




Speech By  
**Hon. Grace Grace**

**MEMBER FOR MCCONNEL**

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Record of Proceedings, 11 May 2022

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

 **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.