




Speech By
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MEMBER FOR TOOWOOMBA NORTH

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

 **Mr WATTS** (Toowoomba North—LNP) (3.30 pm): I rise to make a brief contribution to the Public Trustee (Advisory and Monitoring Board) Amendment Bill. This bill is really about bringing some accountability and transparency to the people making decisions on other people's behalf. There are some 10,000 Queenslanders with impaired decision-making capacity who are looked after by this organisation. The structure and the powers of its board in terms of governance and capacity to compel are very important to ensure those vulnerable Queenslanders are treated fairly.

It is even more important that any decisions, complaints or opportunities for improvement to the structure of the organisation are provided to this House and are done so in a timely manner. That would then bring some transparency and accountability to this organisation. As has previously been mentioned, some allegations were made in the *Four Corners* program. Everybody should be concerned that a press organisation such as *Four Corners* is concerned about corrupt conduct, unfair commissions and fee gouging—these are our most vulnerable Queenslanders—dysfunctional office culture, financial mismanagement and investing in the PTO growth fund, unqualified people giving legal advice, poor management or delays in administering deceased estates, lack of transparency regarding fees and policies that guide how and when they are charged, and enticing people with a free will offer that only upsells the executive services and charges excessively for those services after the person has passed away. The one that is probably most concerning to me is the conflict of interest, and there are several areas of conflict of interest.

With all of those allegations out there, why would this House not support an amendment that would require some reporting back to this House? That is really the question: should this House have some purview on a regular basis of what is going on in this organisation that has been given control over 10,000 Queenslanders' lives and assets? Our amendment seeks to: ensure greater transparency of the board and the advice provided to the minister by including limits and additional reporting requirements—and that is to provide a time limit of 30 days for the delivery of the board's report to the minister, which I do not think is unreasonable—detail additional items the board must report on including its own expenses; and require the annual report be tabled in the parliament by the minister within 30 days to avoid uncertainty and delay. These are very reasonable things. One would think that an office that has 10,000 people's lives under its control, and a board that is advising that office, should be accountable to this place, and the minister should have an obligation to receive a report and table it in this place in a timely manner. I urge this House to support the amendments.

I think there is a real missed opportunity in this bill. There are many other things that could have been put in place to bring them into the purview of the people of Queensland by speaking about them in this House rather than relying on the organisation to start implementing some of the changes. The question is: should they be regulatory or statutory? Should they be internal? How should those things be managed? Given the damning report we have seen on *Four Corners*, maybe there should be some statutory regulations. I think there is a real missed opportunity and we are barely scratching the surface of some of the problems that this organisation has exhibited.

In my office and on my regular community corners many people have come and spoken to me. These people are relatives and loved ones—and most recently even a carer of one of my constituents—of people under the Public Trustee. I will not go into the details of the case. However, the carer was so distressed about how the Public Trustee was administering things they resigned as the carer because having to deal with it every day was causing problems for them. The mechanism by which the carer could take action is cumbersome, not very transparent and very difficult to put into place particularly because the person she sees being impacted by these poor decisions has impaired decision-making capacity. They cannot decide to bring their own legal action or hold the Public Trustee to account, so it is left to carers, loved ones and family members to try to achieve that outcome, all of which is about making sure that our most vulnerable have dignity and rights.

Why would we not want to bring about transparency and accountability in a piece of legislation for an organisation that is designed to protect the dignity and rights of Queensland's most vulnerable people? It is welcome to have someone on the board with lived experience so they can contribute to that board's deliberations, but I think the reforms should go further. I think the amendment should absolutely be supported by this House.

One further area that I am concerned about is how the organisation is currently funded. The very people whose lives they are controlling and whose assets they have complete control over are their source of income. Without them, the organisation does not exist, so there is an inherent conflict of interest for the organisation when giving direction as to how those assets and expenses should be managed because of the potential risk of gouging and otherwise overcharging.

A young lady comes into my office regularly asking if I can help her sort things out with the Public Trustee because she is frustrated. On her last visit she was simply trying to buy a kettle and the Public Trustee would not release the money to her to do that. She was told to go and buy the kettle and then produce the receipt. She did not have the money to buy the kettle because she was not getting her next payment till the following week. She was asking, 'Can't they just give me the money to buy the kettle and I will take them the receipt afterwards?' It is only a little thing, but honourable members should imagine that someone has control over their life to the point they cannot go and buy a kettle and their only source of income is controlled by the same person who is refusing to give them an advance on their income or part of their own asset base to go and buy a kettle.

It seems ridiculous, but this experience was incredibly stressful and incredibly frustrating for her. That led her to tell me of a raft of other issues she had had in her interactions with the Public Trustee. I think this bill represents a missed opportunity. I think we could have done a much better job in serving the most vulnerable people in Queensland by going further than this bill has gone. That said, I welcome the change to the board structure. I encourage the House to bring about greater transparency and accountability by having a mechanism, through the minister, to table a report in this House so that we can all see what is going on in this organisation.