Date 20 /12/ 2021

Attention to:

**All General Practitioners, Pharmacists and Health Care Providers** who are engaging in the Australian SARS-CoV-2 vaccination roll out

Re: **Lawful Notice to General Practitioners, Pharmacists and Health Care Providers participating in the SARS-CoV-2 vaccination rollout regarding the potential of unlawful and criminal conduct**

We, the people of the Bega Valley community, are serving this Lawful Notice, noting that we consider your actions to date, may be significantly concerning even possibly unlawful and potentially criminal for the following reasons:

* Breach of the provisions of informed consent: due to non-full disclosure and disregard to medical need and external, unlawful pressures from employers
* Gross Negligence: breaching the standard of care expected from Doctors and Health Care Providers through carelessness as to the safety of your patients, staff and community
* Misleading and deceptive conduct, misrepresentation: creating false perception within the community, misleading patients and staff to disregard potential risks
* Professional misconduct: by failing to undertake risk-benefit assessment for a medical procedure for each individual person; as well as failing to monitor, investigate and report adverse reactions
* Conflict of interest: through financial incentives to promote COVID-19 vaccinations and disregard well established medical ethics and safe quality processes.
* Criminal offences: including recklessly causing injury, assault and criminal medical negligence
* Torture: anyone who coerces others to vaccinate could potentially have aided and abetted in the crime of torture and other commonwealth crimes against humanity.
* Breach of human rights: violating individuals' fundamental right for bodily integrity, legal obligations around medical experiments and informed consent.

It is important that you understand that:

* State Public Heath Orders cannot override the legal provisions of the Commonwealth Constitution and other legislation.
* *Section 109 of the Constitution* ensures that inconsistency arising between Commonwealth and State and Territories’ laws will be addressed in favour of the Commonwealth.
* *Paragraph 51 (xxiiiA) of the Australian Constitution* and the *Biosecurity Act* acknowledges the express limitations not to conscript Australians into medical services.
* Mandating vaccines on healthy individuals is unlawful.

Yourmedical centre, surgery or pharmacy businessis presented to the community as a 'medical centre' or service provider, providing medical and healthcare, diagnoses, procedures and treatment to those in need. We the members of our community trust that you and your staff conduct yourselves in accordance to the standard of care expected from all medical practitioners and Health Care Providers, in your capacity as a public healthcare service.

**Legal requirements: Informed Consent**

It is very important that you fully understand that, in your capacity as Health Care Providers and as a healthcare service, you are legally required to fully disclose potential risks and benefits, before administrating COVID-19 vaccinations. National Health & Medical Research Council (NHMRC) Australian Clinical Trials: Informed Consent <https://www.australianclinicaltrials.gov.au/how-be-part-clinical-trial/informed-consent>

We the members of this community, place full trust in the Health Care Providers, expecting before undertaking any medical procedure that we will be provided with a full disclosure of potential risks as part of the risk-benefit assessment required for all medical procedures. A risk-benefit assessment is particularly important when a new medical product (such as the COVID-19 vaccination) is administered to people under the provisions of a clinical trial. COVID-19 vaccinations are only provisionally approved in Australia and are a clinical trial.

**Reference:** National Health and Medical Research Council (2018), Risk-based Management and Monitoring of Clinical Trials Involving Therapeutic Goods. [https://www.nhmrc.gov.au/about-us/publications/safety-monitoring-and-reporting-clinical-trials-involving-therapeutic-goods#block-views-block-file-attachments-content-block-1](https://www.nhmrc.gov.au/about-us/publications/safety-monitoring-and-reporting-clinical-trials-involving-therapeutic-goods#_blank)

Consent to a medical procedure requires the patient/client/consumer being informed of the risks and benefits of the procedure. Valid consent as outlined in the Australian Immunisation Handbook *“..must be given voluntarily in the absence of undue pressure, coercion or manipulation.”*

**Reference**: [https://immunisationhandbook.health.gov.au/vaccination-procedures/preparing-for-vaccination#criteria-for-valid-consent](https://immunisationhandbook.health.gov.au/vaccination-procedures/preparing-for-vaccination#_blank)

