



The Royal
Australian &
New Zealand
College of
Psychiatrists



Queensland Branch

16 December 2020

Mr Aaron Harper MP
Committee Secretary
Health and Environment Committee

By email to: hec@parliament.qld.gov.au

Dear Mr Harper

Public Health and Other Legislation (Extension of Expiring Provisions) Amendment Bill 2020

The Royal Australian and New Zealand College of Psychiatrists (RANZCP) Queensland Branch welcomes the opportunity to respond to the *Public Health and Other Legislation (Extension of Expiring Provisions) Amendment Bill 2020 (Bill)*.

The RANZCP Queensland Branch endorses the proposal to extend the date for the declared public health emergency (due to the COVID-19 outbreak) for a further six months until the end of September 2021. It also endorses the proposal to align the expiry dates for all amendments made to Chapter 8 of the *Public Health Act 2005* health portfolio legislation.

To support the Queensland Government's health response to COVID-19, we welcome amendments to the *Mental Health Act 2016*, through the *Justice and Other Legislation (COVID-19 Emergency Response) Amendment Act 2020*, that would allow for declarations to be made about a mental health service through an expedited process. We do wish to emphasise that any amendments to the *Mental Health Act 2016* should provide for safeguards and appropriate checks and balances to ensure the rights of consumers who are subject to involuntary treatment orders are preserved.

We note under the amendments, the Chief Psychiatrist may approve a person's absence from an authorised mental health service if it is necessary to comply with a public health direction. For persons subject to judicial or forensic orders, we were encouraged to see protections embedded within the legislation where the Chief Psychiatrist may, when appropriate, order a person remain in the physical presence of a stated person for the period of the absence.

To discuss the contents of this letter please contact me via Ms Nada Martinovic, Policy and Advocacy Advisor (Queensland Branch), at [REDACTED] or on [REDACTED].

Yours sincerely

Professor Brett Emmerson AM
Chair, RANZCP Queensland Branch Committee