

**From:** [REDACTED]  
**Sent:** Friday, 4 March 2022 3:58 PM  
**To:** Community Support and Services Committee  
**Subject:** Opposition to extension of CHO powers

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

I am writing to submit my complete opposition to the extension of Chief Health Officer powers contained in the Public Health and Other Legislation (Extension of Expiring Provisions) Amendment Bill 2022.

In particular the extension of the Chief Health Officers Powers provided in Clause 26 and 31 of the Bill.

- The increased powers for emergency officers and the Chief Health Officer to limit, or respond to, the spread of COVID-19 in Queensland, including by issuing directions to require physical distancing, restrict movement and gatherings, require people to quarantine or self-isolate and implementation of other containment measures *is no longer required because of the decrease in severity of the virus, subsequent strains if any, (according to published medical peer reviewed data), is expected to be far less severe than the Omicron strain and is expected to continue to decrease with any future strains. Any new variants or viruses must be evaluated on the medical data when and if they emerge on or after the 30th April 2022. The government cannot continue to possess powers just because the future is unpredictable as stated in the Bill notes.*
- The authorisation of the sharing of confidential information for contact tracing *is obsolete as the government has stated that contract tracing has ceased and is relying on self-reporting of positive testing.*
  - To encourage compliance with quarantine requirements and other public health directions by providing appropriate penalties for contraventions *will only assist to clog up our Court systems and add to our government ever increasing SPER debt with over 43.6% of fines remaining unpaid in Queensland;*
  - Increasing the period for which a regulation may extend a declared public health emergency from seven to 90 days; *is also obsolete as there is no longer a health crisis or emergency.*
- Enabling fees to be charged for costs associated with the mandatory quarantine of persons in government-arranged accommodation; *may be included other regulations and the policy and governance of such facilities being considered and planned for in the building and ongoing management of the new "Wellness Camp" Toowoomba.*
- The protection of personal information collected for contact tracing. *People are no longer using the QR sign in and therefore the information is no longer being provided. Any information collected prior will continue to be awarded the protection when the regulation was made.*

Clause 14 of the Bill extending the application of the transitional regulation-making power may be considered a breach of the fundamental legislative principle. *This potential breach is not justified as Queenslanders must be given the right to return their commercial entities in the way they see fit back to normality. The Commercial viability of the Wellbeing Camp is an issue for the government and not a reason to continue to impose restrictions on Queensland commerce.*

Clause 17 of the Bill has the effect of continuing amendments in the Disaster Management Act that enable a declared disaster situation to be extended by regulation for a longer period (90 days instead of 14 days as ordinarily required by the Act). The declaration of a disaster situation empowers authorised officers to undertake certain actions or compel others to undertake or refrain from certain actions. This includes controlling the movement of persons, entering places, removing or destroying animals, vegetation, vehicles and structures, and closing roads to traffic. *These amendments raise highly contentious concerns as to whether the legislation has sufficient regard to the rights and liberties of individuals (section 4(2)(a) of the Legislative Standards Act). No authorised officers should be given the power to extend a regulation by more than 14 days. Ordinarily the majority of emergency situations do not extend more than 14 days. The COVID virus was a first and we may never see another like it. It has been demonstrated throughout COVID that "Authorised officers have not been limited to those with the necessary expertise or experience to exercise the powers, the head of our TGA is not a medical expert or has any expertise in viruses or vaccinations. The exercise of these disaster powers has the potential to impact on the rights and liberties of individuals, and as such each emergency should be evaluated on its own merits at the time.*

Clause 26 of the Bill extends, until the COVID-19 public health legislation expiry day, the powers provided under the Public Health Act that allow the Chief Health Officer to issue:

- a direction restricting the movement of persons;
- a direction requiring persons to stay at or in a stated place;
- a direction requiring persons not to enter or stay at or in a stated place;
- a direction restricting contact between persons;

• *any other direction the Chief Health Officer considers necessary to protect public health.*

The Chief Health Officers powers are no longer required and definitely breach the fundamental legislative principles. This power to make directions to Chief Health Officer should only be delegated when there is a current Health Emergency. It is a fact that the Health Systems Australia wide is managing with the impact from the COVID virus and there is no longer any emergency or crisis. Countries around the world are returning to normality. These restrictions are now archaic and of no benefit to the people of Queensland. Restrictions for the quarantining of incoming overseas arrivals can be introduced and managed during the Visa application process.

