



Speech By  
**Hon. Yvette D'Ath**


**MEMBER FOR REDCLIFFE**

---

Record of Proceedings, 1 September 2021

**PUBLIC HEALTH AND OTHER LEGISLATION (FURTHER EXTENSION OF EXPIRING PROVISIONS) AMENDMENT BILL**

**Second Reading**

 **Hon. YM D'ATH** (Redcliffe—ALP) (Minister for Health and Ambulance Services) (3.18 pm): I move—

That the bill be now read a second time.

I would like to acknowledge the work of the Economics and Governance Committee in conducting its inquiry into the bill and finalising the report, which was tabled on 6 August 2021. I would also like to thank the many stakeholders who made submissions and appeared before the committee. The committee made one recommendation: that the bill be passed. While non-government members of the committee tabled a statement of reservation, all members of the committee supported passage of the bill in the interest of giving the government the necessary powers to deal with any upcoming emergency situation caused by a further COVID-19 outbreak in Queensland.

I do not need to remind members that COVID-19 is one of the most significant health crises of our generation. In late February this year, the World Health Organization reported that over 111 million people had contracted COVID-19 and over two million people had tragically died from the virus. Only six months later, these figures have doubled to 211 million confirmed cases and 4.4 million deaths. In this global context, our success is stark. Currently, there are 23 active cases in Queensland and seven Queenslanders have lost their lives to COVID.

Let me be clear about how significant this achievement is. The United Kingdom has recorded over 130,000 deaths from COVID-19. If Queensland had the same proportion of deaths relative to our population, 12½ thousand people would be dead, not seven—I repeat: 12½ thousand. Instead of taking the disastrous approach of international jurisdictions, Queensland took a different approach. We went hard and we went early. To date, we have been able to suppress and control COVID-19. The outstanding response of our health system has ensured that we have been able to stamp out clusters before they lead to widespread community transmission.

The success of Queensland's health response in limiting the entry and spread of the virus continues to be the envy of many countries across the world. Queensland's swift and effective response to COVID is made possible by a range of extraordinary legislative measures. On 30 January 2020, the former minister for health and minister for ambulance services, Steven Miles MP, declared a public health emergency to activate powers for Queensland's emergency officers to respond to COVID-19. This was followed by the Public Health and Other Legislation (Public Health Emergency) Amendment Act 2020 in March 2020 to give our Chief Health Officer, Dr Jeannette Young, the emergency powers she needed to respond to the COVID-19 emergency in a quick and decisive manner.

In addition to addressing the immediate risks of COVID-19 to public health and safety, the Palaszczuk government introduced a wide range of measures to protect the health, safety and welfare of Queenslanders, mitigate the spread of COVID-19 in the community and facilitate the continued

functioning of Queensland's institutions and economy. This enabled us to provide regulatory relief to individuals and businesses to minimise disruption to ordinary activities and facilitate the continued functioning of Queensland's institutions and the economy to the extent possible during the public health emergency. Collectively, these measures have facilitated a whole-of-government approach that has been successful in responding quickly and flexibly to a range of things disrupted, caused or affected by the pandemic.

Recent events have been a strong reminder that this pandemic still has a long way to run. The virus we are dealing with now is very different to the one we were dealing with for most of the pandemic. Dr Young stated to the committee that COVID—

... is so different ... because we are getting these variants of concern. You do not normally see that. They are happening so rapidly. We are getting mutations in the spike protein that is making these viruses become more infectious.

We are having to learn and modify our response and then modify it again.

In late July, we identified the highly virulent delta strain in a high school student in South-East Queensland. This case led to the most serious outbreak experienced in Queensland. Consistent with Queensland's 'go hard and go fast' approach to COVID-19 transmission events, which has now been supported by national cabinet, South-East Queensland entered the strictest lockdown experienced to date. An initial three-day lockdown was put in place on 31 July to immediately reduce the movement of people within, into and out of Greater Brisbane to allow for comprehensive contact tracing to occur. As the situation evolved, with a fast-growing number of positive cases, close contacts and exposure sites, it became apparent a three-day lockdown would not be sufficient and the lockdown was extended five days.

In the meantime, a new case emerged in Cairns involving a taxidriver who was infectious in the community for about 10 days. Given the high risk of transmission posed by this situation, a three-day lockdown was put in place for Cairns and Yarrabah to reduce movement of people within and in and out of these areas and to allow for comprehensive contact tracing to occur. The lockdowns were lifted on 8 August, together with the safe easing of restrictions. On 20 August, following no new cases of community transmission for multiple days, restrictions were further eased for South-East Queensland and were lifted entirely for Cairns and Yarrabah. Restrictions were lifted for South-East Queensland on 27 August 2021.

Throughout the pandemic, Queensland's approach to easing restrictions, including lockdown conditions, has been gradual. This time has been no different. Heightened restrictions remained in place in affected areas until we were confident that community transmission was well under control. This is even more important as we deal with the highly virulent delta variant. We know that rapid and strict lockdowns are effective against this virus, as was evidenced in South-East Queensland and several jurisdictions across Australia in recent months.

