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More transparency needed on hotel quarantine decision making, says Queensland Human Rights Commissioner

Queensland Human Rights Commissioner Scott McDougall has welcomed news that Queensland Health and Queensland Police have responded favourably to the Commission's recommendations about sourcing appropriate hotel quarantine accommodation, but says he remains seriously concerned at this week's decision to remove fresh air breaks indefinitely for all people held in Queensland quarantine hotels.

The Commissioner is calling for greater transparency in decision making.

"In my conversations with Queensland Police this week, I was informed that 59% of rooms in the 20 hotels currently being used for mandatory quarantine now have either balconies or windows that open or both, after 3 hotels which had been the subject of numerous complaints were decommissioned," says Mr McDougall.

"This suggests that Queensland Health and Queensland Police are attempting to respond to our recommendations about sourcing appropriate hotel quarantine accommodation. However, we continue to receive complaints from people in hotel quarantine who are being denied access to fresh air, so there is clearly more work to be done."

In October, the Commission recommended that only hotels with balconies or opening windows be used for housing people in mandatory quarantine. The recommendations were made in a report on an unresolved human rights complaint from a woman who had been unable to access a fresh air break for the entirety of her 14 day stay in hotel quarantine.

Since the commencement of quarantine 54 complaints have been lodged with the Commission about conditions in mandatory hotel quarantine, and the Commissioner says the majority of these relate to lack of fresh air or walks outside.

"The Commission has maintained throughout the pandemic that the rights of people to be treated humanely when deprived of liberty must be taken into account by the State Government when making quarantine arrangements. If we are able to secure enough stock of suitable accommodation for people in hotel quarantine, as the information from QPS suggests, this will assist – but in order to safeguard against the potential for lack of hotels in future, we should also be considering other potentially less restrictive options for protecting the community," says Mr McDougall.

The Commissioner says that several recommendations made by a national review of hotel quarantine recently published by the federal Department of Health deserve serious consideration.

"These recommendations should be fully and urgently explored in order to ensure that the rights of individual people in quarantine, particularly those who are experiencing vulnerability, are protected as best we can," says Mr McDougall.

The Commissioner has reiterated his concern for the health and wellbeing of those in hotel quarantine who have needs beyond access to fresh air.

“People with existing mental health concerns, with disability, those travelling with small children, may need additional support in light of these new restrictions on fresh air breaks. It is important that mental health support is routinely and universally offered to people while in quarantine, for example,” says Mr McDougall.

The Commissioner has also urged greater transparency in decision-making around COVID response measures like hotel quarantine.

“While there has been and I think still is a high degree of public trust in the decisions the Chief Health Officer has made – and for good reason, given Queensland’s record of COVID control – this may be more likely to continue if there is greater visibility of the health evidence on which these decisions are being made,” says Mr McDougall.

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