




Speech By
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MEMBER FOR BUDERIM

Record of Proceedings, 11 May 2022

**PUBLIC TRUSTEE (ADVISORY AND MONITORING BOARD) MANAGEMENT
BILL**

 **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 opaqueness 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.