

## Newsletter 85 Lawyers warn on 'No Jab No Pay' (The Australian 29.10.15)

The proposed Social Services Legislation Amendment Bill that links welfare benefits and childcare attendance to using *all* the vaccines on the recommended schedule, is not proven to be for a legitimate public health purpose. Professor Fiona Stanley, the Australian of the Year (2003) for children's health, stated in her summary document of public health in 2001:

*'Infectious Deaths fell before widespread vaccination was implemented' (p.378)*

AND

*'The rates of infectious diseases in Australia were very low from 1950 to 2000 and the majority of the fall in the under 5 mortality rates (80%) had occurred by 1960: prior to the introduction and widespread use of the majority of vaccines' (Stanley F, 2001, Child Health Since Federation, p379 and 370).*

This proves that *vaccine-created* herd immunity was **not responsible** for the majority of the decline in the infant mortality rate in the 20th century. It also proves that vaccines were **not responsible** for controlling most of the diseases listed on the National Immunisation Program (NIP). Therefore, there is no legitimate public health purpose for mandating *all* the vaccines on this list for children to attend childcare or to obtain welfare benefits. In addition, there is significant evidence that this policy could cause more harm than good in the population. Particularly, at a time when there is no increased risk from infectious diseases.

The number of vaccines on the NIP is not proportionate to the risk of infectious diseases in Australia. Vaccination policy advisors, Professor Terry Nolan (ATAGI 2005-2014), Professor Peter Mclntyre (NCIRS 2004-2015) and Professor Robert Booy (NCIRS 2005-2015) have not been required to provide evidence that the vaccines listed on the government's NIP can create herd immunity. Terry Nolan stated in 2010 that demonstrating that a vaccine can create herd immunity 'is neither necessary nor sufficient for a positive recommendation of a vaccine for NIP suitability' (1).

Australia's vaccination policies are implemented into genetically diverse populations and an unknown number of children will be harmed by mandating all the vaccines on the schedule. This policy breaches the UN Convention on the Rights of the Child because vaccines were not responsible for the majority of the reduction in the infant mortality rate and because many children will be harmed by this schedule. It also discriminates against healthy children and educated parents who have chosen not to vaccinate. This is a breach of article 9 of the International Covenant on Economic and Cultural and Social Rights (ICECSR): the right to non-discriminatory social security.

The [Law Institute of Victoria](#) states that this policy is not in the best interests of the child and that these measures will not achieve the goal of increasing vaccination rates in the population. These measures are not reasonable, necessary or proportionate and therefore they are incompatible with many human rights conventions. The proposed legislation is a danger to public health because the TGA has not set up a post-vaccination surveillance system that can determine causal relationships between adverse events and vaccines. This means that the government does not have accurate information on the type and frequency of adverse events that result from vaccines in the Australian population.

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[www.vaccinationdecisions.net](http://www.vaccinationdecisions.net)

1) Nolan T. 2010. The Australian model of immunisation advice and vaccine funding. *Vaccine*. 28 (April) Suppl 1: A76-A83.

### Senate Inquiry Public Hearing

#### Brisbane

A public hearing for the 'No Jab No Pay' legislation will be held on **Monday 2nd November 2015 from 9 am- 4 pm** in the Caribbean Room, Christie Conference Centre, 320 Adelaide Street, Brisbane. Please take the time to attend this hearing if you are concerned about protecting your human rights and the health of Australians.

### Pro-Vaccine Lobby Groups

In Australia many subscribers of consumer lobby groups that promote vaccines, for example, the Australian Skeptics groups and the Stop the Australian Vaccination Network (SAVN) have presented false and misleading information about this academic research in the mainstream media and on social media. Groups who do not have the scientific arguments to support their statements attack the messenger. The strategies used by these lobby groups have been [documented](#) by my supervisor, Professor Brian Martin at the University of Wollongong. These groups are attacking peoples reputations and hindering public debates on vaccination in Australia.

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