



The Hon Jarrod Bleijie MP
Attorney-General and Minister for Justice

In reply please quote: 544778/1

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Mr Neil Laurie
The Clerk of the Parliament
Parliament House
Cnr Alice and George Streets
BRISBANE QLD 4000

Dear Mr Laurie

Thank you for your letter dated 22 May 2012 regarding petition 1776-11 received by the Queensland Legislative Assembly on 17 May 2012.

The petition advocates maintaining the Office of the Public Advocate as a separate office and identifying additional powers to enhance its effectiveness.

Restoring an Independent Public Advocate was one of this Government's election commitments. The Queensland Government has already delivered on this commitment by preparing amendments to the *Guardianship and Administration Act 2000* to increase the powers of the Public Advocate and strengthen its independence.

The Public Advocate is established as a separate independent statutory office under the *Guardianship and Administration Act 2000* to perform the function of systems advocacy. The Public Advocate will remain a separate statutory office. Legislative amendments will be made to increase its powers ensuring a strong advocacy system for adults with impaired decision-making capacity.

The new powers will authorise the Public Advocate to access information or documents to inform their systems advocacy work - such as accessing policies or procedures of a service or agency; or obtaining statistical information kept by an agency. This power will allow the Public Advocate to access information, particularly in cases where an agency may unreasonably refuse to provide that information. There will also be a penalty for non-compliance if a person or agency does not reasonably comply with the request.

Also, the proposed new powers will allow the Public Advocate to report at any time on systems issues, and require the Attorney-General, as the responsible Minister, to table the report in Parliament. This will ensure the Public Advocate can publicly raise, at any time, systemic issues which they have significant concerns about.

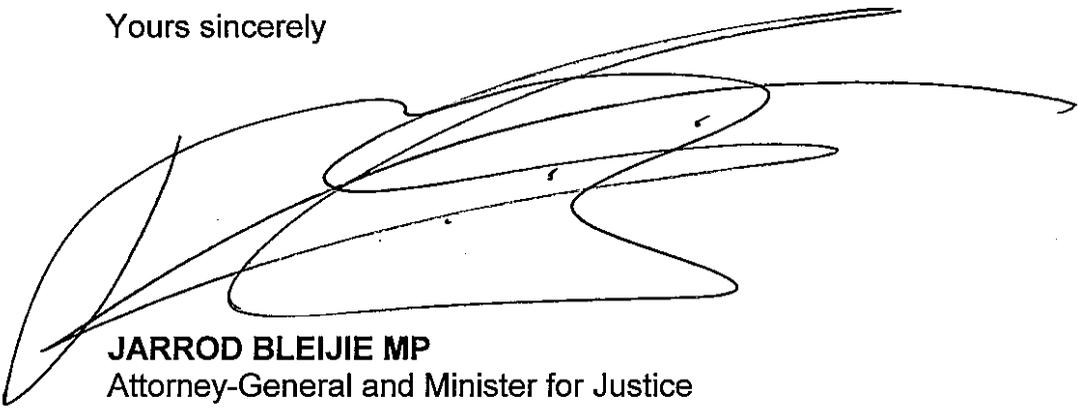
(2)

These amendments are consistent with the recommendations of the Queensland Law Reform Commission in its 2010 report: *A review of Queensland's guardianship laws*.

I propose to introduce these amendments into Parliament as soon as possible, and am currently consulting with key stakeholders.

I trust this information is of assistance to the petitioners. I would like to thank the petitioners for bringing their views to the attention of the Parliament.

Yours sincerely

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

JARROD BLEIJIE MP
Attorney-General and Minister for Justice