




Speech By  
**Dr Christian Rowan**

**MEMBER FOR MOGGILL**

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Record of Proceedings, 21 May 2020

**JUSTICE AND OTHER LEGISLATION (COVID-19 EMERGENCY RESPONSE)  
AMENDMENT BILL**

 **Dr ROWAN** (Moggill—LNP) (11.36 am): As the Liberal National Party's shadow minister for communities and shadow minister for disability services and seniors, I rise to make a contribution to the Justice and Other Legislation (COVID-19 Emergency Response) Amendment Bill 2020.

The response to the global pandemic that is the COVID-19 novel coronavirus by all Australian state and territory governments and the federal government of Australia is unlike anything our nation has seen since Federation. The health, social, economic and financial impacts that have occurred as a result of this pandemic have meant that significant measures and supports have had to be enacted so as to ensure all Queenslanders are supported through this health and economic crisis.

Whilst the Queensland parliament has already been called upon to consider and pass urgent legislation in response to the COVID-19 public health crisis, the legislation before the House today seeks to enact and enable a number of significant and extraordinary measures to further support a variety of government and non-government sectors. As per the bill's explanatory notes, we are told that such amendments are necessary in order to allow for these sectors and more to have greater clarity and certainty in preparing for, and enabling, an emergency response should there be any significant increase in the community transmission of COVID-19 infections.

More than two months ago when the COVID-19 novel coronavirus pandemic was still emerging, and with Australia's curve rapidly increasing at that time and then again at that time showing no signs of flattening, I said in this parliament that all Queenslanders could indeed be proud of the global leadership exhibited by our local Queensland medical and health professionals. In the two months since, that statement has not only proven to be correct but in fact been strengthened by the incredible and sustained effort of all of our Queensland medical and health professionals in responding to, and containing, the community transmission of COVID-19.

As a registered specialist physician and medical practitioner, I have personally and professionally contributed to the health screening of Queenslanders in order to reduce the community transmission of COVID-19 infections. There is no doubt as to the dedication and professionalism of the doctors, nurses, other health professionals and staff I have assisted. They are certainly a credit to all health, hospital and community clinic staff here in Queensland. For the benefit of the House, I table some photos. I have already provided these electronically to the Table Office.

*Tabled paper.* Bundle of photographs depicting COVID-19 protection measures [807](#).

I would specifically like to acknowledge and thank the more than 3,200 residents in the electorate of Moggill as identified in the most recent census who directly work in health care and social services for all their incredible efforts throughout the current COVID-19 pandemic. I would particularly like to acknowledge local general practitioner Dr Nicholas Bourke and the team at Kenmore Clinics for establishing a local community COVID-19 respiratory clinic whilst also maintaining their general practice

for the health needs of their regular patients. Our local QML pathology provider also has a drive-through test clinic at the Kenmore Village Shopping Centre, and I know they have had the outstanding support of Lisa Jarrold, the centre manager, and her team.

The outstanding determination and commitment of all health professionals in ensuring Queensland's COVID-19 public health response, including testing, is carried out as efficiently and safely as possible has been invaluable in our sustained containment and suppression of COVID-19 infections.

It is these health professionals, these everyday Queensland heroes on the front line, who rightfully deserve every support and protection the Queensland state government can and should provide. To that end, I note that part 12 of this legislation will amend the Police Powers and Responsibilities Act to enable police to apply to a magistrate for a COVID-19 disease test to be administered to a person who wilfully coughs, spits or sneezes on another person and who has been arrested for an assault offence under the Criminal Code.

Whilst new penalties were introduced for such vile incidents earlier this year, including fines of up to \$13,300 or 14 years in jail, part 12 of this Bill will seek to close what some have considered a loophole and provide for the additional step of allowing for mandatory COVID-19 testing of such offenders. This provision is rightfully necessary and in the best health and safety interests of all Queenslanders, especially our frontline health and emergency services staff. Such a provision, which should never have to be exercised, will at least allow for greater certainty to victims and their families as to whether the perpetrators of such behaviours are infectious with COVID-19 and enable them to respond timely and accordingly.

Sadly, we have seen reports in this state of frontline staff at fever clinics and respiratory clinics and also paramedics and ambulance officers and other emergency services workers, including police, facing threats of being purposely coughed on by the very people they are attempting to assist and in many instances treat from a clinical perspective. This is simply not good enough. It needs to be called out, and our frontline health professionals need to be protected from such incidents. It is unfathomable that such despicable and heinous acts, be it real or threatened, could even be contemplated during this public health emergency, yet unfortunately there are those in our community who still do not appreciate the very real—and indeed, deadly—consequences of wilfully acting in a way that could further allow for the transmission of COVID-19.

