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## The destruction of voluntary informed consent in Australia under the guise of the 'Covid emergency' - email to Paul Kelly, Chief Medical Officer

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Elizabeth Hart <elizmhart@gmail.com>

Sat, May 6, 2023 at 5:31 PM

To: covid19vaccinerfi@health.gov.au

Cc: martin.fletcher@ahpra.gov.au, Jamie.Pearce@ahpra.gov.au, Amanda.Watson@ahpra.gov.au

### For the attention of:

#### Paul Kelly

Chief Medical Officer

Australian Government Department of Health and Aged Care

Chair of the Australian Health Protection Principal Committee (AHPPC)

Director of Human Biosecurity under the Australian Biosecurity Act 2015

### Copied to:

- Martin Fletcher, CEO, Australian Health Practitioner Regulation Agency (AHPRA)
- Anne Tonkin, Chair, Medical Board of Australia

### Paul Kelly, as Australia's top doctor, how could you cooperate with mandated medical interventions being imposed on Australians, trashing the legal and ethical principle of voluntary informed consent?

It appears you led the **conscriptio**n of the medical profession for the then Morrison Government's Covid-19 vaccination rollout, **in contravention of the Australian constitution**.<sup>[1]</sup>

**Health practitioners were compelled to support the Covid vaccination rollout without question**, as dictated by the AHPRA position statement dated 9 March 2021.<sup>[2]</sup>

Paul Kelly, in June 2021, the AHPPC capitulated to the former prime minister Scott Morrison and National Cabinet's demand that **aged care workers be forced to submit to Covid vaccination to keep their jobs**.

**Denying aged care workers a voluntary decision on this medical intervention was the thin end of the wedge that opened the floodgates to a cascade of Covid vaccination mandates across Australia**.

**The AHPPC facilitated Scott Morrison's original plan that Covid vaccination be "as mandatory as you can possibly make it... We've got to get about 95%...taking medical advice..."**, as he announced on 3AW Mornings with Neil Mitchell in August 2020.<sup>[3]</sup>

Paul Kelly, in your position as Australia's Chief Medical Officer, you are Chair of the AHPPC, in charge of the Chief Health Officers of Australia's states and territories.<sup>[4]</sup> You are also the Director of Human Biosecurity<sup>[5]</sup> under the Biosecurity Act 2015. **In these roles you have been the most powerful person in Australia, an unelected bureaucrat. Along with the AHPPC which you chair, you (and Brendan Murphy before you) provided the "specialist medical and epidemiological advice" used by the then Health Minister Greg Hunt, and Governor-General David Hurley, advice used to implement and extend the human biosecurity emergency period for Covid-19, during which people were locked down, masked up, placed under surveillance, tested, and injected, including under mandates**.<sup>[6]</sup>

In July 2021 I wrote to Greg Hunt, asking what is the definition of 'the emergency' being used to justify the **declaration of the human biosecurity emergency**; what is the "specialist medical and epidemiological advice" provided by the AHPPC, and has it been objectively and independently assessed; and queried the qualifications and expertise of members of the AHPPC and 'other experts'. **I received no response to my questions from Greg Hunt**.

**Paul Kelly, you're a medical practitioner registered with AHPRA, and must be aware of your and your colleagues' legal and ethical obligation to obtain voluntary informed consent for treatment**, as stated in *Good medical practice: a code of conduct for doctors in Australia*. AHPRA personally confirmed this duty of practitioners in a [letter to me dated 20 September 2021](#): **"Practitioners have an obligation to obtain informed consent for treatment, including vaccination. Informed consent is a person's voluntary decision about health care that is made with knowledge and understanding of the benefits and risks involved."**<sup>[7]</sup>

Paul Kelly, on 4 June 2021, it appears you were alert to your responsibility to ensure voluntary informed consent be obtained for vaccination, as it was specifically announced that the **"AHPPC does not recommend**

compulsory COVID-19 vaccines for aged care workers".[8]

The AHPPC stated: **"Mandating COVID-19 vaccination must balance the rights of an individual in the workplace against the public health benefits of vaccination at the time..."**

**On the same day**, an ABC headline announced **"Scott Morrison to use National Cabinet to lobby state governments to go against health advice on COVID vaccination".[9]**

The ABC reported: "The Prime Minister will lobby state and territory leaders to overrule medical experts' advice and force aged care workers to get the coronavirus vaccine... **The panel of health experts, chaired by the Chief Medical Officer, has advised for a second time against making the coronavirus vaccine compulsory.**" (My emphasis.)

