability by having a mechanism, through the minister, to table a report in this House so that we can all see what is going on in this organisation.

 **Ms RICHARDS** (Redlands—ALP) (3.39 pm): I rise to speak in support of the Public Trustee (Advisory and Monitoring Board) Amendment Bill 2021. As the member for McConnel said, there is not a person in this place who does not have, at the centre of everything we do every day, a desire to make sure that the most vulnerable in our community are cared for and have the right supports.

The Public Trustee plays an extraordinarily vital role in our community. As we have heard, it services over 10,000 Queenslanders—some of the most vulnerable in our community. This bill is about bringing a stronger sense of governance to and framework around how the Public Trustee operates. We have heard that it does not always go right. It deals with extraordinarily complex cases involving financial matters and families. I think everybody in this place would know somebody who has had experience of or been part of those complex issues. The Public Trustee plays a vital role. In addition to free will making, it provides services relating to enduring powers of attorney; deceased estate management; the appointment of financial administrators; and the management and investment of trusts for beneficiaries who are minors, for those who have disability and for a number of philanthropic trusts.

There are over 600 professional service providers under the Public Trustee that work across the state providing those services. In the Redlands last week I had the opportunity to visit the Donald Simpson Centre, one of our seniors centres, with Minister Crawford for the Redlands Seniors Expo. A range of government service and support providers were there to provide important information to our seniors. It was great for them to have access to information about the range of services that the Public Trustee and other service providers supply to our seniors.

This bill outlines the functions and powers of the board. That will include monitoring of performance. It is really important to have those checks and balances. The establishment of this board will ensure that the Public Trustee's functions provide the advice and recommendations that the people they service need. The board will monitor and review the performance of the trustee's functions and monitor the complaints received from the Public Trustee about the performance of the Public Trustee's functions. We have heard how important it will be to have that additional layer of oversight. It will be able to give written advice and recommendations to the minister on changes that may be required to legislation. It will give advice and recommendations to the Public Trustee about matters pertaining to the performance of its functions.

It was a great recommendation in the committee's report to include the additional membership of somebody with lived experience on the board. I do not think anybody in this place underestimates the value that somebody with lived experience brings to any context. In this space, it will be really important to have somebody with that experience on the board.


The composition of the board is extraordinarily detailed. The skills, experience and qualifications that are required within the board's membership will certainly well serve the Public Trustee and the people the Public Trustee serves. Board members will include the chief executive, the director-general, of the Department of Justice and Attorney-General or their delegated executive; the chief executive of the department in which the Financial Accountability Act is administered; the chief executive of the department in which the Disability Services Act is administered; the chief executive of the department that is mainly responsible for seniors; and the chief executive of the department that is responsible for the Aboriginal Cultural Heritage Act.

We have heard about things that go wrong. I am sure many members have had complaints from constituents about service provision within the NDIS and issues around price gouging. When we talk about providing transparency and accountability, I would ask: why has the federal government not made good on their election promise in 2019 to deliver a federal ICAC to make sure that we can stay across issues and have more transparency, particularly in the NDIS space?

Other board requirements that are noted within the bill relate to meeting arrangements, integrity of members, confidentiality and reporting by the Public Trustee. I noted that throughout the process the committee took a number of submissions from a variety of submitters.

The board will be accountable to the parliament through the tabling of an annual report to the parliament. This will give the community the assurance that the board's recommendations will be heard not only by the Public Trustee but also by the people in this place. The bill gives the board the necessary tools to perform its roles and to perform that oversight function. Listed in detail in the explanatory notes are the skills and experience required of board members. It ranges from experience in the seniors and disability sector to financial capability and experience.

When we talk about how we fund the services of the Public Trustee, we know that the Public Trustee manages a range of investments. I thank the chair of the committee, the member for Mansfield, and all committee members for their work. I thank the Attorney-General for bringing this important piece of legislation to this House to ensure our Palaszczuk government has in place the right checks, balances and mechanisms to ensure we are taking care of the most vulnerable in our community. I commend this bill to the House.

 **Mr BROWN** (Capalaba—ALP) (3.45 pm): I rise to speak in support of the Public Trustee (Advisory and Monitoring Board) Amendment Bill 2021. I want to touch on opposition members' references to the *Four Corners* episode. I was reflecting on our seven years in government and how many times we have appeared on *Four Corners*, and I can think of only two episodes. One related to greyhounds and the other was on this issue. After the greyhounds report on *Four Corners* we led—

**Mr Nicholls:** Watch houses.

**Mr BROWN:** I will take the interjection—maybe three!

**Opposition members** interjected.

**Mr BROWN:** It is seven years. Come on, I only had 10 minutes before this to go through it.

With regard to the greyhound industry, following that episode we led the nation in reforming that industry—to the extent that today we see a thriving greyhound industry, going from strength to strength. They were nation-leading reforms. Now we are seeing exactly the same thing with these reforms to the Public Trustee.

I do note how many *Four Corners* episodes related to the federal government. There was an episode every two months. Last week it was Aspen Medical. Then there were episodes concerning Christian Porter, the COVID vaccine rollout delay—

**Mr NICHOLLS:** Madam Deputy Speaker, I rise to a point of order. While the history lessons and the recounting by the member for Capalaba are always interesting, their relevance to this bill is very questionable. The point of order is on the matter of relevance to long title of the bill.

**Madam DEPUTY SPEAKER (Ms Lui):** Thank you, member for Clayfield. I have listened to the member for Capalaba. I have given the member some latitude, but I ask him to return to the long title of the bill.

**Mr BROWN:** Thank you, Madam Deputy Speaker, and I think it is important context because the *Four Corners* episode has been raised multiple times in speeches and it brings into context how we acted after the *Four Corners* episode while the federal LNP government has not acted. Time and time again what does it do after a *Four Corners* episode relating to it is aired? It goes after the ABC in estimates and writes it letters asking for episodes to be withdrawn.

**Mr NICHOLLS:** Madam Deputy Speaker, I rise to a point of order again in relation to the question of relevance. We are debating the Public Trustee advisory and monitoring board. It does require some context setting certainly, but this is completely separate from the *Four Corners* report in relation to the Public Trustee. I would ask you to bring the speaker back to relevance.

**Mr BROWN:** Madam Deputy Speaker, on the point of order: I think I am allowed to have 2½ minutes for context in order to refer to what has been referred to in nearly every one of the speeches of those opposite with regard to *Four Corners*. I should be allowed to have some context with regard to us acting on that episode.

**Madam DEPUTY SPEAKER (Ms Lui):** I will seek advice. Member for Capalaba, I have given you some latitude. I ask you to return to the long title of the bill.

**Mr BROWN:** Thank you, Madam Deputy Speaker. It is our government that acts when these matters are raised in public forums and I note that that is in complete contrast to those opposite. This bill amends the Public Trustee Act 1978 to establish a Public Trustee advisory and monitoring board to provide additional oversight over the Public Trustee to improve its performance, transparency and public accountability. The Public Trustee performs a very important role in our community, including in my electorate of Capalaba. It helps more than 10,000 Queenslanders each year, including some of the most vulnerable in our community. It offers many services such as estate management, management of financial and legal matters, enduring powers of attorney and will-making services, just to name a few. It also performs a critical role in the guardianship system in Queensland.


Protecting Queenslanders is a priority of the Palaszczuk government. This is why we have moved to establish a Public Trustee advisory and monitoring board as a part of the government's response to the Public Trustee report, which was tabled in the House in March 2021. This board will monitor the performance of the Public Trustee's functions and provide advice and recommendations about how the performance can be improved. The Public Advocate's report found that many of the Public Trustee's customers appeared to receive high levels of service for very little or no cost. However, we recognise that there will always be room for improvement and opportunities for the Public Trustee to engage with customers even better. The board will be able to monitor and review the performance of the Public Trustee as well as a complaints process. It will also be able to make written recommendations to the minister about changes to the legislation, improvements to policy and practices, resources, service and training of the Public Trustee to ensure that it can effectively perform its duties.

It is important to note that the Public Trustee will retain its independence. The board must act independently and in the public interest. It is not subject to the direction of anyone, including the minister, about how it performs its functions. The board will not have any management functions or the ability to direct the Public Trustee. Given the nature of the Public Trustee's role in our community, often dealing with sensitive and complex affairs, it is important that the board members possess a range of knowledge and skills relating to such matters as human resources, programs for seniors and people living with disability, financial matters, banking and also legal services. This bill ensures that there is a diversity of expertise that will be represented, and I note the amendments with regard to having a lived



experience person on the board—a fine recommendation from the committee—and to also ensuring a First Nations person is on that board. They will bring much needed guidance and direction to that board and provide an angle which may not have been there without their inclusion.

I thank the Community Support and Services Committee for its work with regard to this bill. It has obviously taken a lot of time and listened to many submissions and people's personal stories, some of which were very hard to deal with. Before I wrap up I want to say that during this debate those opposite have seen the opportunity once again to pile on to a public service. As I said, this organisation helps 10,000 people and what have we seen from those opposite? They have been cherry-picking one or two cases to pile on a public service. They cannot help themselves. Time and time again this is how they treat every department of the Public Service. With that, I commend the bill to the House.

 **Hon. SM FENTIMAN** (Waterford—ALP) (Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence) (3.55 pm), in reply: I thank honourable members for their contributions to the debate on the Public Trustee (Advisory and Monitoring Board) Amendment Bill 2021. The Public Advocate's report did raise serious issues in relation to the Public Trustee's fees, charges and practices and the impacts on those who are vulnerable in Queensland. Adults with impaired capacity who are subject to the guardian and administration system are among our most vulnerable and the Public Trustee plays a significant role in this system.

As I have mentioned earlier, the Public Trustee has been on a significant reform journey to transform into a modern, customer-centric organisation and as a government we are committed to continuing this reform process. This bill is an important step towards addressing the issues identified by the Public Advocate. The bill establishes the Public Trustee Advisory and Monitoring Board which will provide independent and effective oversight over the Public Trustee to improve performance, transparency and public accountability.

I will now address some of the matters raised by members during the course of this debate. There are 10 recommendations for government to consider from the Public Advocate's report, one jointly with the Public Trustee. This bill implements recommendation 30 by establishing an oversight mechanism for the Public Trustee. The government has also done its part to implement recommendation 6 by supporting the Public Trustee in seeking a GST exemption from the Australian Taxation Office. This leaves eight recommendations for government to consider, many of which contemplate legislative changes, and we take these seriously. The Public Trustee operates in a complex environment and these remaining government recommendations will be fully considered in consultation that is underway with key stakeholders to ensure the best outcomes.

The government is absolutely committed to ensuring vulnerable Queenslanders are supported and protected when they need it most and there have been a number of updates since the recommendations were made, including an implementation update from the Public Advocate and a progress update from the Public Trustee tabled in the House in February this year. These updates show that, over the past year and under new leadership, the Public Trustee has been working considerably on these recommendations and working hard to transform the organisation. The government acted quickly and committed to establishing this board and introduced this bill in October last year following careful consideration of the legal structure of the Public Trustee and how best to achieve an oversight mechanism recommended by the Public Advocate.

It is incredibly disappointing to hear some members opposite, including the member for Currumbin in particular, come in here and throw around stories trivialising elder abuse for dramatic effect. As members of parliament we do have an obligation if there are any matters on which there is evidence of any elder abuse of anyone. With the integrity and accountability system in Queensland, they are the sorts of issues that can come to me as the relevant minister as well as to the Public Advocate, the Public Guardian and the Ombudsman. Members do not just get to come into this place and throw around terms like 'state sanctioned elder abuse'. This is not the first time the member for Currumbin has come in here and misled the House, and not just on my bills. We have responsibilities as members of parliament and this is not the first time I have had to pull the member for Currumbin up about coming in here with no evidence and using dramatic words and throwing around comments like 'state sanctioned elder abuse'. It is absolutely disgraceful and I have to say that it is embarrassing on behalf of the constituents of Currumbin. I note other concerns that have been raised by members, including the member for Burnett, in relation to the effectiveness of the proposed board.

The Public Advocate himself, Dr John Chesterman, stated in his oral submission to the committee that the bill satisfies recommendation 30 of the Public Advocate's report. I would also like to point out that the Public Advocate noted that the board's power to monitor and review does put an onus

on board members to ask probing questions. Dr Chesterman stated that this 'will lead to an improvement in the governance of the Public Trustee'. The bill gives the board the tools it requires to effectively perform its oversight function, including a skilled and knowledgeable membership providing a fresh perspective, the power to require the Public Trustee to provide the board with information and the responsibility to publicly report on any recommendations made by the board to the Public Trustee or the minister.

Giving the board the power to require the Public Trustee to provide information lends enormous power and effectiveness to the board in terms of its reach to impact the issues that may arise within the Public Trustee. This added layer of effectiveness lies in the board's ability to report to the Attorney-General, which ensures that the minister is aware of the independent assessment of issues and concerns as they arise. The member for Gregory stated that the Public Trustee operates privately without any of the checks and balances that apply to government departments. Again, that is simply not true.

The Public Trustee is subject to the same scrutiny and oversight that applies to other government agencies. The Public Trustee is subject to the annual scrutiny of parliament through the parliamentary estimates process. Under the Public Trustee Act the Public Trustee must submit a budget to the minister every year and lay before parliament a profit and loss account, a balance sheet and a statement showing the position and investment of the Unclaimed Moneys Fund.

The Public Trustee is also a public authority under the Public Records Act, an agency under the Right to Information Act, a public entity under the Human Rights Act, a unit of public administration under the Crime and Corruption Act and a public sector entity under the Public Interest Disclosure Act. In addition, I understand that the Public Trustee has established increased governance and accountability measures through its Customers First Agenda, including the oversight roles undertaken by the customer and government reference groups established by the Public Trustee.

The board will be established to monitor and review the performance of the Public Trustee's functions, complaints received by the Public Trustee about the performance of the Public Trustee's functions and the Public Trustee's processes for managing these complaints. These functions are broad enough to allow the board to review the Public Trustee's fees and charges, an issue which has been raised by non-government members during the debate. The board can give written advice or make recommendations to the minister about changes to legislation, improvements to the policies, practices, resources, services or training of the Public Trustee, improvements or enhancements to the performance of the Public Trustee's functions to promote the interests of the Public Trustee's clients, and the board can also give advice or make recommendations about any matters relating to the performance of the Public Trustee's functions to the minister, at the request of the minister and the Public Trustee.

Of course, this is on top of the Public Trustee's fees and charges review through an independent consultancy which will benchmark fees against the sector to bring together submissions in consultation with stakeholders and customers to develop a fees model which is founded in the principles of equity, efficiency and sustainability. As a consequence, the outcomes of the Public Trustee's fees and charges review could be considered by the board at the discretion of the board.

The establishment of the board is in response to the report which recommended additional oversight to improve its performance, transparency and public accountability. To be effective, an oversight board should be completely independent from the entity it is overseeing. A governance board cannot be expected to oversee itself. That would not be an effective oversight mechanism. A governance board would merely assume the Public Trustee's management and operational responsibilities and not achieve the outcomes recommended by the Public Advocate. The proposed board is specifically designed to be completely independent from both the Public Trustee and government.

I note the concerns of the member for Burnett and other non-government members in relation to the membership of the board. The mix of members has been informed by the proposed role of the board to provide that much needed oversight. In order to effectively oversee the Public Trustee, the board members must have the necessary skills to understand the breadth of services offered by the Public Trustee, as well as the legal, financial, social and human rights issues associated with the performance of those functions. The permanent board members are themselves chief executives or senior executives of government departments responsible for the administration of services and policy directly related to the Public Trustee's functions. The chief executives are acutely aware of the Public Trustee's responsibilities as chief executives of a government agency, including the responsibilities associated

with the delivery of public sector finances and financial management for the organisation and they have executive experience in the management of human, physical and financial resources. In addition, the chief executives are also aware of the key issues relevant to the Public Trustee's clients, including emerging law reform and emerging policy issues, and I am very confident that the current combination of permanent board members and appointed board members will bring these to the board.

It is vitally important that the board is independent. I note the concerns of non-government members, including the member for Clayfield, in relation to independence. The bill provides that when performing its functions the board must act independently and in the public interest. In addition, the bill expressly provides that the board is not subject to direction by anyone, including the minister, about how it performs its functions. The proposed amendments to implement recommendation 2 of the committee report will enhance the board's independence from government by ensuring that the appointed board members can never be outnumbered by the permanent board members. The bill also provides that a board meeting cannot occur without a minimum of four community board members in attendance and board resolutions will be valid if at least half the board members appointed are in agreement. The amendment is in response to recommendation 2 of the committee's report and ensures appointed board members can never be outnumbered and therefore enhances the independence of the board.

The bill provides that the appointed board members are to be appointed by the minister. A formal recruitment process for appointed board members, to appoint members with the requisite knowledge, qualifications, skills or experience including the chairperson, will commence following passage of the bill. Specific skill sets are required and for this reason the amendment proposes to commence the bill by proclamation. It could take several months to find, select and appoint members with appropriate expertise.

In relation to the member for Clayfield's proposed amendments to require the board to provide an annual report to the minister within 30 days of the end of the financial year, I am not aware of any similar body that would be required to pull together an annual report with such extraordinary speed. Departments and statutory bodies are given three months to prepare their annual report, providing sufficient time for the information to be collected, for the report to be compiled and accounts to be audited. It is only fair to afford the Public Trustee Advisory and Monitoring Board a reasonable amount of time to prepare the report.

