# Australian governments invoke emergency powers amid COVID-19 disaster

**Mike Head**
**17 March 2020**

After delaying for weeks taking any effective action to prevent the rapid spread of the Covid-19 virus, Australia's federal, state and territory governments are activating draconian emergency laws.

These contain powers only previously used in wartime, such arbitrarily detaining, imprisoning or imposing massive fines on people, to be imposed now in the name of protecting public health.

While anxious people are being denied coronavirus tests, hospitals report shortages of vital facilities, and public schools and universities are being kept open, governments and the corporate media are using the worsening health crisis to create a wartime atmosphere, with police-state conditions.

Governments unveiled the states of emergency as a result of last weekend's first meeting of a previously unheard-of bipartisan "national cabinet," comprised of Prime Minister Scott Morrison and his state and territory counterparts, both Labor Party and Liberal-National Coalition. A "senior government source" told the *Australian*: "We are now effectively on a war footing."

The extraordinary measures are being officially justified as essential to shield the population from a catastrophe, but they establish precedents, and an atmosphere, for the wider imposition of such powers. Police powers are being bolstered, displayed and trialled amid rising anger over the indifferent and contemptuous government response to the pandemic, on top of the summer bushfire calamity.

Since Sunday, emergencies have been declared in South Australia, Victoria and the Australian Capital Territory, and the governments in the other states triggered similar legislation, permitting police to fine or imprison people who defy bans on gatherings or quarantine orders, such as self-isolation.

In Victoria, Labor Party Premier Daniel Andrews declared a "public health emergency" for at least four weeks under the state's Public Health and Wellbeing Act of 2008. By that legislation, governments have far-reaching powers to impose a state of emergency "arising out of any circumstances causing a serious risk to public health."

Andrews said fines of up to $20,000 could be imposed on anyone refusing to comply with a "public health order" issued under the legislation and warned of spot checks by police on people placed under 14-day self-isolation orders.

The laws, never used before, give "emergency powers" to police and other "authorised officers" to detain people, restrict people's movements, ban access to designated areas and "give any other direction" that is considered "reasonably necessary to protect public health."

In addition, "public health risk powers" hand "authorised officers" broad powers to close premises, search premises and seize anything without a warrant. People, can be directed to "take any other action" deemed necessary to reduce a "risk to public health."

According to a statement from Andrews's Department of Premier and Cabinet, entire suburbs, businesses or professions could be quarantined if deemed necessary.

Last week, Andrews warned people to expect "extreme measures," saying: "We will need to ask Victorians things we have never asked them before."

Similar measures have been activated in each state and territory. New South Wales (NSW) Liberal-National Premier Gladys Berejiklian told a media conference: "Whilst the chief medical officer can issue notices, police can enforce that and there are penalties in place for people who don't respect what we've

done, through the Public Health Act."

Section 70 of the NSW Public Health Act, introduced in 2010, created an offence not to comply with a public health order, and section 71 says police may arrest a person who contravenes a public health order.

NSW Health Minister Brad Hazzard declared: "Individuals who fail to comply could face up to six months in prison or a fine of up to $11,000 or both, plus additional penalties for each day the offence continues."

These "public health emergency" measures are additional to the emergency powers invoked by state governments during the months-long bushfire disaster.

The "state of emergency" legislation activated by the NSW and Victorian governments during the fires allowed state premiers and/or police chiefs to override any law, including supposed human rights protections, issue whatever orders and directives they deemed necessary, and arrest anyone who failed to comply.

Those powers can be utilised to suppress popular unrest and outlaw strikes. The Victorian Emergency Management Act's definition of "emergency" specifically includes "a hi-jack, siege or riot" and "a disruption to an essential service." The government can proclaim any service to be "essential."

The federal Coalition government, backed by Labor, has already exploited the bushfire disaster to push for national powers to declare states of emergency—powers currently confined to the states—and mobilise the military.

That call seeks to strengthen the powers of the police-military apparatus to suppress the discontent brewing over ever-widening social inequality and the decades-long assault on working class living standards, working conditions and social services.

Emergency powers cannot alter the appalling lack of public medical, hospital and other basic civilian resources laid bare by the bushfires and now the coronavirus pandemic. Instead, they would allow the federal government to impose virtual martial law, with sweeping authority to call out the armed forces.

Prime Minister Morrison's proposed national emergency declarations would place immense power in the hands of the prime minister and the military, intelligence and police chiefs. This would be on top of the expanded powers that the Coalition pushed through parliament in 2018, backed by the Labor Party, to rapidly call out the armed forces to deal with "domestic violence"—that is, civil unrest.

In part, the latest emergency measures are desperate acts of political damage control. They are an attempt to head off the developing outrage over the official response to the Covid-19 catastrophe and whitewash the responsibilities of all the governments involved.

These measures also are intended to divert attention from the root causes of the unprecedented global crisis—the capitalist system's subordination of every aspect of life, including public health, to the dictates of corporate profit and the interests of each national-based ruling class.

At the same time, the resort to emergency powers signals an increasingly authoritarian reaction, to boost the powers and resources of the police, military and intelligence agencies to deal with rising political discontent and acclimatise public opinion to martial law conditions.



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