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To: 'CommissionerCYP@sa.gov.au' <CommissionerCYP@sa.gov.au>

Subject: Urgent investigation into the impact of the Marshall Government Covid-19 policies on the rights of South Australian children

For the attention of:

Helen Connolly

South Australian Commissioner for Children and Young People

Dear Commissioner Connolly

I request that you undertake an urgent investigation into the draconian COVID-19 policies of the Marshall Liberal Government and their ongoing impact on the rights of South Australian children and young people.

The [UN Convention on the Rights of the Child \(UNCRC\)](#) was written into South Australia's state legislation in 2017, with the [Children and Young People \(Oversight and Advocacy Bodies\) Act 2016](#). As Commissioner for Children and Young People your role is to '**ensure that as a part of the Australian Commonwealth, South Australia enacts its international obligations**' under this convention.[1]

I recently raised these concerns in an [email to Police Commissioner Grant Stevens](#) – also attached for your information. As I highlight to Commissioner Stevens, children are at little risk from COVID-19 and yet their rights are being trampled by Steven Marshall and Nicola Spurrier with lockdowns, school closures and other measures detrimental to their wellbeing. These policies are clearly **not in their best interests** as required under the UNCRC.

Our children are the collateral damage in this grossly disproportionate response to COVID-19 – a disease that is **not a risk for most people**. A recent estimate suggests a global infection fatality rate (IFR) of **0.15%** for COVID-19 - **similar to influenza**. [2,3] For the under 70s the IFR is 0.05%. [4] For children, the risk of dying from COVID-19 is close to zero and it is less dangerous to them than influenza. [5-9] They are also less likely to get symptoms of COVID-19 and a vast body of literature shows that children are **not major** drivers of transmission. [10-12]

It has been known since early 2020 that COVID-19 has a steep age gradient in mortality. Elderly people with significant underlying health issues have an increased risk of serious illness and death. [13-15] This was stated by Australia's former [chief medical officer](#), Brendan Murphy, and [current chief medical officer](#), Paul Kelly, during February 2020. Most deaths have been in this group of people. [16] You may know that the median age of death for COVID-19 in Australia is 86 years. [17]

There is now 18 months of data highlighting the risk factors for COVID-19. Evidence from overseas clearly shows there is **no need to close schools** to protect those who are at risk. [18-21] And yet Steven Marshall and Nicola Spurrier recently closed our schools for the second time and locked up our children for a handful of 'cases.' I ask you, Commissioner Connolly, whether you think this is proportional to the risk or is it yet more pointless political incompetence?

The executive director for Early Years and Child Development in the South Australian Department of Education [is quoted](#) as saying:

'Schools are often at the heart of any community – they are very vibrant places where mums and dads, grandparents, children and young people congregate to learn, socialise and build social networks.'

We know how important schools are in the life of our children, so why did Steven Marshall and Nicola Spurrier close them when the evidence clearly says it is not necessary? And when decades of evidence shows that **disrupting children's education is harmful to their wellbeing**, and can damage their future prospects?

The [South Australian Wellbeing for Life and Learning Framework](#) states:

'A holistic approach to children and young people's development sets the trajectory for lifelong wellbeing outcomes. It encompasses many sides of life: social, cognitive, emotional, physical and spiritual.'

School closures and lockdowns cut children off from their peers and support networks and deny them the social and cultural participation vital for their emotional and mental health. In Australia, a [recent report](#) from Kids Helpline showed a concerning increase in duty of care interventions for children at risk from 1 December 2020 – 31 May 2021. The potential long-term effects of childhood trauma on child development and future health is [well documented](#); as a former social worker and trauma counsellor, **and as a mother**, I am disgusted by the blatant disregard for our children's wellbeing inherent in COVID-19 policies.

Your recent report – [The Things That Matter 2 - Views of 8 - 12 year olds on life, school and community](#) – highlighted the nature of the impact of COVID-19 policies on the lives of South Australian children:

'While a few children wrote about 'living through Covid' as the worst thing, this wasn't a top concern, perhaps reflecting South Australia's relatively safe public health situation. The 8-12 year olds who did bring up Covid-19 focused on the impact of the lockdown on their connections with the people they care about most, and their participation in the things they love doing. In particular, they wrote that the worst thing about being a kid was sport being cancelled due to Covid-19, that children can 'catch diseases easily', that closed borders impact their ability to see family who live elsewhere, and that they can't do more to help'

'To open up the borders agen (sic). So I can see my dad in Perth' (10-year-old, female — Eyre and Western)

I am curious as to what lies beneath the statement children can **'catch diseases easily'**? Do our children believe they are at risk from COVID-19, or that they are a risk to others? Could this suggest that children have been misled about the risks of COVID-19 and therefore, **their sense of fear has been elevated** through inaccurate public health messaging?

And what about the children who are living at the margins, whose voices we are not hearing? The [social determinants of health](#) give a **clear warning** about the future impact of COVID-19 policies, especially on communities who are already experiencing socioeconomic disadvantage.

Commissioner Connolly, you have a long and admirable history of advocating for the rights of children and young people in South Australia, particularly those who come from vulnerable or disadvantaged backgrounds. I'm sure I don't need to point out to you that school closures and lockdowns impact these children most of all – a pattern already seen across the globe. I draw your

attention to the [growing body of evidence](#) that the children of the world have been turned into sacrificial lambs in the response to COVID-19. This is an abomination and every parent feels this anguish.