1. **Valid consent:** An immunisation provider has a duty of care under law and under accepted professional standards and NSW Health Policies to ensure that a patient/client/consumer does not submit to a medical procedure knowing that their free voluntary consent has been tainted by manipulation, coercion, threats or duress that renders such consent invalid.
   1. *“Health Practitioners also have a legal obligation to provide patients (or substituted decision makers) with information, including warnings, about any material risks involved in the proposed procedure or treatment. Failure to do so may also give rise to legal action for negligence.”* Consent to Medical and Healthcare Treatment Manual 2021 <https://www.health.nsw.gov.au/policies/manuals/Publications/consent-manual.pdf>
2. **Risk-benefit assessment:** To ensure you are complying with the provisions of informed consent and to assist patient/client/consumers in evaluating the risks of being injected with this experimental, provisionally approved COVID-19 vaccination; Health Care Providers must inform patients/clients that:
   1. The COVID-19 Vaccine is offered as part of a clinical trial and
   2. There are reported risks of serious adverse reactions to the COVID-19 vaccine, including death
   3. Currently the COVID-19 Vaccines have no proven safety and efficacy
   4. Long-term side effects are unknown because we have not had the opportunity for long term data, therefore Health Care Providers cannot possibly present the vaccine as 'safe' as part of a competent, professional, ethical and honest medical advice
   5. There are effective preventative treatments available to strengthen immunity
   6. We refer you to the Therapeutic Goods Administration’s (TGA) Database of Adverse Event Notifications (DAEN) which to date includes over 78,000 reported adverse reactions, including 620 deaths that have been reported following COVID-19 vaccination on offer in Australia. <https://www.tga.gov.au/covid-19-vaccine-safety-monitoring-and-reporting>
   7. In terms of potential benefits of this procedure/vaccine, this information must be disclosed and assessed for each individual:
      1. data from around Australia indicates that only a very small portion of the Australia’s general population is at risk of becoming seriously unwell from SARS-CoV-2; namely the elderly and the already sick.  The average age of death from SARS-CoV-2 in Australia is over 80 years of age.
      2. It is established now that the COVID-19 vaccines do not prevent transmission or prevent reinfection.
      3. The need for 'boosters' indicates, that any potential benefit, expires or significantly diminished within months.

**Medical negligence:** Failure to monitor, investigate and warn of potential risks

Medical negligence, also known as medical malpractice, is the failure by a Health Care Provider to treat patients with reasonable skill and care, causing, or likely to cause, an injury as a result.

Doctors and Health Care Providers owe a duty of care to their patient/client/consumer and are expected to understand, take into account and fully disclose those risks associated with any product they provide to people, particularly when the product is a new product, based on a new technology, and is given as part of a clinical trial.

Health Care Providers are expected and are legally required (in accordance with the provisions of informed consent) to understand the reason why their patient is seeking to undertake a particular medical procedure (COVID-19 vaccination is a procedure) and on this basis must provide medical advice, based on a risk-benefit assessment for each and every individual.

In your professional capacity you should be aware by now that there is undeniable proof that adverse events from the COVID-19 vaccination offered in Australia, are common.

When contingently and persistently disregarding and presenting such adverse reactions as 'rare' and 'mild', you are contributing to the creation of false public perception that COVID-19 vaccines are completely 'safe'; this is evidently incorrect and misleading medical advice. Reference to data provided by TGA assists in demonstrating our point that the list of adverse reactions is indeed extensive. Although, we point out that the numbers reported are underestimated, potentially significant, and yet, even with underrepresented number of vaccines' injuries, the numbers reported are extremely alarming. <https://www.tga.gov.au/covid-19-vaccine-safety-monitoring-and-reporting>

Members of our community are aware of many individuals who have suffered adverse reactions and some have died shortly after having a COVID-19 vaccination in the Bega Valley; this information supports the following list of failures which are of great concern to our community:

* Failing to investigate, in your professional capacity, the safety and effectiveness of COVID-19 vaccines
* Failing to comply with the provisions of informed consent:
  + not providing a full disclosure of the status of this product (i.e. a clinical trial), the risk of suffering adverse reactions short and long-term;
  + careless as to the reason why people are seeking to undertake a particular procedure/medication (COVID -19 vaccination);
  + disregarding, exercising and facilitating coercion.
* Failing to properly consider or disregarding individuals' medical history and health conditions as part of undertaking a risk-benefit assessment
* Failing to monitor, investigate and report adverse reactions suffered by patients/clients after COVID-19 vaccinations
* Failing to offer and facilitate COVID-19 treatment and alternative health options, instead insisting to inject this new product (COVID-19 vaccines), as part of a clinical trial with known adverse reactions and unknown long term implications.

