



Speech by

# STUART COPELAND

MEMBER FOR CUNNINGHAM

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Hansard 6 December 2001

## FREEDOM OF INFORMATION AMENDMENT REGULATION [No. 1] 2001

**Mr COPELAND** (Cunningham—NPA) (6.05 p.m.) I support the disallowance motion. It is disappointing that we have to do this, because we spoke quite legitimately about these concerns during the second reading stage of the FOI legislation. A major issue tonight is the fact that we are debating motions for the disallowance of two regulations that have not strictly complied with the requirements for regulatory impact statements under the Statutory Instruments Act 1992. The debate on the previous disallowance motion quite clearly highlighted that the matter had to be open for public comment for 28 days but was open for only 17. No regulatory impact statement at all was done for this regulation.

I commend the Scrutiny of Legislation Committee on its report. It is a committee dominated by government members, but its report was critical of government action. I commend the committee for its honesty. The fact that members of the committee were honest and raised concerns quite widely referred to both by the Leader of the Opposition and the member for Callide demonstrates the very real concerns that this regulation was not the subject of an RIS. This, coupled with the fact that the RIS requirements were not met regarding the weapons regulation, is an absolute indictment of the government. It is a real indication of how this government treats the introduction of regulations.

This government is quite prepared to introduce a regulation while having absolutely no regard for due process. Members of the Queensland public should have their eyes wide open in terms of the precedent set by the government on these two issues. It will be interesting to see whether these sorts of actions continue for the life of this government and whether the continuing, growing arrogance of this government makes it think it can push through these regulations without due regard to process. That is exactly what is happening. We have seen it happen more and more often since the government was elected with such a large majority. The government obviously thinks it can push through these regulations with no regard for the public. For no other reason, this disallowance motion should be supported. But there are other good reasons why this motion should be supported. As I said, I spoke at length of those reasons during the second reading debate on the principal legislation.

The government—and the Premier in particular—have shown a real desire to stage-manage every piece of information given to the general public of Queensland. Time after time we see the Premier tightly control how, when and what information he releases to the public. The government is operating by press release. Not only is information power but so is the control of the information, and that is what this government is trying to hold on to so tightly. For example, during the second reading stage of debate on the FOI legislation, I remember the community engagement division's aims and principles document being tabled which quite clearly states that an aim of that division is to manage the flow of information between the government and the public not only in terms of trying to get information from the public but also to manage carefully what, when and how information is given to the public. There is a real concern when, in a huge division such as the community engagement division, that intent is coupled with a winding back of FOI access, as we have seen with this regulation, and when there is a very real desire to tightly control the information flow in Queensland.

The member for Gladstone has quite rightly, legitimately and clearly shown how much of an impost the charge will be on individuals and small organisations. It will not affect those large organisations which can afford to pay it; it will affect the person in the street who has a legitimate gripe with the government and who simply wants to find out information. They are the sorts of people the government will crack down on in simply trying to cover up some blunders it perceives it has or has not made.

We have the examples of Lang Park and the Goodwill footbridge and the covering up of thousands of documents by abusing the cabinet provisions just on the off-chance that someone might

want to have a look at some insignificant document from one of the particular departments that had something to do with the planning or implementation processes. That abuse is going to continue.

The government quite obviously knows that it cannot scrap FOI; that would be going too far. So it is doing it through the back door by implementing these charges. The member for Callide tabled that document so that any member can have a look at it, and I think everyone should. It shows the steps and hoops that one has to go through. Instead of having 45 days in which it has to respond, the government can stretch that out to 65 or 100 days—if it even gets that far because of the cost involved. The government knows that it cannot scrap FOI, so it is trying to screw down as much as possible on the access to FOI. There is no argument about that. The evidence quite clearly exists, and the government should stand condemned for that.

Probably even more dangerous is the government's attitude towards the regulatory impact statements that have not been carried out in compliance with the Statutory Instruments Act 1992. I commend the Scrutiny of Legislation Committee for not simply rubber-stamping a government decision—not validating a government decision—but, quite rightly, raising its concerns about this. I hope that other committees will be prepared to do the same. More and more we see the possibility of this government simply riding roughshod over the due process of accountability in this state.

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