

The Research Director Finance and Administration Committee
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Reference: **SE Queensland Water (Restructuring) and Other Legislation Amendment Bill 2012**

Submission regarding the proposed amendments to the Queensland 'Water Fluoridation Act 2008'

Dear Sir / Madam

Following is a submission relating to the, 'Amendment of Water Fluoridation Act 2008 to extend the criteria under which an exemption may be sought from the requirement that a relevant water supply be fluoridated and to clarify that an exemption may only be sought for an eligible relevant public potable water supply' to be discussed in parliament in the near future.

This submission is a request that serious consideration be given by the Queensland Parliament to substantially amend the Water Fluoridation Act 2008 as it stands at this time as the implementation of the Act is inappropriate and unlawful.

I will reference the town in which I currently reside.

Nanango a town encompassed in the South Burnett Regional Council. The population in 2011 was 3795 persons.

The town water is sourced from a bore, the water is foul and any person new in town is always advised not to drink the town water. I have records of water quality testing acquired through RTI, eight (8) out of ten (10) consecutive tests failed the water quality standards.

The majority of dwellings have rain water tanks and they are normally plumbed to the kitchen sink through a separate spigot or at least to a point where the occupant can conveniently access rain water for cooking and drinking. The schools in the area also have large rain water tanks which are accessible by the children and staff but officially this practice is against the Education Department rulings.

Sometime in 2008/09 the South Burnett Regional Council submitted a request for exemption to the Minister for Health, the request was subsequently forwarded to the Queensland Fluoridation Committee and was mentioned at the meeting 19th February 2009. Unfortunately I have been unable to acquire a full transcript of the application.

The minutes of that meeting included the following paragraphs/statements:

An update on the progress made to date on the implementation of the water fluoridation project was provided to members. The Chair advised that the Minister had referred an application from South Burnett Regional Council, made under S 8 of the Water Fluoridation Act, to the committee. The Chair tabled a letter from the Minister for Health, referring the application to the committee.

The Chair requested that an opinion be sought from the Legal Unit

Preliminary Assessment of Application:

The committee came to the following conclusions:

The application did not merit an exemption under Section 8 (1) (a) of the Act: that naturally occurring fluoride levels were equal to or above that prescribed by regulation.

No opinion could yet be formed as to whether there were grounds under Section 8 (1) (b) of the Act (water chemistry issues) and further information was required.

The application, as it applied to Kingaroy, did not merit an exemption under Section 8 (1) (c) i.e. that fewer than 1000 people consumed the water and there was no oral health benefit, as information provided by the applicant indicated that more than 1000 people consumed the water in Kingaroy.

The application, as it applied to Nanango, may have merit under Section 8 (1) (c) on the grounds that fewer than 1000 people consume the water but that clarification was required from the legal unit.

The committee continued its assessment of the application.

WFA S8(1) (b) The committee agreed that the water quality of both the Nanango and Kingaroy supplies was poor but that funding was available for the council to upgrade its water treatment facilities. The committee concluded that there was no water chemistry issue identified which would prevent the maintenance of fluoride concentration.

WFA S8(1) (c) Nanango: The committee agreed that:

- (i) the quality and nature of the evidence provided by the applicant was insufficient for the committee to conclude that the ground for an exemption was met. The Chair advised the committee that the number of children attending Nanango State School was 504 and Nanango State High was 515, a total of 1019 students who would receive oral health benefit from the fluoridation of the Nanango supply.*
- (ii) The committee assessed the survey provided by the council which claimed to provide evidence that fewer than 1000 people consumed the town water. The committee expressed concerns about deficiencies in the design and execution of the survey (no indication of response rate, no indication of how a representative sample was ensured, introduction of bias into the survey by linking it to the fluoridation of the water supply in its explanatory notes.*

My Points:

1. *The Chair requested that an opinion be sought from the Legal Unit*

I have been unable to ascertain if the legal opinion was actually sought but it certainly was not obtained from the legal unit before a decision was made by the committee to refuse the application in the same meeting!

