




Speech By
Julianne Gilbert

MEMBER FOR MACKAY

Record of Proceedings, 25 October 2022

**PUBLIC HEALTH AND OTHER LEGISLATION (COVID-19 MANAGEMENT)
AMENDMENT BILL**

 **Mrs GILBERT** (Mackay—ALP) (6.39 pm): The people of Queensland have had minimal disruption to their lives compared to other states and countries during the COVID-19 pandemic because of the swift measures that were put in place by Premier Palaszczuk, health ministers Yvette D’Ath and Steven Miles, and our chief health officers, Dr Jeannette Young and Dr John Gerrard. We also had unwavering support from all of our health workers, our GPs, our hospital workers and our paramedics out on the road. They all pulled together to make sure we were kept safe.

I am sure everybody in the House could reflect on how good our communities were. It was wonderful to see how everybody wanted to look after each other and how when they needed to they socially distanced without grumbling. They put on their masks to keep others safe and they rolled up their sleeves and got vaccinated. All the community groups out there made sure they kept their services going to keep our most vulnerable safe. For instance, Meals on Wheels changed the way they delivered their service to make sure they could safely go to the homes of the elderly and deliver those meals. I congratulate all of those groups in our community that got out there and looked after each other.

One thing we all know is that our economy has continued to grow. Businesses see Queensland as a safe place to set up because of our response to COVID. This sentiment is backed by the latest CommSec report listing Queensland as having the strongest economy of all the states in Australia. Our population is also booming. Australians see Queensland as a safe place to live. Why? It is because of the quick and sensible handling of the pandemic. When the hard decisions needed to be made, they were made.

Queensland was the first state to declare a public health emergency on 29 January 2020 under section 319 of the Public Health Act 2005 due to COVID-19. The public health emergency has been extended on several occasions by regulation, most recently until 22 September 2022.

To support Queensland’s response to the public health emergency, temporary amendments were made to the Public Health Act to provide the Chief Health Officer and emergency officers with extraordinary powers to contain and respond to the spread of COVID-19. This temporary legislative framework has been integral to Queensland’s successful response to COVID-19, including immediate efforts to eliminate and suppress the virus and ongoing strategies to manage the endemic risks of COVID-19. The ability to respond quickly and flexibly over the course of the public health emergency has enabled Queensland to avoid significant disruption to daily life while preventing thousands of cases, keeping the community safe and ultimately saving lives.

Unless further extended by an act of parliament, the temporary emergency framework will expire on 31 October 2022 or earlier if the Minister for Health and Ambulance Services ends the public health emergency. Based on the current trajectory of COVID-19 and Queensland’s strategy for managing the next stage of the public health emergency, it is unlikely the full suite of emergency powers will be necessary after October this year to manage the public health response. Accordingly, it is proposed not to further extend the current emergency legislative framework for COVID-19.

There are those out there who believe the virus has gone away and that it is no longer a threat. They are calling for provisions to be scrapped. A friend of mine in Mackay is heading back to his home town down south this week to bury his mate. They had been close friends since growing up together and remained close friends through life's ups and downs. Jeff's mate succumbed to COVID complications. He was in his late 60s. COVID is real; it is still active. The virus is still too unpredictable and too new. We do not know what variants will emerge and how they will affect the population and how the current vaccines will react. The most important thing we can do as legislators is protect the vulnerable members of our community. We do not want to lose any people unnecessarily. Our health system was put to the test during the winter surges of COVID-19 cases. Although the system is agile, we need to give it an opportunity to bounce back and get back on track. We need to give our health workers a chance to get back to a pre-COVID normal.

The existing emergency framework for COVID will expire on 31 October. That is why we need this bill to insert a new framework into the Public Health Act 2005 to manage the ongoing threat of COVID-19 until 31 October 2023. These emergency provisions are needed for the next 12 months. This is our safety net as we step down from the pandemic. This is the next stage of living with COVID safely and ending our health emergency. As we wind back emergency powers, the Chief Health Officer will have limited and targeted powers to manage any risk. These powers are much narrower than those exercised during the emergency phase of the pandemic. This reduces the potential impacts on individuals and minimises impacts on human rights.

The test for when the Chief Health Officer may issue a public health direction has been strengthened. A direction may only be issued if it is reasonably necessary to prevent or respond to a serious risk to the health system or community from a COVID-19 advisory body or to give effect to decisions of National Cabinet or advice of a COVID-19 advisory body.

To ensure increased scrutiny and transparency of decision-making, the Chief Health Officer must publish a statement justifying each direction. The justification statement will set out the reasons for making the direction. It must also include the Chief Health Officer's assessment of whether the direction is compatible with human rights recognised under the Human Rights Act 2019. Directions must be tabled in parliament within 21 days, along with the justification statement. If not tabled within 21 days, it will cease to have effect. On tabling, the direction and justification statement will be referred to the parliamentary committee in the same way as subordinate legislation. This will ensure appropriate parliamentary scrutiny of decisions.

There are never enough opportunities to thank our hardworking health workers who have kept us safe. They have put themselves in the firing line of the virus to care for the community. They went out there vaccinating the community. They were testing. Our paramedics were collecting people from their homes and delivering them to hospital, not knowing what they would find when they got to those callouts, and they did this in all weather. They were out there looking after our community. Our health workers are the heroes of our community. I support the bill.