

Health and Environment Committee

From: Robert Stable [REDACTED]
Sent: Tuesday, 12 January 2021 9:36 AM
To: Health and Environment Committee
Subject: Brief Submission re Public Health and Other Legislation (Extension of Expiring Provisions) Amendment Bill 2020
Attachments: Bio 2020-12-10.docx; ATT00001.htm; Submission re Public Health Jan 2021.docx; ATT00002.htm
Categories: Submission

Dr Jacqui Dewar
Committee Secretary
Health and Environment Committee
Queensland Parliament
Parliament House
George Street
BRISBANE Q 4000

Dear Dr Dewar

Thank you for the opportunity to provide a brief submission regarding the Public Health and Other Legislation (Extension of Expiring Provisions) Amendment Bill 2020. My submission is by necessity brief as I only became aware of the review on Monday evening. However, I would be pleased to explain, or expand upon, my comments at anytime should you or the Committee wish me to do so.

In my opinion, it is timely that the legislation be reviewed. It is clear that even with the 170 (as identified by the World Health Organisation) different vaccine research projects underway internationally, and the five vaccines now in use in different parts of the world, that Co-Vid 19 and its mutations will continue for at least another year, and very likely longer.

And it is also clear that further pandemics are likely in the years to come. Several examples in recent years are human immunodeficiency virus (HIV), ebola, swine flu, avian flu and Middle East respiratory (MER) syndrome.

I understand that my submission may become a public document. I have also attached a brief cv which is for your information only and not for public release as it is not a part of the submission.

My contact details are:

Email: [REDACTED]
Mobile: [REDACTED]

Thank you again and regards

Dr Robert Stable AM
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Brief Submission to Health and Environment Committee, Queensland Parliament

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

From: Emeritus Professor Robert Stable, former Director General of (Queensland) Health

Date: 11 January 2021

Thank you for this opportunity to provide brief comments regarding the Public Health and Other Legislation (Extension of Expiring provisions) Amendment Bill 2020. Unfortunately, I only became aware of the matter 36 hours before the deadline for submission.

From the outset, I wish to make clear that I hold the current Chief Health Officer in the highest regard for her knowledge, expertise and professionalism. In fact, I was instrumental in her appointment to the position of Medical Superintendent at the Princess Alexandra Hospital, a position she held before her current one.

I should also declare that it was during my eight years tenure as Director General, a position I relinquished when headhunted for a Vice Chancellor position, that (public health) legislation was amended to allow forceful contact tracing for certain infectious individuals and detention when they posed a risk to others. Such legislation was opposed at the time by the Department of Justice as it was considered to be contrary to established civil liberties in a democratic society. However, my Minister and subsequently Cabinet understood the importance of the matter.

However, following an extensive clinical and administrative career at all levels of the health system and with experience in public administration at the highest level, I have reservations regarding the current approach.

In my opinion, unelected officials in a democratic system should not have unfettered powers. There are grave risks associated with this approach.

In the current situation, it has also led to confusion as to who is 'in charge' – the elected Government (Premier) or an unelected official. One consequence of this has been the totally unacceptable personal threats made against the Chief Health Officer as she has been seen to have made decisions contrary to Chief Health / Medical Officers in other jurisdictions.

Whilst I am confident that the current Chief Health Officer consults with relevant medical specialist experts, there is no legislative requirement that she, or a future appointee, does so. This can be done in a timely and accountable manner as per my recommendations below.

There is also no requirement for any contrary views to be advised to the Premier, although I suspect, and hope, that this does occur with the current Chief Health Officer. Clearly, it is

essential that the Government receives unbiased, informed and comprehensive advice from officials.

My recommendations are as follows:

1/ **In any declared public health emergency**, the Chief Health Officer be required to formally establish, and Chair, a Queensland Health Protection Committee with the following core membership:

- Director General of Health (as the Chief Executive (Accountable Officer) of Queensland Health with responsibility for the performance of Queensland health in responding to the health needs of Queenslanders including in this situation)
- Specialist Public Health Physician x 1 (to ensure expert advice)
- Medical Specialist appropriate to situation x 1 (to ensure expert advice). For examples, an Infectious Diseases Physician for a pandemic, a Toxicologist for threat of mass poisoning.
- Community Psychiatrist x 1 (to ensure that the mental health of Queenslanders is taken into account when giving advice)
- Medically qualified Representative of Hospital and Health Service Chief Executives x 1 (to ensure strong and direct engagement with Hospital and Health Services for a coordinated and timely response)
- Health Economist x 1 (to ensure all actions are comprehensively scrutinised for their overall effectiveness and benefit to Queenslanders)

Appointments to the Committee are to be made following agreement between the Director General and the Chief Health Officer and are for the duration of the situation.

Additional members are not encouraged but may be appointed provided that the majority membership is medically qualified.

2/ The Committee is to provide advice to the Chief Health Officer for the Chief Health Officer to use in providing advice to the Minister / Premier. If the Chief Health Officer does not accept the advice, this must be made clear, in writing, to the Minister / Premier.

3/ The Committee must take account of any advice from the Australian Health Protection Principal Committee. If the advice from the Committee is contrary to that of the Australian Health Protection Principal Committee, then must be made clear, in writing, to the Minister / Premier.

4/ All advice from the Chief Health Officer to the Minister / Premier must be following formal discussion by the Committee and in writing. Such advice must be made public within four weeks of the advice being received by the Premier.