




Speech By
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MEMBER FOR CLAYFIELD

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MATTERS OF PUBLIC INTEREST

Public Trustee

 **Mr NICHOLLS** (Clayfield—LNP) (2.46 pm): ‘Something stinks.’ They are the words of psychologist Inge-Marie Piekkala’s concluding remarks to last night’s disturbing *Four Corners* report on the operations of Queensland’s Public Trustee. They are remarks that echo the words I spoke in this chamber on 23 March last year, when I said—

There is clearly something rotten with the Office of the Public Trustee here in Queensland.

Something does stink, and the stink from the operation of the Public Trustee will not disappear simply because it now wants to move to flash new premises away from 444 Queen Street, and the stink will not be fixed with an internal review announced by the Attorney-General. What this system needs is a full, independent review in the manner of the review undertaken into the Tasmanian Public Trustee by former Commonwealth solicitor-general Damian Bugg. We need this because I fear what we see in Queensland’s Public Trustee is what Mr Bugg found in Tasmania. In his report, Mr Bugg found that the Office of the Public Trustee in Tasmania had misunderstood its core function to act in the best interests of its clients. He said—

The responses on all occasions lead me to conclude that for 26 years the Public Trustee has genuinely misunderstood the duties of an administrator ...

After watching last night’s story and hearing the many cases that have been brought to the opposition, the case is compelling that the same fundamental misunderstanding is happening here in Queensland. The government have turned a blind eye to the issue for years now, preferring to say there is nothing to see here and acting only when bad publicity forces them to do so. First, it was the old Labor mate Peter Carne, who was appointed by the former attorney-general and now subject to a Crime and Corruption Commission report he is so afraid of he has gone to the extraordinary length of going to the Supreme Court and after being hosed out there has now appealed to the Court of Appeal to prevent its publication but who was not too embarrassed to pocket over \$300,000 for a year while he was waiting for a show cause notice to expire and who conveniently resigned on the day the show cause notice was due.

There was the Auditor-General’s scathing 2020 review into the Public Trustee. Some of its findings were: that the Public Trustee does not measure or report on response times and does not know how many complaints it completes; that its complaints management system is not properly designed for people with impaired capacity—the very people it is meant to look after; and that it is not easy enough to navigate or be understood by its customers which could stop them making a complaint. Then there was the 360-plus page report of the Public Advocate into the fees, charges and practices of the Public Trustee—a Public Advocate, I might say, who was not reappointed to the job. I wonder what happened there. The report was damning nonetheless. What did it say? It said—

... the complaints and concerns of these people raised some serious issues about the level and complexity of the Public Trustee’s system of fees and charges, its lack of transparency, the Public Trustee earning revenue from clients’ funds and its use of external professional advice to justify investments in its own products.

What response do we have? The dulcet tones of the Attorney-General this morning, an Attorney-General who, by the way, must be daily cursing the inaction of her predecessor and who is trying desperately to paper over the cracks with yet another review, this time one that is already underway into fees and charges. A year later, after this supposed review—there is still no outcome and no changes to an obscure and opaque fee structure while clients get ripped off, as last night's report showed, sometimes for tens of thousands of dollars and in one instance a million dollars.

Now we hear more promises—promises that it will be delivered in June, conveniently after the budget is brought down, so any changes will not be implemented for yet another year. The government avoids for another year contributing to the cost of the Public Trustee.

I have been raising this issue in this place and talking to Queenslanders on this issue for over a year, as my predecessor did before me. We have held public meetings throughout Queensland and we have been overwhelmed by the number of people paying the high price of having their affairs controlled by the Public Trustee. Seventy-three per cent of complaints about the Public Trustee in the last year were on financial management. Of the 639 complaints, only two resulted in a process change.

This is a body that needs change. The Public Trustee cannot fix itself. Glossy brochures and consultant determined mission and customer statements do not cut it. The government has to step up and reform the Public Trustee. The government should stop reviewing and start doing. Vulnerable Queenslanders deserve nothing less.