

# PARLIAMENT OF TASMANIA

## LEGISLATIVE COUNCIL

Tuesday 15 August 2023

### ADJOURNMENT

#### Parliamentary Transparency and Accountability

[5.00 p.m.]

**Ms WEBB** (Nelson) - Mr President, I rise on adjournment to highlight some key matters pertaining to parliamentary mechanisms of transparency and accountability.

I am raising this in the context of the tabling in this place today of the Production of Cabinet Documents Report to Parliament prepared by the Department of Premier and Cabinet, dated August 2023. I have had the opportunity to read the report since it was tabled last week in the other place and it is an interesting document. It is also a confusing document and one based on a fundamentally flawed premise: that being that DPAC is the appropriate entity by which to drive the debate on providing a mechanism by which parliament can seek the release of Cabinet documents.

I firmly believe that parliament is both the appropriate forum and driver for that discussion, not an executive driven or DPAC driven process. The point I want to focus on is that not only is this a confusing document but it is also rather confusing as to whether there is any expectation that the Legislative Council does anything with it.

The report is ostensibly addressed to the parliament and it contains a chapter titled 'Production of Cabinet documents to Parliament', the Premier's commissioning letter for the report which is included in the report's appendices, states his intention to:

Share the report on the production of documents with the House of Assembly on the first sitting day after the parliamentary winter break and with the Legislative Council the following week.

However, there is very little sense in the way this has been presented that the Tasmanian parliament consists of two Chambers, both of which have issued and in all likelihood will continue to issue their own calls for Government and Cabinet documents. To add further confusion is the fact that last week, the time that this report was tabled in the other place, the Premier wrote to all Assembly members inviting them to consider the report and provide feedback by 28 August, following which the Premier apparently intends to outline further steps for the beginning of parliamentary sitting week commencing 5 September, yet it does not appear the same invitation is being extended to members of this Chamber.

It may be the Government has tabled a copy of this DPAC report for members of this Chamber as a form of a 'for your information only' courtesy and is then leaving it up to this Chamber to decide whether we do anything with it or not in accordance with that established Westminster principle that each House is a master of its own respective destiny.

Given the lack of clarity, it would be useful if the Government could provide further clarification regarding their intent for this report tabled in this place today. Specifically, it would be useful to clarify whatever process the other place may or may not agree to, that will not have any bearing upon, let alone bind this Chamber.

Hence, if the Government is undertaking a process by which to determine a mechanism for the release of documents when requested by the parliament but without equal and comprehensive involvement by the entire parliament, via a mechanism driven by parliament, then the reality is the Government is setting up a situation where each Chamber has its own process and expectations when it comes to the release of requested documents.

It may be that the Government is clear that each House having its own agreed mechanism is the potential outcome of the course the Premier has embarked upon with the DPAC report and process. However, it would be useful to receive some clarity from the Government that in fact, that is their understanding.

I will not go into detail at this time reflecting on the content of this report. Perhaps, there will be an opportunity for some of that in other debates in this place, such as potentially the member for Murchison's motion number 4 which we have on the Notice Paper. I take this opportunity to reiterate that the fundamental flaw with this approach taken by the Premier and the report tabled today is that it should be driven by the parliament as a whole, not by the executive, nor by DPAC.

**The Council adjourned at 5.04 p.m.**