

## Coercion, intimidation and mandates preclude voluntary informed consent for vaccination. There has been no valid consent for COVID-19 vaccination.

Elizabeth Hart <elizmhart@gmail.com>

Tue, Feb 27, 2024 at 5:42 PM

To: attorney@ag.gov.au

Cc: minister.butler@health.gov.au, covid19vaccinerfi@health.gov.au, "paul.kelly@health.gov.au" <paul.kelly@health.gov.au>, martin.fletcher@ahpra.gov.au, senator.ruston@aph.gov.au, senator.michaelia.cash@aph.gov.au, peter.dutton.mp@aph.gov.au, David.Littleproud.MP@aph.gov.au, National Intake and Assessment Team <notifications@ahpra.gov.au>, Jamie.Pearce@ahpra.gov.au, Amanda.Watson@ahpra.gov.au, Kristine.Macartney@health.nsw.gov.au, nigel.crawford@mcri.edu.au, ATAGI Secretariat <atagi.secretariat@health.gov.au>, a.wilson@sydney.edu.au, PBAC <pbac@health.gov.au>, Catherine Bennett <catherine.bennett@deakin.edu.au>, A.Albanese.MP@aph.gov.au

### For the attention of:

Mark Dreyfus  
Attorney-General of Australia

Dear Mark Dreyfus, **there has been no valid consent for COVID-19 vaccination in Australia**, with reportedly **70.3 million doses** administered, across a population of 27 million.

Voluntary informed consent for COVID-19 vaccination was **precluded** by misinformation from 'the authorities', **and their use of coercion, intimidation and mandates to make people comply with this medical intervention. This was compounded by doctors, nurses and pharmacists failing to challenge coercion, intimidation and mandates for vaccination.**

**Millions of Australians were subject to COVID-19 vaccination mandates as a consequence of action taken by Scott Morrison in June 2021**, when **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". (My emphasis.)

Scott Morrison was successful with his plan, with the Premiers and Chief Ministers in National Cabinet overruling the recommendation of Chief Medical Officer Paul Kelly and other members of the AHPPC **against** compulsory vaccination for aged care workers. Paul Kelly and the AHPPC subsequently rubber-stamped National Cabinet's decision to mandate COVID-19 vaccination for aged care workers, **thereby breaking the principle of voluntary informed consent for vaccination, and opening the floodgates for COVID-19 vaccination mandates around the country**, see my article for more background: **The destruction of voluntary informed consent via mandatory COVID-19 vaccination. "A political decision, not a health decision"**. (Copy attached.)

Millions of Australians were **intimidated** into submitting to the COVID-19 vaccination rollout **on the orders of politicians**, such as **Daniel Andrews**, then Premier of Victoria, who announced, "There is going to be a vaccinated economy, and you get to participate in that if you are vaccinated", and **Mark McGowan**, then Premier of Western Australia, who said, "Life will be very difficult for the unvaccinated from January 31. No pub, no bottle shop, no gym, no yoga class, no gig, no dancefloors, no hospital visits."

Scott Morrison had completed his assignment **announced in August 2020**, that COVID-19 vaccination would be "**as mandatory as you can possibly make it**". Jane Halton, Chair of CEPI - Coalition for Epidemic Preparedness Innovations, and an advisor to Scott Morrison via the National COVID-19 Coordination Commission/Advisory Board, had laid it on the line **in May 2020**, saying "**Forget the 'no jab, no play' for kids, it's now 'no jab, no play' for adults...**" Scott Morrison, **the political architect of the No Jab, No Pay coercive vaccination law for children**, had stepped up to the task. Thanks to Scott Morrison and the Premiers and Chief Ministers in National Cabinet, millions of Australians were **effectively conscripted** into supporting the Australian Government's COVID-19 vaccination rollout, **under threat of deprivation of their livelihood and liberty for non-compliance - 'No Jab, No Job' to 'No Jab, No Life'**.

