

SUBMISSION ON THE PUBLIC HEALTH & OTHER LEGISLATION (EXTENSION OF EXPIRING PROVISIONS) AMENDMENT BILL 2022

SUBMISSION TO: Community Support & Services Committee
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Thank you for the opportunity to contribute to the public feedback on the new Public Health Extension Bill 2022.

I am the Queensland State Member for Mirani.

There is no doubt that COVID-19 was initially a serious problem that required extraordinary measures be taken by the Queensland Government.

However, that was over two years ago now and there has been more than ample time for the Government to respond to, and mitigate the effects of, Covid-19, and for parliament to start properly scrutinising the government's actions to ensure they do not unnecessarily or arbitrarily infringe on people's rights.

The fact that this has still not happened suggests that the Queensland Government is now using the extraordinary emergency powers to further a political agenda aimed at fundamentally changing the way people live, work and interact socially.

It is because of these powers, that businesses in Queensland continue to close (many permanently), countless jobs continue to be lost, and vital health care continues to be denied because it is deemed "non-essential," amongst many other tragic and ongoing consequences of the State's prolonged emergency measures.

It is time to repeal all Queensland's emergency decrees that are imposing unnecessary and disproportionate restrictions on human rights, and to also repeal any legal instrument whereby such decrees have been, or soon will be, incorporated into ordinary law.

The new Bill, which seeks to extend the use of these Emergency powers to 31 October 2022, does not reflect recent developments in the so-called 'emergency situation' and neither does it:

- a) Provide any oversight or accountability for the Government's ongoing use of these powers to Parliament;
- b) Properly record or publish the various decrees in accordance with legislative norms; or
- c) Provide transparency over the process by which laws continue to be created overall.

The Transitional emergency regulation-making powers should also not be allowed to continue for a further two years after the "Covid-19 Expiry Date".

This is dangerous and unnecessary.

Under these powers, the government retains the ability to re-impose any of the 'Covid laws' at any time during those two years if it decides they are 'necessary'.

This means the emergency powers will continue to be held in abeyance for two years after the 31st of October 2022 – namely to 31 October 2024.

The adoption of the Transitional provisions give the government the power to adopt measures severely restricting individual freedoms without introducing special legislation to do so.

It is also high time that the Queensland government release all the data they are withholding, to allow citizens to make informed decisions in their own best interests.

There is mounting evidence that faulty and unverified data sets, as well as flawed testing and reporting have led to some very harmful restrictions being imposed on the people of Queensland.

The failure to perform any proper due diligence on the data being used to make these decisions amounts to gross negligence on the part of our Government and Public Health bureaucratic managers.

We were told again and again that the science is 'settled' and yet we are finding out every day that they have been 'cherry-picking' much of the data that suits their agenda and suppressing or vilifying all the rest.

Government briefings have failed to properly explain the "reasonableness" or "necessity" for any of the draconian laws or dictatorial measures they are mandating on a captive and frightened population, except to say "THE SCIENCE" compels it.

They have failed to provide ANY data to Queenslanders on anything – just kept them in a perpetual and exaggerated state of fear for two years.

Not only is there no end in sight to this cynical fearmongering by the Government and its partners in the Public and Private sector, it seems to worsen by the day.

Living in accordance with the government's mantra of 'keeping people safe', will, if taken to its logical conclusion, see citizens locked in their homes forever, on the logical premise that if they leave, something bad may happen – if not today, then maybe tomorrow.

What has happened over the past two years in Queensland has set a terrible precedent: that unfettered power can be wielded indefinitely simply by declaring an emergency.

When Executive power continues to exercise absolute powers unchallenged, as has happened here in Queensland, it will be encouraged to act unilaterally again and again, to combat other declared emergencies, such as climate change or the large public protest marches.

In the short-term, it will mean that the framework of government in Queensland, which provides us with the greatest protection of liberty and democracy, will continue to be trampled over in the name of "responding" to this 'pandemic', which by any measure, is no longer a pandemic.

Are we really prepared to sacrifice our democracy and constitutional rights in this way?

After two years it is well past time for restoring the time-tested democratic model of checks and balances across all three – and separate - branches of government.

The ongoing use of emergency powers must not be extended for a fifth or sixth time.

To do so would be a clear breach of Australia's historical system of government, principles, traditions and values.

It is also completely without any "scientific" justification whatsoever.

It is now my view that the rolling extension of these powers is becoming little more than a naked grab for power and control by the State's Executive leadership.

Many of the decrees that have been issued across all sectors of governance, have been adopted without a clear and legitimate objective to tackling the COVID-19 pandemic.

There is a Facade of Legality over this ongoing use of emergency powers in Queensland, to further the government's political objectives and undermine the rule of law.

The inadequate institutional and constitutional frameworks within which such emergency powers have been used in Queensland has made this unhindered exploitation of emergency powers by the Executive Government dangerously easy.

If allowed to continue, I believe it will lead to no less than the radical overthrow of our way of life and political system.

We need to restore balance and accountability to the policy-making process in Queensland.

And finally, we need to reject this reigning culture of fear before it's too late, start re-opening our economy responsibly, end 'government by decree' powers, abolish the hated vaccine mandates and restore Queensland's democratic voice by restoring the power of the Legislature and all its functions.

Yours sincerely,

A handwritten signature in blue ink that reads "S. Andrew". The signature is written in a cursive style with a large initial 'S' and a stylized 'A'.

Stephen Andrew
State Member for Mirani