

Flaws in the Arguments on Vaccination Rights in the Maurice Blackburn Blog

1. This claim by Maurice Blackburn lawyers is false:

“All the available, refutable evidence concludes that although no vaccine can be said to be 100% safe, they play an important role in controlling preventable infections and there are very few adverse events associated with vaccines”.

Facts:

- The 16 vaccines in use in 2018 **did not control infectious diseases**.
 - Vaccine adverse events (AE's) and deaths are not “very few” and the government has never monitored them in a systematic manner to know the **exact frequency and type of AE's** that are occurring.
 - This is unethical and it is the reason why the refusal of medical treatment is a fundamental right enshrined in the **International Covenant on Civil and Political Rights** (ICCPR) and in the **Victorian Human Rights Act** (article 10).
 - A policy that cannot state the exact frequency and types of AE's in the population cannot claim to be a “protective” health policy.
2. The government is claiming that it can intervene in the health of a child under 18 if it perceives the child to be at risk. In the case of vaccination, governments are claiming that:
 - The vaccines prevent infectious diseases and create herd immunity – **this is FALSE**. For example, many vaccinated children still get the diseases they are vaccinated against and *many of these children are harmed by the vaccines*.
 - There is no evidence of **vaccine-induced herd immunity** but there is evidence of ‘natural’ exposure creating herd immunity.
 - In developed countries, like Australia, infectious diseases are less virulent and natural exposure is usually sub-clinical (asymptomatic) or mild and self-limiting. These infections give long term protection for the community. Getting these infections over the age of *1 year* is not a serious risk to the majority of children in developed countries.
 - If you believe a vaccine will be beneficial in preventing your child from getting the disease *then it is your right to use this vaccine* if it is a fully informed choice. But there is no evidence that vaccines are beneficial **to all children or necessary to protect the health of the community**.

3. The claim that “the risk of infectious diseases is only low if there are high vaccination rates” is false:
 - The government has not provided any evidence for this claim and the historical evidence shows that it is not true – these diseases were controlled **before** the vaccines were introduced.
4. The argument that ‘the community as a whole has an interest in the patient receiving treatment to prevent infections’ is only **ethical and acceptable** if the government has provided evidence that vaccines protect the community by *creating herd immunity and without causing chronic illness* in the population through AE’s.
 - This evidence **has not been provided**
 - The community has a significant interest in preventing and eradicating **all diseases**, not just *infectious diseases*, and this is missing from Maurice Blackburn’s arguments.
 - Government policies need to be protective of ‘Health’ not just focusing on infectious diseases.
 - It is known that vaccines only create *short duration protection (if they are effective)* and that booster shots are required to re-stimulate the immune system throughout life. This is not proven to be better protection to the community than natural exposure in childhood.
 - The government has not done a proper **risk-benefit assessment** of any of the 16 vaccines that it has mandated in legislation using transparent data on the risks and benefits for the vaccine.
 - The government is using value judgments about a medical procedure and these should never be forced upon a population. This is a civil or criminal offence because it breaches medical ethics.
5. According to the **World Health Organisation (2013)** “Developing countries have had mass vaccination programs for many decades” yet infectious diseases are still predominant.
 - If vaccines were effective and created herd immunity this would not be the case.
 - Maurice Blackburn has left this WHO evidence out of its arguments.
 - Vaccines did not eradicate smallpox. A vaccine was used for 150 years before it was eradicated using **isolation of cases** after the public health reforms were implemented in the first half of the twentieth century.
 - A vaccine did not control whooping cough or measles in Australia by 1950 as **no vaccine was available**.