



Speech by

**Hon. D. WELLS**

**MEMBER FOR MURRUMBA**

---

Hansard 17 May 2000

**MINISTERIAL STATEMENT**

**School Dress Code**

**Hon. D. M. WELLS** (Murrumba—ALP) (Minister for Education) (10.18 p.m.), by leave: On 30 September 1998, the Ombudsman reported to Parliament that schools could not, under the existing law, effectively have a compulsory school uniform policy. On 2 March 1999, I issued a determination under section 84 of the Education Act which empowered P & Cs to decide to have a school dress code. The dress code problem then went away.

In acting as I did, I was going against the conventional wisdom and the cautious advice of numerous departmental officials. I did have the support of my director-general plus the advice of the Solicitor-General that what I proposed was legally sound. The Opposition used the processes of FOI to seek a document that proved I was acting contrary to some of my departmental advice. I had no problem with this. I was elected to make decisions, not to be a rubber stamp. But I did not have the document; Crown Law did. So they made an FOI application to Crown Law. I got the document, actually gave it to the Opposition, tabled it and gave it to the Courier-Mail. The Courier-Mail ran that I had been forced under FOI to disclose the document—a claim that the Courier-Mail, with great propriety, retracted later. I said that I had not been forced to release it and believed that I could not be forced to do so.

As well as the right of the citizen to compel disclosure, there is also the right of Governments to be voluntarily open. I was exercising that right of open Governments. The Opposition then set out to force me to do what I had already done voluntarily. It wanted to try to make me look like a liar and continued with its FOI application for a document already in the public domain.

The Opposition persisted with it until it was finally declared outside the scope at external review by the Information Commissioner on 29 March 2000, meanwhile wasting thousands of taxpayers' dollars and Public Service time. Worse, it referred my departmental officials and personal staff to the CJC, alleging that it had been covering up a document that I had actually given it and tabled in this Chamber. The CJC found that the information—

"... does not reasonably suggest misconduct on the part of any public officers of Education Queensland or of the office of the Minister for Education."

The spitefulness and vindictiveness of the Opposition is breathtaking. Its willingness to waste and squander taxpayers' dollars on its vindictive operations is unbelievable. That the Opposition should put my officers through the negative experience and the gratuitous stress of an unnecessary and pointless CJC investigation in pursuit of a document which was already in the public domain is behaviour unbecoming of elected officials and unworthy of gentlemen.

---