I now wish to make some comments as the Liberal National Party's shadow minister for disability services. I would like to turn to those amendments which directly affect the disabilities sector and Queenslanders with a disability. I note that under this legislation part 4 will enact amendments to both the Disability Services Act 2006 and the Forensic Disability Act 2011. I thank the minister for arranging for a briefing by her department on these amendments following my request when this legislation was introduced into the House.

Any amendments to these acts, especially those that are considered to be emergency amendments and therefore without the full scrutiny of the Queensland parliament's committee process, must ensure that all rights and responsibilities are carefully balanced. To that end, I note that in the Deputy Premier and Minister for Health's introductory speech on this bill, and via my briefing by the Department of Communities, Disability Services and Seniors, these amendments will centre on ensuring and maintaining the safety and wellbeing of Queenslanders with an intellectual or cognitive disability in certain environments and, for clients of the Forensic Disability Service, for the duration of the COVID-19 pandemic. As per the bill's explanatory notes, amendments will be made to the Disability Services Act 2006 to—

... extend the immunity from civil or criminal liability to disability service providers where gates, doors or windows are locked to ensure an adult with an intellectual or cognitive disability complies with a relevant public health direction.

Many of these legislative changes are very consistent with what is happening with respect to changes at the Commonwealth level for those providers under the National Disability Insurance Scheme.

In addition to amendments that will be made to the Forensic Disability Act 2011, I can certainly appreciate some of the concerns that may arise as a result these emergency measures on behalf of clients, all of those affected in this sector, and ensuring compliance with public health directives and the Public Health Act. That being said, again it is vital that the amendments introduced by the Palaszczuk Labor government adequately balance individual rights whilst ensuring community safety with respect to public health and that sufficient safeguards are maintained. Such considerations are imperative in the effort to ensure that clients, employees, service providers and the broader community are protected from the transmission of COVID-19. I also note that these are time limited and due to expire on 31 December 2020.

In all, some 20 different acts will be amended through the passage of this omnibus legislation, and in my remaining contribution I would like to reflect on just a few of these. I note that there will be amendments made to the Body Corporate and Community Management Act 1997, the Building Units

and Group Titles Act 1980 and the Manufactured Homes (Residential Parks) Act 2003, allowing for a number of measures, many financial, pertaining to lot and proprietor contributions as well as allowing for processes related to the increase or reduction in site rent in the case of manufactured homes.

Whilst many Queenslanders have been waiting and calling for such amendments, it remains a fact that the Palaszczuk state Labor government has been nothing short of woeful when it comes to proactively working in the best interests of Queenslanders with respect to rents and leasing, especially for commercial tenants and landlords. Notwithstanding the absolute debacle that was this state Labor government's botched process of announcing and subsequently withdrawing proposed changes to residential tenancies due to the gross imbalance it would have created, the Palaszczuk state Labor government is still dragging its feet when it comes to commercial tenancies.

Despite legislation passed during last month's sitting, commercial tenants and landlords continue to be left in a state of uncertainty by the Palaszczuk state Labor government's botched implementation and downright refusal to provide the necessary advice and guidelines for tenants and landlords who wish to work together in good faith during the current economic crisis. I continue to be inundated by local businesses and commercial landlords in the electorate of Moggill about this issue. They are desperate for greater action by this state Labor government so they can continue to trade and earn an income, and I call on the Palaszczuk Labor government to act on this issue immediately.

Speaking of inadequate processes, yet again Queenslanders have seen the Palaszczuk state Labor government exposed by its botched decision to amend the Corrective Services Act 2006 and allow for the release of prisoners within seven days immediately before they were due to be released on parole. If Queenslanders needed any further evidence of a state Labor government that is beset by chaos and dysfunction of its own making, this is it. Seemingly, the 18 Labor ministers who sat around the cabinet table did not read the draft bill, and we saw the backflip that has taken place in relation to this. Thankfully, due to the strong advocacy of the Queensland Liberal National Party—the only party in Queensland that is dedicated to ensuring community safety and restoring law and order, and the only party which understands that if you do the crime, you do the time—the Palaszczuk state Labor government was humiliated into withdrawing such a flawed amendment.

Finally, I would like to thank all Queenslanders—and in particular, residents of the electorate of Moggill—for their hard work and patience in adhering to COVID-19 restrictions and social distancing measures throughout this pandemic. Both Queensland and Australia have made significant progress in flattening the curve and limiting the community transition of the novel coronavirus; however, we must not be complacent. That is why we must all continue to comply with public health directives, including maintaining appropriate social distancing, washing our hands and adhering to all of the other public health measures and advice.

In conclusion, I would also like to take this opportunity to make an important plea to all those who are yet to do so. For the benefit of Queensland and Australia, please assist in maintaining our terrific community response to the COVID-19 pandemic by downloading the COVIDSafe app. This will certainly assist the terrific work that is being undertaken by our doctors, nurses, pharmacists and other health professionals with respect to suppressing the community spread of COVID-19 infections. I commend the legislation to the House.