



Speech by

**Mr DOUG SLACK**

**MEMBER FOR BURNETT**

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Hansard 19 July 2000

**FREEDOM OF INFORMATION AMENDMENT BILL**

**Mr SLACK** (Burnett—NPA) (8.55 p.m.): It is with pleasure that I join this debate and support the Deputy Leader of the Opposition in respect of the points he made when he spoke about the departments. It was quite a surprise to me to hear that those opposite who take the high moral ground could be found wanting in this area, particularly the Attorney-General. I am sure it would surprise many people in this House and members of the general public to hear those figures. I hope the Deputy Leader of the Opposition takes the opportunity of circulating those figures widely.

It is worth reminding the House, as has been done constantly, that this Bill was introduced by the member for Surfers Paradise on 25 May 1999. It was first debated on 31 May 2000. This fact alone exposes the clay feet of the Labor side on this important matter of principle. The Labor side has no principle on this issue, or on much else. When debate was resumed more than a year after the Bill was introduced, we were treated to a performance by the Attorney-General—the Rumpole of the Chamber—that exceeded even his supernaturally high rhetoric and Thespian capacity. His excuse for the Government's appallingly cynical position on freedom of information was that, prior to introduction of this Bill by my honourable friend the member for Surfers Paradise, the honourable member for Yeronga had been instrumental in referring a wide range of matters regarding the Freedom of Information Act 1992 to the all-party Legal, Constitutional and Administrative Review Committee for inquiry and report. He seemed to be saying that our Bill to compel Government honesty in relation to freedom of information was a political stunt. Well, he will have to plead the Mandy Rice-Davis defence on that. He would say that, wouldn't he?

The Government of which he is a part—a large part—came to office in June 1998 fully flushed and, as it would have liked people to believe, with enthusiasm for public scrutiny of its efforts. It came into office under a Premier who as Opposition Leader made a living of appearing aggrieved over lack of access, an Opposition Leader who wanted everyone to believe that when he became Premier everything would change. By May 1999, it was apparent that nothing would change as far as the Labor Party was concerned. The cynical manipulation of political events and policy directions that we on this side are accustomed to seeing from the party opposite, and from its leadership pro tem, had not disappeared; it had merely reproduced itself in an even more pernicious form.

When he finally wound himself up on the issue a year after the Bill's introduction, the Attorney-General did not spend a lot of time on the fact that the Bill was exactly the same as the one his own leader had introduced in such a flush of enthusiasm in the previous Parliament and which he had helped draft. Need I remind members opposite that the Attorney-General preferred to make political points. He preferred to ignore the fact that Labor came to office with a freedom of information plan. Before the election it said it was a plan and then it squibbed. The biter was bitten. Yet another fluffy little chicken had come home to roost. There were petards everywhere with Labor denizens hoist upon them. Among them, of course, and very prominently, were the honourable members for Yeronga and Brisbane Central, the master blasters of the movement.

We might all agree that the general question of freedom of information deserves a thorough airing in the sort of forum provided by a reference to the Legal, Constitutional and Administrative Review Committee. In fact, we do all agree. But the Freedom of Information Amendment Bill now before the House need not have any bearing on the deliberations of the committee and certainly should not have any bearing on the outcome of its deliberations.

The objectives of this limited legislation are simple. They are clear. They are to ensure that ministerial expenses documents do not attract the Cabinet exemption from FOI access. They are to ensure that the Cabinet exemption from FOI access applies only for proper Cabinet purposes and not for the improper purpose of merely evading FOI access.

It is hard to see how anyone on the Labor side of this House could possibly object to implementing such simple and straightforward legislation. Labor members all voted for it when it was their idea, and I am sure they would all agree that Cabinet confidentiality is a cornerstone of good government under the Westminster derivative system that applies in Queensland. I am sure they would agree because in previous instances in this Parliament they have told us that this confidentiality should not be used as a mere device to escape public scrutiny of material that should properly be accessible under FOI.