2. *No opinion could yet be formed as to whether there were grounds under Section 8 (1) (b) of the Act (water chemistry issues) and further information was required*

Again, if further information was required in order to make a decision why was this not requested from the Council prior to making the decision to refuse an exemption on these grounds?

3. *The application, as it applied to Nanango, may have merit under Section 8 (1) (c) on the grounds that fewer than 1000 people consume the water but that clarification was required from the legal unit.*

Again, clarification was required but the decision was made to refuse an exemption?

4. *The committee agreed that the water quality of both the Nanango and Kingaroy supplies was poor but that funding was available for the council to upgrade its water treatment facilities.*

Number 2 above states that the committee could not form an opinion, however they now state that "the water quality was poor" – not very logical. Further the committee then decide that finding additional funding for a water treatment plant would "fix" any water quality issues (that they couldn't identify). This is not the intent of an exemption application. (further comment following)

5. *The committee concluded that there was no water chemistry issue identified which would prevent the maintenance of fluoride concentration.*

Ref number 2 above. If the committee could not form an opinion how could they now, in the same meeting, determine that there are no water chemistry issues?

6. *the quality and nature of the evidence provided by the applicant was insufficient for the committee to conclude that the ground for an exemption was met*

The quality and nature of the evidence was such that the Fluoridation Committee had to either get a legal opinion or further information from the Council – they did not do either before making their decision not to grant the exemption!

7. *The Chair advised the committee that the number of children attending Nanango State School was 504 and Nanango State High was 515, a total of 1019 students who would receive oral health benefit from the fluoridation of the Nanango supply.*

The intent of the water fluoridation program is to provide an oral benefit to all of the community no matter the age, financial circumstances etc. So the program for Nanango is to specifically target children in the schools? However, Queensland Health have yet to provide any evidence of "oral health benefit" from water fluoridation, further that a later meeting of the committee (25th August 2009) states:

Chair requested that a letter be sent to the Chief Dental Officer requesting that a paper be presented to the committee about how improvements in oral health as a result of fluoridation will be measured.

So on 19th February 2009 they say that 1019 students "would receive oral benefits" but they have absolutely no idea how in August. Further to this (12th November 2009):

Jeanette (Young): concerned about media statement by ADAQ — improvement in teeth after just one year of water fluoridation

Ian (Meyers): clarified, cannot measure difference in just one year. immediate benefit, but hard to measure after just one year.

Michael (Moore?): concerned about ARCPH process of reporting data (some years). ADAQ would be able to use data at the end of year. ADAQ have duplicate of data.

Four years into the program and they still have not reported any "oral benefits" of water fluoridation - in fact:

Fluoride dosing is a start but alone it will not improve oral health; other oral health interventions are also required. Poor dental health leads to other health issues.(Greg Jackson)

8. *a total of 1019 students who would receive oral health benefit from the fluoridation of the Nanango supply*

A fundamental error occurred in the deliberations. The children do not drink the town water as it is foul and it comes from the bore. No one bothered to find out just how many and how much water is consumed by the school children. My observations are that most of the children either take water from home (water tank), they purchase their water in plastic bottles and quite a lot of them refill their bottles from the rain water tanks at the school.

The rule is to show that more than 1000 of the population will possibly not receive a significant (measurable) oral health improvement - the evidence was provided but not in a significant manner. The Committee should have investigated, they failed to do this and they failed in their Duty of Care to our community and in particular to our children.

Ref my 4 above. Some 3 years after installing the water treatment plant the water is still not drinkable so the Committee authorised further waste of monies just to get at 1019 captive kids.

Conclusion.

I could add lots more to this submission, unfortunately it is getting close to the deadline.

Clearly the previous government were determined to fluoridate as many people as they could using any means that they had. Your review needs to consider these points in consideration of all the material that the government has received over many years to the effect that water fluoridation is a waste of money and a waste of community funds. 99.5% goes down the drain, how can that provide a significant improvement in oral health?

Thank you



Colin R Bishop

