

OFFICIAL STATEMENT CORONAVIRUS/COVID19 #6

The Health Australia Party (HAP) has always been against coercion and mandatory vaccines. We support everyone's choice to make their own decision, as is their right under Human Rights laws and medical ethics.

The Victorian government has been increasingly draconian with their push to mandate vaccines to simply have a job and be able to provide for your family. This goes against the most fundamental Human Rights and the very core of medical ethics.

Yesterday, Daniel Andrews announced that vaccines will be mandatory well beyond the previous mandates of aged care workers, construction works and health workers, commercial freight workers and education staff. He is now mandating Covid19 vaccines for ALL authorised workers! This means that anyone who has a job and is not working from home is subject to mandatory vaccines. The written direction from the Chief Health Officer has not yet been released.

This is a continuation of a massive overreach by the Victorian government, while passing the buck to others by stating it is "on the advice of the public health team". The Public Health and Wellbeing Act 2008 is continually referred to as the justification of the draconian measures, however Section 200(1)(d) is not a blank cheque of power which is how it is being used. Based on the Victorian government's justification, they are permitted by law to lock everyone in their homes until the end of time. Clearly the implementation of this clause is being distorted. When the CHO directives blatantly contradict existing legislation such as the Victorian Charter of Human Rights and Responsibilities, it is arguable that the directive is invalid.

The PHW Act also states that the direction must be "reasonably necessary". While this is a subjective term, the Biosecurity Act 2015 states "that the power, or the biosecurity measure, is no more restrictive or intrusive than is required in the circumstances". Given Melbourne has become the most locked down city in the world with one of if not the most restrictive measure globally, "reasonably necessary" is surely not the approach being undertaken.

The mad rush to vaccinate as many people as possible with such tight time frames and coercion involved, one must consider what the real motives are. There is an avalanche of court cases against the NSW government in the NSW Supreme Court, and multiple court cases beginning in Victoria, it raises the question if the Victorian government is pushing the vaccination agenda before legal action has time to stop it. Businesses that are struggling are being used as pawns of the Victorian government to enforce the direction and effectively act as a substitute police force.

WorkSafe has charged the Victorian Department of Health with 58 breaches of the Occupational Health and Safety Act in relation to Victoria's initial hotel quarantine program. Are the people responsible for the 58 breaches also responsible for providing advice in relation to the draconian approach to mandatory vaccination? Will the Victorian government be charged again with breaching the Victorian Charter of Human Rights and responsibilities?

Vaccination is continually touted as the "only option" and that there is no other way. This is simply not true. We have provided alternative approach in our previous statement on 25th September 2020, which detailed preventatives, supporting the general health of the population and treatment. An approach to imprison healthy people and subject the population to unethical mandates is inappropriate, inexcusable and arguably illegal.

On the 27th of September, the Fair Work Commission (FWC) ruled on the finding in a specific case regarding mandatory flu vaccination for an aged care worker. While this earlier challenge was unsuccessful, the FWC stated in relation to the outcome that "one can only hope that the Majority Decision is recognised as an anomaly and not followed by others."

This HAP statement will conclude with the final comments from the FWC ruling:

[179] Research in the context of COVID-19 has shown that many who are 'vaccine-hesitant' are well educated, work in the health care industry and have questions about how effective the vaccines are in stopping transmission, whether they are safe to take during pregnancy, or if they affect fertility. A far safer and more democratic approach to addressing vaccine hesitancy, and therefore increasing voluntary vaccination uptake, lies in better education, addressing specific and often legitimate concerns that people may hold, and promoting genuine informed consent. It does not lie in censoring differing opinions or removing rights and civil liberties that are fundamental in a democratic nation. It certainly does not lie in the use of highly coercive, undemocratic and unethical mandates.

[180] The statements by politicians that those who are not vaccinated are a threat to public health and should be "locked out of society" and denied the ability to work are not measures to protect public health. They are not about public health and not justified because they do not address the actual risk of COVID. These measures can only be about punishing those who choose not to be vaccinated. If the purpose of the PHOs is genuinely to reduce the spread of COVID, there is no basis for locking out people who do not have COVID, which is easily established by a rapid antigen test. Conversely, a vaccinated person who contracts COVID should be required to isolate until such time as they have recovered.

[181] Blanket rules, such as mandating vaccinations for everyone across a whole profession or industry regardless of the actual risk, fail the tests of proportionality, necessity and reasonableness. It is more than the absolute minimum necessary to combat the crisis and cannot be justified on health grounds. It is a lazy and fundamentally flawed approach to risk management and should be soundly rejected by courts when challenged.

[182] All Australians should vigorously oppose the introduction of a system of medical apartheid and segregation in Australia. It is an abhorrent concept and is morally and ethically wrong, and the antithesis of our democratic way of life and everything we value.

[183] Australians should also vigorously oppose the ongoing censorship of any views that question the current policies regarding COVID. Science is no longer science if it a person is not allowed to question it.

[184] Finally, all Australians, including those who hold or are suspected of holding “anti-vaccination sentiments”, are entitled to the protection of our laws, including the protections afforded by the Fair Work Act. In this regard, one can only hope that the Majority Decision is recognised as an anomaly and not followed by others.

The HAP fully supports these 6 clauses from the FWC of 27.9.2021. We demand that the State government immediately withdraws their vaccination mandate rules imposing “medical apartheid” on working citizens, and restore to all Victorians the rights and freedoms which belong to citizens of a truly democratic society.

References:

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