



Speech by

Fiona Simpson

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FREEDOM OF INFORMATION AND OTHER LEGISLATION AMENDMENT BILL

Miss SIMPSON (Maroochydore—NPA) (12.38 pm): This is not the Smart State; it is the secret state. Under the Beattie government we have seen freedom of information laws watered down and abused. Fees have been applied to restrict people's access to information, with no appeal against outrageous time delays which may occur in searching for information due to the mismanagement of the department. There have been wheelbarrows of documents taken off to cabinet in order to provide exemptions to material which should not be exempt on the basis of the information there.

I have had access to briefing notes to the previous health minister denied on the basis that they were briefing her for parliament. There have been all sorts of reasons used and abused for keeping information out of the public arena—information that should have been in the public arena. This legislation puts forward a new exemption which is that matters that have been sent off to the Crime and Misconduct Commission, the CMC, will never see the light of day again. That is thanks to this legislation. These matters may not be the subject of current inquiries. Documents related to past inquiries or inquiries that may occur in the future will be captured by this legislation. It is a black hole. This information will not be able to be legally brought into the light of day.

We have already seen this state government use and abuse FOI laws in areas of previous exemptions. This is the new rort. When it flicks things off to the CMC for investigation it can bury them and bury them within a legal framework. That will be further corrupted and abused.

This government which railed against corruption in the police force has now presided over the most corrupt breakdown in our health system. There is a need for stronger accountability measures, not weaker accountability measures. The provision before the House today is going to be abused by a government which is now presiding over a corrupted health system which has seen people die and seen people potentially killed due to the actions of people allowed to keep operating in that system.

The opposition has already raised concerns about the role of the Information Commissioner and the selection of that person. Previously there had been bipartisan involvement in the selection of the Information Commissioner. That did not occur for the selection of the last Information Commissioner. It is interesting that this legislation does provide a measure to remove an Information Commissioner with bipartisan support. The same support or the same mechanism is not applied when it comes to the initial selection of that person. It seems to be a disparity that the government is not quick to want to address.

When it comes to information and the public's right to know, it should only be extraordinary circumstances when information is denied. As we have seen with this government, that is not the case. In fact, there has been a winding back of freedom of information in sneaky and deliberate ways. I heard the Premier in this parliament the other day boast about all the documents which were made available under FOI. I personally know of documents where they did not apply the exemption rule because they were not listed as being available in the department—even though they did exist—and they were not provided.

Let me explain that a little more simply to the backbenchers. Instead of those documents being listed as documents that we do not have access to because of exemptions under the law, they simply do not list them. That is corrupt. That is a breach of the law. That needs to be exposed. It has happened under the Beattie government. So freedom of information laws have been abused under the current exemptions but they have also been broken by ministers in this government who have failed to actually release documents which they are legally required to list and release.

Let it not be forgotten that this government has presided over the most corrupt and heartbreaking abuse of the health system that we have seen. The people who have been affected by that have also, at times, sought information under freedom of information. The hypocrisy of this government needs to be remembered. It says that it is open and accountable until we show it the documents that it has denied access to and the weasel words about which documents exist or do not exist. We saw a demonstration of that in the parliament this morning with regard to a reference which had been written for Dr Patel which, finally and reluctantly, the government released.