

**From:** steve [REDACTED] >  
**Sent:** Sunday, 27 September 2015 2:08 PM  
**To:** SARC  
**Subject:** Submission re No Jab No Play policy

I would like to draw your attention to the following breaches the No Jab No Play legislation makes to Australian and international law.

## CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES ACT 2006

### 10 Protection from torture and cruel, inhuman or degrading treatment

A person must not be-

- (b) treated or punished in a cruel, inhuman or degrading way or
- (c) subjected to medical or scientific experimentation or treatment without his or her full, free and informed consent.

### 13 Privacy and reputation

A person has the right-

- (b) not to have his or her reputation unlawfully attacked.

### 14 Freedom of thought, conscience, religion and belief

Every person has the right to freedom of thought, conscience, religion and belief, including—

- a) the freedom to have or to adopt a religion or belief of his or her choice; and
  - (b) the freedom to demonstrate his or her religion or belief in worship, observance, practice and teaching, either individually or as part of a community, in public or in private.
- (2) A person must not be coerced or restrained in a way that limits his or her freedom to have or adopt a religion or belief in worship, observance, practice or teaching.

### 15 Freedom of expression

- (1) Every person has the right to hold an opinion without interference.

### 18 Taking part in public life

- (2) Every eligible person has the right, and is to have the opportunity, without discrimination—
- (b) to have access, on general terms of equality, to the Victorian public service and public office.

### 38 Conduct of public authorities

- (1) Subject to this section, it is unlawful for a public authority to act in a way that is incompatible with a human right or, in making a decision, to fail to give proper consideration to a relevant human right.

## CONVENTION ON THE RIGHTS OF A CHILD

### Article 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

## Article 24

3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.

## Article 29

(c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;

## Article 31

1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.
2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

## Article 37

States Parties shall ensure that:

(a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age;

## DECLARATION ON THE ELIMINATION OF ALL FORMS OF INTOLERANCE

### Article 4

1. All States shall take effective measures to prevent and eliminate discrimination on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, economic, political, social and cultural life.
2. All States shall make all efforts to enact or rescind legislation where necessary to prohibit any such discrimination, and to take all appropriate measures to combat intolerance on the grounds of religion or belief in this matter.

### Article 5

3. The child shall be protected from any form of discrimination on the ground of religion or belief. He shall be brought up in a spirit of understanding, tolerance, friendship among peoples, peace and universal brotherhood, respect for freedom of religion or belief of others, and in full consciousness that his energy and talents should be devoted to the service of his fellow men.

## EQUAL OPPORTUNITIES ACT 2010

Discrimination based on political belief and activity, as well as religious belief and activity applies to the No Jab No Play policy. Some vaccines contain foetal cell lines or animal cell lines which contrast with the religious and moral beliefs of some.

### 38 Discrimination by educational authorities

(1) An educational authority must not discriminate against a person—

- (a) in deciding who should be admitted as a student; or
- (b) by refusing, or failing to accept, the person's application for admission as a student; or
- (c) in the terms on which the authority admits the person as a student.

- (2) An educational authority must not discriminate against a student—  
(a) by denying or limiting access to any benefit provided by the authority; or  
(c) by subjecting the student to any other detriment.

## DECLARATION OF THE RIGHTS OF THE CHILD

Principal 1. The child shall enjoy all the rights set forth in this Declaration. Every child, without any exception whatsoever, shall be entitled to these rights, without distinction or [discrimination](#) on account of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, whether of himself or of his family.

Principle 7. child shall have full opportunity for play and recreation, which should be directed to the same purposes as education; society and the public authorities shall endeavour to promote the enjoyment of this right.

Principle 10. The child shall be protected from [practices](#) which may foster racial, religious and any other form of [discrimination](#). He shall be brought up in a spirit of understanding, tolerance, friendship among peoples, peace and universal brotherhood, and in full consciousness that his energy and talents should be devoted to the service of his fellow men.

Regards

Stephen Jenner