



Speech by

**Mr M. HORAN**

**MEMBER FOR TOOWOOMBA SOUTH**

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Hansard 31 October 2001

**FREEDOM OF INFORMATION; SECRET STATE**

**Mr HORAN** (Toowoomba South—NPA) (Leader of the Opposition) (5.58 p.m.): I move—

That this parliament condemns the Beattie government for making Queensland the secret state and for its arrogance and lack of commitment to accountability.

Over the past decade the parliament in this state has gone through a lot of processes and a lot of pain to try to bring itself forward to a modern, accountable government. In the space of a few months since the election of the Beattie Labor government we have seen this state slide back into a secret state status. We have seen it show an arrogance—an unbridled arrogance at times—in this parliament, and we have seen a complete disregard for accountability. This government is using every possible means at its disposal to keep information from people. It goes along on its merry way, it is doing what it likes, and it is starting to disregard the very important principles that have been put in place over the past decade.

I will commence by speaking about the Fitzgerald inquiry and how the subsequent report dealt at length with the issue of government secrecy. It is so important, I will read it to the parliament—

A government can deliberately obscure the processes of public administration and hide or disguise its motives. If not discovered, there are no constraints on the exercise of political power. The rejection of constraints is likely to add to the power of the government and its leader and perhaps lead to an increased tendency to misuse power.

The ultimate check on public maladministration is public opinion, which can only be truly effective if there are structures and systems designed to ensure that it is properly informed. A government can use its control of parliament and public administration to manipulate, exploit and misinform the community or to hide matters from it. Structures and systems designed for the purpose of keeping the public informed must therefore be allowed to operate as intended.

Secrecy and propaganda are major impediments to accountability, which is a prerequisite for the proper functioning of the political process. Worse, they are the hallmarks of a diversion of power from the parliament.

That is this parliament in which members work in representation of their constituents. Queensland has been down the secrecy path. We have dealt with the costly Fitzgerald inquiry, which resulted in the National Party government implementing accountability measures lock, stock and barrel and at great cost to the party. Ironically, within a decade we witnessed the dismantling of the Fitzgerald reforms which were originally put in place by a National Party government. Today we have debated legislation that is an assault on freedom of information. That legislation is before the House and I am not entitled to discuss that, so I will not touch on that.

There has been a massive assault on the Criminal Justice Commission and the Queensland Crime Commission. The opposition has raised issues with the way in which the Criminal Justice Commission, which was designed to be the watchdog for the state, is to be amalgamated with the Queensland Crime Commission, including its investigative powers, with the result that there is no longer a watchdog which stands alone. If members believe in having a corruption watchdog, it is important for this state to have a Criminal Justice Commission that just performs that watchdog role and nothing else. Its power and its position have been weakened by legislation passed by this parliament.

On the issue of electricity, the Premier attempted to initiate a competition policy debate in the shadows of the federal election. He used a report prepared by independent consultants, PA Consulting, to support his argument. However, he was not prepared to table that document, so how can members know the truth of the information the Premier conveyed to the House? Instead, according to the Premier, a special Treasury document was prepared to provide an analysis of what the consultants meant to say.

Queensland Health has refused various applications for access to information, such as documents relating to the Nambour Hospital's maternity department. The opposition was endeavouring to obtain information relating to staffing levels and other matters of importance to parents. The Queensland Nurses Union was refused access to information on budgets and the performance of district health services, thereby leaving the union unable to effectively negotiate enterprise bargaining agreements.

Members have seen what happened with the Department of Families when information was sought that would have been of benefit particularly to children on the waiting list for assessment. Those attempts were frustrated and access to information was denied until eventually it was flushed out of this government by force.

We have seen the GST Treasury report, leaked research that was conducted for the state government, showing that all Queensland public servants are better off under the goods and services tax. That is secret research the government had done. Does this government come clean and release the research? No! It is hidden away; it is to be used for the government's own purposes. At the same time the Labor government runs around claiming that the GST is terrible, even though the Premier rushed to Canberra to be the very first person to sign it. As I said, the government has research that shows that public servants are better off under the GST, but it keeps that secret so that it can be used in enterprise bargaining negotiations.

Lang Park papers have been kept secret despite all the attempts by the opposition and others to endeavour to find out what is actually happening.

In relation to the blow-out from \$12 million to \$24 million in the cost of the pedestrian bridge, every possible attempt has been made to acquire those documents, but the government has been successful in keeping them from the public. In a scathing report the Queensland Ombudsman—the Information Commissioner—has demonstrated clearly how this government, through its bureaucracy, has collected every document it possibly can and trundled those into the cabinet process to protect them from freedom of information applications and to keep the information away from the public. The opposition and the media have quite legitimately made efforts to find out the cost of that bridge, how the cost overruns occurred and what problems were encountered. Gaining that information might have been very useful in preventing similar problems in the future, but access to that information was denied.

What about the commercial-in-confidence that was relied upon to stop us at looking at the deals involving Dalrymple Bay, Virgin Airlines and Flight West, and the scathing report of the Auditor-General? All of that was to no avail. The avoidance of consultation is another good example of the arrogance of this government. Even when considering changes to freedom of information legislation it did not consult with the Information Commissioner, the very statutory authority that ought to have been consulted to obtain some sort of advice. No, this government just goes on its merry way and does whatever it wishes.

The numberplates issue has incensed the people of Queensland. One day this government suddenly and arrogantly announces that it does not care if people like their numberplates, they will be changed and the community will have no say in it. The government might as well have said, 'It might be your car, but that is too bad. We want to put our slogan on your car.' There was no consultation; the government does whatever it likes. That is another example of the government's arrogance and lack of consultation. This government treats this parliament and the people of this state like a dirty doormat.

Through the parliamentary process, and again and again through the estimates process, the opposition attempted to gain answers to proper and decent questions, but there was never a decent or proper response. Ministers refused to answer questions. They carried on until only 30 seconds of their time remained and then provided a response of sorts to the question. We have seen the arrogance displayed by the large number of legislative amendments moved in the House. Until the opposition pulled up the government, after our shadow minister had spoken the government would circulate amendments to the bill under debate. What arrogance! Once again this place was treated like a dirty doormat.

The cause behind the arrogance, the contempt and the secrecy of this government is the fact that it has a massive majority. It serves as a warning to the people of Queensland that if this happens again, this arrogance and this contempt for the principles of freedom of information and for open, accountable and honest government will once again rise to the surface. I think the people of Queensland are starting to see that we have slid back into being a secret state. All that the people on the other side have fought for and all that we in the National Party brought in following the Fitzgerald inquiry is gradually subsiding under the arrogance of this government as it moves to control the parliament and the freedom of information, and as they move to frustrate every attempt made by the media, the opposition, community groups and individuals to access information that is rightly theirs.

There are three cornerstones of democracy and we ought to face up to the fact that they are a necessity and that they have a cost. The first is the Criminal Justice Commission. It will now be mixed in

with the investigation of organised crime and paedophilia and will not be a stand-alone unit in which the public can have total and absolute confidence as an organisation that demonstrates to Queenslanders that corruption has stopped, official misconduct has stopped and misconduct itself has stopped.

We see the nobbling of freedom of information through the cabinet process and through any other way that the government can put a hurdle in front of people. The legislation currently before the House provides for the imposition of a cost of up to \$40 an hour to process information requests. Queenslanders probably shake their heads with disbelief and shame when they see what is happening to our state—when they see all the money that is being put into the Premier's Department for staff to undertake research and to generate publicity and propaganda to promote the government when money is not available for important things like health and education.

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