

BIOSECURITY AMENDMENT (ENHANCED RISK MANAGEMENT) BILL 2021

I have been a Primary School teacher for 30 years, however a long time ago I studied Anthropology and Visual Arts/Cultural Studies. I live in Melbourne. I thank you for the opportunity to make this submission.

I would simply like to comment on the suggested change of 'an individual' to 'a class of individuals' throughout this document. Victoria, and Melbourne in particular, is a very fragile place at the moment. Politicians are framing arguments for restrictions as a dichotomy between those who are obeying vs those not obeying restrictions, those who are selfish vs those who are unselfish, those who are spreading vs those who are not spreading the virus, etc, which is resulting in growing mistrust in the community.

It has got to the point where every day interactions with neighbours and colleagues follow this model – people are labelled and positioned in one group or another, with very little space for tolerance of diversity in opinion. Unfortunately this is resulting in the scapegoating of certain groups, for example, particular professions, cultures, or neighbourhoods.

At this particular time in Australia's history I believe it is not wise to use the words 'a class of individuals' in the Biosecurity Act. This document argues that it would be more expedient to make a human biosecurity group direction when managing large numbers of passengers and crew, rather than a control order on an individual exhibiting symptoms of a listed human disease, drawing on recommendations from inquiries into the Ruby Princess debacle. I would however expect that what may have caught authorities off guard last year, could be adequately managed by administering the Biosecurity Act of 2015 more scrupulously in the future.

The real concern in Australia at the moment is that elected politicians are following directions from bureaucrats whose decisions are based on information that is far from transparent to the general public. In section 4.3.1 of the Regulation Impact Statement it discusses 'Flexibility afforded to Human Biosecurity Officers' who will be able to impose human biosecurity control orders on groups of people. In Attachment B – Statement of Compatibility with Human Rights Schedule 1 it says, 'The Director of Human Biosecurity may determine that a disease is a 'listed human disease'....following consultation with the Director of Biosecurity and the chief health officer of each State and Territory.' My fear is that in the current context of lockdowns people are broadly classified and treated as 'diseased' according to their vaccination status, more so than whether they test positive to COVID19, and that with the onset of regular booster shots being scheduled, passengers on

board aircraft and ships wishing to disembark in Australia could be caught up in swiftly changing classifications and subjected to quarantine, whether testing positive for a disease or not. I think maintaining the status quo outlined in section 3.1 of the Regulation Impact Statement where '(h)uman biosecurity control orders may be imposed on a person where an individual assessment indicates that they have signs or symptom of a listed human disease' is a much safer way to proceed at this time, as it is one way of balancing human rights with health bureaucrats' powers. Following on from that, the ability of the chief human biosecurity officer or human biosecurity officer to extend and repeat human biosecurity control orders, is more concerning if made for a 'class of individuals' rather for an 'individual'.

Obviously the Biosecurity Act 2015 and the Biosecurity Amendment (Enhanced Risk Management) Bill 2021 have both been designed to protect Australia's precious flora and fauna and human population from disease. There is a risk that the change from 'individuals' to 'class of individuals' has been made for expediency and could have repercussions for the treatment of visitors and returning travellers, and one day populations living in Australia.