



AUSTRALIAN MEDICAL ASSOCIATION
(SOUTH AUSTRALIA) INC.
ABN 91 028 693 268

Ms Ashton Hurn MP
Shadow Minister for Health
Email: Schubert@parliament.sa.gov.au

16 May 2022

Dear Ms Ashton

Re: South Australian Public Health (COVID-19) Amendment Bill 2022

On behalf of the President of the Australian Medical Association in South Australia (AMA(SA)), Dr Michelle Atchison, and our members, congratulations again for your appointment as Shadow Minister for Health. AMA(SA) looks forward to developing a relationship that will be important for the future of the state's health system and those who rely on its care and services. I hope you will contact us at any time if we can help you in your contribution to maximising the health and wellbeing of all South Australians.

AMA(SA) members thank you for bringing to our attention the proposed changes to the South Australian Public Health Act 2011 (SA) relating to the ongoing management of COVID-19 in the state. As you may be aware, AMA(SA) has consistently provided evidence-based guidance and input to, and sought advice and explanations from, SA Health about the management of COVID-19 to best help and protect South Australians from the impacts of the virus. Our members sincerely appreciate the bipartisan approach to pandemic management that has been a feature of emergency governance since the early months of the pandemic and which in your letter of 6 May 2022 you have committed to continuing.

It is our understanding from reading the 'South Australian Public Health (COVID-19) Amendment Bill 2022' and from recent media reports that in introducing the Bill, the State Government wishes to end the 'major emergency declaration' by the end of June. While we accept that the state cannot be indefinitely managed under such a declaration, we hope and expect that any change to pandemic governance will not place at risk the systems and practices that have provided a strong foundation for South Australia's response to COVID-19 since January 2020. We suggest South Australia's economic resilience during the pandemic has been due to its international leadership in 'following the science'. We would not approve of change that may give authority solely to elected officials who could place short-term economic gain ahead of both short- and longer-term health outcomes – outcomes that the pandemic have shown to have considerable positive influence on global economies.

We also hope that any legislation enacted to replace the declaration will come only after considerable input from clinicians about what may be needed for the ongoing management of COVID-19, including consideration of the possibly immeasurable impacts on patient care and doctors' capacity to practice of factors such as new variants, long COVID and pandemic-affected supply chains.

It is our belief that South Australia has benefited during the pandemic from having in place 'directions' that could be enacted or amplified, when necessary, rather than having to begin

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from 'ground zero'. We recommend that any governance reforms retain 'baseline measures' that can be adjusted as needed, and that reforms consider the impact on people's likely receptiveness, so most South Australians continue to be likely to adhere to or adopt the required behaviours and contribute to desired health outcomes.

Specificity of the Bill

COVID-19 is included in the name of the Bill. Legal considerations are not our area of expertise; we ask if it is appropriate to restrict this Bill to COVID-19 or whether as 'post-emergency' legislation it could or should be broadened to consider other contagious diseases.

90B Directions

We have noted that the Bill refers to 'the Governor' and does not also include a reference to a representative or proxy, and similarly our reading of the *South Australian Public Health Act 2011* does not provide any such reference. Again, our knowledge of South Australian legislation is limited; we would hope that there is within the state's legislative framework the capacity for someone to act on the Governor's behalf if necessary. If COVID-19 has taught us anything, it is that none of us is untouchable by an infectious disease, and each of us requires a 'back up'.

I hope this has helped in your consideration of the Bill and its implications for pandemic management and patient care in the months to come. Please do not hesitate to contact me at any time about this or any matter at ceo@amasa.org.au or by calling Executive Assistant Mrs Claudia Baccanello on 8361 0109.

Yours sincerely



Dr Samantha Mead

Chief Executive Officer
Australian Medical Association (SA)