Doctors, nurses and pharmacists knew that people were presenting before them under coercion, intimidation and vaccination mandates - **they should have refused to collaborate with injecting people they knew were under duress to comply, as this violates voluntary informed consent.**

The vaccination mandates should have been challenged by the leadership of the medical profession, by the medical colleges and professional associations, by the medical insurers, and by AHPRA, but they did not do this. **It's astonishing the medical profession did not challenge the COVID-19 vaccination mandates!** (They persistently ignored calls from the public for the defence of informed consent, see for example **Coercive covid-19 injections in Australia - email to the Medical Board of Australia, AHPRA, RACGP, RACP, AMA**, 8 June 2021.)

But doctors, nurses and pharmacists were constrained by AHPRA's, now superseded, Position Statement 9 March 2021, **which threatened practitioners with regulatory action if they challenged the COVID-19 vaccination rollout**, as outlined in my previous correspondence to you **questioning whether health practitioners were in effect being conscripted to participate in the Australian Government's COVID-19 vaccination rollout, in contravention of the Australian Constitution**, i.e. paragraph **xxiiiA of s51**. (See emails below dated 15 August 2023 and 13 February 2023.)

In **his response to me** on this matter (see attached), David Lewis, General Counsel (Constitutional), Office of Constitutional Law, says:

You may be aware that immunisation is not mandatory and individuals may choose not to be vaccinated. We note that the part of the Australian Health Practitioner Regulatory Agency statement to which you refer relates to anti-vaccination statements **and does not purport to require a health practitioner to vaccinate patients**. (My emphasis.)

Apart from the highly contentious suggestion that "immunisation is not mandatory and individuals may choose not to be vaccinated", **under a regime which threatens and imposes loss of livelihood and exclusion from civil society for non-compliance**, David Lewis has misunderstood my point.

I am not saying the AHPRA position statement "requires a health practitioner to vaccinate patients". **The AHPRA position statement intimidates and bullies practitioners into supporting the Australian Government's COVID-19 vaccination rollout by dint of the fact doctors, nurses and pharmacists are not allowed to freely question the COVID-19 vaccination rollout without penalty.**

Mark Dreyfus, doctors, nurses and pharmacists and other practitioners were forbidden to freely question the taxpayer-funded COVID-19 vaccination rollout. **Practitioners were gagged, effectively conscripted into supporting the Australian Government's COVID-19 vaccination rollout, in contravention of the Australian Constitution**, paragraph **xxiiiA of s51**, and in contravention of **their legal and ethical obligation** to obtain voluntary informed consent for vaccination.

And now here we are, **with the Australian population coerced and intimidated into submitting to COVID-19 vaccination, and millions of Australians injected under COVID-19 vaccination mandates initiated by National Cabinet and the AHPPC.**

**There has been no valid consent for COVID-19 vaccination.** This is a legal and ethical disaster which is yet to be brought to the attention of the Australian people.

This email is copied to Prime Minister Anthony Albanese, Health and Aged Care Minister Mark Butler, Chief Medical Officer Paul Kelly, AHPRA CEO Martin Fletcher and others, and will be widely circulated.

Sincerely

Elizabeth Hart

**Independent researcher investigating the vaccine industry and conflicts of interest in vaccination policy**

[vaccinationispolitical.net](http://vaccinationispolitical.net)

[elizabethhart.substack.com](http://elizabethhart.substack.com)

----- Forwarded message -----

From: **Elizabeth Hart** <[elizmhart@gmail.com](mailto:elizmhart@gmail.com)>

Date: Tue, Aug 15, 2023 at 9:26 PM

Subject: Re: Are health practitioners in effect being conscripted to participate in the Australian government's Covid-19 vaccination rollout, in contravention of the Australian Constitution?

