



Speech by

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FREEDOM OF INFORMATION AMENDMENT BILL

Ms NOLAN (Ipswich—ALP) (2.55 p.m.): Are those opposite for real? Here we are sitting in the parliament on a pleasant Wednesday afternoon listening to the Liberal and National parties talk about accountability! In all seriousness, we are listening to those opposite trying to take the high moral ground on an issue relating to freedom of information legislation in Queensland.

I ask members to imagine for a second that it is Thursday evening and they are comfortably sitting at home watching the *7.30 Report*. On the television come John Clarke and Bryan Dawe doing a spoof about the week in politics. I ask members to imagine Dawe saying to Clarke, 'What about this freedom of information bill?' Clarke, posing as the Leader of the Opposition, says, 'Oh, it's terrible. As you know, the National Party in Queensland have been accountable to the parliament. They've been firm believers in freedom of information legislation for decades.' I ask members to again imagine Clarke—that is, posing as Comrade the Leader of the Opposition—then saying, 'You know, that terrible Beattie government. They've been blackening the name of our good friends the Berri company, decent upstanding citizens that they are.' Imagine how funny that would be. People would sit around in their lounge room holding their sides, because the prospect is fundamentally hysterical.

However, that is what we are seeing here today. Sitting in here today I have genuinely had the experience of listening to the Leader of the Opposition and the member for Callide—our charming friend over there—try to put it to us and to the people of Queensland that they are here defending the principles of accountability and openness in government, they are here fighting for freedom of information and they are shocked, horrified and they are hurt that those terrible people in the Beattie government have blackened the name of Berri. If it was not true, one would think, 'Am I awake? Is this really happening? Am I really here?' But I am here. I am with my colleagues. Many of them were here at the time. It genuinely happened. Liberal members have been in coalition through generations of Queensland government, and most recently were in coalition with the Nats from 1996 to 1998. They are there fighting for openness and accountability in government, too. Oh, bless them! How very reassuring! Doesn't it make you feel better?

In order to really understand the gravitas of the situation, it is important that members consider a little bit of the history of freedom of information in Queensland and a little bit of the history of the issues surrounding this bill in particular.

Mr Wilson: You're not going to talk about the facts, are you?

Ms NOLAN: It is dangerous, I know. It will come as a bit of a shock to the member for Callide, but I can see that he is alert but not alarmed and he is ready for it. The first Australian Freedom of Information Act was passed by the Commonwealth parliament in 1982 and there were loud, persistent calls for FOI in Queensland right throughout the 1980s.

FOI for Queensland was a priority for the Goss government and the legislation that was passed in 1992 was one of the most fundamental and lasting changes that the Goss government made to the culture of governance in Queensland. Since 1992, Queensland's freedom of information has been amended a number of times. It was amended in 1993, 1994, 1997—by the Borbidge government to tighten up the provisions—and it was amended again in 1999. So there have been some changes. But the fundamental

issue is that, although the coalition government voted for the first FOI bill in 1992, members have to understand that they were really dragged to it kicking and screaming. They resisted calls from the Labor Party for FOI in Queensland right through the 1980s and, subsequent to that, the only time that they have changed FOI in Queensland was when they were in government in 1997 and they tightened up the provisions around the release of documents.

Now that we have a bit of an idea of just where the Nationals have been on FOI in Queensland, we might want to have a bit of a think about where this issue specifically has come from. In March 2002, we were all here as our charming friend the member for Callide trotted up and accused the Premier of giving incentives to a company, Berri, to bring personal benefit to his brother. When it was publicly revealed that the Premier's brother did not even work for the company in question, the member for Callide was forced to admit that his comments were, in his own words, a tactical lie. It is ironic then that we are standing here today with an opposition—

Mr SEENEY: I rise to a point of order. That is not right. The member knows that it is not right. It is untrue. I seek that it be withdrawn.

Mr DEPUTY SPEAKER (Mr Shine): Order! You take offence to that?

Mr SEENEY: Yes, absolutely.

Mr DEPUTY SPEAKER: The honourable member will withdraw the comment.

