




Speech By
James Lister

MEMBER FOR SOUTHERN DOWNS

Record of Proceedings, 17 October 2019

LEGAL AFFAIRS AND COMMUNITY SAFETY COMMITTEE

Report, Motion to Take Note

 **Mr LISTER** (Southern Downs—LNP) (3.28 pm): As deputy chair of the Legal Affairs and Community Safety Committee, I also rise to speak on the *Oversight of the Office of the Information Commissioner* report which is being debated and thank my honourable colleague the chairman, the member for Toohey, for his exposition of where the Information Commissioner is at.

I would like to look at one particular aspect of the Information Commissioner's operations and that is its stewardship of right to information. The member for Toohey spoke about that important milestone of 10 years of having a right to information. On, I believe, two occasions so far, but certainly one, I have been able to question officers of the Office of the Information Commissioner—the Privacy Commissioner and the Right to Information Commissioner—about their dealings with public sector agencies. I put the question, for want of a better word, to the RTI Commissioner, 'Do you ever come across cases where public sector agencies persist in trying to obstruct access to information and are uncooperative or do not play fair?' I was assured that that never happens. That assurance surprised me, because my own dealings in my relatively short time as a member of parliament would indicate otherwise. I know that my honourable friend the member for Bundamba, whom I spoke to about this yesterday, agrees. Certainly, in her role in pursuing corruption in the Ipswich City Council, she would have experienced the difficulties that that council would have put in place to frustrate access to information that it did not want shared.

I would like to table an article that appears in today's *Southern Free Times*.

Tabled paper: Article from the *Southern Free Times*, dated 17 October 2019, titled 'Council attempts to suppress report' [1868](#).

It is about a public sector agency that has for more than 12 months fought to retain a report concerning the morale and status of the labour force in that agency. At the end of that period, the Information Commissioner has ruled that the information must be provided in the public interest. The agency involved has now gone to QCAT to appeal that decision. I am talking about the Southern Downs Regional Council.

I caution those involved that it is not, in my opinion, always the case that public sector agencies will cooperate. Sometimes those with advantage to be gained by concealing facts will use whatever means there are at their disposal to do so. If an agency is required to cooperate with the right to information people, how do we know that they are providing all the information? It can take a long time of appeals, where applicants are aware of the existence of documents, to demonstrate that. The example of 12 months for the *Southern Free Times* to obtain information is one example. I caution those involved that they ought to be alert to the possibility that not all people always act with the best of motives. I ask them to bear that in mind. Other than that, I support the report and commend it to the House.