I will quote some of what my honourable friend the member for Surfers Paradise said in this place on 25 May 1999—15 months ago. That is 15 months of opportunity for this Government to hide as much as possible from public scrutiny. I hope the Premier blushed when he heard the member's comments. I hope he blushes doubly tonight when he hears them again. The member for Surfers Paradise said—

"Honourable members opposite, particularly the honourable member for Brisbane Central, will recognise this Bill; he introduced it. He may even recognise elements of the fine speech he made on that occasion as I introduce the 1999 version."

It is now the 2000 version, of course, because another of this Government's promises—that is, that private members' Bills would be a priority—has proved to be a further excursion into cynical abuse of promises by the Labor Party and this Premier. In 1999 the honourable member for Surfers Paradise went on to say—

"I hope that he does. That will indicate that he has not forgotten absolutely everything he promised before he got into office and started finding excuses for not doing what he said he would do."

We strongly suspected then, and we certainly know now, that he has in fact forgotten absolutely everything he promised before he got into office, and a good more that he has promised since. We know that the great procrastinator is nowhere near finished finding excuses for not doing what he said he would do. Daily he invents new reasons for failure. It is no surprise that these are always down to the account of somebody else. No blame, no shame.

Both the honourable member for Brisbane Central and the honourable member for Yeronga know very well that the broad issue of FOI is separate from the detailed issue this Bill is designed to settle. I know that my electors in the seat of Burnett—country people, regional Queenslanders, the salt of the earth—have consistently high standards when it comes to people doing what they say they will do. No wonder they are disappointed with the shonky crowd opposite! They have a term for people who promote themselves as the ant's pants and then end up stinging everyone. They have several terms, in fact, and not one of them is the one I have just used, giving due accord to courtesy and the requirements of Standing Orders as interpreted in this place. They would not call him the great procrastinator. No way! They would be far more robust and a lot more direct.

On freedom of information the honourable member for Brisbane Central had one view in 1998 and another—a quite opposite view—in 1999. Why are we not surprised? So who is the opportunist in this instance? If it were not rude to point—I know how the Premier hates people being "rude" to him, as defined by their saying things he does not want to hear, so I shall not; there is no point anyway, because he is not in the Chamber—I would point straight at him. He is the man. He is the one who in conscience sees no objection in taking the opportunistic course. He is the one who bends cynicism into ever more creative contortions in pursuit of an argument that defies logic, let alone commonsense.

**Mr Sullivan** interjected.

**Mr SLACK:** I can understand that it is difficult for the honourable member opposite to follow this, because he has to come to terms with his conscience in voting the way he will vote.

The argument in the case of this Bill is simple and straightforward. On that ground alone it should meet with the Premier's preferred position. Honourable members know: it is that simple. Labor members can vote with us on this Bill and keep faith with the electors or they can vote against the Bill and drive another stake through the heart of their claim to be genuine in the cause of public access and the right to know, which they have championed in the past.

**Mr Sullivan** interjected.

**Mr SLACK:** I commend those comments to the member for Chermside. He is having trouble interpreting my speech. I can understand that, too, because no doubt if he has any conscience at all in relation to this particular issue he will be writhing within himself. He would be one who has claimed the moral high ground in the past but who now conveniently forgets and looks for ways to make excuses.

Last year my honourable friend the member for Surfers Paradise said in his second-reading speech on this Bill—

"This Bill, which the Labor Party was fully prepared to vote yes to last year"—  
for the record, that is 1998—

"is an opportunity for the Government finally to put its mouth where it says its conscience is. It promised full disclosure. It presented this Bill when it was in Opposition to achieve full disclosure."

Labor certainly should vote for this Bill. The fact that it will not accede to the demands of what it pretends is its conscience condemns it against the very same moral tests that it and its leading lights are forever telling us they adhere to and which they even attempt to persuade the gullible they invented.

