



Speech by

Mrs D. PRATT

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FREEDOM OF INFORMATION AMENDMENT BILL

Mrs PRATT (Nanango—Ind) (10.50 p.m.): I became a member of this House in 1998. Since then I have sat in this chamber and listened to the Premier and other members continually espouse how this is an open and accountable government. I have watched them twist and turn situations into pro-government statements, conveniently leaving out the blunders they have made just to look good, and I have watched the media and others swallow it hook, line and sinker. I have listened to statements as to why figures and answers could not be revealed to those on this side of the House or to the media because of commercial-in-confidence or because documents had been wheeled into cabinet. Open and accountable? This government? To whom? Open and accountable? I think not. This government treats the revealing of the whole truth as a game. It treats the people of this state as fools.

I rise with grave concerns about the Freedom of Information Amendment Bill 2001, which appears to do the exact opposite of the original bill's intention. FOI laws were enacted to make information easier for individuals to obtain when they believed that information held by a third party concerning them was inaccurate, allowing them an opportunity to endeavour to have it corrected. As was stated, this is still possible, but what of other information which has been classified as non-personal?

It would appear that there is very little which does not come under this non-personal category. What is the definition of personal and non-personal information? Many members of the public would state that anything which affects them is personal and that personal information would encompass a lot more than their name, age and personal details as defined by this bill. Most people would put a wider interpretation on personal affairs and would say that they include an individual's business and employment affairs. All of this information would be classified in the legislation as non-personal. Therefore, just about everything anyone would want to know or ask about would incur the \$20 per hour charge.

The government has proposed a cost which will in many cases prohibit people from obtaining information regarding their lives, unless they are prepared to pay and, in some cases, pay very dearly. It is not inconceivable that people's costs to retrieve these documents, often with the majority of the documents blacked out, will rise into the hundreds. The \$20 an hour is added to the \$31 application fee. And what will the charge be for supervision? Can the minister tell us that? When the applicant is told that his request spills over into non-personal information, who will estimate the cost? It will be only an estimate, because no-one will know exactly how much time it will take to process the request. Will that cost be the very catalyst to stop people pursuing that information? For many applicants, having to pay a very small amount of money could stop them. The process would be too expensive and they would give up. Who will stop the estimated price being inflated because the applicant is disliked by the officer and that officer is hoping to put the person off? What if the price is inflated because of the ineptitude or lack of knowledge of an officer as to how to access the information?

Who has the right to say whether a person is being repetitious or vexatious in their applications? I am not saying that repetitious or vexatious applications are not made, but who are we to judge if a person is being repetitious or vexatious when their life has been made a living hell and they need information to help them obtain closure? It may be that they know of a particular incident which took place and of a document which should exist but are unsure of the exact location of it. Hardship measures have been put into this legislation to address this problem area, but members should forgive

me for being sceptical. I would like to see this put into practice before I commend the government on its generosity.

This whole exercise will be seen for exactly what it is: the key that will be used to keep information out of the hands of those who should be accessing it—the people. Information concerns the people and belongs to the people. The government is only a custodian of that information. Taxpayers' funds are spent on infrastructure and in many other areas, and it is not a responsible government that does not spend wisely.

If something does cause a blow-out in a budget, like a bridge which doubles in price, what exactly does the government fear from making the information public? Everyone already knows that the blow-out occurred. If the figures announced by government are correct, then what is the big deal? Did government actually lie to the people? If there were some other impropriety I could understand the government not wanting information to be revealed, but all moving documents into cabinet does is make people very suspicious. And perhaps there is just cause for that suspicion. Perhaps we will never know.

What good does that serve when we can all see the bridge and we all read about the fiasco as it was being built? What exactly does that bridge have to do with the running of the government, except to show that it is incompetent, that it lacks intestinal fortitude because it cannot handle the truth about its ineptitude and that it is dishonest because it is like the kid who tries to clean up his room by kicking things under the bed. The truth is that it will all come out in the end.

For some people, trying to bury things under more and more delaying tactics is as good as lying. Others would say that technically there is a difference. One thing governments should realise is that they are only in power temporarily and all will be revealed. Now that the bridge is completed, the government should consider releasing all of the documents. I challenge the government to table them, although they might fill this room as there are so many out of our reach.

While I am speaking about the bridge, I tell the House that I have in fact twice taken the opportunity to walk across the bridge and I have enjoyed both walks. I know that there were design faults and that the bridge was not initially designed for wheelchair access. Even with alterations and attempts to rectify the situation, I would not like to be pushing a wheelchair across the bridge. It is definitely not disabled friendly.

This bill seems to be targeted at the media, and the Premier's words in this chamber have been targeted at the so-called fishing requests and the cost of those requests to FOI agencies. I can say only that government pays dearly for the spin doctors who pump out the press releases which verge very precariously on the edge of truth. Quite frankly, I believe it is in the public interest that the media be permitted access to FOI, if for no other reason than to counteract the spin merchants and give the whole story. No individual would watch so closely what governments do and nor would they be inclined to do so. The media are effectively the watchdogs of the people. Like the media or not, they do keep the public informed. Cost should not be a factor as this is a democracy, and the price of vigilance has always been and will always be very high.

So much for an open and accountable government! Yes, the cost may be high, but what price may we pay in the future without someone to keep us all honest? It would appear that this is close to an admission from the Premier that there is something to hide—something that the persistence of the media may very well reveal. The media are, and perhaps will always be, the watchdogs of the people. Very few people would be willing to spend time delving into archives to find out where the government has erred or done what it has done if they were not personally affected. The bigger issues would not be researched and revealed. The media are in fact the watchdogs for the general public, and I for one am grateful that they exist. Although many would find them an intrusion, like them or hate them they do keep us well and truly informed and the government wary and on its toes.

One thing that surprises me is the revelation that the head of this particular area, the Office of the Information Commissioner, was not even consulted on this bill—not even invited to give what should have been a very knowledgeable and valuable opinion. In an interview I heard that a senior official in the Premier's Department had asked for every document involving the bridge to be collected and taken into cabinet. It has also been stated by the Premier that it was done at his direction. The Premier's reported response that he was in charge and that he wrote the handbook smells more and more like the dictatorship that he is fast becoming head of. I guess it is appropriate that the Premier starts to see himself as many people already do, that is, power hungry and a control freak.

Slowly but surely the government is endeavouring to stop scrutiny of the job it is doing. Research staff numbers for opposition and Independent members have been cut, library cutbacks are being considered or modified and this information-at-a-price legislation has been brought before the House. There may very well be reasons to instigate charges, and anything bad can be sold as good at various times. Bin Laden managed to convince many that the deaths resulting from the twin towers

being hit by planes were just. Although this is an extreme example, it shows how anything can be justified to some.

Members have often referred to the past and continually harp on about what went before. The actions of previous governments in this House may very well be questionable, but the past is just that. It is the past. We are discussing this bill and its effect on thousands of people now and into the future. I can do nothing but oppose this bill.
