

## **Record of meeting between the Minister for Health and the Chief Health Officer**

21 September 2022

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Minister for Health: The Hon. Mary-Anne Thomas

Chief Health Officer: Adjunct Professor Brett Sutton

Department of Health: Acting Secretary Nicole Brady, Deputy Secretary Public Health Professor Zoe Wainer

### **Re: Amendments to pandemic orders regarding face masks on public transport**

**Minister Thomas:** Brett obviously we are seeing changes around the nation in relation to masks on public transport.

We've talked at length about our desire to retain national consistency as we continue to open up and as we continue to see people travelling interstate, and no surprises we are expecting to see a lot of interstate travellers this week.

Brett, I am seeking advice from you in relation to the pandemic orders, specifically, whether you would support lifting the mask mandate on public transport.

I am cognisant of the decreasing number of infections and the ongoing work that needs to be done with people to get vaccinated, particularly the thousands of people who have had COVID-19 over winter. I am cognisant of the need to promote vaccination and equally conscious of a strong desire for a nationally consistent approach.

**Chief Health Officer:** Thanks Minister.

We are in an epidemic phase where case numbers are at their lowest for the entirety of this year – largely due to hybrid immunity of recent infection and high third dose and fourth dose coverage. We are seeing this reflected in deaths coming down, although they remain significant.

With respect to masks, our advice has always been that they help to reduce the risk of transmission from people who may be infectious without knowing it or those who are nearby, including on public transport.

We know with the mandate, we do not have high compliance, with recent estimates of less than 50% compliant with the mandate, but even those levels reduce transmission significantly.

I note the competing tension when neighbouring jurisdictions make changes, the result is further reduced compliance. People look to those jurisdictions and question the science and whether mandates should be upheld.

I cannot speak to why those states have moved, but they have possibly gone through a low transmission phase. The option is available to you to maintain the mandate, there is a public health benefit to masks – particularly for those who do not have other options for travel.

The key consideration for you in national consistency, is that while it's one setting - and probably an important setting - it's a small downward pressure overall and the benefit is modest at this point while also being a significant issue of national consistency.

**Minister Thomas:** Thank for that Brett. I will continue to message vaccination encouragement and masks where they cannot socially distance.

I reflect on my own community and those who identify as more vulnerable and continue to choose to wear masks in a range of settings. We will continue to support that normalisation as we see in other nations and make an active decision to provide this guidance to the community.

Let's look at the table. **[Item (1) see Appendix 1]**

**Chief Health Officer:** The rationale outlines the clear public health benefit but the competing issue of national consistency and confidence in science rationale. This is particularly important when other jurisdictions have dropped the mandate and we are in period of historically low transmission over the last 9 months in Victoria.

**Minister Thomas:** Thanks, I am very much inclined to make decision to remove, I would like this change to come into effect as soon as possible. I understand tomorrow is day of mourning, and Friday there may be the use of public transport for the Grand Final Eve public holiday.

**Minister Thomas:** Thank you for your work on this Brett. I accept your advice to review and will provide my reasons for making a decision to the department shortly.

- **Meeting concluded** -

## Appendix 1: For consideration by the Minister for Health

Proposed changes as at 11.59pm on Thursday 22 September 2022

### Proposed amendments to the pandemic orders for approval by the Minister for Health (22 September 2022)

Item	Theme	Issue summary	Proposed Orders change	PH Rationale for change or retaining current position
<b>Public Safety Order</b>				
1.	<b>Face covering requirements on public transport</b>	<p>To align with other jurisdictions to remove requirements to wear a face covering while on public transport.</p> <p>Otherwise, no change to the current face covering requirements that apply:</p> <ul style="list-style-type: none"> <li>• at a healthcare premises or</li> <li>• while working <ul style="list-style-type: none"> <li>○ at a court or justice centre; or</li> <li>○ at correction facilities; or</li> <li>○ in a resident-facing role at a care facility; or</li> </ul> </li> <li>• visiting a hospital or a care facility; or</li> <li>• if the person is required to self-isolate, self-quarantine or is a close contact under QITO and leaves the premises; or</li> <li>• been tested for COVID-19 and is awaiting the results of that test; or</li> <li>• where required to do so in accordance with any other pandemic orders in force.</li> </ul>	<p><b>Review</b> the requirement to wear a face covering while on PT or in a CPV or a licensed tourism operator vehicle</p>	<p>Face masks are a low impost, low cost and high effective public health measure and have been generally well accepted by the Victorian community. Masks remain an effective measure in reducing transmission and protecting the most at-risk members of our community.</p> <p>Even relatively moderate compliance leads to significantly reduced risk of transmission for passengers.</p> <p>Mandates help support access for disabled and other at-risk populations to public transport and commercial passenger vehicles where they have no other option available. Consistency across jurisdictions is an important consideration to ensure public confidence in restrictions to maintain compliance in higher-risk settings where face covering requirements will remain.</p> <p>Changes in neighbouring jurisdictions lead to obvious challenges to the rationale for maintaining such mandates in Victoria and may inevitably lead to lower compliance.</p> <p>Noting the competing issues of national consistency / confidence in the rationale and public health benefit as above, it is open to the Minister to consider easing the current mandate on public transport, in commercial passenger vehicles and on licensed tourism operators and to instead strongly encourage Victorians to continue wearing a face mask in these settings. Mask requirements should remain in higher risk settings such as such as hospitals, healthcare settings and care facilities.</p>