I remember very well the circumstances that led to the Bill being introduced by the now Premier so long ago. In fact, I had a part to play. During the time of the Goss Labor Government the then member for Springwood, who was a Minister, would not answer some of the questions I asked at the Estimates hearing—simple questions that one would expect a Minister would be able to answer and in all conscience would be prepared to answer—but she chose not to. I remember going up to my office and saying, "Put in a request under freedom of information for the briefing notes." I remember that well. I remember urging my colleagues to take a similar course in respect of questions that had not been answered in similar circumstances. What was the result from the Goss Government, many members of which are members of this Parliament now, which took the moral high ground under FOI? Did it willingly come forward without any objection? No! Time lapsed.

**Mr Borbidge:** They flew the briefing notes to Mount Isa in the Government jet to the country Cabinet meeting.

**Mr SLACK:** Yes. They loaded the plane with them. In wheelbarrows and trucks they brought the documents before that Cabinet meeting!

**Mr Borbidge:** No wonder the Westwind was breaking down by the time we got there!

**Mr SLACK:** Exactly. Time after time those documents were wheeled into the Cabinet meeting. Did Cabinet Ministers look at them? Did they follow what they had espoused as their conscience position? Not at all! What did they do?

**Mr McGrady** interjected.

**Mr SLACK:** Exactly, as the member for Mount Isa said. And he should know. It was in his home town that those Ministers betrayed their conscience. Did they do it with red faces? There are two Ministers opposite who were part of that Government, and the member who was the Speaker. Did they undertake that process with red faces? Did they do it with any shame? Not at all! Pragmatism demanded that they do it. So where was the moral high ground when it came to the nitty-gritty, when it came to facing the real issues? Where was the moral high ground from members opposite? It was nowhere to be seen.

**Mr Borbidge:** We must not let them know what we know internally.

**Mr SLACK:** Exactly. So well said! Who said that? That is familiar. Who wrote that?

**Mr McGrady:** Disraeli.

**Mr SLACK:** Was it Disraeli? I have some recollection that it was said recently. Somewhere at the back of my brain, I remember those words being said. How true they are now and how true they were then. There has been no change whatsoever. What has changed?

The Government may believe that the public is gullible. It is not that gullible. If the Government thinks the public is fooled by its attitude on this issue, it has another think coming. I cannot understand how, in all morality, the Government can vote against this legislation, considering its history. But then again, if one considers the Government's history and the manner in which it took those documents to that Cabinet meeting, I can well understand it. The Government has no shame on the issue whatsoever. Does that surprise anybody? It certainly does not surprise anyone on this side of the House. At the end of the day it will be interesting to see how the Government votes.

**Mr Fouras:** What did you do when you were in Government?

**Mr SLACK:** The honourable member for Warwick just read out what we did. We did release documents and, I am very proud to say, we did so much more willingly than this Government did. In my own situation, I cannot recall being a position where I did not wish—

**Mr McGrady:** Of course you didn't, because it is not your decision. It is not the Minister's decision.

**Mr SLACK:** I take the Minister's point, but I was always conscious that whatever I did was subject to freedom of information requirements.

**Mr Borbidge** interjected.

**Mr SLACK:** Exactly.

**Mr McGrady:** The Minister has no say.

**Mr Braddy:** We don't make those decisions. He didn't make the decision.

**Mr SLACK:** Both men who are interjecting are Ministers. Let us be factual. They both know that the actions they take should be able to be scrutinised under freedom of information, except in very special circumstances. Both Ministers know it in their hearts. This Government went to elections on that high moral ground. So Government members should not turn around and ask what we did in Government, because they were the ones who proudly led the debate on this issue. There is no question about that. We give them credit for it. Some years ago, Government members led the debate. It will be on their consciences when they vote against this Bill tonight, because they were the ones who took the high moral ground on this issue. We were practical, because we knew that there are documents and situations and there will be documents and situations to which freedom of information would not apply, and the original legislation recognised that fact. However, the event to which I have referred, in which the Government used the Government jet to get these documents before Cabinet, was a farce. It was a transgression of the intent of the legislation. This Government did that without shame, and it has to bear the responsibility for that.

With that contribution, I commend the Bill of the member for Surfers Paradise to the House.

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