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**From:** [REDACTED]  
**Sent:** Monday, 28 February 2022 7:27 PM  
**To:** Community Support and Services Committee  
**Subject:** Submission by individual to end the covid emergency response act Qld 2020

Denis Auberson  
[REDACTED]  
[REDACTED]  
[REDACTED]

To the submission committee

Please end the covid emergency response act Qld 2020, mandates and this draconian legislation as it has been proven by the ABS that covid deaths only made up 1% of all deaths in Australia AU. The coercion and duress people have gone through is unconstitutional and conflicts with section 17 in the QHRC. ( see below)

Denis A Auberson. M.M.I.A.M.E. JP (Qual) M: [REDACTED]



## FACT SHEET:

# Right to protection from torture and cruel, inhuman or degrading treatment

## Section 17 of the *Human Rights Act 2019*

Section 17 of the *Human Rights Act 2019* says that:

A person must not be –

- (a) subjected to torture; or
- (b) treated or punished in a cruel, inhuman or degrading way; or
- (c) subjected to medical or scientific experimentation or treatment without the person's full, free and informed consent.

The Human Rights Act states that a person must not be tortured or treated in a way that is cruel, inhuman or degrading. This includes not being subjected to medical or scientific treatment unless the person has given their full, free and informed consent.

Torture is a crime in Australia under the Commonwealth Criminal Code Act 1995 (Division 274). Some instances of torture and cruel or inhuman treatment may also be crimes under the Queensland Criminal Code.

Section 17 is based on Article 7 of the International Covenant on Civil and Political Rights. Australia ratified treaty in 1980.

## Scope of the right

Like all rights in the Act, the right to protection from torture and cruel, inhuman or degrading can be limited where it is reasonable and demonstrably justified in a free and democratic society based on human dignity, equality and freedom.

However, the right to protection against torture cannot be limited under international law. Torture is also prohibited under Queensland law. It is therefore very unlikely that any limitation to the right to protection against torture would be justifiable.