Such significant failures, particularly given that the COVID-19 vaccine is based on a new technology and is provided as part of a clinical trial, would raise serious concerns as to whether you have being shown to be grossly careless.

When negligence occurs as a result of carelessness, then where the carelessness has been so severe that it is judged to be 'gross', the Health Worker may be subject to a charge of criminal negligence.

**Misleading and deceptive conduct / misrepresentation**

In addition, we are greatly concerned that many who are administering these vaccines are not only failing to provide a full disclosure in accordance with the requirements of informed consent, they are also engaging in a misleading and deceptive conduct, falsely presenting that Covid-19 vaccines are effective and safe. COVID-19 vaccination cannot reasonably and ethically be presented as 'safe' and 'effective' for the following reasons:

***Safety:***

* COVID-19 vaccine is administered as part of a clinical trial
* Data shows that COVID-19 vaccination carries a risk of serious adverse reactions, including death as discussed above.
* Long-term health implications are unknown, as such data does not exist.
* It is known and reported that many of the patients in hospitals across the country are those who needed medical care following a COVID-19 vaccination.

***Effectiveness:***

* It is well established that COVID-19 vaccines do not prevent acquisition, transmission nor reinfection.
* the need for boosters indicates that any potential 'protection' that a COVID-19 vaccination might offer, is only temporary (no more than 6 months)

<https://www.tga.gov.au/covid-19-vaccine-safety-monitoring-and-reporting>

**Professional Misconduct:** failure to comply with the Medical Code of Conduct

Doctors have a professional responsibility to be familiar with Good medical practice: a code of conduct for doctors in Australia – October 2020and to apply the guidance it contains.

* *“Doctors have a duty to make the care of patients their first concern and to practise medicine safely and effectively. They must be honest, ethical and trustworthy”*
* *Informing patients of the nature of, and need for, all aspects of their clinical management, including* examination and investigations, and giving them adequate opportunity to question or refuse *intervention and treatment.*
* Discussing with patients their condition and the available management options, including their *potential benefit and harm and material risks.*
* *“Participating in systems for surveillance and monitoring of adverse events and ‘near misses’, including reporting these events”*

**Reference**: Good medical practice: a code of conduct for doctors in Australia – October 2020 <https://www.medicalboard.gov.au/Codes-Guidelines-Policies/Code-of-conduct.aspx>

Members of our community expect that all those responsible for administering these experimental vaccines have a genuine responsibility in monitoring adverse events resulting from this COVID vaccination program. To date, data from around the world, including Australia demonstrates that deaths and serious adverse reactions are increasingly being reported. As this is still early days of this medical experiment, the long terms effects are unknown. It would therefore be absolutely essential and reasonable to expect that all Health Care Providers will monitor and investigate vaccine safety closely and over time.

In addition, Health Care Providers who are relying on a particular diagnosis tool are expected to understand whether it is fit for the purpose it was designed to provide. There are now significant studies and evidence to indicate that the SARs-CoV-2. PCR test cannot be used to isolate COVID-19. Under a Freedom of Information request it is recognised that the COVID-19 virus cannot be isolated. On this basis, by continuing to rely on the PCR test as a diagnosis tool, despite evidence that it is cannot be used for the purpose of diagnosis of SARs-CoV-2., appears to be careless. It is highly irresponsible and deceptive, as it likely to be misdiagnosing patients as 'false positive' and potentially causing significant stress and financial losses due to the directives to self-isolate. The PCR inaccuracies also creates false reporting of the number of cases and unnecessary stress in people’s lives and within the community. Continuing to rely on PCR tests to diagnose COVID-19, also, undoubtedly, contributes to ineffective, expensive, unnecessary and overall externally harmful health measures.

There are additional legal issues in regards to the collections, storage, access and security of confidential medical information; those issues are not covered in this letter.

We also note the issue of **conflict of interest** related to Health Care Providers and Medical Practitioners receiving considerable financial incentives to promote COVID-19 vaccines and run the vaccination and testing programs.