The member for Clayfield's amendments would also require the minister to table the report within 30 days instead of 14 sitting days. I note that 14 sitting days is a common requirement for tabling of reports, such as those by the Public Advocate, the Public Guardian, the Law Reform Commission, the State Coroner, the Parole Board and most others. Further, the member for Clayfield's proposed amendment No. 2 is to expand upon the matters that the Public Trustee Advisory and Monitoring Board must include in its annual report. This part of the amendment is not necessary. Proposed new section 117ZZA(1) already requires the annual report about the performance of the board's functions during the financial year. The member for Clayfield's proposed amendment is to also require the annual report to include the expenditure of the board in the financial year. The Public Trustee Advisory and Monitoring Board will not receive or control funds and therefore the proposed amendment is not necessary.

I now turn to amendments proposed by the member for Maiwar to enshrine in legislation a requirement to regularly report on the progress towards implementing the recommendations in the Public Advocate's report. Whilst I am committed to providing six-monthly updates on the implementation of the recommendations, and I give the House my undertaking to do so, I do not think the requirement should be enshrined in legislation.

Firstly, reporting requirements like this are very unusual for legislation. Many statutory roles often produce reports about systemic issues relevant to their functions that, when provided to the minister, must be tabled in parliament, which is absolutely appropriate. This includes, for example, the Public Advocate and the Human Rights Commissioner. However, there is no statutory requirement for the government to table a response to these reports. There is no statutory requirement for government to table a response to reports by the Queensland Law Reform Commission, for example.

Secondly, where there is a statutory requirement to table a government response, for example, in the case of a report by a parliamentary committee which recommends that the government or minister take a particular action about an issue, it is often a one-off report or an interim report followed by a final report setting out the minister's intentions in relation to the recommendations. The Parliament of Queensland Act 2001 requires that the response set out any recommendations to be adopted and the

way and the time within which they will be carried out and any recommendations that will not be adopted and the reasons that government will not be adopting them. It does not provide for an ongoing progress report. These types of progress reports are usually provided administratively.

I have been incredibly transparent in continuing to update the parliament in relation to the progress of the Public Trustee and the progress of government in implementing the Public Advocate's report. The government tabled a response to the Public Advocate's report when the report was tabled in March—at the same time. On 24 February 2022, I tabled an update by the Public Trustee on progress towards the implementation of the recommendations and, at the time, made a ministerial statement about government's progress on the recommendations directed to government. In March of this year, 12 months on from the tabling of the report, the Public Advocate also published an update on progress towards implementing the recommendations. Both the Public Trustee and the government contributed to that update.

I thank the member for Maiwar for the proposal. I think it is important to provide regular updates on the progress towards implementing these recommendations. However, I do not believe that the best way to go about it is to enshrine it in legislation, in a provision that will become superfluous at some point in time and that will stay on the statute books for a long time. It is ambiguous about when the minister's obligations end.

In conclusion, the bill implements recommendation 30 of the Public Advocate's report by establishing the Public Trustee Advisory and Monitoring Board, an independent oversight mechanism of the Public Trustee. Once again I thank all honourable members for their contributions during the debate. I commend the bill to the House.

Question put—That the bill be now read a second time.

Motion agreed to.

Bill read a second time.

### Consideration in Detail

Clause 1, as read, agreed to.

Insertion of new clause—



**Ms FENTIMAN** (4.11 pm): I move the following amendment—

1

**After clause 1**

Page 4, after line 4—

insert—

#### **1A Commencement**

This Act commences on a day to be fixed by proclamation.

I table the explanatory notes to my amendments and the statement of capability with human rights.

*Tabled paper:* Public Trustee (Advisory and Monitoring Board) Amendment Bill 2021, explanatory notes to Hon. Shannon Fentiman's amendments [635].

*Tabled paper:* Public Trustee (Advisory and Monitoring Board) Amendment Bill 2021, statement of compatibility with human rights contained in Hon. Shannon Fentiman's amendments [636].

**Mr NICHOLLS:** I wish to speak to the amendment because it changes what would otherwise have been the case had the bill proceeded unamended. The bill would have commenced on assent—that is, after passage through the House and presentation to the government, the bill would have started immediately. The amendment changes that. It provides that the bill will start on a date to be fixed by proclamation, effectively under the control of the government. During the debate, the Attorney-General said that the reason for this was that there was some difficulty in getting board members, particularly the not-more-than-six appointed board members.

One has to wonder what has been going on since 28 October last year when the bill was introduced, since 21 January when the bill was reported on by the committee or, indeed, since 23 March last year when the Public Advocate gave its report and the government made its subsequent response to that report. We are looking for five people to be appointed to this board, although we have no details of it. We do know that yesterday afternoon, at 6.57 pm, Minister Crawford said that there is no shortage of experienced associates who would be willing to go on the board from his own departmental position and that there was no shortage of elder people who could meet the qualifications and could go on the board. However, we are being told that the bill cannot commence straightaway because there is a shortage of people.

I have some questions for the Attorney. When does she anticipate that the date of proclamation will be? When will the positions of the five or six appointed members be advertised? How much are they going to be paid? When can customers of the Public Trustee reasonably expect that this board will be in operation given that, following the *Four Corners* report earlier this year, the Public Trustee issued a statement that, 'We welcome the opportunity to continue our important work with Government and the newly appointed Public Trustee Board'. The Public Trustee thought that the Public Trustee board was already appointed when it issued a media statement way back in March, following the *Four Corners* report.

A number of issues in relation to this need some clarification. Why is there an ongoing delay? How long will that delay be? When is it expected that the board members will be appointed and how much are they to be remunerated?

**Ms FENTIMAN:** It is a little disingenuous for the member for Clayfield to suggest that since October last year we should have been recruiting for positions that do not yet exist. We will get underway with recruitment as soon as possible. I clarify: it is not that I have ever said there is a shortage of people; I have said it will take some time to do the recruitment effectively and get the right people with the requisite skills, as outlined in the bill before the parliament. As soon as we can do that, we will get the board underway.

Amendment agreed to.

Clauses 2 and 3, as read, agreed to.



**Mr BERKMAN** (4.15 pm): I seek leave to move an amendment outside the long title of the bill.

Division: Question put—That leave be granted.

**AYES, 5:**

**Grn, 2**—Berkman, MacMahon.

**KAP, 2**—Dametto, Katter.

**PHON, 1**—Andrew.

**NOES, 77:**

**ALP, 47**—Bailey, Boyd, Brown, Bush, Butcher, Crawford, D'Ath, de Brenni, Dick, Enoch, Farmer, Fentiman, Furner, Gilbert, Grace, Harper, Healy, Hinchliffe, Howard, A. King, S. King, Linard, Lui, Madden, Martin, McCallum, McMahon, McMillan, Mellish, Miles, Mullen, O'Rourke, Palaszczyk, Pease, Power, Pugh, Richards, Russo, Ryan, Saunders, Scanlon, Skelton, Smith, Sullivan, Tantari, Walker, Whiting.

**LNP, 30**—Bates, Bennett, Bleijie, Boothman, Camm, Crisafulli, Frecklington, Gerber, Janetzki, Langbroek, Last, Leahy, Lister, Mander, McDonald, Mickelberg, Millar, Minnikin, Molhoek, Nicholls, O'Connor, Perrett, Powell, Purdie, Robinson, Rowan, Simpson, Stevens, Watts, Weir.

Pairs: Hunt, Hart; Lauga, Crandon; Stewart, Krause.

Resolved in the negative.

Clause 4—



**Ms FENTIMAN** (4.22 pm): I move the following amendments—

**2 Clause 4 (Insertion of new pt 8A)**

Page 9, lines 12 and 13, '4, but not more than 5'—

*omit, insert—*

5, but not more than 6

**3 Clause 4 (Insertion of new pt 8A)**

Page 10, after line 14—

*insert—*

(da) at least 1 appointed board member has experience living with impaired capacity, including as a carer or family member of a person with impaired capacity; and

**4 Clause 4 (Insertion of new pt 8A)**

Page 10, after line 27—

*insert—*

(7) In this section—

**carer**, of a person with impaired capacity, does not include—

(a) a paid carer for the person; or

(b) a carer who provides care for the person as a volunteer for an organisation.

**paid carer**, for a person, means an individual who—

- (a) performs services for the person's care; and
- (b) receives remuneration from any source for the services, other than—
  - (i) a carer payment or other benefit received from the Commonwealth or a State for providing home care for the person; or
  - (ii) remuneration attributable to the principle that damages may be awarded by a court for voluntary services performed for the person's care.

**5 Clause 4 (Insertion of new pt 8A)**

Page 17, line 12, 'members, including at least 3'—

*omit, insert—*

members for the time being, including at least 4

Amendments agreed to.

**Ms FENTIMAN:** I move the following amendment—

**6 Clause 4 (Insertion of new pt 8A)**

Page 22, after line 11—

*insert—*

**117ZZA Annual report**

- (1) As soon as practicable after the end of each financial year, the board must prepare and give to the Minister a written report about the performance of the board's functions during the year.
- (2) The report must include details of the following for the financial year—
  - (a) advice given or recommendations made to the Minister under this part;
  - (b) recommendations made to the public trustee under this part.
- (3) The board must ensure that information included in the report does not disclose personal information.
- (4) The Minister must table a copy of the report in the Legislative Assembly within 14 sitting days after receiving the report.

**Mr NICHOLLS:** I move the following amendments to the minister's amendment—

**1 Attorney-General's amendment 6, Clause 4 (Insertion of new pt 8A)**

**117ZZA Annual report, paragraph (1)—**

*omit—*

"As soon as practicable"

*insert—*

"Within 30 days"

**2 Attorney-General's amendment 6, Clause 4 (Insertion of new pt 8A)**

**117ZZA Annual report, paragraph (2)—**

At subparagraph (b)

*omit—*

"this part."

*insert—*

"this part;

- (c) the performance of the board of each of its functions under this part; and
- (d) the expenditure of the board in the financial year."

**3 Attorney-General's amendment 6, Clause 4 (Insertion of new pt 8A)**

**117ZZA Annual report, paragraph (4)—**

*omit—*

"14 sitting"

*insert—*

"30"

I table the explanatory notes to my amendments and the statement of compatibility with human rights.

*Tabled paper:* Public Trustee (Advisory and Monitoring Board) Amendment Bill 2021, explanatory notes to Mr Tim Nicholls's amendments [\[637\]](#).

*Tabled paper:* Public Trustee (Advisory and Monitoring Board) Amendment Bill 2021, statement of compatibility with human rights contained in Mr Tim Nicholls's amendments [\[638\]](#).

These three amendments go to the Attorney's amendment. The Attorney's amendment has been moved following the recommendation of the committee in relation to creating a reporting mechanism that was absent from the bill in its original form. The committee recommended that it would be appropriate for the board to report to the minister and for the minister then to table or present that report to the parliament. In the amendments that were circulated yesterday by the Attorney, the provision is that the board report at a time that is 'as soon as practicable'. In fact, proposed section 117ZZA, 'Annual report', provides—

- (1) As soon as practicable after the end of each financial year, the board must prepare and give to the Minister a written report about the performance of the board's functions ...

We simply say that 'as soon as practicable' can mean anything. It is not subject to any particular time frame. It might mean the day after the end of the financial year; it might mean that it was not practical to get the board members together or for the chair of the board to sign it until they returned from a leave of absence, for example, and they were not back until the end of October. We have instances of this government getting reports at the end of October and then not tabling those reports, given the 14-sitting-day time limit, until 27 March this year, some nine months after the end of the financial year for which they are reporting. It makes those reports almost meaningless.

The Auditor-General highlighted in his report—and I mentioned it in my contribution in the debate—the importance of the timeliness of reports. It is not just the report; it is also the timeliness of the report. Amendments 1 and 3 are put there to force some action to happen.

The Attorney asked, 'Who else is required to do it?' Local governments are required to do it. They are meant to table their annual reports within 30 days. If a local government the size of the Brisbane City Council, with \$4 billion, can table its report within 30 days, you would think it might be possible for a relatively small board that does not have a lot of finances and that works continuously through the year to be able to table its report within 30 days. That is vitally important to transparency.

Amendment No. 2 goes to the performance by the board of each of its functions. Here we seek a report that breaks down each of the functions that are set out in the new provisions of the act. Proposed new section 117Y sets out a number of functions. We want each of those functions to be enumerated. There is expenditure of the board which should be provided to this House.

**Mrs FRECKLINGTON:** I support the shadow Attorney-General's very sensible and reasoned amendments to the bill that he has clearly enunciated. The reason I thought it so imperative that I contribute to debate of this amendment is that we on this side of the House constantly hear that the Palaszczuk government was elected on the basis of openness, transparency and accountability. We on this side of the House have supported this bill on that basis, but it should go further.

We have heard of a huge number of problems in relation to the Public Trustee. Therefore, it ought not be unreasonable to assume, in this case in particular, that the board—I take the point that we do not yet know who will be on the board—report within 30 days. When this board is appointed it will have a huge number of issues to deal with. That has been established not just by the opposition's very considered contributions to the substantive nature of this bill but also by government members. I support the shadow Attorney-General's amendment.

Within 30 days is very practicable. I cannot support 'as soon as practicable', as the Attorney-General has submitted for this bill, because who knows when that may be? I do not believe that we on this side of the House can have confidence that it will not be sometime later in the year. Like all members on this side of the House, I would like to see the board report within the 30 days.

The second amendment of the shadow Attorney-General relates to what is contained within that annual report. The amendment simply says, 'Let's insert two measures: the performance and the expenditure of the board in the financial year.' Again, it is not unreasonable; it is very practicable and reasonable. I do not see why government members would not support the amendment. We have a government agency in the Public Trustee that has myriad issues. I say again that this board will have a big job ahead of it.

**Mr WEIR:** I support the member for Clayfield's amendments. It is very hard to see why they would be opposed. Additional transparency is something about which we on this side of the House feel very strongly. I know that at times openness, transparency, accountability and integrity seem to get a bit of resistance and pushback from the other side of the House.

I strongly support the amendments moved by the member for Clayfield. We have talked about the uncertainty and delay in reporting. The minister's amendment states 'as soon as practicable'. That is about as broad and as wideranging as we can get. That can mean anything at all. Unless the time

frame is stipulated that is just an excuse to delay and drag out reporting for as long as the government likes. As the member for Clayfield said, if local government authorities can report within 30 days there is no reason that cannot be done here.

The amendment outlines to additional things to be reported on. I think they are quite fair and reasonable. The committee made two fairly significant recommendations in relation to the bill as introduced. Without those recommendations we would have a bill that does not stand for much. They did not change or alter much. There were 10 recommendations in the Public Advocate report for the government to take up, but we are here debating one of those. The government said that it supported in principle five of those recommendations and another four it would give further consideration to. That is nowhere near close enough.

Recommendation 3 goes to reporting—the very issue the member for Clayfield is talking about in his amendments. I support the amendments. I do not see how they could be objected to. The government had to be guided by the committee's two recommendations to strengthen this bill. The member for Clayfield has put other amendments that would strengthen this bill. I would encourage members to support the amendments.

Division: Question put—That the amendments to the amendment be agreed to.

**AYES, 33:**

**LNP, 30—**Bates, Bennett, Bleijie, Boothman, Camm, Crisafulli, Frecklington, Gerber, Janetzki, Langbroek, Last, Leahy, Lister, Mander, McDonald, Mickelberg, Millar, Minnikin, Molhoek, Nicholls, O'Connor, Perrett, Powell, Purdie, Robinson, Rowan, Simpson, Stevens, Watts, Weir.

**KAP, 2—**Dametto, Katter.

**PHON, 1—**Andrew.

**NOES, 49:**

**ALP, 47—**Bailey, Boyd, Brown, Bush, Butcher, Crawford, D'Ath, de Brenni, Dick, Enoch, Farmer, Fentiman, Furner, Gilbert, Grace, Harper, Healy, Hinchliffe, Howard, A. King, S. King, Linard, Lui, Madden, Martin, McCallum, McMahon, McMillan, Mellish, Miles, Mullen, O'Rourke, Palaszczuk, Pease, Power, Pugh, Richards, Russo, Ryan, Saunders, Scanlon, Skelton, Smith, Sullivan, Tantari, Walker, Whiting.

**Grn, 2—**Berkman, MacMahon.

Pairs: Hunt, Hart; Lauga, Crandon; Stewart, Krause.

Resolved in the negative.

Non-government amendments (Mr Nicholls) negated.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clause 5—



**Ms FENTIMAN** (4.37 pm): I move the following amendment—

**7 Clause 5 (Insertion of new s 141B)**

Page 22, lines 12 to 32—

*omit.*

Amendment agreed to.

Clause 5 omitted.

### Third Reading



**Hon. SM FENTIMAN** (Waterford—ALP) (Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence) (4.37 pm): I move—

That the bill, as amended, be now read a third time.


Question put—That the bill, as amended, be now read a third time.

Motion agreed to.

Bill read a third time.



### Long Title

 **Hon. SM FENTIMAN** (Waterford—ALP) (Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence) (4.38 pm): I move—

That the long title of the bill be agreed to.


Question put—That the long title of the bill be agreed to.

Motion agreed to.

## POLICE SERVICE ADMINISTRATION AND OTHER LEGISLATION AMENDMENT BILL

Resumed from 16 November 2021 (see p. 3485).

### Second Reading

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Corrective Services and Minister for Fire and Emergency Services) (4.38 pm): I move—

That the bill be now read a second time.

On 11 February 2022 the Economics and Governance Committee tabled its report on its examination of the Police Service Administration and Other Legislation Amendment Bill 2021. The committee made only one recommendation—namely, that this bill be passed. I thank the committee and its chair, the member for Logan, for its support of the bill and the agencies that submitted to the committee—namely, the Queensland Law Society and the Crime and Corruption Commission. I also thank the officials from the Department of Environment and Science and the Queensland Police Service who made themselves available and assisted the committee in the public briefing on the bill. I would also like to acknowledge the heads of jurisdiction, the Bar Association of Queensland, the Queensland Law Society, the Human Rights Commissioner and the relevant police unions and protective services unions that participated in consultation during the development of this bill.

