

## **AN OPEN LETTER TO AHPRA FROM AUSTRALIAN ALLIED HEALTH PRACTITIONERS, NURSES, MIDWIVES & DOCTORS**

To the Australian Health Practitioner Regulation Agency (AHPRA),

We note that AHPRA is an incorporated entity acting as a Government agency responsible for implementing the National Registration and Accreditation Scheme across Australia. Through AHPRA's Covid Position Statement dated the 9<sup>th</sup> of March 2021 AHPRA issued Gag orders to all AHPRA regulated Health Practitioners threatening regulatory action for the "promotion of anti-vaccination statements or health advice which contradicts the best available scientific evidence **or** seeks to actively undermine the national immunisation campaign". AHPRA has taken action based on these gag orders by suspending a number of courageous practitioners who have provided evidence-based challenges to the "health messaging" as well as for providing exemptions to vaccination to their patients based on evidence based medical contraindications.

We note AHPRA has expressly stated that it is not AHPRA's role to evaluate scientific validity of the Health Practitioners statements or the exemptions but only **that the statements and/or exemptions are contrary to the public health orders**. To reiterate AHPRA's position is that "public health messaging" is more important than scientific evidence, informed consent based on evidence-based material, the primacy of the doctor patient relationship and the health and wellbeing of medically contraindicated Australians.

As a result of AHPRA's position a large number of Health Practitioners have been scapegoated through suspensions that denied them their legal right to procedural fairness, thousands of Health Practitioners have been coerced into denying informed consent to their patients but even more disturbing is that thousands of Australians have been killed, disabled and seriously injured by these vaccines including many who were medically contraindicated but unable to obtain exemptions due to the method of execution of AHPRA's non-evidenced based policy decisions. Government policies that feign ignorance of these facts is no excuse.

**WE DEMAND THAT AHPRA IMMEDIATELY REMOVE ITS GAG ORDER ON HEALTH PRACTITIONERS WHO WISH TO EXPRESS THEIR PROFESSIONAL OPINIONS AND OBSERVATIONS AND REMOVE THE SUSPENSIONS ON THOSE HEALTH PRACTITIONERS WHO EXERCISED THEIR LEGAL RIGHTS AND OBLIGATION TO THE AUSTRALIAN PUBLIC TO EXPRESS THEIR PROFESSIONAL OPINIONS.**

In making this demand we draw your attention to the following points:

1. AHPRA does not have any legal or regulatory authority to make gag orders. Gag orders may only be issued by Judicial authority or in

- limited cases by the contractual employer/employee relationship. As clearly stated by the Honourable Justice A. Pazaratz of the Canadian Superior Court – Government Covid policies at law are not above scrutiny or evidence based challenges. *CITATION: N. v. C.G., 2022 ONSC 7198*. Accordingly, the unapologetic attempt by AHPRA to hide behind Government policy and use that policy to regulate Health Practitioners is in violation of the rule of law and procedural fairness.
2. Specifically, AHPRA has no authority to gag medical professionals from discussing vaccine risks and injuries and providing exemptions in relation to the Covid-19 vaccines. AHPRA's authority to suspend practitioners is in regard to medical malpractice (such as might arise from serious misleading and deceptive conduct) not free speech, especially when it is in regard to vaccines that have had an unprecedented number of adverse events causing unprecedented numbers of deaths and serious injuries.
  3. Members of the Australian public do not need permission from AHPRA to be exempt from vaccines. It is clearly stated in the Immunisation handbook issued by the Australian government that people cannot be coerced into taking a vaccine and that the risks and benefits of the vaccine must be clearly outlined. AHPRA has no authority to make gag orders that coerce Health Practitioners to deny patients this fundamental legal right.
  4. AHPRA has stated in its own policy that taking a vaccine "is a personal choice" yet hypocritically AHPRA coerces doctors by denying them the right to provide informed consent to facilitate a patient making a personal choice and denying them their right to grant exemptions to a vaccine that itself and the Federal government does not mandate in the first place.
  5. AHPRA by its choice to blindly follow Government policy does not give it legal authority to intervene in the doctor-patient relationship. Every patient is unique. Unelected and uninformed bureaucrats do not have the authority or the understanding to provide medical advice to people on a "one size fits all basis".
  6. The decision by AHPRA to preference Government policy over the fundamental professional obligations and rights of Health Practitioners and the safety and wellbeing of the Australian Public is a fundamental breach of not only authority but integrity and trust. Health Practitioners and the Public who have been adversely affected by these policy decisions have not surprisingly lost trust and confidence in AHPRA. The numbers of disaffected persons are growing daily.
  7. A reasonable person with knowledge of the devastating impacts of these policy decisions on both professionals and the public victims would at a minimum take action to investigate and respond to the evidence. We note that despite numerous letters and advice given to AHPRA of the devastating effects of their policy decisions as well as

- the significant body of publicly available scientific evidence and data and statistics on the devastating impacts of these decisions AHPRA have not responded in any way.
8. Specifically, AHPRA advised that the 9 March 2021 Position statement would be reviewed but no such review in over 12 months has ever been published. On this basis, we query the competency both personally and/or professionally of the policy decision makers at AHPRA and whether they are mentally and/or professionally competent to continue in their role.

We demand at a minimum that AHPRA discontinue preferencing non-evidence-based Government policies. AHPRA must immediately remove the Gag orders and suspensions at a minimum.

Sincerely,

Australian Allied Health Practitioners, Nurses, Midwives & Doctors

