



Speech by

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FREEDOM OF INFORMATION AMENDMENT BILL

Mr LANGBROEK (Surfers Paradise—Lib) (2.48 p.m.): I am pleased to speak on the Freedom of Information Amendment Bill and express some concerns about the arguments put forward in this House. First and foremost, let me say that the Premier's quotes about his government's accountability are not the most flattering reflection on someone who has a history of running documents through cabinet so they cannot be seen for 30 years.

The Premier outlines a fundamental difference in this debate—that is, the balance between remaining competitive in industry competition and sticking to the core values that freedom of information implies. On this difference, I want to make two comments. First, the Premier makes a mistake when he says that this government is totally committed to ensuring that our efforts to bring major projects to Queensland are undertaken in the most transparent and accountable way. Well, Premier, the basic values of freedom of information are to make available information that should be available to the people of Queensland. In the instance of individual claims to information, individuals should be able to make certain that information held by the government about them is correct. The underlying tenet of this is that governments are as open and accountable as possible to individuals on decisions made that aggrieve that person.

The other form of freedom of information to do with information not about oneself is another important aspect of the political process, particularly in this state. Here in Queensland we have a rare situation of a unicameral parliament and therefore the checks and balances that are in place in other parliaments are not in place here. One of the members who spoke earlier in this debate mentioned that these checks and balances are in the form of estimates committee hearings and other committees around this place. I am a member of the Public Accounts Committee, and I enjoy the work we do there. I thought that the estimates process, as I have said in this place previously, worked reasonably well. If we are using the checks and balances in other states as a benchmark, we see that they have public accounts committees and estimates committees as well. However, there is also an upper house. Queensland governments, because of the nature of our parliament, need to be more active in showing that they are accountable, because our accountability mechanisms in this House are the other members in this House along with the judiciary and the wonderful ladies and gentlemen of the fourth estate up there in the media gallery.

Mr McNamara: They're not listening.

Mr LANGBROEK: They can read it tomorrow. By making any move to hide anything for any period of time, it is moving away from these core structures of accountability. I am not suggesting that everything should be available. This is more a question of where the line should be drawn. In some instances—and these instances are more rare than members opposite would have you believe—there are matters of high policy that, for the security of the state, need to be kept away from the public. Unfortunately in this instance, as well as in many other instances, the Queensland Labor government has drawn the line far too close to the secrecy end of the scale and not closely enough to the accountable end.

The second issue that I want to raise is that the Premier's words contain the tacit premise that what is good for the economy is always going to be contrary to what is good in terms of accountability, that we need to make a choice. This premise is not entirely correct, and accountability in the financial management of the state is a responsibility that the government has when it is using the money of Queenslanders. Good, prudent account keeping and providing information to Queenslanders—

Ms NOLAN: I rise to a point of order. The member is misleading the House. The Premier has never suggested that the government has to make a choice between accountability and supporting businesses. It is just a completely spurious allegation. It is completely misleading the House.

Mr DEPUTY SPEAKER (Mr Shine): Order! I do not accept that as a point of order.

Mr LANGBROEK: Good, prudent account keeping and providing information to Queenslanders is a positive economic move and one that aids economic certainty.

I also take issue in this bill—as my learned colleague the member for Currumbin has stated—with the fact that the eight-year rule, as it has been affectionately dubbed, has a number of problems. First, as the rule is not enshrined in legislation, the government of the day can, if it so wishes, not release the information, unlike the releasing of cabinet documents which must be released every year for the year 30 years prior. This poses the problem that, should the government of the day be releasing documents about its own dealings or about a previous government of the same persuasion, it may stop the release of that information if it is particularly damaging. If the current Premier was faced with that situation, I am sure that he would not hesitate in keeping the documents under wraps if they were damaging. I say this based on his record of constantly keeping things under the cloud of secrecy where he sees fit, and members on this side of the House have told of many examples of that here today. The other scenario is that there would be no hesitation in releasing the documents if they pertain to a previous government of another persuasion. As the member for Currumbin also mentioned, this could happen in the first round of releases under this legislation.

As for this eight-year rule, we are being asked to place our trust in the Premier, and on the issue of freedom of information that is not something that we are prepared to do. One would not follow a horse that has come last in its previous four starts, and that is where this government has come on the issue of accountability. I also have grave reservations with the constant tendency of the current government to draw up new legislation whenever it has something before the courts. Mr Beattie says that it is to remove any doubt. This is disgraceful. I said earlier that the judiciary is an arm of review, and that arm is being amputated in this state by this government.

I have said in this place previously that when you take yourself away from the courts by rewriting the rules, you slap the separation of powers in the face. This must stop if the government is so sure, as Mr Beattie said in his second reading speech, of its case—in this particular instance, *Seeney v. The Department of State Development*. It should let it go to court. Do not hide behind the excuse that it is a drain on the taxpayer, because the taxpayer would want to see the government abiding by the rules, not changing them.

In conclusion, the Liberal Party will not support a bill that moves the line that I mentioned before further away from the side of accountability. We want to see all incentive schemes fully scrutinised by the Auditor-General and any adverse findings tabled in the House.