This is incredible! **On what basis could Scott Morrison overrule the 'medical experts' advice', and lobby state and territory leaders in National Cabinet to force aged care workers to have the coronavirus vaccine, and deny them voluntary informed consent?!**

Subsequently, **on 28 June 2021**, it was announced **"The National Cabinet agreed that COVID-19 vaccinations are to be mandated for residential aged care workers as a condition of working in an aged care facility through shared state, territory and Commonwealth authorities and compliance measures."**[10]

**Paul Kelly, the rogue and unaccountable National Cabinet headed by Scott Morrison, usurped your position as the most powerful person in Australia...**

**You and the AHPPC capitulated to Scott Morrison and National Cabinet, rubber-stamping their decision after the event, as announced in your own statement *a day later*: "AHPPC recommends to National Cabinet that the residential aged care workforce be vaccinated against COVID-19, as a condition of working in a residential aged care facility..."**[11]

The Australian Nursing & Midwifery Federation called it out at the time, being **"concerned that mandating vaccinations for the aged care workforce could be a 'political decision, not a health decision"**. [12]

**This was indeed nothing to do with health...this was a *political decision*, resulting in the theft of personal autonomy and bodily integrity, in what is supposedly a 'free country'. You subsequently boasted "Australia was one of the first countries internationally to mandate COVID-19 vaccination", in your co-authored article published in the *Medical Journal of Australia* in November 2022 - [Implementing mandatory COVID-19 vaccination for Australian aged care workers](#).**

***Yes, Australia was one of the first countries in the world to trash voluntary informed consent for the Covid vaccinations...not an achievement to be proud of...***

**Paul Kelly, a cascade of Covid vaccination mandates was precipitated by you setting the precedent with aged care workers.**

**AHPPC mandates were subsequently imposed for people working in health care, disability, and in-home and community aged care**[13], followed by further employment mandates imposed in the states and territories across both public and private sectors, along with 'vaccine passports' being required for entry to retail, hospitality and entertainment, and participation in sport etc.[14]

**For millions of Australians a digital vaccine certificate was required to be included in society - it was No Jab, No Life.** With medical privacy deliberately undermined, the social exclusion and isolation of 'non-compliant' people was actively encouraged.

**An apartheid was created to punish people who refused to consent to the Covid vaccinations, denying them their livelihood and locking them out of the 'vaccinated economy'. People were discriminated against and ostracised, cancelled out of society for refusing to comply under *the pressure, coercion and manipulation to submit to the Covid vaccines*, in contravention of valid consent, as stipulated in *The Australian Immunisation Handbook*.**

**This is the biggest act of treachery in Australia's history - it's the theft of freedom.**

**The medical profession is at the heart of this scandal, led by you, Paul Kelly, the Chief Medical Officer of Australia: you have destroyed confidence and trust in the health system.**

**Health practitioners should never have cooperated with mandated medical interventions.**

There must be an urgent investigation into this fiasco, this disgraceful stain on Australia's history - **the deliberate politicisation of medicine to subjugate the Australian people.**

Sincerely

Elizabeth Hart

**Independent researcher investigating vaccine products and conflicts of interest in vaccination policy**  
[vaccinationispolitical.net](http://vaccinationispolitical.net)

References: (As accessed 5 May 2023.)