This bill is designed to improve the efficiencies of the Queensland Police Service. It achieves this through meeting two objectives. The first and primary objective of the bill is to improve the effectiveness of the Protective Services Group which operates within the Queensland Police Service. The second objective is to improve efficiencies with the administration of identity cards used to support the operations of the Queensland Parks and Wildlife Service within the Department of Environment and Science.

From time to time, police officers are appointed as authorised officers under legislation administered by the Queensland Parks and Wildlife Service within the Department of Environment and Science to undertake compliance and assist park rangers in places such as national parks, state forests, marine parks and recreation areas. Currently, these police officers are required to be issued with a separate identity card under this legislation and, where necessary, produce it despite already having their own identity cards and requirements for identifying themselves under the Police Powers and Responsibilities Act.

Amendments in the bill will remove the need for a separate identity card to be issued to police under Department of Environment and Science legislation. These changes will also streamline requirements relating to relevant police officers identifying themselves when exercising powers under Department of Environment and Science legislation in recognition of the existing obligations in the Police Powers and Responsibilities Act. These amendments are a sensible step in streamlining administrative and operational arrangements for the Queensland Police Service and the Department of Environment and Science and contribute to increased efficiencies when police and rangers of the Queensland Parks and Wildlife Service are working together.

In relation to the primary objective of the bill, it is important to recognise the critical role that the Protective Services Group provides in supporting security for government buildings and assets across Queensland. Since 2016 this group has been positioned within the Queensland Police Service and now forms part of the Security and Counter Terrorism Command. Positioning the Protective Services Group within the Queensland Police Service did not happen by happenstance. This occurred as a direct result of recommendations made in a review of the now abolished Public Safety Business Agency. One of the rationales for this recommendation was the recognition of the value of the Queensland Police Service

in maintaining overall responsibility for public safety. Aligning the Protective Services Group within the Queensland Police Service is appropriate, as both focus on providing safety and security. It is imperative that police officers and protective services officers have the confidence of the public.

This bill will standardise the powers police officers and protective services officers may use. These include the power to demand a person's name and address. Obtaining a person's name and address is necessary to provide adequate security for a state building. Simply put, you cannot secure a building if you do not know who is in it. Examples where this power may be necessary include: intelligence may be received that a person who presents a security risk will be attending at a state building. This intelligence may include photographs and data on risk factors such as a predisposition to violence, a history of carrying weapons and further concerning attributes. Without a power to demand an entrant's name, it will be difficult to verify that a person fitting this general description is the person of interest. In another example, it may be difficult to determine if a person is in breach of a direction to leave a state building if the person later returns and their particulars are not known and the officer who issued the original direction is not present.

Currently, only senior protective security officers can demand name and address details from a person who wants to enter a state building. To ensure that this power can be exercised consistently, the bill will authorise police officers to demand personal details from persons entering state buildings. The power to require a person to state their name and address will be qualified. A person may only be required to provide their name and address if the officer reasonably suspects it necessary to do so to maintain the security of a state building. If systems for the security of a state building involve the use of electronic screening devices, a protective services officer and a police officer may ask an entrant of the building to walk through a walk-through detector or pass their belongings through an X-ray scanner or allow an officer to pass a handheld scanner near the person or their belongings.

Regardless of whether the entrant or their belongings have been subject to an electronic screening, and if the protective services officer or police officer tells the entrant about the grounds for making the request, the protective services officer and police officer may ask the entrant to do one of a number of things, including: allow the officer to inspect the entrant's belongings; remove outer garments as specified and allow them to be inspected; remove articles from the entrant's pockets and allow them to be inspected; open an article for inspection; open a vehicle for inspection or remove an article from the vehicle as specified and allow it to be inspected. Further details of the powers that can be exercised by police officers and protective services officers will obviously be outlined during this debate.

We debate this bill while our community rallies against the consequences of a global pandemic and recovers from disastrous floods; however, Queensland is far better placed than many other jurisdictions thanks to our health response and therefore our economic response. Inevitably, in the future we will face further challenges. Some may be planned and promise to be wonderful, such as the upcoming 2032 Olympics Games. Other challenges, such as the impact of natural disasters on our state, can also have significant impacts, so our government's organisations need to be agile and adaptable to operate effectively within changing and dynamic surroundings. This can only be achieved through good governance.

In this parliament, members have an obligation to ensure that our organisations and agencies are best placed to serve Queensland. I believe that this bill will achieve this for the Protective Services Group by modernising the legislative framework that governs it. Since the Protective Services Group came within the ambit of the Queensland Police Service the Queensland Police Service has reviewed its governing legislation to ensure that it meets the contemporary needs of the community. These amendments introduce potential efficiencies and savings whilst ensuring the appropriate security of state buildings may be maintained. An important feature of this bill is the consolidation of security powers that may be exercised in state buildings by police officers and the new class of officer named a protective services officer, or PSO.


Rather than having multiple sources that provide security powers within state buildings, this bill will collect all security powers into a distinct chapter of the Police Powers and Responsibilities Act. This single point of truth will provide certainty and guidance to both police officers and protective services officers about the security powers that may be used and will promote efficiencies as common policies and training may be developed about the exercise of these powers.

Another important feature of this bill is the introduction of a number of legislative safeguards that will apply to protective services officers exercising these powers. These safeguards will provide guidance to these officers about the correct use of these security powers. They will enhance these officers' professionalism and strengthen client confidence that these officers will act appropriately when performing their duties.

This bill is important, as it impacts directly on the safety and security of the people who are employed in, or visit, state buildings. I endorse the comments of Assistant Commissioner Debbie Platz made before the Economics and Governance Committee in its consideration of this bill. At that hearing she said—

The significance of the security services that Protective Services provides cannot be underestimated. Their services go beyond simply protecting bricks and mortar. Importantly, the role of this group extends to protecting the Government employees who use these buildings and the visitors who frequent them. Government buildings must be maintained as a safe environment. Without this, the business of government may be compromised, adversely affecting our community and way of life.

I believe that this bill will best place Protective Services in a position to improve upon the already excellent services they provide in securing state buildings now and into an uncertain future. I take this opportunity to commend the bill to the House. I thank all those people who have contributed to the bill to this stage. I encourage all members of this House to support it.

 **Mr LAST** (Burdekin—LNP) (4.50 pm): I rise to contribute to the Police Service Administration and Other Legislation Amendment Bill 2021. From the outset, I can advise that the LNP will not be opposing this bill but there are several issues that we will seek clarification on from the minister and other issues that we would ask the minister to consider. I would also like to put on record on behalf of all the members of the LNP my thanks and appreciation for the work our hardworking officers perform in protecting property and, even more importantly, people.

I note the main objectives of this bill are to modernise the legislative framework underpinning Protective Services and to increase efficiencies for police officers acting as public officials under the Forestry Act 1959, the Marine Parks Act 2004, the Nature Conservation Act 1992 and the Recreation Areas Management Act 2006—which is Queensland Parks and Wildlife Service legislation—and in identity card administration for these particular acts.

The bill enhances the efficiency and operability of Protective Services through: repealing two acts by relocating relevant provisions to the PPRA and the Police Service Administration Act 1990; amalgamating protective security officers and senior protective security officers into one group called protective services officers, or PSOs; consolidating and rationalising the security powers that may be exercised by police officers and PSOs in state buildings—including standardising the screening procedures for entrants to a state building, allowing police officers to demand the name and address from an entrant to a state building, authorising PSOs to direct a person who is trespassing or is disorderly in a state building to leave that place, and authorising PSOs to exercise the security powers currently performed by senior protective security officers in state buildings, such as the power to refuse entry to, or to remove, persons who do not meet security requirements and the power to detain entrants who are suspected of committing offences; authorising PSOs to seize contraband located in the performance of their duties; ensuring that the statutory protections available to police officers who are required to use force in the performance of their duties extend to PSOs; introducing a new offence provision prohibiting the impersonation of a PSO; clarifying that the offence to assault or resist a PSO includes obstructing a PSO; expanding the QPS alcohol and drug testing regime to apply to PSOs; and authorising PSOs to use body worn cameras.

Since 2018, over 120 police officers have been appointed as a public official under Queensland Parks and Wildlife Service legislation. I worked with a number of those officers throughout the course of my policing career. This yielded clear benefits not only in protecting public safety but also with respect to the protection of the natural and cultural values in protected areas, state forests, declared recreation areas and marine parks. Queensland Parks and Wildlife Service legislation requires the chief executive or the administering minister to issue appointed officers with identity cards that must be produced when exercising relevant powers under this legislation. This requirement is superfluous as police officers are already obliged under the PPRA to identify themselves or, if not in uniform, to produce their police identity card when exercising powers as a public official under Queensland Parks and Wildlife Service legislation. The amendments in the bill will improve efficiencies through obviating the need for the chief executive or minister to issue identity cards to police officers or to arrange for the return of these cards when police officers cease to act as public officials for this legislation.

For almost 40 years now, the state government protective security service has worked to protect Queenslanders and Queensland government assets. This is done by way of onsite security, alarm monitoring and response, mobile patrols and the production of government identification cards. Among the buildings protected by Protective Services are facilities that touch the lives of Queenslanders each and every day—schools, government buildings, State Archives and the list goes on. From the

perspective of the general public, Protective Services, as they are known, are the people who secure our courthouses, but there is much more to their role, including the monitoring of alarms in our own offices.

Almost six years ago, Protective Services was integrated into the Queensland Police Service for a variety of reasons. Despite that integration, the current situation is that Protective Services staff operate under what can only be described as a two-tier system. A Protective Services security officer has a range of powers under the act, such as requesting persons entering a state building to participate in screening, allowing an inspection of items carried in a person's pockets and asking people to park in a certain area or to deposit belongings in a certain place. A senior protective security officer has additional powers under the act, such as the power to require information from a person entering a state building, the power to require a person to leave a state building if they choose not to comply with screening, the power to seize proscribed items and the power to detain a person suspected of committing an offence.

As the committee found when examining this bill, Queensland is the only Australian jurisdiction that differentiates between protective security officers and senior protective security officers according to the powers they may exercise. This led the Queensland Police Service to conclude that protective security officers may only function effectively in the presence of a senior protective security officer. In addition to addressing this anomaly, the changes proposed in this bill will, according to the Queensland Police Service, further promote the integration of Protective Services into the Queensland Police Service. As a former police officer, I know that can only be a good thing.

The other advantage the bill will have is to provide options for those persons wishing to join the Queensland Police Service and for those transitioning out of the Queensland Police Service. I am sure no-one in this House would be surprised to hear me advocating for additional police officers. If the increased integration of Protective Services into the Queensland Police Service results in even one extra sworn officer, then we will have achieved a good result.

I welcome the inclusion of provisions to prohibit impersonation of a PSO and the clarification of offences relating to assaulting and resisting a PSO. Due to their role in protecting Queensland government assets and Queenslanders, we owe PSOs protections while performing that role in the same way that protections are offered to other relevant people. Other amendments contained in this bill relate to police officers performing duties relating to the Forestry Act, the Marine Parks Act, the Nature Conservation Act and the Recreation Areas Management Act. It is only logical to ensure that, when police are assisting other agencies, this cooperation is as seamless as possible.

I move onto the issues that I would like to see clarified by the minister. I would ask that the minister provide clarification during his reply into how protective services officer numbers will be reported in annual reports and other documents. The minister is well aware of my calls for additional police staff both sworn and unsworn, and I am sure the minister would agree that Queenslanders deserve transparency when it comes to police numbers. For those reasons I seek the minister's assurances that PSOs will be reported separately to ensure that transparency is in place.

My other query is in relation to what the committee called the provision of services on a commercial basis for a building other than a state building under a contract entered into by the state. The committee goes on to explain that officers would not be able to access the bill's updated regime of security powers in buildings other than state buildings and their precincts. While the use of powers may have been addressed, the concept of offering the services of Queensland Police Service employees on a commercial basis is not.

I am fully aware that police officers often perform duties, such as escorts of oversized vehicles, that are offered on a commercial basis, or special duties as they are known. This is due to their experience in ensuring safety and the powers granted to them under various acts. For those reasons the offering of those services on a commercial basis is logical. I would ask the minister to clarify what services performed by PSOs would be offered on a commercial basis, to whom they would be offered and how those services would be charged. This is even more important based on the fact that, according to correspondence from the Queensland Police Service to the committee, the scope of area where PSOs can operate under this bill will rival those used in Victoria and South Australia.

Debate, on motion of Mr Last, adjourned.

## MOTION

### Women in Sport



**Mr KATTER** (Traeger—KAP) (4.59 pm): I move—

That this House supports women's rights by agreeing that:

1. allowing biological men to play in female sport will erode the integrity of female sport;
2. anyone who supports biological men playing in female sport, irrespective of age group, level or code, is complicit in eroding the integrity of female sport and therefore women's rights;
3. based on their insurmountable physical advantages, biological males participating in female sport pose an unfair competitive advantage against and/or safety risk towards female athletes.

My colleague and I were well aware that this issue attracts a lot of ire and a lot of anger, as people would have observed this morning when I gave notice of this motion. I try to approach this subject with the utmost respect for the other side of the argument and try to be tolerant of other people's views. It is curious to me that I am not always afforded that same level of tolerance. People invoke the words 'bigot' and 'hate speech'. I am not sure what that means in relation to me. This motion is nothing against anyone who falls into that category of transgender. God loves them all and welcomes them all and they are welcome to have a good fitting place in society. However, there are some very real truths that impact practically and materially in terms of how we interact in sports. That is something we want to raise. I can pre-empt that everyone is going to attack us by asking, 'Why are you bringing this up? There are a lot more important things out there.' Are there? It is an important subject to bring up.

In the context of the election, there are social issues on which we need to put a stake in the ground. If people dislike those views that is fine, but it is important to know where people stand. Unashamedly we will take a position on this, because it seems to be a current issue that has arisen with some recent events, as with the swimmer in the States and some comments made by elite athletes.

One of the first questions to ask from our point of view is: what is a woman? It is a valid question to ask when talking about competitive sport. Are women important in that role? I will expand on that. How do we then protect their rights?

When people are born biologically male and then want to participate in women's sport through whatever means, whether it is through hormone therapy or surgical changes, there is unquestionably a distinct advantage. There are reams of data to support that. I did not have to go far to find evidence of the advantage males have in sport. Olympic records are probably the most obvious. Every time this subject pops up we can point to countless examples where there is a distinct advantage. Lia Thomas, a swimmer in the States, was recently highly successful when competing in the women's events yet when participating as a male had not had the same level of success.

This is important for parents. I am a parent of some young girls who will be hopefully participating in sport one day. I love playing Rugby League. They might want to play some Rugby League as well. Imagining them at 15 or 17 years of age, post puberty, competing against the odd person who might want to transfer to being a female does not sit well with me. It does not sit well with a lot of people. That is not to deny that person the opportunity to play sport—they are welcome to play sport and they should enjoy a great life in sport—but there is a distinct advantage when they cross over.

This raises all sorts of questions. If we have women's sport and men's sport and people are allowed to cross over, back and forth, depending on how they feel, then we should make sports unisex now and draw it to its logical conclusion. There seems to be too much grey area.

There was certainly some grey area when Fallon Fox, the boxer who went into MMA, fought a lady by the name of Tamikka Brents—a proud, flag-waving lesbian and a good fighter in her own right. She was pilloried by the transgender movement at the time. She was beaten and hospitalised by Fallon Fox and said, 'I have never been hit like that before in my life'—and that is because she had never fought in the men's category before. That triggered some discussions about who we allow into fighting—

*(Time expired)*



**Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Minister for Tourism, Innovation and Sport and Minister Assisting the Premier on Olympics and Paralympics Sport and Engagement) (5.05 pm): The government rejects the premise of the motion and, as a result, will not be supporting it. This is not a debate about sport or women's rights. It is an attempt to cause fear and division and is unnecessarily dragging an extreme right-wing trope into this parliament. In fact, I am surprised that the KAP are using their relatively rare private member's motion opportunities on this issue rather than on something more relevant to regional Queenslanders.

Let us ignore the blatant dog whistle. In the words of the *Herald Sun* journalist Susie O'Brien, politicking on this issue misses the point. She said that if we want to get more women into sport we need to 'address the issues that matter—equal access to playing grounds, training staff, harassment, facilities, equipment and change rooms'. The Palaszczuk government has been supporting and funding these core issues to address women's participation in sport through numerous programs since 2015.

However, this government also rejects the premise of this motion because fundamentally the state does not determine who can compete in particular sports or in particular categories and how those categories are created. It is not the role of the state to determine who can and cannot participate in sport based on any factor, and gender identity is one of those. Queensland, and indeed Australia, has a well-established system whereby individual sports determine the criteria of participation, and this approach is entirely the correct one to take.


Globally, international leaders in this space, such as the International Olympic Committee and the International Paralympic Committee, also recognise that individual sports are best placed to make choices around eligibility. The IOC recently released its new Framework on Fairness, which, at its core, recognises the rights of sports to make their own decisions, given that each sport is different. It goes on to state that exclusion should not occur because of sexual identity and there should be no presumption of advantage because of a gender variation. IOC Vice-President and BOCOG board member John Coates said it best two weeks ago when he said, 'There is a place for transgender people.' He also said—

We decided that one size doesn't fit all. We have three sports at the moment where we believe transgender athletes don't have an advantage: horse riding, archery and shooting. And our recommendation is that it is a matter for each of the sports.

The President of Paralympics Australia, Jock O'Callaghan, reiterated Mr Coates's view that blanket decisions by bodies like parliaments would not provide flexible enough outcomes. Mr O'Callaghan said—

From a paralympic perspective, we already have to live in a world where one size doesn't fit all. We have different forms of disability; we have to accommodate that within the sports. This just adds to that complexity.

