

Heath Thomas

4th March 2022

Committee Secretary
Community Support and Services Committee
Parliament House
George Street
BRIWBANE QLD 4000

RE: Public Health and Other Legislation (Extension of Expiring Provision) Amendment Bill 2022

Thank you for the opportunity to provide a submission on this bill. I feel, as a Queensland and Australian citizen, it is important that government give us this opportunity. To say I have been disappointed with the last 2 years of government overreach into our lives, with the extended and continuous restrictions of our human rights, protected in QLD under Human Rights Act 2019, is an understatement. And especially at a state level.

The extension of these powers MUST not be granted.

First off, the disease that is potentially created by the virus Sars-CoV-2, COVID-19, can be devastating to vulnerable people. This appears to be mostly frail elderly, and those with significant underlying health conditions. At not point in time have I disagreed with protecting those people to the best of our ability.

Sadly, people die. Regardless of how they die, it is sad, and as a human being, if there is something that I can do that clearly prevents someone else from dying, I would do that, without placing myself at risk. With a background in Work Health Safety as an advisor, this is drilled into us throughout our training – there is no point putting yourself at risk to save someone else. Therefore, I certainly agree that should I have signs and symptoms of any disease, I would stay home, avoid contact with people as much as possible, and if necessary seek medical help.

With reference to data provided by Australian Institute of Health and Welfare, *“In 2018, almost 6,000 deaths in Australia were attributed to communicable diseases.”* Communicable diseases are passed on from person to person, including numerous respiratory infections from bacterial and viral infections (influenza, whooping cough, etc). Other than health advice, no restrictions on human rights on a whole of population level to control the spread of these communicable diseases have been used in the past, that I am aware of. Why, therefore, beyond the initial few weeks or months, have our Human Rights been continued to be violated?

I bring to your attention the following parts of the Human Rights Act 2019, along with comments:

- Division 1, Part 15 (2) “Every person has the right to enjoy the person’s human rights without discrimination”.

Due to the unlawful segregation of its citizens, based solely on a person’s sensitive health information, which is protected under the Federal Privacy Act 1988, this government has allowed the people to discriminate and be discriminated by requiring recording of said health information.

- Division 1, Part 16 “Every person has the right to life and has the right not to be arbitrarily deprived of life.”

As a very poorly considered method of controlling the so-called “Covid-19” disease, this government has only considered vaccination as a protection. The right to refuse medical treatment, or discuss and choose alternative methods, has been removed. As with any medical intervention, there are risks involved which must be considered. The risk of death from an intervention must be seriously considered against the benefits of such intervention. It is clear that people have died and suffered serious, long-term adverse reactions from the currently available interventions, and therefore violates this right to life.

- Division 1, Part 17; A person must not be—
(c) subjected to medical or scientific experimentation or treatment without the person’s full, free and informed consent.

The currently available medical interventions (vaccinations) use either a newly adopted technology of a manufactured length of messenger Ribonucleic Acid (mRNA), encapsulated within manufactured lipid nanoparticles (Pfizer and Moderna) or the use of Adenovirus vector (AstraZeneca). These medications have been “Provisionally Approved” by the Therapeutic Goods Administration (TGA), subject to further and continued safety evaluations. Therefore, it can be seen that these medications are experimental, and therefore can only be provided and administered with full, free and informed consent. Requiring your citizens to take these medications in order to be involved in life (including work, social, etc) violates this Human Right, which is also a component of numerous international treaties.

Quite frankly, its abhorrent. As a mature aged student currently studying a Health-related Degree, the number 1 priority is informed consent, which can be removed at any time. As a health practitioner, therefore, I will be required to respect that decision. I fail to understand how any medical professional can sleep at night knowing this!

In regards to the above, it is recognised that in certain circumstances these rights may be limited. As detailed in the legislation, these limitations must be carefully considered.

It is my understanding that the Commonwealth of Australia has a framework for dealing with public health emergencies, with each State having individual legislation – Queensland has the Public Health 2005. The Biosecurity Act 2015, Chapter 8, “Biosecurity emergencies and human biosecurity emergencies”, and specifically Part 2 “Human biosecurity emergency powers” is the Federal Law that guides this. In considering Section 109 of the Constitution of Australia provides that: “When a law of a State is inconsistent with a law of the Commonwealth, the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid.” Does the Public Health Act 2005, including the arduous and archaic measures taken, and continued to be taken, consistent with Biosecurity Act 2015?

Reference to the Australian Constitution, Section 8 states “After the passing of this Act the Colonial Boundaries Act, 1895, shall not apply to any colony which becomes a State of the Commonwealth; but the Commonwealth shall be taken to be a self-governing colony for the purposes of that Act.” This would indicate that it is unlawful to have a physical barrier, with entry requirements, especially of Australian Citizens, at the political limitation that is the Queensland border. How does this legislation override the Australian Constitution?

In closing, this government has, and continues to, overreach into our Human Rights as free citizens in a democratic society. 2 years is long enough to understand this virus and disease, and our governments should have been implementing more appropriate interventions during this time. There has been no messaging on the importance of a healthy lifestyle, improving our care systems to provide much better preventative and interventional health strategies. The vast majority of deaths from this disease are in people who could have died from any respiratory disease. Improving the health of our nation must be a top priority, and it simply has not been for this government, or any prior government. If this is due to the fact that health advice is a choice? If so, this is simply hypocritical to remove the choice of individuals.

The emergency powers must not be extended. The framework should involving Biosecurity Act 2015 and Public Health Act 2005 should be adequate for the current, and any future, public health emergencies.