From:	Andrew Hicks < ██████████████████ >
Sent:	Sunday, 27 September 2015 11:04 PM
To:	SARC
Subject:	No Jab No Play Proposed Legislation

Good evening SARC staff,

I understand that the Scrutiny of Acts and Regulations Committee (SARC) is reviewing the legal implications of the "No Jab No Play" bill in the Victorian Parliament.

Vaccination is a complex and debatable topic (which I could debate for days), however this is not the core issue of this proposed legislation. The core is simply human rights. I would like to provide information for the review of this committee as to why this is a clear breach of human rights.

The Nuremberg Code (http://www.hhs.gov/ohrp/archive/nurcode.html) is a critical element of medical ethics after the Second World War atrocities that were conducted. The first line of this states "The voluntary consent of the human subject is absolutely essential." The Code then goes on to state that the consent should be "without the intervention of any element of force, fraud, deceit, duress, over-reaching, or other ulterior form of constraint or coercion".

By refusing access to child care and kindergarten, this is a clear form of duress and coercion (and also over-reaching by Government). Some families rely on child care to enable them to provide for their family. By refusing access to child care, many families would be put under financial duress. Kindergarten is a standard component of education. To deny access to kindergarten would put families under duress for access to education. Both of these items are forms of coercion.

The Australian Medical Association Code of Ethics (https://ama.com.au/sites/default/files/documents/AMA_Code_of_Ethics_2004._Editorially_Revised_2006.pdf) Section 1.1.k states "Respect your patient's right to choose their doctor freely, to accept or reject advice and to make their own decisions about treatment or procedures." If patients were to subject their children to vaccination due to the duress and coercion of this legislation, this hardly provides informed consent. As such, a doctor must respect a patients' choice and could therefore not administrate this vaccination.

One specific item (at least) within the Victorian Charter of Human Rights and Responsibilities is also clearly violated "Everyone is entitled to equal and effective protection against discrimination, and to enjoy their human rights without discrimination." To pass this legislation would be to clearly discriminate against people who have chosen not to vaccinate due to their choices and beliefs.

The Victorian Government allows children infected with Hepatitis B, Hepatitis C and HIV to attend school (http://ideas.health.vic.gov.au/guidelines/school-exclusion-table.asp). I fail to see how these students that to present a danger are allowed to attend school and children's service centres, however under the proposed legislation a completely healthy non-infected child is discriminated against and wouldn't be able to attend kindergarten or child care. This is inconsistent and doesn't make any sense.

On a personal note, I have decided not to vaccinate my son due to my family history of auto-immune disease, comprehensive research (hundreds of hours) and approach to health. Vaccination is a very tunnel vision approach to health and not the most effective. Given my family history, I am sure that my son would have negative side effects (which are quite common) and potentially auto-immune diseases and/or chronic disease which are both increasing at alarming rates. To approve this legislation, it would put me and many other families in the position that we have to choose between the health of our child or their education (in the form of kindergarten). Needless to say, no parent should ever have to make this decision.

Thank you for taking the time to review this important information. I would welcome any further questions or discussions about this proposed legislation or any other matter.

Regards,

Andrew Hicks

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