All these statements are based on the premise that individual sports are best placed to make decisions based purely on safety and advantage, not about the gender that the athlete identifies with. It then follows that this parliament making blanket decisions purely based on gender identity is not only draconian and bigoted but unwarranted and goes against every key concept of inclusion that stands at the heart of everything that we do as a government and that I hope everyone across this parliament can embrace—that principle of inclusion and encouragement. I have stated the position of the government as simply as I can. I encourage people to vote against the motion.

 **Mr DAMETTO** (Hinchinbrook—KAP) (5.09 pm): From the outset I want to make this very clear: this is not a motion against transgender people. This is a motion to protect women's rights in sport in Queensland. It is very important that we draw these social issues to the forefront so that we can have a discussion—

**Ms Pease:** You are not protecting my rights.

**Mr DAMETTO:** I am not taking the interjections. We are here to protect women's sport. If we are going to go down the road of full inclusion, why do we even worry about diversity? Why are we protecting women's sport? We have seen a beautiful thing happen over the last couple of years. We have seen women playing in male dominated sports pushed into the limelight such as women's Rugby League. I think it is a great thing that finally women have this opportunity to play on the international stage. After this we may see an opportunity for guys who now identify as women to put on a wig and jump into women's sport because maybe they are washed up at the NRL. This could happen without a line drawn in the sand.

**Ms Grace:** It could be one of your kids, too.

**Mr DAMETTO:** I take the minister's point. The thing is we have to protect what is right here in Queensland when it comes to sport. Let's get to the point. Allowing biological men to play in female sport erodes the integrity of the sport. We have to ask the question what is a female? I will tell honourable members what a male is. A male is someone who is born biologically a male.

**Honourable members** interjected.

**Mr DAMETTO:** I am very sorry if that upsets people, but that is exactly what it is. Today we heard a question asked of the Attorney-General. We seem to be quite binary about gender when it comes to protecting people in other legislation, but when it comes to sport, hang on a second, what exactly is a male; what exactly is a female? Gender blends into one, so we might as well just get rid of women's sport altogether. If that is the way people want to go, let's go down that path.

The rights of transgender people to have full access to female sports is not fair; it is not safe. We talked about the IOC. I remember when I was growing up they checked the chromosomes of people. If we look at the genetics of people, the fact is one-third of our genetics is defined by our sex. We cannot change genetics; we cannot change someone's physiological make-up after they have gone through puberty. To think we can do that by changing a pronoun is absolutely absurd. We must consider the question of whether that gives someone a competitive advantage. Whether or not we will go down this road must be looked at and agreed on in this parliament.

In 2010 a study appeared in the *Journal of Science and Medicine in Sports*—and science is another thing that defines gender. Let me tell honourable members the truth. This is something that has been defined by science. It is absolute. When we look at men's versus women's sport, since 1983 we have seen at least a 10 per cent advantage over women in all events. Most prominent was in the 800metre swimming freestyle, and I will table the document in a second. Lia Thomas is a transgender athlete who has gone from male sport, where she was ranked about 50th, to No. 1 in women's sport. I table that article.

*Tabled paper:* Article from the *Guardian Online*, dated 22 March 2022, titled 'Lia Thomas' victory at NCAA swimming finals sparks fierce debate over trans athlete' [639].

In weightlifting there is a 36.8 per cent advantage. I have another document to table here which features weightlifter Laurel Hubbard from New Zealand, another Olympic weightlifter. Look at the size of this person. I table that.

*Tabled paper:* Article from the *Guardian Online*, dated 21 June 2021, titled 'Weightlifter Laurel Hubbard will be first trans athlete to compete at Olympics' [640].

There is also Hannah Mouncey, who plans to take legal action against the AFL. This person, who now identifies as female, is huge. If I had a daughter who was lining up for AFL as a school student I would be horrified.

*Tabled paper:* Article from *Fox Sport* online, dated 16 January 2021, titled 'Trans footy pioneer Hannah Mouncey plans legal action against AFL so she can play local footy' [641].


*Tabled paper:* Extract, dated 5 June 2017, from the Anti-Discrimination Act 1991, p. 60 [642].

This is the conversation that is happening in the back rooms when we are talking to people at barbecues. This is the conversation that everyday Australians are having while at a school fete. They are worried about these things. They are worried about the direction Australia is headed, and this is playing into that.

**Honourable members** interjected.

**Mr DAMETTO:** I take that interjection.

**Mr DEPUTY SPEAKER** (Mr Kelly): Resume your seat. Your time has expired.

 **Dr MacMAHON** (South Brisbane—Grn) (5.14 pm): Instead of talking about health care, housing or climate action, we have seen the LNP and now the Katters drag trans people's basic rights through the dirt. As Claire Garton, our candidate for Moreton, said in April—

Using transphobic tactics to win over voters is just pathetic. I can't express how much the continuous rhetoric and dog whistling over trans rights by both big right-wing parties fills me with dread. This isn't a hypothetical for our community. Real people in my community continue to die because of this shit. Instead we should be debating how we include gender affirming surgery—

**Mr DEPUTY SPEAKER** (Mr Kelly): Pause the clock. I ask you to withdraw that unparliamentary language.

**Dr MacMAHON:** I withdraw. The quote continues—

Instead we should be debating—

**Mr DEPUTY SPEAKER:** Member, I also warn you under the standing orders.

**Dr MacMAHON:** The quote continues—

Instead we should be debating how we include gender affirming surgery into Medicare and how we lift marginalised LGBTQIA+ folk out of poverty. Both the Liberals and Labor continue belittling trans children and women as a conservative rallying call to arms against progressive changes in society.

This kind of gross discrimination is what we have come to expect from parties that have run out of ideas. Sports is for everyone. If we want to be a country that includes everyone, then everyone should be able to participate in sport including trans and gender diverse people.

I have been a consistent critic of the Olympics as a big waste of money and a track record of draining cities' budgets and displacing people, but one bright spark would be a Brisbane committed to being the most trans inclusive games in history, welcoming trans athletes with open arms. If we are really serious about supporting women's sports, let's pay women's sportspeople the same as men, show women's sports on free-to-air TV and news coverage and start programs to encourage women and girls to take up sports.

The Greens will always stand up for trans people. We have committed to investing \$15 million to allow trans and gender diverse people to access gender-affirming health care that can be lifesaving. Just as we have seen that abortion is now legal but still very difficult to access, vital surgeries like orchiectomies, which are vital procedures that allow transwomen to go off intensive hormone therapy to transition, are still unavailable to people. It is funded by Medicare but many Queensland hospitals simply refuse to provide it. Trans advocates have been urging the health minister to fix this and I will be following up with her on that.

The Greens have also been pushing for changes to the Births, Deaths and Marriages Registration Act. Queensland is lagging behind other states in the way in which gender is noted on birth certificates. My colleague Michael Berkman tabled a petition organised by Esther Vale, an amazing campaigner whom we are lucky to know. The government committed to reforms to the BDMR Act last year, but we have yet to see a draft or any movement on this.

I want to spend the rest of my speech talking about the amazing trans people whom we are privileged to know, the amazing trans and non-binary people who are part of our movement in the Greens. I want to spend my remaining time reiterating how loved, appreciated and needed you are.

To the trans youth who swell our numbers at rallies for climate action, for renters rights and for land rights, your energy, knowledge and strength are crucial to our movement. To the trans campaigners who have been on the front lines of fighting the Religious Discrimination Bill, thank you. I will be joining you at the protest on Saturday to stand up to the LNP's transphobia. To the trans kids and adults who are yet to come out, we wish you the strength, the support and the love you need to live your life in the richest and most fulfilling way you can. To the trans athletes getting up early to train or to spend your weekends on the hockey pitches, in the pools or on the sports fields, we wish you the best of luck. To the trans artists, writers, thinkers, coders and musicians, we need your creativity and your work out there in the world. To the trans kids who are doing their NAPLAN tests today at school, I am so bloody sorry that you have to do NAPLAN, but I know that you will do amazingly well.

**Mr DEPUTY SPEAKER** (Mr Kelly): Pause the clock. Resume your seat. I am just going to take some advice. Member, you are already on a warning. I am going to ask you to withdraw that statement and if there is any further intentional or unintentional swearing in the House I will cease the speech and ask you to leave the chamber.

**Dr MacMAHON:** I withdraw. To the trans kids doing their NAPLAN test today, I am so sorry that you have to do NAPLAN but I know that you are going to do amazingly well. To the trans organisers and volunteers out there on pre-poll booths in the rain today, we could not do without you pushing our movement forward. To the trans candidates like Claire Garton putting their hand up to represent their communities, politics needs you so badly and we are so proud of you. We recommit today to the fight against transphobia and transmisogyny, the fight for justice and the fight for a world where everyone gets to live their best lives and be their best selves. To be clear, this motion today is not about women; it is about stoking up transmisogyny for cheap political tricks and we are not going to allow it. There are many people in this chamber today who are saying to trans people out there we love you, we need you, we will fight for you.



**Mr ANDREW** (Mirani—PHON) (5.21 pm): At the outset I would say that people in this House who know me know that I have a lot of friends in the staff and as I walk around this place I speak to everyone on a daily basis. I treat no-one any different. I have no phobias towards anyone and a lot of people will tell you that. It does not matter where I am in my community, I am the same. It does not matter where I am in the cities, I am the same. I help and treat everyone the same. We want an inclusive egalitarian society in Queensland. We want equality and no discrimination and every Queenslanders to have equal access to life services and work, and that is certainly what I want.

Sport is about physical ability. I am not saying that anyone has less or more physical ability, but we are built different when it comes to situations in sport. Take, for instance, the weight of boxers. We are not going to put an 18-stone man up against a nine-stone man or do that for a women's fight or any




type of fight for that matter, no matter the sex or what people want to be. The situation is that males on average are stronger, taller and faster and the outcome will be unfair and discriminatory to women, and it was only just recently that a lady wrote that in the *Daily Mercury* in Mackay.

Many feel like they are being bullied and attacked into silence too. They are not the only ones. Pretty much everyone is too afraid to speak out in some situations in today's world because they risk losing sponsorships and opportunities, jobs and even relationships. It has become a difficult situation for most people, but the biggest thing we need to do is preserve sport for everyone to participate in equally and fairly across the board. I have two daughters. Regardless of whatever their choice is in life, if they can compete fairly so be it.

If someone does not stand up for the rights of these people—either way—the outcome is that there will eventually be no women's sport at all. The consequences, in other words, will be the end of opportunities for some women and girls in sports. They may feel that they cannot compete on certain levels. It is vital therefore that the integrity of women's competitions in Queensland be preserved and that we stand up for the rights of any female athletes who will be discriminated against by allowing any sort of women or men who identify as whoever they identify as in their sporting competitions. No matter how hard they trained or how hard they push themselves, they would be beaten, and most of the ladies are saying that. As I said, there is a lady in Mackay in the latest paper saying the same thing. Should we go against their wishes? Whose wishes are right and whose wishes are wrong? They are just coming from their own point of view. Everyone should have the chance to participate in sport, but they need to participate on a level playing field.

**Mr Dametto** interjected.

**Mr ANDREW:** I take the interjection. This is not about politics; it is about women's right to compete fairly and women's right to win. Female athletes deserve the same opportunity as males to excel and chase their dreams. The integrity of women's sport must be protected, as I said earlier. This is simply about making sure that women can safely compete and have the same opportunities as men to excel in the sport that they have trained for. Any other gender that wants it should have that opportunity as well. It is not about wanting to discriminate against anybody; it is solely about women having the opportunity to compete and win in women's sport. As the father of two young girls, it gives me great pleasure to put those facts out there.

 **Mr BERKMAN** (Maiwar—Grn) (5.25 pm): I do not need my five minutes. It is very rare for us on the crossbench to have an opportunity to contribute on a private member's motion, so I will just take the opportunity to put on the record how repugnant I find this motion and I want to speak very briefly in support of all of those trans people in my life—all my friends and loved ones—for whom this motion is a real affront. It is completely unnecessary to drag this kind of disgusting conservative dog-whistling politics in here, and I think it is telling that we are hearing not a single word from the opposition to speak against it. We still have the Prime Minister's hand-picked candidate down in Warringah who is being let off the chain to carry on with all kinds of disgusting transphobic rhetoric. We should not stand for it. We cannot stand for transphobia in this place or anywhere in society. I will leave it at that so that hopefully we can close off this debate and put the issue to bed.

Division: Question put—That the motion be agreed to.

**AYES, 33:**

**LNP, 30—**Bates, Bennett, Bleijie, Boothman, Camm, Crisafulli, Frecklington, Gerber, Janetzki, Langbroek, Last, Leahy, Lister, Mander, McDonald, Mickelberg, Millar, Minnikin, Molhoek, Nicholls, O'Connor, Perrett, Powell, Purdie, Robinson, Rowan, Simpson, Stevens, Watts, Weir.

**KAP, 2—**Dametto, Katter.

**PHON, 1—**Andrew.

**NOES, 49:**

**ALP, 47—**Bailey, Boyd, Brown, Bush, Butcher, Crawford, D'Ath, de Brenni, Dick, Enoch, Farmer, Fentiman, Furner, Gilbert, Grace, Harper, Healy, Hinchliffe, Howard, A. King, S. King, Linard, Lui, Madden, Martin, McCallum, McMahon, McMillan, Mellish, Miles, Mullen, O'Rourke, Palaszczuk, Pease, Power, Pugh, Richards, Russo, Ryan, Saunders, Scanlon, Skelton, Smith, Sullivan, Tantari, Walker, Whiting.

**Grn, 2—**Berkman, MacMahon.


Pairs: Hunt, Hart; Lauga, Crandon; Stewart, Krause.

Resolved in the negative.


**POLICE SERVICE ADMINISTRATION AND OTHER LEGISLATION AMENDMENT  
BILL****Second Reading**

Resumed from p. 1082, on motion of Mr Ryan—

That the bill be now read a second time.

 **Mr LAST** (Burdekin—LNP) (5.32 pm), continuing: Queenslanders know that many areas of our state are currently under siege by juvenile offenders. Record rates of unlawful entry and unlawful use of a motor vehicle are virtually the norm in places like Townsville and Cairns. While Queenslanders will embrace any assistance in tackling crime, it is important to ensure that the role of sworn police officers is paramount in the prevention of and response to crime in this state.

Those of us on this side of the House will always support bills that improve the safety and security of Queenslanders. We also recognise that when we speak about a state owned building we are talking about buildings owned by Queenslanders. Where legislation is needed to improve safety and security we will give it our full and honest consideration. When the legislation and the reasons for it are sound we will support that legislation. In saying that, we reserve the right to ask questions in this House. I would ask the minister to respond to those questions that I have asked, questions around the adequacy of training for our protective security officers given additional powers previously only conferred upon the position of senior protective security officers. Adequate funding must be available for the provision of initial and ongoing training plus provision of equipment such as body worn cameras. I will be supporting this bill and I ask other members to do so in the interests of the safety and security of Queensland and all Queenslanders.

 **Mr POWER** (Logan—ALP) (5.34 pm): I rise to speak to the Police Service Administration and Other Legislation Amendment Bill. The bill was referred to the Economics and Governance Committee for examination. As chair of the committee, along with the deputy chair, the member for Hervey Bay, the member for Macalister and others, I take very seriously our responsibility whenever there is an extension of police powers because these are very serious powers that are given to a certain set of Queenslanders: the police and, in this case, protective services officers.

We take very seriously the roles and responsibilities they have because we know that the police take it very seriously. To that end we initiated an inquiry on 16 November 2021, invited written submissions on the bill through identified stakeholders and others and received the submissions that are listed in appendix A of our report. We also noted the very extensive consultation from the department that is set out in the explanatory notes. We received a very comprehensive written briefing on the bill from the Queensland Police Service prior to the public briefing from officials of the QPS and the Department of Environment and Science. We requested and received written advice from the QPS on the issues raised in submissions.

We take very seriously the extension of the powers of officials, either police or in this case protective services officers. We recognise that there needs to be safeguards in place. After the comprehensive briefing and having examined the bill in detail, all members of the committee reached the unanimous conclusion that the bill be passed because we felt it was for the benefit of Queenslanders.

I recognise our protective security officers and senior protective security officers for the work they do in protecting not only the property of Queenslanders but also the health and security of Queenslanders. These are very vital and valuable contributions. They dealt with over 2,500 alarms and over 5,500 duress alarms, reaching out and responding to ensure the safety of public servants and, let me say, members of this House who rely on their protection. We value what they do and that is why we wish to ensure that this act is right.

To summarise for members of the House and those listening, the bill seeks to establish uniform powers, with minor exceptions, between the protective services of senior protective security officers and protective services officers—that is, that they have the power to require a person to provide their name and address and their reasons for entering into a building. We should note that these powers, unlike the powers of police officers, are only exercisable in the buildings they are tasked to protect.

Further to that, in the same place they can seize any contraband possessed by the person. They cannot, unlike police officers, use those powers outside those sites. They can also direct a person to leave a building or remove a person from the building where it is a state government building and detain a person suspected of committing an offence against the State Buildings Protective Security Act or an

offence against any other law by reason of having done anything or having had anything in the person's possession. This brings into line the extensive training that is undergone for protective services officers with senior protective security officers. The entire committee agreed that this was a valuable addition to the law and that is why we supported it.

I note that the protective services officers have two uniforms. They can wear either a white shirt and dark trousers with the QPS shoulder patches, which are very similar to those worn by police officers except that they are maroon in colour, or the QPS polo shirt, complete with a blue-and-white checkerboard, with 'Protective Services' emblazoned across the shoulders. That means that they are easily recognisable. Members of the public would be well aware that, if anyone were to impersonate one of those officers, these new laws will make it a more serious offence. Of course, impersonating an officer by wearing a police uniform or displaying a fake badge is a criminal offence, and it should be. A person pretending to be a police officer is trying to make the public think that they have the powers of a police officer, which is a serious offence. All on-duty police officers, whether in plain clothes or uniform, are required to carry their QPS identification, which consists of the QPS metal badge and an identification card with the officer's name, registration and photograph. A member of the public may ask to view an officer's QPS identification to verify the officer's credentials and may also contact the local police to verify an officer's details.

