

**Gail Easton**

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**From:****Sent:** Thursday, 10 November 2011 10:55 PM**To:** Legal Affairs Police Corrective Services and Emerg Svc Committee**Cc:** Amanda Powell;**Subject:** Committee submission

I wish to make a submission to the Legal Affairs, Police, Corrective Services and Emergency Services Committee consideration of the Right to Information (Government-related Entities) Amendment Bill 2011.

This amendment is critically needed as it will address an anomaly in the Right to Information Act 2009 and fulfil Premier Anna Bligh's and the government's stated and tabled intent to the Parliament to ensure Government owned corporations are subject to the Act.

In the Government's response to the review of Queensland's Freedom of Information Act, it was agreed that the definition of "public authority" in s. 9 of the RTI Act should be extended to include bodies established for a public purpose under an enactment of Queensland, the Commonwealth or another State or Territory. (Page 18 Recom. 24)

This change ONLY required the drafting of an administrative amendment to the Act and could have been immediately implemented. *As stated: Supported - The government supports this recommendation which is intended to ensure that Government bodies incorporated under the Corporations Act 2001 (Cth) (such as company GOCs) are included in the operation of the proposed Right to Information Bill... The advice of the Queensland Parliamentary Counsel will be sought as to the appropriate form of drafting for the proposed provision.*

In the Premier's own words she said: We recognise the importance of cultural change, as well as structural change. That means that, as we overhaul our approach to information, the over-riding principle will be that the community has a right to information held by the government.

Sadly that fact that this amendment was never enacted has meant that a Government Owned Company, City North Infrastructure (CNI) has operated in recent years contrary to the stated intent of the Act.

CNI which is managing Airport Link - the biggest infrastructure project in the State's history, with State employees on its board, and staff and operations funded by the Qld taxpayer has operated in a secretive and closed manner. This has been to the detriment of the broader community and the thousands of people impacted by project throughout northern Brisbane.

As a resident impacted by Airport Link and involved for more than five years from the reference design stage, the quality of the advice and information provided to both the Government and the public has been at times highly questionable but unable to be challenged.

CNI has used the anomaly in the Act to prevent often critical information reaching the public. When this was legally challenged by the community, CNI spent taxpayer's funds fighting to keep it from being subject to the Act.

The amendment which is before you will be a significant improvement to open and accountable government and fulfil the original stated intent of the Right to Information Act 2009.

David Russo