If we are to respond to an unpredictable and evolving threat, we must have the flexibility to act quickly in a way that is responsive to the circumstances. The temporary legislative framework introduced in response to COVID-19 gives us this flexibility. The power of the Chief Health Officer to issue public health directions has made it possible to take prompt, preventive measures, such as restrictions on movement and gathering, and to continually tailor and revoke these measures as appropriate so as to minimise adverse impacts on individuals, businesses and the Queensland economy. This framework has made it possible to revoke or ease public health restrictions as soon as it has been safe to do so, ensuring that restrictions are only applied for the shortest period of time necessary to address the public health risk.

It is critical that these measures are available to allow us to respond rapidly before one case of COVID-19 becomes an outbreak that we can no longer contain. To protect the health of Queenslanders and support Queensland's continued functioning, the bill extends these measures until 30 April 2022. The extension until April next year is considered the least restrictive time frame to ensure that the emergency measures are available to protect Queenslanders but do not continue for longer than necessary. The bill also seeks to support the efficient and responsive management of Queensland's quarantine system by amending the Public Health Act to facilitate prepayment of quarantine fees and clarify that quarantine directions may be served electronically.

I should note that I understand the opposition will be moving amendments in relation to that time frame. My comment is this: we all want this to be over as quickly as possible. We do not want these powers and the emergency declaration to be in place any longer than is absolutely necessary. However, this is not going to be over in September or October or November. In fact, we have seen announcements recently in New South Wales that their schoolkids are not even going back until November. That being the case, to suggest that we can lift these powers in December—

**Mr Bleijie:** You can review them again.

**Mrs D'ATH:** However, if there is a need, that means for us to decide whether we need to extend those powers past December we have to make those decisions basically in the next four weeks to get another bill before parliament and have it before committee for six weeks and then be back here for debate before the end of the last sitting week in the year.

**Ms Camm:** A bill like we have done in the past.

**Mrs D'ATH:** That means that decision needs to be imminent. Everyone knows that the circumstances over the next two months are not going to improve. New South Wales themselves have actually stated publicly the worst is yet to come. Their hospitals have not peaked yet. Their numbers have not peaked yet. There will be more deaths and there will be more cases. Irrespective of vaccines, New South Wales is saying the situation there is going to get worse.

Victoria is acknowledging that their cases are growing and the ACT has just announced another two-week lockdown. So I do not understand how those opposite could think that in the next four weeks we are going to be able to determine—

**Ms Camm:** That is what we have parliament for.

**Mrs D'ATH:**—whether we need powers beyond December or not. I will leave it to the opposition to try to explain how they are going to figure that all out in the next four weeks. Clearly, they have information that national cabinet, every chief health officer around the country and our own government does not have access to, but I am sure we will hear from—

**Ms Camm:** If you released the health advice we would know what you're talking about.

**Mrs D'ATH:** I will take that interjection. If you release health advice—oh my God! Sorry, we are 19 months into a pandemic. Four million people are dead globally. What do you not know about this virus yet? How ignorant do you have to be? 'Can you please provide us with some evidence to tell us whether this is deadly or not? Does it kill people? Does it spread? How quickly does it spread? What might it do if people caught it?' The evidence is there. The evidence is clear for everyone to see. Anyway, I will come back to this in my reply.

I inform the House that I will be moving amendments during consideration in detail as well. Some submissions to the committee raised concerns about the privacy of data collected through the Check In Qld app. Proactive and effective contact tracing is absolutely critical to preventing widespread community transmission of COVID-19. The Check In Qld app plays an important role in providing relevant and timely information to support contact tracing. The amendments I will move during consideration in detail will ensure personal information obtained through the Check In Qld app, or any other app prescribed by regulation, can only be used or disclosed for contact tracing or closely related purposes, such as investigating or prosecuting an offence under the Public Health Act 2005 related to the COVID-19 emergency. For example, the information could be used for an offence of failing to comply with a public health direction or a quarantine direction notice. These privacy protections will also apply to information collected by a business in paper form in the limited circumstances where the app is not available, such as in a remote location or during an internet outage.

The provisions will ensure this personal information cannot be used for law enforcement purposes and is not admissible in other criminal or civil proceedings. These amendments will reassure Queenslanders they can check in using the app, knowing their personal information will be protected. This will help to maintain public confidence in the use of the app and any other compliance apps that may be utilised in the future. The Check In Qld app is a critical pillar in our response as it ensures contact-tracing information can be accessed swiftly and easily during an outbreak. Privacy advocates and the community have been calling for these changes, and the government has listened.

I will also move amendments to the Hospital and Health Boards Act 2011 and the Public Health Act 2005 to facilitate the appointment of more than one deputy chief health officer to support the Chief Health Officer in performing their functions. The COVID-19 pandemic has required an unprecedented response from our public health officials. To keep Queenslanders safe, we have been nimble and flexible even as the pandemic has grown in scale and complexity, and we must continue to do so.

The ability to appoint multiple deputy chief health officers means Queensland Health will be able to draw on officials with different medical specialties and experience to oversee distinct aspects of the response. For example, one deputy chief health officer may focus on our operational response in hospitals and hotel quarantine while another focuses on the public health responses in the community such as contact tracing. These changes will also bring Queensland into line with other jurisdictions with multiple deputy chief health officers. For example, the Commonwealth has four deputy positions, South Australia has three deputies and Victoria and Western Australia each have two deputy chief health officers.

