




Speech By  
**Robert Skelton**

**MEMBER FOR NICKLIN**

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Record of Proceedings, 11 May 2022

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

 **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.