



Speech by  
**Curtis Pitt**

**MEMBER FOR MULGRAVE**

Hansard Thursday, 29 November 2012

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**RIGHT TO INFORMATION & INTEGRITY (OPENNESS &  
TRANSPARENCY) AMENDMENT BILL**

**Mr PITT** (Mulgrave—ALP) (6.13 pm): The Manager of Government Business is certainly on the money. That is a hard act to follow. I rise to contribute to the debate on the Right to Information and Integrity (Openness and Transparency) Amendment Bill 2012—or as I think it should be called, ‘The Openness and Transparency on the Opposition and not the Government Bill’. This bill is one of the most politicised I have seen in this parliament. It is rather embarrassing for the Attorney-General that polling was released the day after this bill was introduced showing that most Queenslanders think that it is this government that is failing on openness and accountability. In announcing this legislation, the Attorney-General said that the lobbying firm that may have a financial interest in not recording a meeting will be responsible for recording contacts and meetings. That has nothing to do with best policy practice and everything to do with obscuring accountability for ministerial offices.

If this government is unable to commit to maintaining a simple contact register with the lobbyists that it meets with, how on earth can it claim to commit to openness or accountability? It is bizarre in the extreme that this government is incapable of basic administrative tasks. If this government cannot keep basic records, how can it govern effectively? These changes are purely political and are not based on any policy evidence. They are symptomatic of a government that is arrogant and is misusing the mandate given to them by Queenslanders. It is legislation to prevent future ministerial bumbles and to make the workloads of the LNP’s ministerial offices lighter.

The OECD in a policy document released earlier this year titled *Lobbying rules: preventing state capture* recommended that governments keep a register of lobbying activities. But this government is not interested in other developed economies. Instead, it would rather take us back to a developing economy with the accountability frameworks of the past. The LNP will take any opportunity it can to hide from accountability while simultaneously bleating hollow platitudes that it is committed to openness and transparency.

When you read through this bill to see what it actually does, to insert these words into its title is a joke. It is legislation that strips away reporting and accountability for lobbyists unless there are upfront fees. To change the definition in this way by redefining a third-party client as an entity that has engaged a lobbyist for a fee or reward that is agreed before the lobbying services are provided is prescriptive and unnecessary. This is nothing more than a watering down of accountability following a series of embarrassing bumbles by this government. For example, how are we to know about prior contact between a lobbyist and a ministerial staffer to any fee or reward being agreed upon? It appears to me that this will allow gaming of the process. It will allow ministerial staff and lobbyists to profit from knowledge of the government’s legislative agenda without any declaration of contact whether they seek to influence that legislation or not. This directly contradicts the recommendations of the OECD in its paper on lobbying rules, which I mentioned earlier.

The legislation also requires media organisations to declare upfront whether they are intending to publish information provided from an RTI application. That appears to be more about political spin management than about any commitment to openness and transparency. The government is yet to make it clear whether contact between ministerial staff and lobbyists will be made publicly available. Instead, the commitment, which is not in this legislation, is that ministers will release their diaries online.

These commitments do not go as far as that recommended by the opposition to release a complete lobbyists register that includes contact between ministers and their staff and lobbyists every six months. This is not surprising when we consider this government's track record on openness and accountability. To date, this government still refuses to release the costings of the LNP's election promises by Queensland Treasury—costings that would show that the LNP's election costings were grossly undercooked and undeliverable. Instead, all we have received is the selective leaking of quotes from incoming government briefs for political advantage.

This government has a Treasurer who believes that he is above accountability for the level of staffing in his own office let alone for the reckless budget decisions that he has made. At the estimates hearings this year we heard a strange outburst from the Treasurer as he refused to answer questions about why his office has four more staff than the previous Treasurer with one fewer portfolio responsibility in State Development. So much for ministerial accountability.

When the Treasurer released his highly political document authored by Peter Costello to justify his savage budget cuts, he refused to allow the opposition to be briefed by commissioners who he claimed were independent. Instead, the Treasurer insisted that it was only he who was capable of briefing the opposition as the document was self-explanatory, such was the political nature of this document. It was only when the Premier was ambushed on radio about not allowing a briefing with commissioners that one actually occurred. When we finally had this opportunity, of course, the Treasurer had to be present as a censor, such is this government's commitment to openness and accountability.

When Mr Costello was asked about the modelling that was used to justify his report's assumptions he indicated that he was willing to provide it. But not the Treasurer, who interrupted the meeting to prevent any public scrutiny of the figures in the Costello report. I think we know why this Treasurer has sought to remove this openness and transparency. Dr Doug McTaggart told the Industrial Relations Commission under oath that the assumptions in the Costello report were based on opinion and that the commission was not resourced to do economic modelling. Such is the mean and tricky nature of this government.