1. See for example: Email to Mark Dreyfus, Attorney General of Australia, from Elizabeth Hart. 13 February 2022: **Are health practitioners in effect being conscripted to participate in the Australian government's Covid-19 jab rollout, in contravention of the Australian Constitution?** <https://vaccinationispolitical.files.wordpress.com/2023/02/are-health-practitioners-in-effect-being-conscripted-to-participate-in-the-australian-governments-covid-19-jab-rollout.pdf>
2. AHPRA Position Statement 9 March 2021: [https://downloads.hpcnsw.gov.au/s3fs-public/ahpra\\_position-statement\\_covid-19-vaccination-position-statement.pdf](https://downloads.hpcnsw.gov.au/s3fs-public/ahpra_position-statement_covid-19-vaccination-position-statement.pdf)
3. Scott Morrison expects COVID-19 vaccine will be 'as mandatory as you can possibly make it'. Mornings with Neil Mitchell 3AW Melbourne. 19 August 2020: <https://www.3aw.com.au/scott-morrison-expects-covid-19-vaccine-will-be-as-mandatory-as-you-can-possibly-make-it/>
4. Australian Health Protection Principal Committee (AHPPC): <https://www.health.gov.au/committees-and-groups/australian-health-protection-principal-committee-ahppc>
5. Director of Human Biosecurity - Australian Government Directory: <https://www.directory.gov.au/portfolios/health/director-human-biosecurity>
6. See for example:
  - Biosecurity Act 2015: <https://www.legislation.gov.au/Details/C2022C00371>
  - COVID-19 Legislative response - Human Biosecurity Emergency Declaration Explainer. Posted 19/03/2020 by Howard Maclean & Karen Elphick. Parliament of Australia: [https://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/FlagPost/2020/March/COVID-19\\_Biosecurity\\_Emergency\\_Declaration](https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/FlagPost/2020/March/COVID-19_Biosecurity_Emergency_Declaration)
  - COVID-19 emergency measures extended for a further three months. Media release - Former Minister for Health and Aged Care Greg Hunt. 2 September 2021: <https://www.health.gov.au/ministers/the-hon-greg-hunt-mp/media/covid-19-emergency-measures-extended-for-a-further-three-months-0>
7. I have previously forwarded emails to Paul Kelly challenging Covid vaccination mandates, dated **19 October 2022** and **14 April 2023**, including raising the case of Rogers v Whitaker. Paul Kelly has also been copied on other of my correspondence challenging the Covid-19 vaccination rollout in Australia, e.g. my emails to the Covid-19 Vaccines and Treatments for Australia - Science and Industry Technical Advisory Group, on which he is Deputy Chair, with Brendan Murphy (former Chief Medical Officer, and currently Secretary of the Department of Health and Aged Care), being Chair of this group.
8. Australian Health Protection Principal Committee (AHPPC) statement on COVID-19 vaccination requirements for aged care workers. 4 June 2021: <https://www.health.gov.au/news/australian-health-protection-principal-committee-ahppc-statement-on-covid-19-vaccination-requirements-for-aged-care-workers>
9. Scott Morrison to use National Cabinet to lobby state governments to go against health advice on COVID vaccinations. ABC News. 4 June 2021: <https://www.abc.net.au/news/2021-06-04/national-cabinet-meets-vaccine-international-border-victoria/100188598>
10. National Cabinet Statement. Liberal Party New South Wales. 28 June 2021: <https://nswliberal.org.au/news/national-cabinet-statement-monday-28-june-2021>
11. Australian Health Protection Principal Committee (AHPPC) statement on residential aged care worker COVID-19 vaccination. 29 June 2021: <https://www.health.gov.au/resources/committee-statements/australian-health-protection-principal-committee-ahppc-statement-on-residential-aged-care-worker-covid-19-vaccination>
12. Still many questions over mandatory aged care vaccinations. Australian Nursing & Midwifery Federation. 29 June 2021: <https://www.anmfsa.org.au/Web/News/2021/Still%20many%20questions%20over%20mandatory%20aged%20care%20vaccinations.aspx>
13. Subsequent AHPPC mandates:
  - 1 October 2021: Australian Health Protection Principal Committee (AHPPC) statement on mandatory vaccination of all workers in health care settings: <https://www.health.gov.au/news/australian-health-protection-principal-committee-ahppc-statement-on-mandatory-vaccination-of-all-workers-in-health-care-settings>
  - 10 November 2021: Australian Health Protection Principal Committee (AHPPC) statement on mandating vaccination for disability support workers: <https://www.health.gov.au/news/australian-health-protection-principal-committee-ahppc-statement-on-mandating-vaccination-for-disability-support-workers>
  - 10 November 2021: Australian Health Protection Principal Committee (AHPPC) statement on mandatory vaccination of aged care in-home and community aged care workers: <https://www.health.gov.au/resources/committee-statements/australian-health-protection-principal-committee-ahppc-statement-on-mandatory-vaccination-of-aged-care-in-home-and-community-aged-care-workers>
14. See for example: The Victorian Premier says the state is heading for a 'vaccine economy', here's what that might look like. ABC News. 6 September 2021: <https://www.abc.net.au/news/2021-09-06/daniel-andrews-vaccine-passport-double-vaccinated/100435606>

-  **Australian Health Protection Principal Committee (AHPPC) statement on COVID-19 vaccination requirements for aged care workers \_ Australian Government Department of Health and Aged Care.pdf**  
109K
-  **Scott Morrison to use National Cabinet to lobby state governments to go against health advice on COVID vaccinations - ABC News.pdf**  
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-  **National Cabinet Statement - Monday 28 June 2021 - Liberal Party NSW.pdf**  
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-  **Australian Health Protection Principal Committee (AHPPC) statement on residential aged care worker COVID-19 vaccination \_ Australian Government Department of Health and Aged Care.pdf**  
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