To: <[attorney@ag.gov.au](mailto:attorney@ag.gov.au)>

Cc: <[minister.butler@health.gov.au](mailto:minister.butler@health.gov.au)>, <[covid19vaccinerfi@health.gov.au](mailto:covid19vaccinerfi@health.gov.au)>, <[martin.fletcher@ahpra.gov.au](mailto:martin.fletcher@ahpra.gov.au)>, National Intake and Assessment Team <[notifications@ahpra.gov.au](mailto:notifications@ahpra.gov.au)>, <[Jamie.Pearce@ahpra.gov.au](mailto:Jamie.Pearce@ahpra.gov.au)>, <[Amanda.Watson@ahpra.gov.au](mailto:Amanda.Watson@ahpra.gov.au)>

**For the attention of:**

Mark Dreyfus

Attorney-General of Australia

Dear Mark Dreyfus, re my email below to you dated 13 February 2023, **questioning if health practitioners are in effect being conscripted to participate in the Australian Government's Covid-19 vaccination rollout, in contravention of the Australian Constitution**, i.e. paragraph **xxiiiA of s51**.

As I note in my previous email to you, **the Australian Health Practitioner Regulation Agency (AHPRA) threatens health practitioners with regulatory action if they challenge the Covid-19 vaccination rollout**, i.e.

**"Any promotion of anti-vaccination statements or health advice which contradicts the best available scientific evidence or seeks to actively undermine the national immunisation campaign (including via social media) is not supported by National Boards and may be in breach of the codes of conduct *and subject to investigation and possible regulatory action*". (My emphasis.) (See attached AHPRA Position Statement dated 9 March 2021.)**

**If health practitioners provide information on an individual's actual risk with Covid, the potential risks of the Covid vaccinations, and any alternative options, is this considered 'anti-vaccination', and undermining 'the national immunisation campaign'?**

The AHPRA Position Statement also refers to "the best available scientific evidence" - **but who defines 'the best available scientific evidence' about the Covid vaccines, is it not open to question?**

**With respect to the legislative powers of the Parliament, the Australian Constitution states:**

"The Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good government of the Commonwealth with respect to...The provision of maternity allowances, widows' pensions, child endowment, **pharmaceutical, sickness and hospital benefits, medical and dental services (but not so as to authorize any form of civil conscription)**, benefits to students and family allowances." (My emphasis.) (See paragraph [xxiiiA of s51](#).)

**The Australian Government is providing 'pharmaceutical benefits' in the form of taxpayer-funded Covid vaccinations and 'the national immunisation campaign' - are health practitioners currently being obliged to support these taxpayer-funded purported 'benefits' by being hindered in openly questioning the Covid vaccinations?**

**Are health practitioners in effect being conscripted to participate in the Australian Government's Covid-19 vaccination rollout, in contravention of the Australian Constitution, i.e. paragraph [xxiiiA of s51](#)?**

**Mark Dreyfus, please seek expert legal advice on this potential breach of the Australian Constitution.**

I request your urgent response on this matter, it's relevant to [my notification to AHPRA re Chief Medical Officer Paul Kelly's violation of voluntary informed consent via recommending mandatory Covid vaccination](#) (Ref. No. 00531213), and [my email to AHPRA challenging the AHPRA Position Statement 9 March 2021](#), which is effectively a mandate for health practitioners to comply with the then Morrison Government's plan for a compulsory Covid-19 vaccination policy, for Covid vaccination to be **"as mandatory as you can possible make it"**, [as announced by Scott Morrison in August 2020](#). (Please see attachments.)

Health Minister Mark Butler, CMO Paul Kelly, AHPRA CEO Martin Fletcher, and AHPRA National Director Notifications Matthew Hardy are also copied on this email.

