

27 August 2015

Dear Committee,

Public Health (Childcare Vaccination) and Other Legislation Amendment Bill 2015

I wish to express my opposition to the proposed legislation to exclude children who are not fully vaccinated according to the Government schedule from childcare and kindergarten.

I see a number of fundamental flaws in this proposed law.

Vaccination rates.

Firstly, this legislation is based on a false assumption that vaccination rates are declining, when the reality is we have had high, stable vaccination rates since 1991. If one is to attribute the reduction of disease to vaccines, they must also acknowledge that this was achieved on a **voluntary basis**, without government coercion and **without excluding children from childcare and kindergarten**.

Immunisation, immunocompetence and lack of vaccine efficacy.

Secondly, vaccination does not equate to immunisation. There are a number of people who fail to produce antibodies despite receiving the vaccination and therefore form no protection from these diseases, consequently they may still contract them and pass them on. Are children who are vaccinated to be tested for immunisation and those who are found to not be immunocompetent to be excluded from childcare and kindergarten? This stance is nonsensical for we know that we have outbreaks in highly vaccinated populations due to ineffective vaccines.

One example of this is Pertussis. In 1991 less than 71% of Australian children were vaccinated against pertussis and there were 347 cases of whooping cough. In 2011, 90% of Australian children were vaccinated and over 38,000 cases of whooping cough were reported. The scientific community tells us that the whooping cough vaccine is ineffective. After children having adverse reactions to the pertussis vaccine, the vaccine had to be changed in 1991. As a result, this vaccine is not effective and requires multiple booster shots, a further overload of neurotoxins in children. Excluding children from childcare and kindergarten will not prevent outbreaks of this kind when vaccines simply are not effective. Why is this government hell-bent on punishing parents for not wanting to bombard their children's bodies with neurotoxins because vaccines are not as effective as we were promised?

<http://www.abc.net.au/science/articles/2015/04/24/4222316.htm>

Vaccination rates V disease occurrence.

My third point is regarding the government's own data on vaccination and disease occurrence. The data shown on the Australian Childhood National Immunisation and National Notifiable Diseases Surveillance System (NNDSS) shows that despite having high vaccination compliance rates, **disease**

occurrence is not decreasing. The facts presented by the Government are interesting. HIB trends down, diphtheria, polio and congenital rubella are static, pertussis and varicella trend up and appear to be cyclical as does mumps. **What this data shows is that diseases are behaving independently of childhood vaccination rates.** It would be logical to conclude that the government vaccine schedule is not working, therefore it would be unfair and morally bankrupt to penalise children for a faulty vaccine schedule that is not achieving the desired effect.

Vaccine Safety.

My fifth point is on vaccine safety. Vaccines contain neurotoxins, and therefore carry an inherent risk. The Centre for Disease Control on their website admits 'no vaccine is actually 100% safe or effective for everyone because each person's body reacts to vaccines differently'.

http://www.cdc.gov/vaccinesafety/Vaccine_Monitoring/history.html

The fact that vaccines cause harm or even death was officially recognised by the United States Congress in 1986 when they passed the National Childhood Vaccine Injury Act. To date, over \$1.6 billion dollars has been paid to families of children who have been injured or are deceased due to vaccines. Where there is a risk there MUST be a choice. Parents should be free to make informed choices on whether to vaccinate or not, they must be free to choose which vaccines they will administer, when they will administer them and have the option to withdraw from ones they disagree with without penalisation. In effect, by excluding children of conscientious objectors from ANY education facility in essence is penalising them for taking the steps they feel necessary to protect their children.

Human Rights and Informed Consent.

The last point I want to make is that the exclusion of children not fully compliant with the government vaccine schedule is in direct violation of human rights according to the UNESCO Declaration of Bioethics and Human Rights. In fact, Australia was part of the drafting committee and was represented by Justice Michael Kirby who was chair of this committee.

The Declaration of Bioethics and human rights states;

Article 3-

1. Human dignity human rights and fundamental freedoms are to be respected.
2. The interests and welfare of the individual should have priority over the sole interest of science or society.

Article 6-

1. Any preventative, diagnostic and therapeutic medical intervention is only to be carried out with the prior, free and informed consent of the person concerned, based on adequate information. The consent should, where appropriate, be expressed and may be withdrawn by the person concerned at any time and for any reason without disadvantage or prejudice.

http://portal.unesco.org/en/ev.php-URL_ID=31058&URL_DO=DO_TOPIC&URL_SECTION=201.html

This breach of informed consent and the right to self determination contravenes the government's own stance on informed consent. The Immunisation handbook states that for informed consent to be legally valid it must be given voluntarily in the absence of **undue pressure, coercion or manipulation**.

<http://www.immunise.health.gov.au/internet/immunise/publishing.nsf/Content/Handbook10-home~handbook10part2~handbook10-2-1>

Parents feeling coerced into vaccinating so that their children can receive an early childhood education is immoral, it is wrong.

The Nuremburg code, of which Australia is a signatory to, protects personal and informed choice. Punishment by way of exclusion from childcare education becomes forced vaccination if parents have no choice but to vaccinate their child so they can work to provide for their families or so that their child can receive an early childhood education.

<http://history.nih.gov/research/downloads/nuremberg.pdf>

Education is a human right. Governments should not be creating barriers to any form of education.

In closing, I want to say that the **proposed legislation lacks scientific and moral integrity**. It is an attack on civil liberties. The removal of the freedom to choose medical procedures or to make medical decisions for one's own children by limiting childcare options if centres enforce 'No jab no play' in their centres is in fact punishment for a parent making a decision out of love and the instinct to protect their children. Nowhere does it state that vaccines are 100% safe or 100% effective therefore vaccination choices must remain with the parents without the consequence of exclusion from any form of education. I urge you to once again, as was done in 2013 to reject this legislation.

Thank you for reading my submission.

D. Vicary

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