

Public Health and Other Legislation (COVID-19 Management) Amendment Bill 2022

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Public Submission from the Queensland Peoples' Protest Regarding the Public Health and Other Legislation (COVID-19 Management) Amendment Bill 2022

The Queensland Peoples' Protest (QPP) is an apolitical political organisation organised under the Queensland-based Freedom and Truth Australia (FTA) association. It has more than 10,000 followers and its members have been peacefully protesting at least once a week across Queensland since March 2022. The objectives of QPP are to ensure human rights are respected in legislation and directives from Australian governments especially in times of public health "states of emergency". QPP has significant concerns that the proposed amendments to the Public Health Act will entrench unjustifiable limitations on human rights in Queensland for at least another year. The limitation on our human rights is unacceptable to the membership of QPP because these limitations are based on the false assertion from the Qld Government that Covid-19 is a disease so significant that it warrants complete abrogation of human rights, and that the unsafe and experimental Covid-19 MRNA injections are in any way effective. Rather than making limitations on human rights semi-permanent in Queensland it would be strongly preferable in QPP's view to allow for natural immunity, freedom of treatment from medical professionals, and informed consent to once again become the standard-of-care in how public health emergencies are dealt with in a rational democracy.

Specifically, QPP has the following concerns about the proposed legislation:

1. The Chief Health Officer (CHO) will be allowed to retain the power of giving 'directions' for another year (to October 2023) and these will limit human rights. Specifically, the CHO will be able to require the 7-day isolation of persons who allegedly¹ have COVID-19 and quarantine their symptomatic close contacts; require masks to be carried or worn in specified settings; and require workers in vulnerable and high-risk settings to be vaccinated. These proposed semi-permanent directions are argued by the Qld Government to be the most effective way to protect the health system from the uncontrolled and unmanageable spread of COVID-19. QPP suggests that the outcomes obtained from the Qld Government trying to manage the pandemic since January 29th 2020 show that such measures have failed and as of today the 15th September 2022, after 961 days of a State of Emergency we are still having 1000 cases a day of Covid-19. Clearly the Government's response to the pandemic has been a failure, and alternative and less-restrictive means of managing this situation should be preferred, if not at least tried. The experience of other countries around the world show excellent results in managing the outbreak without compromising individual liberty.
2. The CHO directions include a direction that may require employers to take reasonable steps to monitor and enforce compliance with vaccine requirements for their workers. Employers will be able to demand private medical information specifically requiring workers to produce documentation of their vaccination status, and requiring operators of workplaces to keep a record of the vaccination status of each worker. This will infringe on people's right to medical privacy and provide further coercive pressure on workers to give up their right to informed consent for the sake of retaining their employment or good-standing therein. The

¹ A RAT test or a PCR test does not equate to a diagnosis from a registered health practitioner.

unfair pressure placed on Qld citizens having to choose between their jobs and livelihoods; and their health should not be allowed to continue for another year.

3. The Bill's justification to impose human rights restrictions on the unvaccinated and under-vaccinated² is not warranted as it is arguable that people have a greater immunity to all variants of Covid-19 and a longer period of immunity if they are NOT vaccinated with a gene-modifying, immune-system destroying MRNA experimental injection.
4. This Bill will replace the Qld Police Service as enforcers of CHO directions breaches with "authorised persons" appointed by a chief executive officer of a local government. Clause 9 of the Bill authorises these local tyrants to enter places, seize evidence, and enforce compliance with public health directions without advance notice, consent or a warrant. Furthermore, "authorised persons" will be allowed to use reasonable force to make a person go to or remain at a stated place or to leave a workplace. QPP objects to the creation of a new class of law enforcement in Queensland acting under the directions of an unelected bureaucrat in the Department of Health (the CHO) and outside the traditions and training of the QPS.
5. This Bill makes it an offence to recklessly spread the newly defined controlled notifiable condition of Covid-19. This offence carries a maximum penalty of 200 penalty units (currently \$28 750) or 18 months imprisonment. QPP has concerns that this penalty is excessive for individuals and not consistent with a free and fair society, especially in the context of a very mild upper respiratory tract disease that has only a 0.27% case fatality rate or lower.
6. Part 4 of the Bill amends the State Penalties Enforcement Regulation to make non-compliance with a CHO public health direction an offence for which a penalty infringement notice issued under the State Penalties Enforcement Act 1999. This will make it easier for the CHO [REDACTED]³ to fine and intimidate Queenslanders. Section 142K of the Bill will make it an offence to contravene public health directions with a penalty of 100 penalty units or \$14,375 as of 16 September 2022. Again, QPP has concerns that this penalty is excessive for individuals and not consistent with a free and fair society especially when these CHO directions can be enacted for reasons unrelated to the health of Queenslanders but for the purposes of implementing 'nationally consistent public health response' and decisions by the National Cabinet, the AHPPC and other external agencies. These agencies should have and do not have any health powers over citizens of Queensland under the provisions of the Commonwealth Constitution. To then fine Queenslanders large sums of money because of contravening their "orders" is inviting justifiable dissent amongst the citizenry.

² Could that not be all of us? Allowing the unelected CHO to determine how many vaccines all Queenslanders need to take is against the principles of good medicine and fails to take into account individual circumstances and could lead to the situation where nobody is every truly "fully-vaccinated".

³ We wonder what colour shirts these new "authorised persons" will wear; 'tyrant green' perhaps?

7. Minister D'Ath states that the impact on the rights and liberties of individuals is justified given the need to protect the health system capacity through the ongoing management of COVID-19. The proponents of the Bill allege that a vaccinated workforce in a vulnerable setting is less likely to experience severe illness, and more likely to remain available to provide care. Data from sources like the NSW Department of Health and other medical journals show that the more mRNA vaccines a person has the more likely they are to be hospitalised, end up in ICU or die. We suggest that health system capacity is better maintained by not medicalising every mild respiratory tract infection and treating asymptomatic cases as actual diseases. Furthermore, with hundreds of nurses and doctors out of work in Qld due to illegal vaccine requirements, health workforce issues can be ameliorated by more rational and less restrictive means, i.e. re-hiring these discriminated (and most-likely healthier) health professionals.
8. Minister D'Ath concedes that the proposed direction-making power will leave people with little practical choice but to receive a vaccine, so that while consent is given, that consent may not be full and free for the purposes of section 17(c) of the Human Rights Act Qld 2019. She erroneously argues that there are safeguards in place that mitigate the human rights impact on workers who are required to be vaccinated under these public health directions and that there are a range of options available to the workers and they will be required to give informed consent to being vaccinated before the vaccination can occur. This is plainly untrue. No human being can give informed consent when their livelihood is being threatened by the State and their employer. Coercion invalidates the doctor-patient relationship which is sacred in law and medical ethics.
9. Section 142R of the proposed Bill allows for NO entitlement to compensation if a person suffers loss or damage because of the exercise of these unwarranted CHO directives. Having recourse to compensation and justice in the courts is a feature of a trusted and working democratic Western society. By specifically prohibiting accountability of the Government by this amendment; the Government is exposing itself to righteous accusations of incompetence and disregard for the welfare of its citizens.

For the above reasons the membership of the Queensland Peoples' Protest urge you to:
"Bin this Bill".

Sincerely,

The Suspended Dr William Bay

For Queensland Peoples' Protest

16 September 2022