Ms NOLAN: I am happy to withdraw. It is ironic that we are standing here today with an opposition that is trying to take the high moral ground on an issue of open and honesty in government when that very same opposition's history of the issue has been 20 years of outright opposition to freedom of information in Queensland.

The bill that we are debating today is the relentless pursuit, as the member for Callide spoke about in his speech, over a prolonged period of a proposition that was wrong when it started and that was that the Berri deal was somehow a deal for the Premier's family. The member for Callide started out with something that was wrong and we have been badgering along at it now for two and a half years.

As the Premier said in his second reading speech, the bill that we are talking about is a response to the Information Commissioner's decision that the Berri deal should be able to be publicly disclosed. As the Premier said in his second reading speech, it was the government's considered view that the Information Commissioner's decision was both wrong in principle and wrong in law. We are legislating today to clarify any ambiguity in that regard.

The whole debate that we are having on this issue of confidentiality for government incentives to business is wrong. If we are going to accept that there should be government incentives for business to invest here, we have to accept absolutely that those incentives should be confidential. As the government has consistently said—and I notice that the National Party said it when it was in government—if we do not have that confidentiality, then every time we do a deal with a business to invest in Queensland we will have the next company walking through the door asking for that deal plus another 10 per cent. This stuff is not rocket science; it is fundamental to how the market works.

I ask members to imagine a law that required the Llewellyn's Holden dealership in Ipswich to post on their web site every deal with every customer on the new model Commodore. It would never happen, because no customer would accept that they should pay 500 bucks more than the bloke before paid. It would not work, because the fundamental premise of the market—that all players bargain on their own merits—would be fundamentally undermined.

I well understand that we are not selling Commodores here and that we must be absolutely accountable when it comes to dishing out incentives that involve taxpayers' money. The reason I know that in practice as well as in theory is that I was born and bred in Queensland and I have lived the experience of National Party rorts throughout my whole life. But there is accountability in this process when it comes to how we provide taxpayers' money and other incentives for business to invest in Queensland. There is accountability about this already on three levels. Firstly, the decisions are made by senior public servants across departments; they are not made by politicians, so there is no possibility that they will be made by politicians to benefit their own mates. Secondly, the Auditor-General, who has proven himself to be anything but a patsy about these issues, gets to look at every single deal. Thirdly, the quantum of the incentives and the list of companies that they go to is released every year. The National Party has a fundamental discrepancy in its own argument. It cannot possibly continue to run the line that it is running at the moment—that it wants the investment, that it is supportive of the QIIS program, that it believes that there should be incentives for businesses to come to Queensland, that it supports Virgin, that it supports Capral, that it supports the other businesses that we are drawing here with these incentives—but it does not think that the government should have the right, like anyone else who is operating in the market, to do so in confidence.

The opposition's line just does not make sense. If we did what it is proposing, that is, we had an incentive scheme but we did not have the right to bargain in confidence, we would be throwing away far

more taxpayers' dollars than we are spending wisely now. From the government's perspective, we could never do a deal with a company that walked in the door that was not as least as good as or most likely better than the company that walked in the door before.

The opposition is talking about a recipe for throwing away an awful, awful lot of money. As Paul Syvret wrote in the *Courier-Mail* on 20 July—

To argue that details of any grants and incentives paid to business investing in Queensland should be disclosed is dangerously naive.

What we are seeing from this opposition is a dangerously naive position. Why are we seeing it? Because these guys are dangerously opportunistic. For over 20 years these people proved that they have no fundamental commitment to openness in government. They have no commitment to freedom of information; they never have. Their efforts of recent days in which they have gone around slurring the names of businesspeople in this state prove that they still think that that is how business is done. They are judging us by their own expectations. We do not do business that way in Queensland anymore.

Mr Wilson: Thank goodness.

Ms NOLAN: That is a good thing, as the member from Ferny Grove says. To suggest that we should have these business incentives and that they should be available is, as Paul Syvret writes, dangerously naive. But it is a proposition that the National Party is seriously putting forward. Once again, that proves just how opportunistic these guys are and just how little they know about how business in Queensland and, indeed, how the economy really works. I support the bill.