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**From:** [REDACTED]  
**Sent:** Friday, 4 March 2022 12:00 PM  
**To:** Community Support and Services Committee  
**Subject:** Public Health and Other Legislation (Extension of Expiring Provisions) Amendment Bill 2022

**Follow Up Flag:** Follow up  
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**Categories:** Submission

To the Committee Secretary,

Committee Secretary  
Community Support and Services Committee  
Parliament House  
George Street  
Brisbane Qld 4000

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

I write to the committee to clearly state my opposition to all parts of the Public Health and Other Legislation (Extension of Expiring Provisions) Amendment Bill 2022.

There has been no consideration of less restrictive options and the inclusion of safeguards to protect against the arbitrary use of the Chief Health Officer's powers.

Whilst the discretionary nature of the Chief Health Officer's powers under the Public Health Act may provide significant flexibility in relation to the public health responses 'appropriate' to manage the COVID-19 pandemic, including not using the powers if the risk does not warrant a response, there are insufficient safeguards to extend the Chief Health Officer's powers.

While broad, the Chief Health Officer's power to issue directions are not clearly defined nor subject to appropriate limitations. The Chief Health Officer 'reasonably belief' that the direction is necessary to assist in containing or responding to the spread of COVID-19 does not sufficiently address the problem with a lack of justification for holding such belief, including publishing the relevant medical and/or scientific information relied on in forming this belief.

Whilst The Chief Health Officer is a public entity for the purposes of the Human Rights Act and when making public health directions under section 362B of the Public Health Act, is required to consider the human rights impacts and act compatibly with human rights, these considerations do not include appropriate safeguards, including publishing human rights considerations for all public health directions.

It is critically important for Queensland's democracy, and the community's trust in government and its commitment to human rights, that these measures are the least restrictive option and only in place for the shortest time necessary. There is a genuine risk that the pandemic may result in a permanent erosion of parliamentary scrutiny, lack of trust in the government by members of the public and diminish the culture of respect for human rights.

I ask that the committee request and review in detail the scientific literature and supporting evidence the Health Minister is relying on to justify a 6 month extension of the expiring provisions and what specific conditions in Queensland would satisfy a declaration of the end of the 'Covid-19 emergency' as defined by the Public Health Act 2005. The public release of this information is vital for government transparency, government oversight and to safeguard against potential abuse of the Public Health Act 2005.

Kind regards

Cara Hickey

[Redacted]

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