For those impersonating a police officer there is a maximum term of imprisonment of up to three years. Police officers are respected members of the community with a position and a role that should never be taken for granted. The position of protective services officers should also be protected in the same way. In the Criminal Code, indictable offences already exist to prohibit the impersonation of another so it is a serious offence for a protective services officer to pretend to be a police officer.

These indictable offences require the prosecution to prove that the person was impersonating an officer as well as additional elements such as an intent to defraud or that the impersonator was doing something that only a public officer should do, which would cover parading a fake identity. The new offence creates a strict liability for pretending to be a protective services officer, which is consistent with the approach taken with impersonating the other 85 types of public officials in Queensland.

The Queensland government is committed to high ethical standards for all of our public officials and, as such, the people who do that work should be protected. A public official includes but is not restricted to people working in parliament, government departments, statutory authorities and local councils, magistrates and judges, members of parliament—I do not know why anyone would want to pretend to be the member for Mermaid Beach, but it is possible—members of the Police Service and medical professionals such as paramedics.

This offence provision is necessary because of the unique functions that protective services officers perform. For example, officers may force an entrant to leave a state building. The entrant should know that the PSO exercising significant powers within a public building is not an offender pretending to be something he or she is not. Additionally, this offence provision may deter an offender from gaining access to restricted areas by disguising themselves as a PSO. The offence has a maximum penalty of 100 penalty units, which is identical with the offence of impersonating a police officer and is consistent with the maximum penalties imposed for impersonating other public officials in Queensland.

There are numerous advantages to this amendment including: improving the security of state buildings, including the parliament; ensuring that impersonating offences are consistently applied between protective services officers and police officers; and enhancing consistency with other jurisdictions. As I said, the committee carefully examined the extension of these powers and some of the other aspects of the bill. We felt that they will improve the performance and utility of protective services officers. For that reason, we commend the bill to the House.



**Mr STEVENS** (Mermaid Beach—LNP) (5.44 pm): I rise to make a small contribution to the Police Service Administration and Other Legislation Amendment Bill. It seems rather incongruous and perhaps even unusual that this particular bill was referred to the Economics and Governance Committee. Whilst my experience with the police has been limited—thank goodness; I have been on the right side of the law—the committee was pleased to give full and frank consideration to the bill given the workload of other portfolio committees under the parliamentary jurisdiction.

Mr Deputy Speaker, you will note that this is one of the rare occasions when there is no dissenting report or statement of reservation from the opposition members, which I would say is quite unusual. However, we believe that the opportunity to improve security and safety through these amendments to the Police Service Administration Act is very important. We believe that anything that assists law-and-

order and protection people within this state should be supported. While I could talk about areas where we do not believe our police are supported enough by the current government, that is not a part of this debate tonight. This is a friendly debate.


In terms of the proposed changes to increase the safety and security of protective services officers, we live in a world that is increasingly driven by people with issues such as mental health issues, drug and alcohol related issues and all of those things. Therefore, it is becoming increasingly difficult to protect people who need shelter from those who are so affected. If we can put in place mechanisms to create a better way for the people charged with protecting us, we are all for those changes and additions. For instance, I refer to body worn cameras. While a few in society may see the use of body worn cameras as an intrusion into their privacy and so on, it is my strong view that those cameras are there for the protection of not only the officer but also people who may themselves be in difficulties. The cameras may protect them from making a mistake that could lead to greater difficulties in their future. I believe body worn cameras are a wonderful addition for those officers and that should be supported.

We note that the government, through the minister, should ensure that the department is adequately funded not only for the equipment but also for training. It is very important that proper training is adequately financed. There are members of the committee who are far more experienced in police matters than I will ever be and they know that it is absolutely necessary and important that the people who will be using this new gear are well trained before they are expected to embark on their duties under this new regime.

I understand removing the requirement for police officers to have an identity card issued under the Forestry Act, which is a major change. Over Easter I camped next to a national park where I saw some people from the national parks service. I could have been anybody—a nut bag or anything. I withdraw, Chair. For them to have the ability to identify people quickly and move them on if necessary is incredibly important for the efficient and effective oversight of those areas. The legislation authorises PSOs to seize contraband located in the performance of their duties, which I think is also a very important thing for them to be able to do.

As the chair mentioned earlier, there are provisions relating to prohibiting the impersonation of PSOs and clarifying the offences of assault or resist a PSO and obstruct a PSO. I note there will be alcohol and drug testing. That will have a positive outcome in terms of all of the officers involved in this change.

I can only recommend the passing of this bill. I certainly support any measures the government puts in place through this House to support our officers. In terms of police numbers—the shadow police minister raised this—I hope it is very clear that the transfer of PSOs does not contribute to the increased numbers of police we have been promised in the years ahead. I would hate to see the government fudging figures. I know that they would not do that sort of thing, but I mention it in case it crossed their mind. Obviously we should keep those folks separate in terms of the number of extra police promised by the government. These transferred officers should not be counted in that regard. I am supportive of the bill passing the parliament. I am greatly supportive of the police and of the new powers for PSOs.

 **Mrs McMAHON** (Macalister—ALP) (5.51 pm): I rise to speak in support of the Police Service Administration and Other Legislation Amendment Bill 2021. As a member of the Economics and Governance Committee which inquired into the bill, I thank my fellow committee members; the chair, the eminently capable member for Logan; the committee secretariat, who assisted us in this inquiry; and those who made submissions.

**Mr Stevens:** And the deputy chair.

**Mrs McMAHON:** Yes, I refer to the deputy chair, who made it relatively painless. The minister has outlined the objectives of the bill. In my contribution I would like to focus on the changes this bill will make on the state government protective security service organisation.

As a background, Protective Services was established in 1984 and tasked with providing security services for Queensland government buildings. Currently the organisation provides static and mobile security services for over 80 state government buildings. The need for such security may not seem obvious if you consider the number of state government buildings at this end of the city, where public servants go about their duties in relative peace and comfort, but those 80 buildings also include 38 court precincts throughout Queensland. Those entering court facilities can often present a risk to those who work in the court precinct if not for the security procedures and personnel in place.

In 2016 Protective Services was integrated into the Queensland Police Service following a review of the Public Safety Business Agency. This has certainly streamlined a number of security and reporting protocols around overall public safety. The issue at the heart of this bill is to provide streamlined powers

for protective services officers. In the Queensland Police Service, all sworn officers have the same powers regardless of rank. This ensures that every police officer is capable and equipped to respond to matters of public safety without delay. For protective services officers, this is currently not the case.

Currently there are two ranks within Protective Services: protective security officers and senior protective security officers. A protective security officer may only ask a person entering a state building if they will participate in electronic screening and allow their belongings to be searched. They have no power to require compliance with those requests. However, a senior protective security officer may require a person to provide their name, address and reason for being in the state building; seize any contraband possessed by the person; direct a person to leave a building or remove a person from the building; and detain a person suspected of committing an offence against a relevant law.


In order for a protective security officer to exercise those powers, they must do so in the presence of a senior protective security officer. This often causes delays and frequent calls for service for those senior officers. Queensland is the only state jurisdiction that makes such a distinction between the PSOs and the SPSOs. This bill will see the amalgamation of those two roles into one group, the protective services officers.

The training of all protective services officers will be increased from four to five weeks at the Queensland Police Service Academy and will incorporate the increased application of powers. When asked about the increased cost of training, Superintendent Dermody advised that this would be offset by reductions in the current overtime requirements. There is currently an ongoing need for those senior officers to be present in order to ensure sufficient security within those state government buildings. This means that many are rostered on overtime to cater for leave and other roster impacts. By having a single officer category, the imperative to have those officers on overtime will be greatly reduced, thereby making savings to the overall operating costs of the organisation.

Finally, I would like to touch on the checks and balances that come with an increased application of powers for the new class of protective services officers. Provisions are contained within the bill to allow protective servicea officers to use body worn cameras. The use of these devices increases accountability, integrity and public scrutiny. I note that the CCC maintains oversight of the actions of and complaints regarding protective services officers. The CCC routinely comment on the advantages of the use of body worn cameras in ground-truthing many complaints that they receive. Acknowledging the comments made by the member for Mermaid Beach, body worn cameras—courtesy of the Palaszczuk Labor government—have been rolled out to first response officers throughout the state. Noting that Protective Services falls under the Queensland Police Service, those officers operating will have access to body worn cameras and the funding and training for them that comes through the Queensland Police Service.

Protective services officers will be subject to the same drug and alcohol testing regime as police officers and watch house officers. Given the expansion of powers to the protective services officers and their authorisation to use force in the exercise of those powers—much like police officers—it is only fitting and sensible that they be subject to the same amount of scrutiny when it comes to exercising powers in the name of public safety.

I say a big thankyou to all of those protective services officers or, as we have affectionately known them, the 'white shirts' who have played a significant role in public safety in state government buildings for decades. I know that as members of the Queensland Police Service we work extremely effectively and efficiently with them. In fact, security at the Queensland Police Service was often provided by the white shirts. To have them training at the police academy now is a great combination of all that training put together. The fact is that many protective services officers make their way into the Queensland Police Service and vice versa. As officers age out of the Police Service they often transition to the white shirts. It is great to see that that level of experience and training will not be lost to Queensland and that the people who know how to use those powers will have further opportunities to provide service to Queensland as well. I commend the bill to the House.

 **Mr PURDIE** (Ninderry—LNP) (5.57 pm): I rise to make a short contribution to the Police Service Administration and Other Legislation Amendment Bill. This bill seeks to update the legislative framework of the state government protective security services and increase the efficiency for police officers acting as police officials under the Forestry Act, the Marine Parks Act, the Nature Conservation Act and the Recreation Areas Management Act. I thank my fellow members of the Economics and Governance Committee and endorse a lot of what the member for Macalister just said in terms of how the relationship between the Queensland police and the 'white shirts' has been long and long valued. As the member for Macalister mentioned, often it is a bit of a pathway to the police, but more often than not police, who are compelled to retire at 60, end up in that position.

The committee's consideration of this bill extended to only two publicly available submissions, from the Queensland Law Society and the CCC. While the CCC supported the bill, the Queensland Law Society expressed concerns around the need to ensure adequate training in the expansion of powers. I will come back to that.

As I mentioned earlier, the legislation serves a primary purpose of streamlining Protective Services by repealing the State Buildings Protective Security Act and the State Buildings Protective Security Regulation and relocating the relevant provisions to the Police Powers and Responsibilities Act and the Police Service Administration Act 1990. It also makes amendments to the Queensland Parks and Wildlife Service legislation to improve administrative efficiencies for police officers exercising powers under the Forestry Act, the Marine Parks Act and the Recreation Areas Management Act.

The amendments to modernise Protective Services could be considered long overdue when we consider the important role of this government institution. Protective Services is responsible for the management of security services for over 80 Queensland government buildings and 400 educational facilities. It also monitors over 2,500 alarms and over 5,500 duress alarms, including those in our electorate offices. Its role also extends to monitoring around 700 fire detection services and alarms in key government facilities.

The State Buildings Protective Security Act, the SBPSA, authorises security officers to exercise certain security powers in relation to persons in or about to enter state buildings. Under the act, protective security officers are authorised to conduct basic safety checks while senior protective security officers are granted greater powers, including the authority to request personal information, seize prescribed materials and detain and remove individuals. From 1984 to 2000 police had the same powers as senior protective security officers under the SBPSA until their powers were relocated to the Police Powers and Responsibilities Act, the PPRA. This authorises police officers to exercise similar, but not the same, powers as senior protective security officers.

In 2016 Protective Services was integrated into the Queensland Police Service in response to a review into the Public Safety Business Agency. Since then QPS has reviewed the SBPSA and regulation and found that the amendments proposed in this legislation will increase efficiencies and savings and further promote the integration of Protective Services into the QPS as well as ensure the government meets its obligations to provide for the safety and security of people in government buildings. Given this is such a fundamental role of government, it does raise the question: why has it taken so long for these amendments to be made?

The bill will repeal the SBPSA and the regulation and the appropriate provisions will be reallocated to the PPRA, the Police Powers and Responsibilities Act, and to the PSAA, the Police Service Administration Act. While this will result in a number of important reforms, there are a few key elements which have not been clearly defined, including clearer definitions around what adequate training will entail and ensuring these officers have access to body worn cameras.

In terms of training, by amalgamating protective security officers and senior protective security officers into one group called PSOs, it will effectively mean all PSOs will have the same higher level security powers currently exercised by senior officers. However, existing staff will be provided with only an additional one week of training as per the transition, while new staff will undertake just five weeks of training compared to the six weeks of training currently required for senior protective security officers. Reference is also made to computer-based training which cannot, in any circumstance, be expected to replace or simulate face-to-face learning which is crucial in these roles.

These amendments will also introduce a new offence prohibiting the impersonation of a PSO which will carry a maximum penalty of 100 penalty units. They will also clarify the use of force of a PSO and that the offence to assault or resist a PSO includes obstruction. Other key aspects include expanding alcohol and drug testing to PSOs and authorising them to use body worn cameras. Given the slow rollout of body worn cameras to our frontline police officers, I question the government's capacity to ensure the timely supply of this essential equipment to the fleet of 400 protective services officers.

During the committee's public hearing, Assistant Commissioner Platz said that 'aligning Protective Services with QPS is, and was, a logical and practical arrangement as both agencies are dedicated to providing safety and security across our communities'. She also said that the significance of the security services that Protective Services provide cannot be understated. She stated—

Their services go beyond simply protected bricks and mortar. Importantly, the role of this group extends to protecting government employees who use these buildings and the visitors who frequent them. Government buildings must be maintained as a safe environment. Without this, the business of government may be compromised, adversely affecting our community and way of life.

The amendment to the Police Service Administration Act 1990 included in the bill which classes protective services officers and those in training as members of the QPS also raises some red flags, as we know how this state Labor government operates. Will these extra officers be included in the government's commitment to deliver 2,025 extra police staff by 2025?

Another element of this bill will improve administrative efficiencies for police officers acting as public officials under Queensland Parks and Wildlife Service legislation and in the administration of identity cards. As part of PPRA, QPS officers may be trained as public officials, which gives them a range of authorities when carrying out duties in protected areas such as marine parks, forests and other declared areas. Since 2018 more than 120 police officers have been appointed as public officials, which has resulted in positive outcomes with respect to protecting public safety and natural, cultural and marine resources, including wildlife poaching and trafficking. Currently, police must produce an identity card when exercising such powers. However, it has been recognised that the administrative processes attached to this requirement are out of date and burdensome.

By amending the QPWS legislation, it will remove the requirements for police to be issued with an identification card under the Forestry Act, the Marine Parks Act and the Recreation Areas Management Act, along with the requirement to produce the identity card when exercising their powers under these acts. Further, the bill will also streamline identity card requirements for other departmental staff appointed as public officials by listing all relevant appointments under different acts on the one card. For QPS officers, this means they will only need to show their police ID when not in uniform if they are exercising their power under QPWS legislation.

In the case of forestry officers, the bill clarifies the requirements for identification when they are issuing a direction as being the wearing of a departmental issued uniform and badge and the activation of lights on a departmental vehicle. All other conservation officers will be required to show their ID at all times when exercising their powers under the act, regardless of whether or not they are in uniform.

While the bill does create efficiencies and implement some practical improvements, there remains some fundamental issues that have been simply overlooked or ignored in the drafting of this bill, some of which have raised more questions than answers. I will not be opposing the bill.



**Mr TANTARI** (Hervey Bay—ALP) (6.07 pm): I rise in support of the Police Service Administration and other Legislation Amendment Bill 2021. The main objective of the bill is to modernise the legislative framework underpinning Protective Services, which manage the security of Queensland government buildings and assets, and to increase efficiencies for police officers acting as public officials under a number of acts including the Forestry Act, the Marine Parks Act, the Nature Conservation Act and the Recreation Areas Management Act and the management of identity card administration under these acts.

By way of a little background to this bill, the state government of the day passed into law the State Buildings Protective Security Act 1993, the SBPSA, which established the protective security service, better known as Protective Services, with the main task of this service being to provide security services for Queensland government buildings. Protective Services today comprises over 400 staff providing mobile and static security for government across Queensland. The excellent services provided by these officers include onsite security of government property assets, alarm monitoring and response service, mobile patrolling of property assets and government identification card production.

Protective Services is responsible for the managing of security services across a large portfolio of over 80 Queensland government buildings across our state, including those in the regions, and over 400 educational facilities, including the provision of static security for our 38 courts. This is achieved in part through providing building services coordinators who manage security procedures in 47 major government owned or leased buildings. I would particularly like to give a shout-out at this time to those hardworking men and women of Protective Services across the regions at the many regional government buildings, like the Brendan Hansen Building in Hervey Bay and our regional courts. They do a great job and work hard to keep our community members safe.

Our Protective Services' operations centre monitors over 2,500 alarms within Queensland and northern New South Wales and over 5,500 duress alarms across Queensland, including our electorate offices across the state. I have no doubt that members in this place are grateful in the knowledge that this service is ready and available to protect not only ourselves as members but our staff, who can at times be subjected to the most disgraceful and threatening behaviours from individuals who believe it is their right to abuse and threaten. I must add, it was heightened in recent times by activism around COVID determinations and a small proportion of the community that sought to elevate their protests by confronting electorate officers with their point of view, which in some instances became very untidy.