The existing safeguards in the Public Health Act require the chief Health Officer to revoke a public health direction as soon as reasonably practicable after the chief Health Officer is satisfied the direction is no longer necessary to assist in containing, or to respond to, the spread of COVID-19. That time is now and the chief Health Officer is obliged to be invoking this power and not unnecessarily extending restrictions that interfere with the rights and liberties of individuals. There is no right to be impeaching on the liberty of any activity including business activity when the reported data on those who required treatment in ICU is manageable and decreasing and the containment of the virus is no longer required.

Clause 31 of the Bill continues the power of the Governor in Council to make a regulation to extend, or further extend, the period of a declared public health emergency for a period of up to 90 days, instead of seven days as ordinarily required by the Act. Extending the period of a declared public health emergency enlivens the powers of the chief Health Officer and emergency officers under chapter 8 of the Public Health Act. *Given the extensive powers that come into effect when a public health emergency is declared or extended, this provision is one which must not be changed because of one incident, this power must not be changed without further community consultation as it is inconsistent with the fundamental principles.*

The Australian Government Department of Health reported 2,609,599 confirmed COVID-19 cases, including 4,732 deaths in Australia. In Queensland, there have been 507,746 confirmed cases of COVID-19, with 399 deaths relating to COVID-19 being Queensland residents according to your Bill.

According to the Australian Bureau of Statistics (ABS) total mortality in Australia from January to October 2020 was 273,900. Also according to the ABS reports 'COVID' deaths as roughly 2,600 to end January 2021 which is 0.9% of the total and, of that 0.9%, 93.4% of the persons had other co-morbidities. That is, only 6.6% of 0.9% had COVID only.

In addition, a significant number of the 6.6% were older than 83.7 years, the median life span of the Australian population.

I urge the Government not to extend the powers but to allow all Queenslanders to regain personal control of their lives, businesses and employment. Stop any future Suicides and Mental Health Injuries caused by this instability and segregation of our community and the helplessness of its people.

There have been over 116 scientific papers that prove that face masks are not effective in stopping a virus and if misused can inflict other harm. There is scientific evidence that Ivermectin and HQ could be used in Australia and is being used as an effective treatment of COVID in many other countries and could be offered to the public at an affordable cost rather than imposing continuous vaccination paid by government.

Your Bill states that Queensland's management of COVID-19 has proven to be rapid and effective, however, the government's rapid response and the introduction of vaccination and lock downs has come with great cost to business, people who have lost their jobs, our health care and education system.

To say the government response in demanding everyone be vaccination was effective is abhorrent. The recorded data demonstrates the vaccine has not provided the efficacy promised, it did not stop the transmission of the disease nor did it stop the vaccinated from passing it on to the vulnerable or any one else for that matter, and there is absolutely no evidence that it reduced the severity of the illness. Epidemiologists world-wide are now voicing that the vaccinations are not working. Many countries all over the world are reducing or abolishing their restrictions because of this very fact. The requirement that hospitality venues can return to full capacity provided that only vaccinated people attend is nonsensical, ridiculously impractical and instilling fear on those businesses trying to recover.

The future cost to the public health system from the adverse effects of the vaccinations and the already incurred costs on the people, economy and the community will clearly outweigh the short term costs which the Health system may have incurred, if we had managed the hospitalisations with the use of other effective medications and vaccines for those that chose to have them. I know hindsight is a valuable thing but let us all learn from this event and move onto a more accepting and caring Queensland.

Indeed, it should be clear from the hard facts that no COVID mandates or venue restrictions of any kind are justified going forwards. To extend these directions would be injudicious and completely counter to the facts and completely counter to the best interests of our state."

It is not critical that flexibility is maintained by retaining these powers "as restrictions are eased and normal social and economic activity resume" as stated in the Bill's notes, It is critical that Queenslanders regain control of their lives now without fear or interference, not in another 6 month's time. The government needs to get the economy productive again so businesses and employed people can pay taxes which may then provide a Health system capable of addressing any ongoing public health issues from this or any future virus.

Yours faithfully,

Tonia Lance

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