The amendments I will move to the Holidays Act 1983 formalise the announcement made by the Premier and Minister for Trade on 17 August 2021 to move the Royal Queensland Show public holiday to Friday, 29 October 2021 to create a people's weekend. This new date will allow close to 1.8 million residents across the local government areas of Brisbane, Moreton Bay and the Scenic Rim to get out and explore our wonderful state. It will also provide a much needed boost for our tourism industries, which have been doing it tough during the pandemic. A minor change is also proposed to the Industrial Relations Act 2016 to ensure the public holiday is recognised for industrial relations purposes.

The bill is of significant interest to the community, with 588 submissions to the committee inquiry. Many submissions noted that the emergency powers to respond to COVID have been in place for 18 months now. A common theme in submissions was the impact the emergency powers are having on people's day-to-day activities. Some submissions shared personal stories with the committee about how they, their families and immediate community members were affected by lockdowns.

I am grateful to every person who has tirelessly contributed to the success of Queensland's response to COVID-19 over the past 18 months. These are our frontline workers, our healthcare professionals, our emergency services workers, our retail workers who have continued to stock our shelves, our truck drivers, our public transport workers and everyone who has continued on the front line and worked behind the scenes to ensure our communities continue to have the services they need.

I also want to thank every Queenslanders who has done their part by maintaining physical distancing, wearing masks, staying home when unwell and all the other practices that we have in place to minimise the risk of transmission. Queenslanders have been overwhelmingly cooperative with temporary restrictions to their everyday activities, despite personal inconvenience. This shows real community spirit and care for our neighbours.

This pandemic has proven unpredictable. New variants of concern continue to emerge, demonstrating that we can never become complacent. Let me assure the House that this does not mean the emergency powers will be extended permanently. The Public Health Act requires me, as the Minister for Health and Ambulance Services, to declare the end of the public health emergency if I am satisfied there is no longer a significant risk to public health from COVID-19. If that declaration is made, the emergency powers will come to an end from the time the declaration is made. Not one jurisdiction, including the Commonwealth, has named the date that it is going to end. No-one has been brave enough to make that commitment because we do not know what is around the corner.

**An opposition member:** That is what parliament is for.

**Mrs D'ATH:** I take that interjection. Parliaments should decide when a pandemic is going to end, irrespective of the health advice?

**Mr Bleijie:** God forbid members stand up for their constituents!

**Mrs D'ATH:** We all acknowledge the pain and distress that this pandemic has caused. Let us be clear: it is not these powers that have caused the pain in our community; it is the pandemic, the virus. There are two ways to deal with that: you put in place the powers to try to reduce that pain, that anguish, that death and the long-term health conditions it can create if you have tested positive; or you let it run through your community and just accept it is part of what we have to live with and accept many deaths.

We on this side of the parliament will choose to save as many lives as we possibly can. We understand that the pain, anguish, heartache and pressures on every part of our society would be far greater if we had tens of thousands of people dying and hundreds of thousands of people getting infected with this virus. I ask Queenslanders to continue to show patience and to do their part by washing hands regularly, keeping distance with people where possible, getting tested and staying at home if sick. Critically, if people have not been vaccinated and have not yet signed up to receive the vaccine I ask them to do so immediately. Our best path forward to permanently easing restrictions is widescale vaccination against COVID-19.

The fact is: all of us in this chamber are able to go to cafes, restaurants, theatres and sports events and gather together for weddings and funerals. We can go to outings publicly outdoors without any limits. We can have 100 people in our household. Other than the limit of one person per two square metres and having to wear a mask, we have the lowest restrictions in this country. There are many countries, including some states in the US, where kids are only now going back to school after more than 16 or 18 months.

**Ms Camm:** Are they vaccinated?

**Mrs D'ATH:** Are they vaccinated? It does not change the fact that for 18 months—

**Ms Camm:** This is a topic that the Premier has now raised, scaremongering—families, mothers, children.

**Mrs D'ATH:** An extraordinary interjection from those opposite. I really look forward to the debate on this bill. I want the public to hear the debate on this bill. I want to hear the alternative of those opposite. What would they do? They would removing these powers—no border restrictions, no other restrictions, just let it go. If that is not what they would do and in fact they would follow the health advice, as the Leader of the Opposition has from time to time claimed he would—I think just before the election he said, 'Oh, I'd follow the advice of the Chief Health Officer.' The fact is that members opposite continually talk down the Queensland response, even though we have managed to keep people in this state safe.

From the beginning of the pandemic we have put the health of Queenslanders first and will continue to do so. Queensland was the first state in the country to declare a public health emergency in relation to COVID-19 when those opposite were saying we were overreacting. Since 29 January 2020 Queenslanders have stepped up and followed the advice of our public health experts to ensure we do everything possible to stop the spread of this highly contagious virus. This bill represents the Palaszczuk government's continued commitment to supporting the health and safety and the economic future of all Queenslanders. I commend the bill to the House.