The Treasurer continues his attempts to shirk any responsibility for openness and accountability. We have not seen any detail released by the Treasurer of his plans to sell six office buildings reported to be worth up to \$700 million. Instead, we have to find out about it in the pages of the *Australia Financial Review*.

Earlier modelling by Queensland Treasury Corporation showed that there was no positive net present value for selling office buildings and then leasing them back. We will not see any public assurance from this Treasurer that the current transaction he is negotiating in secret does deliver a positive return to Queenslanders. Nor have we seen any guarantee that this transaction will not permit the Queensland Investment Corporation to on sell these buildings to the private sector. Let me make it clear: in February the Premier and Treasurer ruled out selling the government's office buildings. This represents a broken election promise which was very well covered in the *Australian Financial Review*.

Now we have the Treasurer withholding the update of the latest Costello report, a report that investigates the privatisation of government owned corporations including CS Energy, Energex, Ergon Energy, Powerlink, Stanwell Corporation, Far North Queensland Ports Corporation, Gladstone Ports Corporation, North Queensland Bulk Ports Corporation, Port of Townsville and Queensland Rail Limited. In 2006 the now Treasurer declared that the government should be selling all of the poles and wires. The Treasurer simply cannot deny that before the election he had a secret agenda to sell the state's electricity assets. This is relevant to this bill because this is about openness and transparency. The Treasurer has already sold part of the remaining stake of QR National without prior notice to the people of Queensland, a process that shut Queenslanders out just as he will shut Queenslanders out of his next process to privatise electricity assets.

Queenslanders will head into Christmas with a cloud hanging over the future of the state's electricity assets, a cloud of uncertainty that was not apparent before the election. It is a cloud that contrasts with the reforms on integrity and accountability introduced by the Labor government. These reforms included the establishment of Australia's first Integrity Commissioner, something we have very much to be proud of in the Labor Party. It was the Queensland Labor Party that led the nation in integrity reform. It was Labor that introduced right to information legislation that set the framework for other states and territories to follow. It was a Labor government that banned success fees for lobbyists. It was a Labor government that

introduced the proactive disclosure of cabinet decisions and it was a Labor government that lead legislative reform for the protection of whistleblowers. It was Labor that first enshrined the lobbyists code in legislation and it was Labor that banned cash-for-access events in Queensland, while the LNP continue to refuse to release details of a \$20,000-a-head dinner from three years ago. You will not see any guarantees from the LNP when it comes to cash for access.

It was a Labor government in this state that changed the law to allow the Crime and Misconduct Commission to investigate government owned corporations. Labor placed restrictions on former MPs and staffers conducting lobbyist activities for up to two years. This was based on the fact that these people have access to confidential information, unlike opposition staffers. We certainly did not hear any complaints from the LNP in opposition about not having these reforms imposed upon them. Under Labor the government agreed to allow the Leader of the Opposition to appoint the chair of the Parliamentary Crime and Misconduct Committee, a reform stripped away by this government.

It was Labor that oversaw the largest reform of the parliamentary committee system in Queensland's history, reform that I know the current Deputy Premier has high praise for, reform that he supported as a member of the parliamentary Committee System Review Committee. It was Labor that brought back direct questioning of public servants by the opposition during estimates committee hearings. I commend the government for at least not stripping this accountability reform away. It was Labor that placed restrictions on political donations to prevent the perception of the purchase of privilege. Labor's reform agenda was all about ensuring that the wealthy are not privileged in the democratic process. It stems out of recognition that maintaining a strong and open democracy necessitates ongoing reform. It was based on a principle of having our electoral system based on fairness, transparency and integrity.

Contrast this with the record of this government so far. This LNP government that professes so often to be about openness and accountability has stacked parliamentary portfolio committees—the very same committees that the Deputy Premier spoke so highly of in opposition. On so many occasions, and as we have seen again with this legislation, the government has bypassed committee examination of significant legislation. The LNP has refused to ban cash for access events and instead has set up a means by which the parliamentary organisation can seek maximum financial benefit from being in office. This government has opposed the CMC's independent review of political donations, a level of political interference in the CMC that I have not seen in my time in this parliament. This government has taken an axe to the CMC's resourcing against the advice of the CMC. This is a direct undermining of the capacity of the state's corruption watchdog to hold this government to account. With the way this Attorney-General has framed his comments in this matter, he has seemed to imply that this is a form of retribution for investigating political donations: that if the CMC can find time to do this then it should have its resourcing cut. Queenslanders should justifiably be very concerned about this. It harks back to the arrogant style of government of the Joh Bjelke-Petersen era—a style of government of 'don't you worry about that' and of cronyism that eventually led to wide-scale corruption.

It is not just the opposition that holds these concerns about cuts to the CMC. These concerns are also shared by the Independent member for Nicklin, a long-standing member in this parliament known for his ethics and integrity. The way in which this government has politically attacked this member for merely voicing genuine non-political concerns is, frankly, disgraceful. It is also a symptom of a government that is arrogant and drunk on power.