Protective Services also monitors about 700 fire detection devices as well as facilities' alarms, which include power and air conditioning monitoring for critical government buildings such as the Queensland State Archives and Queensland radioactive waste storage sites, protecting the condition of those buildings to keep Queensland's records and waste safe. To provide for the appropriate security of these state buildings, the SBPSA authorised security officers to exercise certain security powers in relation to persons entering the places I have just mentioned. Various powers given under the SBPSA include screening persons, inspecting vehicles, demanding details from persons, seizing contraband and the directing and/or removal of persons. Senior protective security officers also have the power of detention and other powers equivalent to a police officer except the power of arrest. These appropriate actions are vital to give protection to users of these buildings. This is why this bill provides enhanced mechanisms for protective services officers to undertake these duties.

This bill aims to give effect to changes by: repealing the SBPSA; simplifying and streamlining the powers of protective services officers, including removing the distinction between PSO and senior PSO to provide a consistent set of powers for all officers; consolidating and rationalising the powers of PSOs and police officers operating alongside them in state buildings; clarifying provisions authorising PSOs to use body worn cameras; and applying the Queensland Police Service alcohol and drug testing regime to PSOs.

The bill also contains amendments to simplify or clarify identification requirements for police officers and other government employees, including addressing the existing duplication in identity card arrangements for police officers appointed as public officials under Queensland Parks and Wildlife Service legislation who are currently issued identification under both this legislation and police legislation. In the minister's introductory speech, the minister advised that the two key objects of this bill have a commonality, and that is to deliver efficiencies and provide improvements in administration for officers engaged in public safety and enforcement duties.

In transferring the powers of PSOs from the SBPSA to the Police Powers and Responsibilities Act, the PPRA, the bill also proposes to establish a single consistent set of powers for Protective Services staff who provide security services in state government buildings. Queensland is the only Australian jurisdiction that differentiates between PSOs and senior PSOs according to the powers that each group may exercise. Currently, protective security officers are only able to engage some of the powers available to senior protective security officers who, under the SBPSA, hold all the powers of a police officer within state buildings except the power of arrest. PSOs may only ask a person entering a building if they will participate in electronic screening and allow for belongings, including their vehicle, to be searched. They may not require a person in or entering a state building to comply with these requests, nor are they authorised to do so. As a result, PSOs may only function effectively in the presence of a senior protective security officer who is able to engage the full range of powers under the SBPSA.

In its submission to the committee the Queensland Police Service stated that this has led to most Protective Services clients requesting the presence of a senior protective security officer with a mix of officers skewed to reflect this demand. The QPS identified that the ongoing differences between the powers of these two categories of officers potentially compromises community safety and may lead to unnecessary risks for protective security officers. The QPS reported that the disparity in powers posed on staff allocation created challenges, adding complexity to rostering arrangements. This bill proposes to resolve these issues and promote consistency with other jurisdictions by amalgamating PSOs and senior protective security officers into one group of officers called protective services officers, or PSOs. PSOs would be authorised with the powers currently afforded to senior protective security officers.


This bill provides PSOs with a uniform set of powers that are applicable irrespective of the officer's rank. This means that PSOs, including those currently engaged as protective security officers, would be authorised to discharge powers currently reserved for senior protective security officers. Again it is important to note that PSOs, unlike senior protective security officers, would not have all the powers of a police officer in a state building. For example, a PSO would not be able to give a lawfully issued direction to allow the officer to inspect an entrant's belongings, remove outer garments, remove articles from the entrant's pockets, or a range of other powers otherwise given to police officers. The PSO would be empowered to ask an entrant to undertake or submit to all of these actions but cannot require them to comply. Senior protective security officers currently can. If the entrant declines to comply, the PSO would be able to direct the entrant to leave the building or not enter the building. The Queensland Police Service advised that the bill provides the specific powers that provide an appropriate level of security at state buildings.



The bill also covers PSOs being permitted to use body worn cameras. The bill proposes to amend existing provisions in the PPRA which authorise the use of body worn cameras by police officers to extend their application to PSOs. For practical purposes, these provisions include authorisation for usage that is inadvertent or unexpected or is incidental use while acting in the performance of the officer's duty. In its submission to the Economics and Governance Committee, the Crime and Corruption Commission welcomed the bill's provision for the use of body worn cameras by officers, acknowledging the forensic value of body worn camera footage as evidence in investigations.

Whilst reviewing the legislation the Economics and Governance Committee heard from submitters, including the Crime and Corruption Commission and the Queensland Law Society, and held a public departmental briefing which included the Queensland Police Service and the Department of Environment and Science. I would like to thank all of those participants for their contributions to this legislation. I want to acknowledge the work done by the committee secretariat and Economics and Governance Committee, ably chaired by the member for Logan, the deputy chair, the member for Mermaid Beach, and my other colleagues who were on that committee.

This legislation meets its intention. It does create a more modern legislative framework to underpin protective services and does increase the efficiencies for police officers acting as public officials under the various acts I mentioned earlier. I support the bill.

 **Mr McDONALD** (Lockyer—LNP) (6.17 pm): I rise to speak on the Police Service Administration and Other Legislation Amendment Bill. Right from the outset let me thank the Economics and Governance Committee, the secretariat and submitters for the work they have done. I particularly want to thank all of the police officers and protective services officers out there who do a wonderful job in keeping us safe and secure in government buildings. As the community's expectations and standards increase, the roles and responsibilities of protective services officers and police also increase. We welcome that, but we also welcome changes to these bills that will assist in that regard.

The objectives of the bill, as we have heard, are to modernise the legislative framework to achieve these things. Importantly, protective services officers provide services to 80 government buildings and over 400 educational institutions across the state, but they also monitor 2,500 alarms. That is quite a significant workload. As I said before, the world is changing and we need to keep up with that change. This modernisation will be achieved by a number of outcomes, particularly with regard to changes in identity card issues and streamlining different requirements.

Importantly for protective services officers, there is going to be a change in roles. As we have heard, there were originally protective security officers and senior protective security officers. Those senior protective security officers had more extensive powers that protective security officers had to rely on. I really welcome the changes this has made to the work that protective services officers will do. When a member of the public turns up to a government building, they expect anybody dressed in white as a security officer to be able to help them to the same extent, so I really welcome those changes.

It is a simpler process. I will talk a bit later about some training, but I am pleased that the committee is satisfied with that change in the training. Importantly, there will be changes to and clarification of the security powers that may be exercised by both police and the protective services officers in state buildings, as well as an ability for PSOs to deal with contraband. The use of force is also clarified. It may not be the same extent as police but it is certainly an improvement.

The bill also clarifies new offences regarding the impersonation of protective services officers, and it adjusts the offence of assault and resisting a protective services officer to include obstruction, which is very similar to the current offences under the Police Powers and Responsibilities Act that police are able to use. There will also be the expansion of the alcohol and drug testing regime for protective services officers to align with that of police officers and watch house officers across the state.

I am very pleased that the authorisation of protective services officers to wear body worn cameras is also being extended. I hope the government is providing sufficient money for those body worn cameras so that the officers can enjoy their proper use. I do not just mean money to buy the cameras; I also mean money to ensure that the IT regime of saving the data from those cameras is up to speed. As many in this House know, I was a former police officer and oversaw the implementation of body worn cameras throughout my district of the Darling Downs, as it is now known, and the Laidley police division. We did have difficulty initially with regard to the IT upload of data from those cameras. It was a very cumbersome and clunky system, but I am informed that it is a lot better now.

There are many unforeseen advantages of those body worn cameras. In people who are subject to the recording—both the officers and members of the public—the behaviours increase. I can say from reviewing a number of body worn camera videos that the behaviour of police in those circumstances

was like a training regime on just about every occasion. It also alleviated a lot of complaints from members of the public when that video was able to be shown to the mum or dad of the offender who had got the wrong story from their son or daughter. Once they had a look at that video, a lot of those complaints were put to bed very quickly and the son or daughter went to court and pleaded guilty because their behaviour was captured on those cameras. There are those efficiencies, but there are also efficiencies of court processes that protective services officers now will be able to enjoy.


As I said before, I am pleased that there are improvements in efficiencies in this bill, and the police know that they need as many improvements in efficiencies as they can get. As I have mentioned in this House before, back in 2012 there were 290 police per 100,000 people in Queensland. In 2021 there were only 285 police per 100,000 people. With a population now of 5.3 million, that is 265 fewer sworn police officers. That is an enormous amount of operational policing time, so any efficiencies like we are seeing in this bill will be welcomed. Once again, I call upon the minister to demand more resources from the budget process to see those numbers return to the 290 police per 100,000 people. That 265 police might sound like a small number, but that is 500,000 operational hours. That is an enormous resource to allow the police to fight juvenile crime and recidivist crime in the state. I welcome the efficiencies and I know the police will also.

In terms of the training of the protective services officers, I was concerned when I saw that training for all protective services officers will reduce from seven weeks to five weeks, but I am satisfied that the committee has looked at that and that the reduced training will not just be made up of computer based training. I suggest to the minister that we need to review that training regime in about six months so that we know that the standards of training can be delivered.

The police and protective services officers have enjoyed a long association. Many protective services officers have learnt their trade in the security of government buildings and have gone across to the Police Service. I also know that, with the mandatory retirement age of police being 60, many police have gone the other way and gone across to the white shirts and worked in government buildings providing security. There has been a long, symbiotic relationship between the police and protective services officers. I also would like to recognise the great work they did in partnership through the G20 and other major events we have seen in Queensland. Without that cooperation and coordination, there would not have been the achievement of safety and security that we and our community demands.

As mentioned in the explanatory notes, the current powers do not allow for a protective services officer to be able to direct a trespasser to leave. Those issues are being fixed and I welcome that. I was very concerned though that the committee report said that the Police Service was unable to comment on specifics of the feedback provided by stakeholders due to those communications being subject to cabinet-in-confidence. Having experience in this area, I would understand that if there was a danger of it affecting security operations, but it would have been really nice for us and the community to know what that actual reason was to give confidence to the parliament and the committee.

There is no doubt that the bill does create efficiencies. We will not be opposing the bill, but I again call on the minister to demand those extra resources so that our Police Service can increase from the 285 police per 100,000 people back up to the 290. We can do with those 500,000 operational hours of police. I welcome the efficiencies of this bill and so do the police. We are happy to support the bill.

 **Mr RUSSO** (Toohey—ALP) (6.26 pm): I rise in support of the Police Service Administration and Other Legislation Amendment Bill 2021. The main objectives of the bill are to modernise the legislative framework underpinning Protective Services and to increase efficiencies for police officers acting as public officials under the Forestry Act 1959, the Marine Parks Act 2004, the Nature Conservation Act 1992 and the Recreation Areas Management Act 2006—which is Queensland Parks and Wildlife Service legislation—and in identity card administration for these acts.

The Police Service Administration and Other Legislation Amendment Bill was introduced into the Legislative Assembly and referred to the Economics and Governance Committee on 16 November 2021. The committee in its report, which was tabled in the Assembly on 11 February 2022, has recommended to the Assembly that this bill be passed.

On 16 November 2021 the Police Service Administration and Other Legislation Amendment Bill was introduced by the Hon. Mark Ryan MP, Minister for Police and Corrective Services. On 18 November 2021 the bill was referred to the committee for examination. The committee were required to report on the bill by 11 February. During their examination of the bill, the committee as usual invited written submissions on the bill from the public, identified stakeholders and other subscribers. They received two submissions. They received a written briefing on the bill from the Queensland Police

Service before holding a briefing from officials from the QPS and the Department of Environment and Science. They also requested and received written advice from the QPS on issues raised in submissions.

Consultation was circulated to key stakeholders, whose feedback was taken into account in finalising the bill. We would like to thank those stakeholders: the Bar Association of Queensland, the Chief Justice of the Supreme Court, the Chief Judge of the District Court, the Chief Magistrate of the Magistrates Court, the Queensland Human Rights Commission, the Queensland Law Society, the Queensland Police Commissioned Officers' Union of Employees, the Queensland Police Union of Employees and the Together union.

The Queensland Police Service was unable to comment on the specifics of the feedback provided by stakeholders due to those communications, as mentioned by the member for Lockyer, being subject to cabinet-in-confidence. However, the committee was advised that, as a generalisation, the stakeholders were very supportive of the bill that was going to be debated.

The bill is about obtaining the right balance. This bill achieves that. Of the utmost importance is ensuring the safety and security of persons employed within or attending state buildings while also maintaining the rights of those entering or in the protected areas. Government buildings, and the staff who use them, face unique security risks. In addition to customary security concerns, the national terrorism threat level is currently 'probable' and is likely to remain at that level, on my understanding, for the foreseeable future. There is no question that we live in the lucky country, but we cannot take it for granted that we are, or will be in the future, immune to internal or increasing external threats. Australian security agencies have assessed that individuals or groups continue to possess the intent and capability to conduct a terrorist attack in Australia. This threat is elevated for governments or authorities, in particular the military, police and security agencies.

Across Australia, common measures have been adopted to address the security risks associated with government buildings. These measures include: authorising the screening of a person entering or in the protected area, either by electronic screening or by a frisk search; inspection of a vehicle and its contents entering or in the protected area; demand of the name and address details of an entrant and their reason for entering the government building; seizing of contraband; directing a person to leave the area if the person does not comply with security arrangements; and removal of a person who has failed to comply with directions from the area.

In Queensland, the State Buildings Protective Security Act and the Police Powers and Responsibilities Act provide for the security of state buildings by authorising protective security officers, senior protective security officers and police officers to exercise security powers within these areas. The bill improves upon these current security arrangements by combining protective security officers and senior protective security officers into one class of security officers, named protective services officers, and standardising the security powers that may be exercised by PSOs and police officers in a state building.

Queensland is the only Australian jurisdiction that differentiates between the two protective security officers. Currently, protective security officers may only ask a person entering a state building if they will participate in electronic screening and allow their belongings, including their vehicle, to be searched. They may not require a person in or entering a state building to comply with these requests, nor are they authorised to: require the person to provide their name, address and reason for being in the building; seize any contraband possessed by the person; direct a person to leave the building or remove the person from the building; or detain a person suspected of committing an offence against the SBPSA or an offence against any other law by having done anything or having had anything in their possession. These powers may currently only be exercised by senior protective security officers. This bill will provide protective services officers with a uniform set of powers applicable irrespective of the officers' ranks.

It should be noted that the bill does not preclude the organisational recognition of the seniority or expertise of particular officers. The QPS advised that the proposed rank structure will include the rank of protective services officers and, to recognise seniority and/or expertise, the rank of senior protective services officer. However, regardless of rank, these officers will be able to exercise the same powers in a state building.

This bill will also repeal the State Buildings Protective Services Act and incorporate the legislative framework for Protective Services into the state's police legislation to promote the integration process and deliver a single point of truth for the exercise of security powers by officers of Protective Services

and the QPS in state buildings; consolidate and rationalise the powers of protective services officers and the police officers operating alongside them in state buildings; clarify and expand offence provisions; authorise protective services officers to use body worn cameras; and apply the QPS alcohol and drug testing regime to protective services officers. Other functions of PSOs provided for in the bill include providing services on a commercial basis for a building other than a state building under a contract entered into by the state. The QPS affirmed that, despite the recognition of the commercial function of PSOs, these officers would not be able to access the bill's updated regime of security powers in buildings other than state buildings and their precincts.

In addition to amendments to state building security arrangements, the bill also increases efficiencies for police officers acting as public officials under the Nature Conservation Act, the Forestry Act, the Recreation Areas Management Act and the Marine Parks Act—Queensland Parks and Wildlife Service legislation. The amendments in the bill will obviate the need for Queensland Parks and Wildlife Service legislation identity cards to be issued to police officers and for the identity cards to be returned when the appointments end and will create efficiencies in identity card administration. Efficiencies will also be gained through clarifying that a police officer appointed under Queensland Parks and Wildlife Service legislation need only comply with the statutory requirements outlined in the Police Powers and Responsibilities Act when identifying themselves.

It is important to note that the QPS has undertaken a financial analysis to evaluate costs that may arise as a result of the implementation of this bill. I commend the bill to the House.



**Mr MADDEN** (Ipswich West—ALP) (6.37 pm): I rise to contribute to the debate on the Police Service Administration and Other Legislation Amendment Bill 2021. Policy objectives and reasons for them, as detailed in the explanatory notes, are, firstly, to modernise the legislative framework underpinning Protective Services and, secondly, to increase efficiencies for police officers acting as public officials under the Forestry Act, the Marine Parks Act, the Nature Conservation Act and the Recreation Areas Management Act, as well as the identity card administration for these acts. As the Minister for Police and Corrective Services and Minister for Fire and Emergency Services explained in his explanatory speech, made on 16 November 2021 when he introduced the bill, the primary objectives of the bill are to modernise the legislative framework that underpins the Protective Services Group within the Queensland Police Service and to improve the provisions relating to identity cards issued under legislation administered by the Department of Environment and Science to support the operations of the Queensland Parks and Wildlife Service.

I would like to acknowledge the hard work and dedication of the police officers and staff at the police stations located in my electorate of Ipswich West or which service my electorate. These include the Marburg, Rosewood, Yamanto and Karana Downs police stations. In particular, I would like to acknowledge the officers in charge of these stations: Sergeant Anthony Garland at Marburg; Sergeant Travis Ehrich at Rosewood; Senior Sergeant Michael Collett, acting officer in charge at Yamanto; and Senior Sergeant Lee Fortune at the Karana Downs Police Station. I also mention Acting Superintendent of the Ipswich police district, Kylie Rigg, who is filling in for Dave Cuskelly.

The police officers in the Ipswich West electorate are an exceptional group of officers and do a great job enforcing the goals of the Queensland Police Service, which include protecting and supporting the Queensland community, preventing and detecting crime, upholding the law, administering the law fairly and efficiently, and bringing offenders to justice. I am pleased to work collaboratively with my local police officers. Whenever I organise community meetings they are pleased to assist, often as guest speakers.

