

From: [REDACTED]
To: [Economics and Governance Committee](#)
Subject: Public Health and Other Legislation (Further Extension of Expiring Provisions) Amendment Bill 2021
Date: Tuesday, 6 July 2021 3:43:23 PM

To the Secretary of the committee reviewing submissions on the above Bill

I make this submission in the hope the government will take note my concerns over the deteriorating democratic rights of citizens in the State of Queensland, and give effect to these concerns in their submission to parliament on the 6th of August, 20121.

The frequent edicts issued by the Chief Health Officer, under the guise of Public Health Directions, with the pretext that there is a continuing threat from the disease known as Covid-19 is grossly misleading. As of the 6th of July, from the government's own data base, of the total number of active cases, there are only 49 still active from which there are 40 hospitalizations and none in ICU. Significantly, 1,641 cases have totally recovered, with a total of 7 deaths, of which, sadly, one occurred in April this year. None of these data, along with over 3M tests completed, could remotely be considered a cause for concern to invoke further measures to protect the health services from being overwhelmed. In fact it is glaringly obvious that the opposite is true: a very sound underwhelming position given the extensive health facilities, both public and private, throughout the state.

In the Explanatory Notes to the Bill, under the title **Consistency with fundamental legislative principles**, the government knows that the powers it is seeking go beyond the hard won rights of ordinary citizens, in what was once thought to be the democratic State of Queensland. Furthermore, I would surmise most citizens would have thought that, until recent times, the government would ensure that fundamental legislative principles would include requiring legislation to have sufficient regard to rights and **liberties** for all individuals, and that in any legislation the rights and **liberties**, or obligations, of its citizens that are dependent on administrative powers, would only be acceptable if, and only if, those powers are reasonable, which should be, but not limited to:

- sufficiently defined and subject to appropriate review;
- allows delegation of administrative power only in appropriate cases

- and to appropriate persons;
- confers power to enter premises, and search for or seize documents or other property, only with a warrant issued by a judge or other judicial officer; and
- that any such power and warrant can be tested by an effected party in a superior court for its proper due process.

The word **liberties** - in most dictionaries - can be distilled into having the following meanings, in the context of this Bill:

- The condition of being free from confinement, servitude, or forced labor
- The condition of being free from oppressive restriction or control by a government or other power
- A right to engage in certain actions without control or interference by a government or other power
- The right or power to act as one chooses, within legal limits, generally

In the government's own words this *Bill contains several clauses that potentially **implicate**, the fundamental legislative principle that legislation must have sufficient regard to the rights and **liberties** of individuals*. The use of the word **implicate** is rather chilling, in the sense that it means **to involve or connect intimately or incriminatingly**, which seems rather curious, given its use in the context of this Bill. Clearly, the government knows that it is seeking to apply new laws to cover past and present actions to ensure that there are changes to existing laws so that these actions can be deemed lawful. This seems contrary to all that we have come to understand in a democratic society, where proposed laws are debated publicly, in parliament, and then sanctioned by a majority to give effect to these changes, in an open parliament where all actions are transparent for all to see.

In the details that follow in the Bill, references are made the need to protect the health of the public, the [proposed] limitations on the rights and liberties of individuals from the extension of the amendments regarding the duration of [these] powers are considered appropriately justified. This is plainly false as there is no impact on the health system given the facts above, so it would not be reasonable to extend these powers beyond the current expiry date of 30 September 2021; in fact, the present emergency powers should be revoked, forthwith. The proposed draconian extensions to the existing temporary powers makes a mockery of our democracy, and a failure to terminate this Bill would mean that the liberties of Queenslanders will be ever more under the

administrative control of someone, viz. the Chief Health Officer, who was never elected to that position of power by the people whose lives are currently impacted every day of their life by the frequent changes that have no end unless stopped now.

Heaven forbid if this bill ever becomes law as it will, forever, change the meaning of the word 'temporary'. The original 'temporary' emergency powers invoked in January last year will then have run for over two years, and the frightening aspect of this is that given the extraordinary freedom the government has gained by invoking such emergency powers last year, there is no guarantee that they'll ever be revoked. Queenslanders should not continue the deprivation of their liberties, destruction of their livelihoods, and the devastating impacts on small business if these 'temporary' powers are extended, yet again.

Consequently, I implore the committee to recommend to the parliament that there is no sound public health basis for continuing the current state of affairs beyond the present expiry date.

Allan Cox

