



HON EDWARD O'DONOHUE MLC

MEMBER FOR EASTERN VICTORIA REGION
SHADOW ATTORNEY-GENERAL

17 August 2020

Hon. Daniel Andrews MP
Premier of Victoria
1 Treasury Place
MELBOURNE VIC 3002

Dear Premier,

Re Proposal to Extend State of Emergency for Indefinite Period

I refer to media reports today that your Government is proposing amending legislation to extend the existing State of Emergency under the *Public Health and Wellbeing Act 2008* for an indefinite period beyond the current six month maximum.

The Liberal Nationals Opposition will vigorously oppose any open-ended extension to the State of Emergency.

The State of Emergency vests enormous power with you and a small number of unelected officials with very little capacity for oversight and accountability; as demonstrated by the way you have effectively shut down the Legislative Assembly.

The State of Emergency provisions represent a significant erosion of individual freedom and recognising this, were intended to operate for short periods. The fact that after nearly six months you have failed to contain the COVID-19 pandemic is an indictment on your failed management of this crisis.

Before extending these extraordinary powers is even considered by the Opposition, any further extension to the State of Emergency must be accompanied by enhanced scrutiny and safe guards enshrined in legislation. At an absolute minimum this would include a statutory requirement for each House of Parliament to sit regularly during a State of Emergency period, mandatory briefings to Parliament, and only short, limited extensions to the State of Emergency.

Separately, following the declaration of a State of Disaster, I highlight your failure in contravention of S. 23(7) of the *Emergency Management Act 1986* to table a “*report on the state of disaster and the powers exercised under section 24...*” in the Legislative Council when it sat on Tuesday, 4 August 2020.

I seek your urgent assurance that this report will be tabled when the Legislative Council sits tomorrow, Tuesday, 18 August 2020, for to do otherwise would be a further snub to Victorians and our democracy.

I look forward to your response.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Edward O'Donohue', with a long horizontal flourish extending to the right.

HON. EDWARD O'DONOHUE MLC

Member for Eastern Victoria

Shadow Attorney-General