




Speech By  
**Jimmy Sullivan**

**MEMBER FOR STAFFORD**

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**INFORMATION PRIVACY AND OTHER LEGISLATION AMENDMENT BILL;  
PUBLIC RECORDS BILL**

 **Mr SULLIVAN** (Stafford—ALP) (4.18 pm): I rise to contribute to this cognate debate in support of the Information Privacy and Other Legislation Amendment Bill 2023 and the Public Records Bill 2023. As a proud member of the Education, Employment and Training Committee, I will direct most of my contribution towards the information privacy elements of this debate as the bill was sent to our committee for investigation.

An important objective of this bill is to align Queensland's privacy legislation with Commonwealth legislation as far as possible. A key part of this aligning is the definition of personal information in the Information Privacy Act 2009, the IP Act, with the Commonwealth Privacy Act 1998, the Commonwealth Privacy Act. This recommendation came from Operation Impala. Currently the IP Act defines personal information as 'information or an opinion, including information or an opinion forming part of a database, whether true or not, and whether accorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion'. This bill will insert a new definition, more consistent with the Commonwealth Privacy Act in relation to personal information, namely—

information or an opinion about an identified individual or an individual who is reasonably identifiable from the information or opinion—

- (a) whether the information or opinion is true or not; and
- (b) whether the information or opinion is recorded in a material form or not.

It goes to the concept of identifiability, which is designed to capture a broader range of information beyond just specifics in a database, and whether the details can draw you to the identity of any individual. The reforms in the bill provide a stepping stone for further reform which can work in parallel, I believe, with the Commonwealth.

One of the issues I raised with witnesses in the hearing was the question of whether privacy issues included in these reforms could be misconstrued or used by departments of our state or other public entities as an excuse not to work together. I think sometimes in the past that has been the case across different levels of government—where privacy was not actually the objective, it was actually an excuse for people not to share information and provide those wraparound services. I was pleased by departmental staff briefings and evidence given by the Information Commissioner as well as stakeholders who put forward that they think that this bill finds a good balance between the natural tension, as they described it, that exists between the need for government officers to provide wraparound services against the personal rights of privacy of individuals, which is why I support these bills in their form today. I also want to note the Attorney-General's contribution in recognising the recommendations of the committee. I thank her for her consideration and the clarifying amendments that she outlined. I think they are technical in nature but very useful so I thank her for that.

Before I touch on the Public Records Act, I want to talk about the hypocrisy that I have heard in some of the debate today from those opposite about public data and public records. I remember when an application for an RTI was put to the office of the first law officer of this state, at the time the member for Kawana, and it was denied because, in the words of the RTI officer, they were informed that the then attorney's office routinely deleted emails so that documents were therefore declared as non-existent. The first law officer of this state was routinely deleting emails so that RTI applications would be considered non-existent.

**Opposition members** interjected.

**Mr SULLIVAN:** They are not my words, that is in the words of those opposite. Those opposite who are laughing at that can think about the significance of the first law officer of this state deleting emails so they would be non-existent. The member for Nanango can laugh all she likes; there is a reason that she is on that side of the chamber.

In terms of the technical changes, can I briefly associate myself with Minister Enoch and her contribution, particularly in relation to the importance of public records when it comes to truth-telling and treaty and the First Nations advisory group. I think that will be a really important development. As I said, I will confine my contribution to the issues that came before the committee, but I do want to support Minister Enoch's contribution. I am sure she can take that for granted.

I thank our secretariat for their professionalism. This is a policy area that is not normally before our committee. They did a great job. Thank you to the submitters and the public servants who developed the bills and supported us throughout the committee process. I commend the bills to the House.