

My name is [REDACTED] and I believe that the McGowan Government has taken away my non-derogable human rights.

I am [REDACTED] by trade, I started working with [REDACTED] and was a loyal and dedicated employee, who was due for long service leave in 2024.

Until the introduction of the Covid-19 mandates I had an excellent performance record and good relationship with the people I worked with, including my direct supervisor, senior management on-site and my extensive client base.

Effect of mandates on my work

When I received the first email notification that I would need to be vaccinated to keep my job I was also given a face shield to wear at work in lieu of any exemptions.

I had previously given my supervisor a valid mask exemption, however they insisted on a cumbersome shield which would have severely impaired my ability to concentrate and conduct repairs effectively – not to mention the humiliation and stress of wearing the large bright yellow shield.

My employer said they were not mandating the vaccine but their business premises was located within the grounds of [REDACTED] therefore a vaccination was required to attend the workplace.

After extensive research and discussions with medical professionals in relation to my own personal medical condition, it was decided that not being a part of the untested Covid-19 vaccine trial and beginning alternative preventative measures instead would be my way forward.

Effect of mandates on my family

As a vaccine-free family we knew we were in trouble when Mark McGowan said that he was about to make life for the unvaccinated very difficult.

Been unvaccinated as well as undergoing discrimination due to my mask exemption the last 3 years have been the most difficult in my life.

I have been verbally threatened, refused service, mocked and segregated from society which has had a devastating effect on all aspects of life

Bullied because of my vaccination status/beliefs

I have been bullied and made to feel like a second class citizen and have felt the segregation this medical apartheid has caused.

On many occasions I have been refused the rights to buy food and water and have also missed many milestones of friends and family (not being allowed into venues to celebrate birthdays, engagements) due to my vaccine status.

Over the last few months I have had to deal with a myriad of emotions from anger and frustration that my basic human rights were violated, helplessness and despair at not being able to overcome the ridiculous and unnecessary obstacles I have faced and lack of options and remedy to the situation financially, emotionally and physically

Relationships

I have lost many valued friendships, business contacts, and have had close relationships severely impacted and destroyed through the undue stress caused by the mandates. Although the disagreements and opposing views of these unlawful situations were out of my control, I resent the administration of the mandates and over-governing.

Informed Consent and Human Rights Law

The Act gives effect to Australia's obligations under the *International Covenant on Civil and Political Rights*, which provides in Article 7 that "...no one shall be subjected without his free consent to medical or scientific experimentation".

Australian Human Rights Commission Act 1986 - Schedule 1 Convention concerning Discrimination in respect of Employment and Occupation

As well as articles 3,4 and 7

All of these have been breached in my situation and caused Severe physical ,mental pain and suffering.

The workplace Directions had the effect of making the unvaccinated unemployable. These measures illustrate a government firmly set on enforcing the obedience of its citizens and not an introduction of reasonable measure to prevent the transmission of disease.

The exemptions available to individuals at the time were limited to those who had already suffered an adverse reaction and, even then, generally the advice was to take a different vaccine for the next mandated vaccination, including the booster. This is not a reasonable position for a medical doctor to take, let alone a Chief Health Officer making life and death decisions for the whole population of Western Australia.

Given that by the time the mandates were introduced the CHO was fully aware that there was a risk of harm from the vaccines themselves, abrogating an individual's right to work must be considered an absurd position for a government to take. The CHO's position that these are reasonable directions must be challenged.

It is not reasonable for the State Government to insist workers must take an experimental vaccine that does not contain the spread of COVID-19 while simultaneously demanding workplaces enforce mask wearing, social distancing, hygiene measures, and regular testing of employees to ensure COVID-19 does not enter the workplace. These measures are enough to reduce the risk of COVID-19 entering the workplace without mandating vaccinations.

There is a conflation of issues as discussions around the COVID-19 vaccines implies that unvaccinated equals infectious. It is a fact that to spread COVID-19 requires a person to

have COVID-19. Fully vaccinated people have COVID-19 and spread COVID-19. The discriminatory nature of the mandates fails to acknowledge this basic medical principle.

³⁹ *Associated Provincial Picture Houses Ltd v Wednesbury Corporation* [1948]

The coercive nature of the mandates means they are legally unsound in the Australian context and cannot be enforced. It is uncontroversial to state that the mandates are ethically and morally wrong. But, critically to this discussion, the mandates are in direct conflict with individual human rights and Australia's obligations under International human rights law.

Employers enforcing the directions are in breach of the inalienable human rights of employees' right to work.

The Western Australian Attorney-General knew, or should have known, at all relevant times that the coercive nature of the mandates were a breach of inalienable human rights and an unreasonable response to a disease that had a proven survival rate of 99.98% for most working WA residents.

The Commonwealth Attorney-General knew that the WA Government mandates placed the Australian Government in breach of its international human rights obligations and should have acted to remove the mandates immediately.

The Western Australian Chief Health Officer knew that the vaccines were not effective in stopping the acquiring or transmission of the virus and were therefore an ineffective measure to reduce the risk of harm from Covid-19. The introduction of the mandates was not only unjustified, but the mandates failed on reasonableness, proportionality, and were not lawful.

Employers, especially corporate employers proudly displaying their human rights policies on their websites, had a duty to seek independent legal advice in relation to any breach of an employee's human rights. This duty arose from the first email/letter received from an employee seeking clarification in relation to the vaccine mandates.