After the bill was tabled by the minister it was referred to the Economics and Governance Committee for review. In its report, the committee made only one recommendation and that was that the Police Service Administration and Other Legislation Amendment Bill 2021 be passed.

The bill will remove requirements for police officers to produce an identity card issued under the Queensland Parks and Wildlife Service legislation when exercising a power. This duplicates existing requirements for production of police identification issued under the Police Powers and Responsibilities Act 2000. The bill will also streamline identity card requirements for other state government employees by allowing a single identity card to list the appointments of the person under the legislation administered by the Department of Environment and Science.

Provisions of the bill will also amalgamate protective security officers and senior protective security officers into one group called protective services officers, or PSOs. Currently, these two ranks have different powers. Under this legislation they will have the same powers. The legislation will:

authorise PSOs to use body worn cameras; create a new offence of prohibiting the impersonation of a PSO; consolidate and rationalise the security powers that may be exercised by police and PSOs in state buildings; clarify that the offence to assault or resist a PSO includes obstructing a PSO; and authorise PSOs to seize contraband located in the performance of their duties.


As the minister explained in his explanatory speech, the bill will apply to the Protective Services Group, which is a Queensland Police Service unit under the Security and Counter Terrorism Command. Protective services officers serve in the Protective Services Group, which provides security for important government infrastructure including state and Catholic schools, the Queensland Cultural Centre, Queensland courts, Mineral House and 1 William Street as well as government offices right across the state. The Protective Services Group offers a wide range of security and technical and consultancy services. It also produces government identity cards for Queensland government agencies. Service in the Protective Services Group currently requires completion of a four-week, full-time training program at the police academy at Oxley, which covers operational skills and tactics training, security legislation, and organisational policies and procedures.

As the Queensland Law Society outlined in its submission, the Protective Services Group was established in 1984 and is currently responsible for the management of security services for more than 80 government buildings, 400 educational facilities and the provision of static security at 38 courts. Protective Services also monitor over 2,500 alarms within the Queensland and northern New South Wales areas and over 5,500 duress alarms in Queensland. They also conduct mobile patrols of state buildings within the Brisbane, Logan and Moreton Bay regions. The effect of the bill, upon assent, will be a requirement that current PSOs undertake a one-week training package delivered to support the transition of currently employed security officers to PSOs, while applicants wishing to become PSOs in the future will need to successfully complete a full-time comprehensive training course of five weeks at the Queensland Police Service Academy.

The Queensland Police Service Assistant Commissioner, Debbie Platz, made submissions to the committee advising that there had been an amalgamation of the protective services officers within the Queensland Police Service. This aligned the Protective Services within QPS, which was a practical and logical arrangement as both agencies are dedicated to providing safety and security across our communities. Assistant Commissioner Debbie Platz reported that in respect of the QPS's ability to use Protective Services Group as part of the QPS employee life cycle, on average about 10 Protective Services Group staff members transition each month to duties within the Queensland Police Service. Some of these Protective Services Group members commence training as police recruits on their way to becoming sworn officers while other members work in other areas of the Queensland Police Service. She said this was a testament to how well the Protective Services Group has already integrated into the Queensland Police Service.

In addition, Assistant Commissioner Platz advised from the outset when Protective Services merged with the QPS, an undertaking was made to ensure that protective services officers were appropriately trained and equipped to perform their duties and the QPS had honoured this commitment. Officer training facilities have been upgraded, curriculum reviews are ongoing and skills maintenance training has been enhanced.

During the course of the integration process, the QPS reviewed the underpinning legislation, the State Buildings Protective Security Regulation 2008, the SBPSA, to ensure that this legislative framework met the contemporary needs of the group and the communities they were protecting. The bill will give effect to the alignment of the two agencies by repealing the SBPSA and incorporating the legislative framework for the Protective Services Group into the state's police legislation to promote the integration process and deliver a single point of truth for the exercise of security powers by officers of the Protective Services Group and the QPS in state buildings. It will also simplify and streamline the powers of the protective services officers including removing the distinction between protective security officers and senior protective security officers to provide a consistent set of powers for all officers. It will also consolidate and rationalise the powers of the protective services officers and protective police officers operating alongside them in state buildings, clarify and expand offence provisions and also allow protective services officers to use body worn cameras. I commend the bill to the House.

 **Mr WHITING** (Bancroft—ALP) (6.46 pm): I also rise to speak in support of the Police Service Administration and Other Legislation Amendment Bill 2021. We have here an opportunity to recognise the white shirts—the protective services personnel who work throughout the state, and I do not think they get the recognition they deserve. We heard the member for Macalister point out that they have

over 400 staff who provide mobile services and static security services. We have seen them here at Parliament House. I am aware that they also work at our 38 courthouses across Queensland. As we all know, courthouses can get very hectic at times. There can be conflict and they can be stressful. I have no doubt that our protective services officers who work in our courthouses work hard. They are always attentive in providing security for the variety of people going into court, some of whom perhaps do not want to talk to other people. They also ensure that no dangerous objects or weapons are taken into court.

They work at 400 buildings and educational facilities and they manage security procedures in those 47 government owned or operated buildings throughout the state. Obviously there are a lot more here in the CBD, but I do not underestimate the level of service and how necessary they are at regional locations throughout Queensland. Once again, the work they do is tremendous and I do want to pay tribute to them.

When we have chatted to them we know that many, as we have heard, have been in the police or are going into the police. For those students, for example, studying enforcement officer studies at Griffith University, this is a good career path for them.

I also want to pay tribute to those police officers who have been appointed as public officials under the Parks and Wildlife Service legislation. Some 120 police officers are authorised under these particular acts. What we are increasingly seeing is that they are needed on those sites to not only protect public safety but also protect the natural and cultural values in those areas. South-East Queensland is becoming incredibly popular, as is the rest of the state. Our camping areas are becoming more and more popular. More and more people are coming into our natural areas. It is getting quite competitive to get good camping sites and other sites needed for recreational activities. We are hearing increasing stories of conflict or competition at camping facilities as they become more crowded. Through the State Development and Regional Industries Committee we heard some stories of people perhaps taking action into their own hands in trying to enforce what they see as the laws within these natural areas. I do not underestimate how officers are needed in those natural areas. They are increasingly needed. As Queensland becomes more and more popular and those natural areas become more and more popular, we will need people authorised under legislation to take action.

I want to speak particularly about some of the new legislative safeguards that have been brought in to assist the protective services officers and police officers to maintain their standards and to increase public confidence in their professionalism. As we have heard, maintaining public confidence in those who ensure our safety and wellbeing is very much a crucial part of the law and order regime that we have in this state. It is very clear that the public must be certain that police and protective services officers are performing their tasks to safeguard our rights as individuals and those of the people they are protecting. It is very clear that police officers will continue to be subject to the safeguards outlined in the Police Powers and Responsibilities Act 2000, but a further safeguard will be introduced in this bill in relation to the proposed powers to require the name and address of a person in or about to enter a state building and to direct that a person leave a state building. These powers may only be exercised if the police officer reasonably suspects the requirement is necessary to maintain the security of the state building.

**Mr Healy:** That is very important in this day and age.


**Mr WHITING:** Indeed, member for Cairns. I know he has a great interest in security matters in that he always keeps an eye on what is happening around the place just in case, and I will not speculate on the reasons why. The direction to leave a state building with an enforcement act will be required to be recorded in the enforcement register. There are some major changes with regard to the protective services officers and they will be subject to the following safeguards. A protective services officer who is not in uniform must clearly display the officer's identity card or produce that for inspection—that is, their identity card—before exercising a power unless it is reasonably practical not to do so. If it is not reasonably practical, the protective services officer must produce the identity card for inspection at the first reasonable opportunity. In relation to requesting people to state their name and address, this power can only be exercised if the protective services officer reasonably suspects the requirement is necessary to maintain the security of that state building.

With regard to screening, a police officer or a protective services officer or an adult assisting the officer may touch a garment the person is wearing only if the person is of the same sex. The new section of the PPRA will require a police officer or protective services officer inspecting the belongings of an entrant to ensure that that person is caused minimal embarrassment during the examination and

reasonable care is taken to protect the dignity of that person. They are both important safeguards for people entering those buildings. An officer may ask the entrant to allow an inspection of their belongings out of the public view if the officer reasonably suspects it is necessary to protect the dignity of an entrant and it is reasonably practical.

In relation to directions, if an entrant to a state building fails to comply with the screening or inspection process, a PSO or police officer may direct the person to leave the building, so they will have that power or what I see as an equivalent power. However, the PSO is not to give the direction if the entrant tells the PSO that they do not want to be screened, they do not want their belongings inspected and they are prepared to leave the state building immediately with their belongings, or if the PSO has started to screen the entrant or inspect their belongings and the entrant does not want the screening or inspection to continue and is prepared to leave immediately with their bags.

Similar to a police officer, a PSO giving an oral direction must warn, if practical, the person that it is an offence to fail to comply with the direction without a reasonable excuse and give that person another opportunity to comply with the direction. The direction to leave a state building must only be given where the PSO reasonably suspects the requirement is necessary to maintain the security of the state building. This is a fairly comprehensive description of the powers that the PSOs and the police will now be sharing or will have increased to once again maintain the security of the buildings in which we work. These are only some of the important changes, but they are absolutely critical to maintain the safety of the buildings in which we work. I also point out that this is for our staff as well. In recent times, in our electorate offices some of us have experienced incidents that have led us to fear for our safety. Those incidents emphasise to us why it is necessary to make sure that our PSOs and police officers have a broad range of powers to ensure that they can keep us all safe. I commend this bill to the House.

 **Ms PEASE** (Lytton—ALP) (6.56 pm): I rise in support of the Police Service Administration and Other Legislation Amendment Bill 2021. I particularly want to acknowledge the very comprehensive speech that the member for Bancroft gave and I thank him for that. It was very interesting.

On 16 November 2021 the Police Service Administration and Other Legislation Amendment Bill 2021 was introduced into the Legislative Assembly by Mark Ryan MP, Minister for Police and Corrective Services and Minister for Fire and Emergency Services. Then on 18 November 2021 the bill was referred to the Economics and Governance Committee for examination. During its examination of the bill, the committee invited written submissions on the bill from the public, identified stakeholders and emailed subscribers. It received two submissions. The committee also received a written briefing on the bill from the Queensland Police Service and also from officials from the QPS and the Department of Environment and Science. The committee also requested and received written advice from the QPS on issues raised by the submissions.

I take a moment to acknowledge the work of the committee under the leadership of the member for Logan, Linus Power, and the other members of the committee and thank them for their great consideration of the bill and the report that they have produced. I again acknowledge the work of the secretariat. We could not do our work without the great support of the secretariat. I acknowledge the hard work that they undertake from the beginning to the end of the reporting process, so I thank them for that. I also acknowledge the minister, the member for Morayfield, and thank him and his staff and the department for their great work and also the officers who contributed to the report.

As I have already done, I want to acknowledge the QPS, QFES and SES workers but in a different capacity. They provide so much support and safety to our community. I think we should all be very mindful, particularly in such terrible weather, of the great work that they do and the service that they provide to our communities. During COVID they were called upon to undertake border management and other COVID related activities which impacted their workforce and their day-to-day operations. I thank them for their consideration and for taking care of our community during a global pandemic.

The member for Bancroft talked about Queensland Parks and Wildlife Service officers and their engagement in this particular bill. I also acknowledge the great work of QPWS officers. I am very fortunate to have a wonderful QPWS office in the harbour at Manly. They do a great job. The Wynnum police have recently taken over the management and policing of Moreton Island. Moreton Island, or Mulgumpin as we like to call it, is a beautiful national park. It was lovely when the police officers who are based on the island conducted an Anzac Day ceremony on the beach. I thank them for their contribution to the community.

Debate, on motion of Ms Pease, adjourned.

## ADJOURNMENT

### Everton Electorate, Roads



**Mr MANDER** (Everton—LNP) (7.00 pm): In the next four to six weeks the budget will be handed down. It is important that my seat of Everton is not forgotten. The main issue we have is with regard to roads. We do not ask for much. The intersection of South Pine Road and Stafford Road in my electorate is a choke point which causes major congestion and needs to be addressed. The plans to upgrade that intersection have been around now for 10 years. I give credit to my predecessor, Murray Watt, who brought that about. The plans are sitting on a shelf and they require funding.

**Mr Bailey:** Why didn't you do it when you came in? You had three years.

**Mr MANDER:** I will take that interjection. That is an absolute load of rubbish from the transport minister. He has been peddling these mistruths for some time about funding withdrawn. The funding has not been withdrawn, the funding was never there, and we are asking for it so that we can get this upgrade done. Stage 1 was done, which was the Everton Park Link Road, but there will be no advantage from that link road until we get the upgrade of the major intersection. It is a cost of around \$120 million. It is something that the electorate of Everton deserves. It not only affects Everton, but also the northern seat of Pine Rivers, the adjoining seat of Ferny Grove, as well as Stafford. It will benefit a number of electorates. Recently the shadow minister came out to have a look and he could see the problems that that intersection caused.

We are also asking for an upgraded Old Northern Road. All this rain has made it worse. I appreciate the fact that this is happening around the state. Before the rain even started the road surface of Old Northern Road was starting to fall apart. There is a lot of patchwork. This is a major arterial road of the north-west suburbs and it is important that we keep it up to date.

I thank the minister for funding a dangerous spot in my electorate—it only took six or seven letters. I just found out this week that an antislip surface will be put on the intersections of Sizer Street and McIlwraith Street and South Pine Road. This is a known accident spot. I can remember at least six or seven vehicles that have spun out there. Just the other day a motorbike spun out and flipped onto the other side of the road. It is incredibly dangerous. I was going to say it is an accident waiting to happen—accidents have happened. If we do not fix this there will be a fatality. I am grateful that this is being done. This is above politics. We need to ensure that we maintain road safety. It is a simple request. That is all we ask for.

### Skilling Queenslanders for Work



**Mr O'ROURKE** (Rockhampton—ALP) (7.03 pm): A few weeks ago I had the pleasure of congratulating eight graduates who had completed the Fundamentals of Community Pharmacy. They were participants in the Skilling Queenslanders for Work program. Through this training five had already been successful in gaining employment and the other three are now suitably trained for when positions become available.


We heard from Anna who spoke about the uncertainty of work in the hospitality industry during COVID so she decided that she would make a change in her working career. With the support of her husband and her son who had just entered high school, she joined the Fundamentals of Community Pharmacy project. Anna noticed an advertisement for an entry level job with one of the pharmacies. Anna approached the pharmacy to inquire about completing the work placement component of the program with them and she was encouraged to apply for the position. Anna was successful in the interview and commenced casual employment during the first week of the program. The pharmacy was aware of the course completion date and was happy to offer Anna weekend work until she graduated.

This was the second Skilling Queenslanders for Work funding round for 2020-21. The Pharmacy Guild was awarded \$33,500 for the Fundamentals of Community Pharmacy project under the Community Work Skills program to assist 12 disadvantaged Queenslanders in Rockhampton. Project participants achieved a Certificate II in Community Pharmacy to assist them find employment within the community pharmacy sector. Community Work Skills projects provide tailored assistance and integrated learner support to disadvantaged jobseekers while they undertake nationally recognised qualifications up to a certificate III level. The project has provided participants with job preparation and industry networking opportunities for two weeks in industry placement.



Since the Palaszczuk government's Skilling Queenslanders for Work program was reinstated in 2015, the Pharmacy Guild has been successful in securing about \$1.9 million to assist 674 disadvantaged Queenslanders. The first funding round for 2022-23 closed in March, with funding announcements expected in mid June. Skilling Queenslanders for Work has been extremely successful in assisting some of our most disadvantaged into employment. It is a great program.

### Tourism

 **Mr BENNETT** (Burnett—LNP) (7.06 pm): With so much going on in tourism in the nation and around Queensland it is an opportunity to turn a spotlight on the great operators, businesses and opportunities around the Burnett and Bundaberg region. A couple of months ago I had the great honour to team up with Team Bundaberg at the Australian Tourism Awards—and a shout-out to Bundaberg Rum Distilling, ecotourism on Lady Elliott Island and, of course, the Windmill Cafe. I give a shout-out to Joe and his team located across the road from my office—which is all very convenient. They also run the Beach Mill Coffee Bar. It was great to see Bundaberg Rum Distilling given an honorary hall of fame induction. They took out another gold medal at the tourism awards. It was a great night and I am glad that the tourism industry shone not only in Australia but also in Queensland.


On the southern Great Barrier Reef you will find Lady Elliott Island run by Peter Gash and his family since 2005, an ecowarrior doing all things good on the island. Let us not forget Brett Lakey and the Lady Musgrave Experience. These are brand new operations and tourism experiences that have come onto the market and we are very excited. One can go on the HQ pontoon and spend a night at Lady Musgrave. From Agnes Water and 1770 one can experience the reef and the lark tours as well. With all this going on let us not forget Mon Repos and the work that has been done there over the last half a decade.

Carly and Ashley Clark at Splitters Farm run a wonderful tourism operation. It has needed help along the way, but they have done an amazing job to make sure that it is everything that we would expect. Macadamias Australia, with an investment from the government, has put on a terrific new experience. With so many new tourism ventures we could not be more excited about the Burnett and Bundaberg electorates and what we have to offer.

I also give a shout-out to Katherine Reid, the CEO of Bundaberg Tourism. She is a tireless tourism warrior. I take this opportunity to put on record our thanks to Daniel Gschwind, the retiring CEO of the Queensland Tourism Industry Council. We have been to a few functions over the last couple of months in recognition of the valuable contribution he has made.

