




Speech By
Corrine McMillan

MEMBER FOR MANSFIELD

Record of Proceedings, 10 May 2022

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

 **Ms McMILLAN** (Mansfield—ALP) (6.29 pm): I rise to make a contribution to the Public Trustee (Advisory and Monitoring Board) Amendment Bill 2021. 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. The committee thanks the Public Trustee for all of the services provided to our most vulnerable Queenslanders.

In response to the Public Advocate's review of the Public Trustee, in a report tabled in March 2021, the government has acted to establish the Public Trustee Advisory and Monitoring Board to monitor and review the performance of the Public Trustee. As stated upon its introduction by the Hon. Shannon Fentiman, Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence, the bill demonstrates the commitment of the Palaszczuk government to look after the interests of vulnerable Queenslanders by establishing the board and ensuring additional independent oversight over the Public Trustee.

The committee's task was to consider the policy to be achieved by the legislation and the application of the fundamental legislative principles—that is, to consider whether the bill has sufficient regard to the rights and liberties of individuals and the institution of parliament. The committee also examined the bill for compatibility with human rights in accordance with the Human Rights Act 2019. The committee made three recommendations. The first the recommendation was that the Public Trustee (Advisory and Monitoring Board) Amendment Bill 2021 be passed. Recommendation 2 states—

The committee recommends that 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 committee recommends that under new section 117ZD, subsection (2), the Minister must appoint at least five, but not more than six, appointed Board members, and under subsection (3)(a) in appointing the Board members, the Minister must ensure that at least one appointed Board member has lived experience with impaired decision-making capacity, either in regard to themselves or others.

Recommendation 3 recommended that the bill be amended at clause 5, new section 141B, to ensure that a separate annual report of the board of the Public Trustee be provided to the minister and tabled in this House, the Queensland Legislative Assembly.

On behalf of the committee I thank those individuals and organisations that made written submissions on the bill. I also thank our parliamentary services staff and the Department of Justice and Attorney-General for their guidance and support. I commend the bill to the House.