**Please acknowledge this email, and respond to this and my original email below, sent to you six months ago.**

Sincerely

Elizabeth Hart

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

On Mon, Feb 13, 2023 at 1:59 PM Elizabeth Hart <[elizmhart@gmail.com](mailto:elizmhart@gmail.com)> wrote:

**For the attention of:**

Mark Dreyfus

Attorney-General of Australia

Mark Dreyfus, **are health practitioners in effect being conscripted to participate in the Australian Government's Covid-19 jab rollout, in contravention of the Australian Constitution, i.e. [paragraph xxiiiA of s51](#)?**

The Australian Health Practitioner Regulation Agency (AHPRA) threatens health practitioners with regulatory action if they challenge the Covid-19 jab rollout, i.e. "Any promotion of anti-vaccination statements or health advice which contradicts the best available scientific evidence or seeks to actively undermine the national immunisation campaign (including via social media) is not supported by National Boards and may be in breach of the codes of conduct **and subject to investigation and possible regulatory action**". (My emphasis.) (See attached AHPRA position statement dated 9 March 2021.)

**Health practitioners have a legal and ethical obligation to obtain voluntary informed consent from people before vaccination, including the Covid jabs**, e.g. as stated in *The Australian Immunisation Handbook*, under [Valid Consent](#), i.e. "For consent to be legally valid, the following elements must be present...It must be given

voluntarily in the absence of undue pressure, coercion or manipulation...**It can only be given after the potential risks and benefits of the relevant vaccine, the risks of not having it, and any alternative options have been explained to the person.**" (My emphasis.)

**If health practitioners provide information on an individual's actual risk with Covid, the potential risks of the Covid jabs, and any alternative options, is this considered 'anti-vaccination', and undermining 'the national immunisation campaign'?**

The AHPRA position statement also refers to "the best available scientific evidence" - **but who defines 'the best available scientific evidence' about the Covid jabs, is it not open to question?**

It's ironic that AHPRA has imposed draconian restrictions on health practitioners under threat of regulatory action, because AHPRA has confirmed to me in writing that: **"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."** (See attached letter dated [21 September 2021](#).)

Likewise, the Australian Department of Health and Aged Care has confirmed to me in writing that: **"Informed consent should be obtained for every COVID-19 vaccination, as per usual consent procedures for other vaccinations."** (See attached letter dated [17 November 2022](#).)

And an Operation COVID Shield factsheet for health practitioners notes: **"A patient must provide informed consent prior to vaccination. If a patient has not provided informed consent you should not vaccinate them, even if they are mandated to receive a COVID-19 vaccination to perform particular roles or enter certain settings."** (See attached Operation COVID Shield factsheet - [Handling consent refusal by people presenting for vaccination](#).)

Mark Dreyfus, **do the onerous restrictions placed upon health practitioners by AHPRA prevent them from voicing concerns about the mass population Covid-19 jab rollout**, e.g. to people who present to the health practitioner as a result of a Covid jab mandate, or to the parents of children being pressured to have the Covid jabs, and others who are at low risk of Covid-19?

With respect to the legislative powers of the Parliament, the Australian Constitution states: "The Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good government of the Commonwealth with respect to...The provision of maternity allowances, widows' pensions, child endowment, **pharmaceutical, sickness and hospital benefits, medical and dental services (but not so as to authorize any form of civil conscription)**, benefits to students and family allowances." (My emphasis.) (See [paragraph xxiiiA of s51](#).)

The Australian Government is providing 'pharmaceutical benefits' in the form of the Covid jabs and 'the national immunisation campaign' - **are health practitioners currently being obliged to support these supposed 'benefits' by being hindered in openly questioning the Covid jabs?**

Mark Dreyfus, **are health practitioners in effect being conscripted to participate in the Australian Government's Covid-19 jab rollout, in contravention of the Australian Constitution, i.e. paragraph xxiiiA of s51?**

Please address this matter, **particularly the conflict between health practitioners' legal and ethical obligation to obtain voluntary informed consent before the Covid-19 jabs, while also being hindered from questioning the Covid-19 jab rollout under threat of regulatory action by AHPRA.**

I look forward to your early response.

Please note this email will be circulated to other parties, including Health and Aged Care Minister Mark Butler.


Sincerely

Elizabeth Hart

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

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## 2 attachments

 **Response from David Lewis General Counsel (Constitutional).pdf**  
135K

 **The destruction of voluntary informed consent via mandatory COVID-19 vaccination.pdf**  
4779K