We are working in partnership with the member for Bundaberg to address the short-term accommodation issues in our region. We want to work together to make sure that tourism operators can benefit from more opportunities being brought to market. We are working with the council on a solution. We have to be mature and keep our focus on this issue. Short-term accommodation is something that the whole region will benefit from. There is vacant state land. The council has to have the will—I guess we all do—and we need operators to come along to make sure Bundaberg is the place of choice to put those beds. Peak demand periods are important for us. We are missing out on sporting and music events. It is time to make sure that not only tourism but everything that goes on in the region can be better supported. I make a call out to anyone who can help. It is time for us to put this accommodation issue to bed.

### Bundamba Electorate, Flood Recovery


 **Mr McCALLUM** (Bundamba—ALP) (7.09 pm): I would like to extend a huge thanks to Frank and the team from Gailles Golf Club whom I joined recently for the Goodna Flood Recovery Golf Day. That community event raised much needed funds, in excess of \$10,000, for our local junior sports clubs that were heavily impacted by the February floods. Those clubs lost literally everything. In some cases, every single piece of their sporting equipment was lost. I place on record my thanks and gratitude to the club staff, the players and members of our local community who turned out in such huge numbers to support our local flood recovery efforts. It was a perfect example of community spirit. It was a perfect example of the Queensland spirit of backing each other and helping each other during tough times.

Queensland communities such as mine are having to do the heavy lifting because the Scott Morrison LNP federal government is not meeting its responsibilities when it comes to our local flood recovery. It is now over 60 days since the Prime Minister granted New South Wales flood victims triple the amount of financial assistance received by flood victims in Queensland communities such as mine. In New South Wales, where a natural disaster was declared, flood victims received \$3,000 while in

Queensland, in communities such as mine, only \$1,000 in assistance was given. That is not fair. It is not equitable. Those people were impacted to the same level by the same weather event. Queensland communities such as mine deserve our fair share.

It is an absolute disgrace that the Prime Minister was dragged kicking and screaming to fund 50 per cent of our \$771 million flood recovery package, which includes funding for things such as buybacks, the raising of houses and building back with flood resistant materials. Our Premier wrote to the Prime Minister to ask for that partnership. The Prime Minister sat on it for over three-and-a-half weeks—almost a month—before writing back to say, no, they would not help. Then he did a backflip. That was a month that communities such as mine lost when it comes to precious flood recovery time. We will not forget it, Queenslanders will not forget it and we will make it known on 21 May.

### M1, Exit 38

 **Mr CRANDON** (Coomera—LNP) (7.12 pm): This morning I joined my colleague the federal member for Forde, Bert van Manen, together with the Hon. Paul Fletcher, the Minister for Communications, Urban Infrastructure, Cities and the Arts and Senator Amanda Stoker at exit 38. Yes, this is about another exit upgrade. I have presided over exit 54 funding, exit 41 funding, exit 49 funding, exit 45 funding and now exit 38 funding. We have a federal commitment for \$55 million in 50 per cent matched funding. Coincidentally, my petition for exit 38 hit the table of this House this morning and I look forward to the minister's response.

The business case for exit 38 has been on his desk since November 2018, but there has been zero funding from this minister—not one dollar. Do members remember exit 41? There was no funding until the federal government came on board. For exit 49 there was no funding until the federal member came forward with 50 per cent funding. Those upgrades not only reduce congestion but also are about unlocking greater economic potential and, of course, they address the safety issues around ramping back onto the M1. Minister Paul Fletcher, member for Forde Bert van Manen and Senator Amanda Stoker are joining me and the people who live and work on the northern Gold Coast in calling on this minister and the Palaszczuk government to match the federal funding for the upgrade of exit 38.


While I am on my feet, I will outline a few failures by the current minister. The Minister for Transport and Main Roads has a total of about \$3.8 billion in blowouts which include: Gold Coast Light Rail stage 3, a \$500 million blowout; Coomera Connector, a \$600 million blowout; Cross River Rail, at least a \$2 billion blowout. He has overseen a blowout in the maintenance backlog, which is now at almost \$6 billion and he has no plan for new transport infrastructure beyond the forward estimates. I will add one more: exit 38.

**Mr BAILEY:** Madam Deputy Speaker, I rise to a point of order. Clearly there are erroneous comments made by the member. I find them personally offensive and I ask that they be withdrawn.

**Madam DEPUTY SPEAKER** (Ms Bush): Member, the member for Miller has found the comments offensive and asks that you withdraw.

**Mr CRANDON:** I withdraw. I will add one more blowout. In 2018 it was estimated that the exit 38 upgrade would cost \$87 million. Today, it will cost \$110 million and counting. This minister is stuck in the slow lane and it is costing Queensland in blowouts. I now look forward to his contribution to the adjournment debate. Hopefully, it will be to announce funding to match the federal government's \$55 million.

### Federal Government, Integrity

 **Hon. MC BAILEY** (Miller—ALP) (Minister for Transport and Main Roads) (7.16 pm): Misusing the integrity of registered charities and indeed a local church for political gain has to be one of the lowest acts a politician can do to get re-elected. Registered charities and churches are the heart and soul of our communities and they work to help the vulnerable in our communities. They are above politics and they are not partisan. Incredibly, we have now seen many instances of charities and a church being misused for political votes by federal members of parliament. The lack of ethics is a disgrace. Trevor Evans, the member for Brisbane—

**Opposition members** interjected.

**Mr BAILEY:** I notice that all of the interjections, the yelling and the screaming are coming from the LNP because the people who are doing this are LNP federal members of parliament. On his material Trevor Evans used the Pyjama Foundation without permission. Arts Access supports artists with

disability and their representative has said that their comments were not meant for election material. Those are two clear instances of Trevor Evans misusing charities to get votes. The lack of ethics and a moral compass is extraordinary. Now Julian Simmonds has been caught out doing the same thing—

**Opposition members** interjected.

**Madam DEPUTY SPEAKER:** The member for Coomera, the member for Everton and the member for Chatsworth will cease their interjections.


**Mr BAILEY:** Julian Simmonds has put out a letter, with his authorisation on it, from a Kenmore parish. That has necessitated the Archdioceses of Brisbane saying that no permission was given for that letter to be used in election material. The Archdiocese of Brisbane has had to come out and say that. What a disgrace! They are both LNP members of parliament. Why would they do it? Probably because they are following the lead of their Deputy Leader—

**Madam DEPUTY SPEAKER:** The member for Coomera is warned under the standing orders.

**Mr BAILEY:**—Josh Frydenberg, who has done the same thing on his material, using Guide Dogs Victoria. If the leaders of your party have no ethics, no moral compass and are misusing charities to get votes, I guess it is a bit of a team effort.

I note that the one thing that brings together those three people without ethics—Frydenberg, Trevor Evans and Julian Simmonds—it is that they are all members of the LNP. Who are the people yelling and screaming across the chamber as I am talking about a matter of ethics and misusing charities? It is LNP members! Isn't that surprising? As Liberal Senator Fierravanti-Wells said, the Prime Minister is a bully and has no moral compass. Neither does his deputy leader, Josh Frydenberg, Trevor Evans and Julian Simmonds and they deserve to be kicked out.

### CopperString 2.0

 **Mr KATTER** (Traeger—KAP) (7.19 pm): I rise to once again speak about CopperString. I commend the Queensland government for recognising the role of critical minerals in the north-west to the global economy and the development of the hydrogen industry, which I am yet to be convinced of but am optimistic about. The government has recognised that these critical minerals need secure and affordable electricity to be developed in the North West Minerals Province. This should be an easy move to make. It should have been easy to decide on a long time ago.

Prior to the federal budget, the Treasurer in this House urged the Prime Minister to provide funds for the CopperString transmission network to connect with the North West Minerals Province and the grid near Townsville. When Josh Frydenberg did not deliver that, the Treasurer in this House said that Scott Morrison had 'given up on Queensland'. The Treasurer had also requested funding for renewable energy, transport, housing and health and said that the Morrison government had failed to deliver that. Anthony Albanese has made no commitment at this point. Does the Treasurer say that Anthony Albanese has given up on Queensland? This is a major project, so we need to hear the Treasurer putting pressure on his federal counterparts to make some commitment. Have they given up?

There have been plenty of commitments on the Olympic Games—we know that is important to the federal opposition, the federal government and the state government—but CopperString does not do anything for my power bill at home in Mount Isa. It does not give us a new sportsground or access to a big sporting event; it helps create wealth to pay for these things. I am here pushing for CopperString to help Queensland and the rest of the country to generate some wealth to pay for this stuff. It should be easy. If we grow this minerals province, as we are advocating in the House, this project should pay for itself. This should have been ticked off a long time ago. The pressure should now be on the federal opposition to commit to this as well; otherwise, there is hypocrisy in this House from the Treasurer and they have also given up on Queensland.

Right now, mines in the North West Minerals Province pay \$350 a megawatt hour for diesel generated power. Mines on the east coast pay an average of \$70 a megawatt hour. Mines are paying two to three times as much out there. How can government members expect to have a great future in base metals—the Deputy Premier talked about it today—if you do not commit to building this infrastructure? There has been some good commitment from the government to this point, but it still is not there. It should have been done 10 years ago. We need a commitment from the federal Labor opposition to stop talking about it and build this infrastructure. We need to make it happen to unlock north-west Queensland.

### Workers Memorial Day; Labour Day



**Mr KING** (Kurwongbah—ALP) (7.22 pm): Every year that I can, I attend Workers Memorial Day. We take time to pause, reflect and remember workers who have lost their lives at work and those who are injured, unable to return to work. We remember those workers who also suffer from work related illnesses such as mesothelioma, asbestosis and black lung, and workers who due to workplace events sadly find it all too much and take their own lives. It is also about the families who have to deal with the results of this death and injury.

Workers Memorial Day is an international event that occurs on 28 April every year. It was great to see a lot of my colleagues come along to show support. Over 50 workers so far this year have left home for their shift, gone off to work and not come home. It is utterly unacceptable. I am proud to be part of a government that has introduced workplace manslaughter legislation—a government that does not compromise when it comes to workplace health and safety.

The mighty trade union movement fights hard every day for workplace safety and conditions. Sadly, it is something those opposite just do not seem to get. We do get it. That is why we work with worker representative groups as well as business: we know it is the only way to lower workplace incidents.

I encourage everyone in this place to take the time next year to attend Workers Memorial Day so that together we can hear from the families and friends of those who have died at work. Maybe some day we can attend this service and have a celebration of no workplace deaths rather than a memorial. We must always remember the dead until then and fight like hell for the living.

Speaking of the mighty trade union movement, the weather was kind for our celebration of Labour Day on Monday, 2 May. The numbers were huge. I am sure that part of it was a show of support for a potential federal Albanese Labor government in the near future as well as disgust with the current LNP mob and their rorts and failings at, well, just about everything. It is always good to celebrate May Day in May, where it should always be. The LNP tried to destroy our history and squash our celebration of the fight for the eight-hour day when it cancelled Labour Day in 2013. We put it back where it belongs, and we on this side of the chamber will always fight and stand up for Queensland workers.

Labour Day is special to me as a proud member of the best union in the trade union movement, the mighty Electrical Trades Union, and as a member of the Australian Labor Party. I was just checking to see who is awake! Our party was founded in the 1890s to fight for better rights at work. It is what drove me to become a union member, a delegate and then a representative in this place. This day is a celebration of what the labour movement has achieved. That is why it has so much meaning to all of us on this side of the House. Sadly, I think time has beaten us. We cannot all join in a verse of *Solidarity Forever*.

### Krause, Mr R, OAM



**Mr KRAUSE** (Scenic Rim—LNP) (7.25 pm): Today I attended a ceremony at Government House in Brisbane at which my father, Robert Krause, was invested into the Order of Australia and presented with his Order of Australia Medal for service to the community of Marburg by Her Excellency the Governor. My mum and brothers were also in attendance.

Our family is proud of Robert's achievements and service to the community over many years. His OAM is well deserved and, I consider, overdue. His service to the community of Marburg began when he was very young—16 in fact—as an office-bearer of the Marburg Cricket Club in 1952. Roles in junior farmers and rural youth followed, including work in taking the organisation to the RNA show—the Ekka—in Brisbane. His association with the Marburg Show Society in the Ipswich West electorate began in 1964. He served in almost every role, and he remains a member to this day after having served as president from 2006 until 2017.

Robert's work did not stop at Marburg, however. In the 1950s and 1960s he served as an office-bearer in the Lutheran Youth of Queensland and spent many hours working with others carving out the bush at Coolum overlooking the ocean to establish Luther Heights, a campsite in the Ninderry electorate that continues to operate for the benefit of the broader community. He was also a key part of driving to have a new school, Faith Lutheran College, built at Plainland in the Lockyer electorate and was then a part of the school's board for 10 years, having previously served as a board member of Bethany Lutheran Primary School in the Ipswich electorate for 11 years, until 1993.


There were many other community activities, too—too many to talk about in the time allotted for this speech—including in the Queensland Dairy Farmers Organisation, the local rural fire brigade and the Marburg State School P&C. He was a member of the Young Liberals and the Young

Country Party—obviously foreseeing the future of the LNP—and served for many years in various positions within the Country and National parties, including by putting himself forward for preselection for the Somerset electorate ahead of the 1972 Queensland election, unfortunately falling short owing to the success of one Bill Gunn, who later went on to become a long-serving deputy premier of Queensland.

Robert's dedication to the community was matched only by his dedication to his family. All of these activities were done while working full-time as a dairy farmer at Marburg from 1952 until 2001—a 49-year stint—dealing with the many challenges of being a small dairy farmer in an area that had unreliable water supply. He worked hard—extremely hard—to provide opportunities for everybody in the family, and this support continues now, albeit in different ways.

Dad's dedication to community activities was very well supported by our mum. Janet certainly deserves a lot of credit for the honour conferred on Robert Krause today. Both of them, together, have contributed to an outstanding legacy of service and a contribution to society through that service and the raising of a family. Congratulations, Robert Krause OAM.

### **Lytton Electorate, Dementia-Friendly Electorate Office**

 **Ms PEASE** (Lytton—ALP) (7.28 pm): Dementia is still poorly understood in Australia and people living with dementia continue to experience stigma and discrimination. However, there is so much that we as members of parliament can do. I am proud to have the first electorate office in Australia presented with the title of working towards becoming dementia friendly. I have a certificate to prove that, which I will table.

*Tabled paper:* Dementia Australia certificate, dated 21 March 2022, titled 'Working towards a dementia-friendly community' [643].

Jo, Carly and I have worked on the Lytton electorate office action plan which includes the dementia friendly activities that we will be progressing during the year to attain this high honour. We have demonstrated a long-term commitment to building awareness and contributing to the conversation about dementia in the Lytton electorate and the Queensland parliament and also in my day-to-day engagements. Today I had a meeting with Queensland Rail and I talked to them about Dementia Australia.

I have been working with the fabulous Dementia Australia's dementia advocates John Quinn and Glenys Petrie and the Brisbane South East Dementia Alliance to ensure the voices of people impacted by dementia are pivotal in raising awareness and informing practical change as well as promoting the dementia friends and dementia-friendly offices concept to my parliamentary colleagues—consider that done. We are also taking action to bring attention to matters of effective communication, accessibility and safety for people with dementia living in the community. We promote the Brisbane South East Dementia Alliance's coffee catch-ups to reach more people and to improve way finding and accessibility.

It is an easy process to become a dementia-friendly electorate office. I will table a copy of the document I had to complete. It is just a matter of filling it in.

*Tabled paper:* Dementia Australia document, undated, titled 'Dementia-Friendly Community Framework' and statement of commitment [644].

We ensure that we use consistent, appropriate, inclusive and non-stigmatising language when we are talking or writing about dementia and people living with dementia. These are important steps to improve knowledge and awareness about dementia which will reduce stigma and discrimination and will contribute to the creation of a more dementia-friendly and inclusive society. Social engagement and connectivity are vital for the wellbeing of people living with dementia, their family members and carers and a dementia-friendly and inclusive community is critical to supporting social engagement.

I will tell members a short story about a gentleman who visited a corner store every morning. He used to pick up a paper and a bottle of milk and walk out without paying for it. The shopkeeper called the police and got them involved because they thought he was stealing. The police investigated and discovered the gentleman was living with dementia. They made contact with the man's family and carers. They set up a relationship with the shopkeeper and they have now set up an account so that each morning that gentleman can walk down and get his paper and milk.

What that means is that the shopkeeper is delivering a better service to his community and supporting people living with dementia. The police became more aware of people living with dementia. Everyone benefits. If people are interested in learning more about becoming a dementia-friendly workplace, do not hesitate to contact me. It is a great service.

The House adjourned at 7.32 pm.

**ATTENDANCE**

Andrew, Bailey, Bates, Bennett, Berkman, Bleijie, Bolton, Boothman, Boyd, Brown, Bush, Butcher, Camm, Crandon, Crawford, Crisafulli, D'Ath, Dametto, de Brenni, Dick, Enoch, Farmer, Fentiman, Frecklington, Furner, Gerber, Gilbert, Grace, Harper, Healy, Hinchliffe, Howard, Janetzki, Katter, Kelly, King A, King S, Krause, Langbroek, Last, Leahy, Linard, Lister, Lui, MacMahon, Madden, Mander, Martin, McCallum, McDonald, McMahon, McMillan, Mellish, Mickelberg, Miles, Millar, Minnikin, Molhoek, Mullen, Nicholls, O'Connor, O'Rourke, Palaszcuk, Pease, Perrett, Pitt, Powell, Power, Pugh, Purdie, Richards, Robinson, Rowan, Russo, Ryan, Saunders, Scanlon, Simpson, Skelton, Smith, Stevens, Sullivan, Tantari, Walker, Watts, Weir, Whiting