**Consent in the criminal jurisdiction**

In the *Criminal Code Act 1995 (Cth)* as to crimes against humanity, consent is reflected in section 268.14 (3)(f) and (g) as ‘Consent means free and voluntary agreement and examples of circumstances in which a person does not consent to an act are (f) the person submits to the act because of psychological oppression or abuse of power; or (g) the person submits to the act because of the perpetrator taking advantage of a coercive environment.

An immunisation provider has a duty of care under law and under accepted professional standards to ensure that a patient does not submit to a medical procedure knowing that their free voluntary consent has been tainted with manipulation, coercion, threats, duress that renders such consent invalid.

**Recklessly causing serious bodily harm/ assault**

* *A COVID-19 vaccination is administered by forcing a needle* through the skin and then through to either the fat *or muscular* tissue*. In a legal sense,* there is an application of force, the skin is broken and 'a substance' is injected into the body.
* The data indicates that a Covid-19 vaccination can cause a serious harm, including death. It is well documented and common knowledge that some people who have received a COVID-19 vaccination have had severe adverse reactions such as blood clots, strokes and the like and in some cases even death (as discussed above).
* The ill health effects of the vaccine are permanent and cannot be removed from the body.

Torture offences under the Criminal Code Act 1995 in regards to coercion and discrimination are absolute liability offences.

A person (the perpetrator) commits the offence of torture under section 274.2 if the perpetrator engages in conduct that inflicts severe physical or mental pain or suffering on a person (the victim) and the conduct engaged in for any reason based on discrimination of any kind and the perpetrator engages in the conduct in the capacity of a public official or acting in an official capacity or acting at the instigation, or with the consent or acquiescence of a public official or other person acting in an official capacity. This is also an absolute liability offence and attracts the penalty of imprisonment for 20 years.

Section 11. 2 of the *Criminal Code Act 1995* (Cth) provides for complicity and common purpose. In that at s 11.2(1) a person who aids, abets, counsels or procures the commission of an offence by another person is taken to have committed that offence and is punishable accordingly. This means that anyone who coerces others to vaccinate could potentially have aided in the crime of torture and other commonwealth crimes against humanity.

This means that an ‘immunisation provider’ should observe proper precautions such as obtaining valid consent before injecting a COVID-19 vaccination in order to avoid potential criminal liability.

**Breach of Australian laws and International agreements of Human Rights**

The continuation of medical conscription actions imposed on Australian and members of our Bega Valley community, is a breach of the following laws amongst others:

* *The Commonwealth Constitution*
* *The Biosecurity Act 2015 (Cth)*
* *The Privacy Act 1988 (Cth)*
* *Disability Discrimination Act 1992* (Cth)
* *Occupational Health and Safety (Work Safe)* Laws
* *The Australian Human Rights Commission Act* 1986
* *Bill of Rights 1688 (UK)*
* *The Charter of Human Rights and Responsibilities (Victoria)*
* *The Universal Charter of Human Rights*
* International Law and Treaties and Codes, including the *Nuremberg Code* and *Siracusa Principles*
* *Magna Carta*
* *International Covenant on Civil and Political Rights*, which provides in Article 7 that *“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.*

**Next step**

We care for our community and the Australian people and we seek to ensure the safety of everyone.

We direct you to govern yourself in accordance with ethical and professional medical practices.

You are legally required to undertake reasonable, ethical and lawful health measures, such as complying with the requirement of 'informed consent', as discussed above.

A failure to obtain informed consent in accordance with Australian and International laws, will raise serious concerns in terms of your ability to continue providing appropriate and professional health services to members of our community. Such a failure represents an ill driven motive and/or complete incompetency, either way, not in the best interest of those who your careless conduct is directed at, which is all members of the Bega Valley community.

We will hold you responsible and accountable for any COVID-19 vaccination related injuries and death that occurred following a failure to obtain a valid informed consent.

If you have any questions in regards to this letter and would like to discuss, you can contact Fraser Buchanan on 0429881836.

Our group, with over 300 active members in the Bega Valley, intend to lodge a formal complaint with Australian Health Practitioner Regulation Agency and the Australian Human Rights Commission. We reserve the right to issue civil and criminal proceedings against you, on behalf of members of the Bega Valley community.

Signed\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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