Faced with COVID-19, Australia, along with most other countries, followed China into lockdown. Australia was steered into this strategy by dubious modelling from the [Doherty Institute](#), which was influenced by the work of [Neil Ferguson et al of Imperial College](#). As I point out in a recent [letter to the Prime Minister](#), lockdowns do not feature in the [Australian Health Management Plan for Pandemic Influenza](#) (AHMPPI), nor in the World Health Organization's [Non-Pharmaceutical Public Health Measures for Mitigating the Risk and Impact of Epidemic and Pandemic Influenza\(2019\)](#). Lockdowns have very little evidence to support them. I think you may find it useful to **examine the AHMPPI in detail**. You will see that school closures are just one of many current interventions **not recommended** in this plan.

An additional assault on our children's rights has arrived in the form of **compulsory face masks** in high schools. This is unacceptable. Not only is there scant evidence that masks are effective in reducing the transmission of COVID-19, but there has also been almost no research into the **broader health and psychological impact** of this intervention on our children.[22-26] I draw your attention to a survey in Germany that found:

'68% of the respondents report that children complain of impairments from wearing a mask. The side effects included irritability (60%), headache (53%), difficulty concentrating (50%), less happiness (49%), reluctance to go to school / kindergarten (44%), malaise (42%), impaired learning (38%) and drowsiness / tiredness (37%).'[27]

We should not be subjecting children to any intervention that **offers them no benefit** and has **unknown harms**.

Healthy children are also being forced, through [Emergency Management Declarations](#) signed by Police Commissioner Stevens, to undergo PCR tests – an invasive and sometimes painful medical procedure. The requesting doctor for these tests is Chief Public Health Officer Nicola Spurrier – please see attached document.

Point 4.5 in the [Medical Board of Australia Code of Conduct](#) states 'Informed consent is a person's **voluntary decision** about medical care that is made with knowledge and understanding of the benefits and risks involved.' With regards to children, point 4.6 states 'Caring for children and young people brings additional responsibilities for doctors. Good medical practice involves: **Placing the interests and wellbeing of the child or young person first.**'

As I point out in [my letter to the Prime Minister](#), the World Health Organization says a PCR is merely an 'aid to diagnosis';[28] **they are not intended to be used for testing healthy people in this manner.**[29-31] Is it ethical to subject healthy children to a medical intervention when there is no clinical justification for it?

It seems that now a doctor can authorise a medical intervention for a minor – who they have never seen nor examined and who has no signs nor symptoms of disease – where that minor is only submitting to the test because they were **mandated** to do so by a police commissioner. Personally, I find this astounding. Whatever happened to a child's right to [bodily integrity](#)?

As I also point out to Commissioner Stevens and Mr Morrison, the [AHMPPI](#) and the [Australian Health Sector Emergency Response Plan for Novel Coronavirus \(COVID-19\)](#) both state that **'the rights of the**

individual should be upheld wherever possible.' Where are the rights of our children being upheld in our State's response to COVID-19?

Under the UNCRC, society is supposed to 'recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development, and make the best interests of the child a **primary consideration**.'

Is **denying children their right to liberty**, to education, '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', in the best interests of children? Is subjecting them to arbitrary interference in their family life, dehumanising face masks, unnecessary medical tests, **in their best interest Commissioner Connolly?** Have children and young people had any say in this matter at all?

In the most egregious assault of all upon the rights of our children to date, they have now been turned into **human guinea pigs**, with Australian children [from the age of 12](#) authorised to take part in an **ongoing clinical trial** and injected with an experimental vaccine.

This was [pointed out by Minister for Health and Aged Care](#), Greg Hunt, who stated on the 22 February 2021: '*We're engaged in the world's largest ever vaccination rollout and, at the same time, effectively, clinical trial.*'

[According to Minister for Health and Aged Care, Greg Hunt](#), 'the primary objective of vaccinating Australians is to reduce the risk of developing serious disease if a person is infected, **rather than reducing transmission of the virus**.' It is already known that children are **not at risk** of serious illness from COVID-19. Therefore, are the parents of South Australian children aware that these injections [offer their children no benefit?](#) Are parents being fully informed of the risks of the COVID-19 vaccinations? Have they been told that infection with SARS-CoV-2 would give their children robust and durable **natural immunity**?[32-34]

Are parents aware that their children are being subjected to human experimentation and exposed to unknown long-term risks?[35] Are they aware of the thousands of adverse events being [reported](#) in countries across the globe, including [Australia](#)? Are they aware of the hundreds of cases of [myocarditis](#) that have occurred in young people after injection with these products? Are they aware that [vaccine suppliers](#) and [GPs](#) are being given indemnity against liability by the Australian Government? Do parents understand what this means if their child suffers an adverse event that results in serious injury?

These are all questions that an advocate for children should be loudly and publicly asking.

I draw your attention to the [Australian Immunisation Handbook](#), which states that valid consent '**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.**'

Are the parents of South Australian children currently giving informed consent when they subject their children to this medical experiment?

I suggest you also examine the **ethical principles for medical research involving human subjects**, as described in the [Declaration of Helsinki](#). This states, the 'interest of science and society should never take precedence over considerations related to the wellbeing of the subject.' Is this COVID-19 vaccination experiment adhering to these principles? Do you think it's ethical to **subject children to**

the risks of medical experimentation when they are not at risk of serious illness and death from COVID-19?

With the National Cabinet now [declaring](#) that special privileges are to be given to the vaccinated, this is even more concerning. The Australian Immunisation Handbook states that for consent to be valid it '**must be given voluntarily in the absence of undue pressure, coercion or manipulation.**' Coercion to take part in medical experimentation is a **breach of medical ethics** and of fundamental human rights. You may find the [Nuremberg Code](#) useful reading regarding the issue of informed consent.

Australia is a party to the [International Covenant on Civil and Political Rights](#)(ICCPR). The [Siracusa Principles](#) state that Article 7 of the ICCPR – which includes the right to be free from medical experimentation without free consent – is non-derogable, '**even in time of emergency threatening the life of the nation.**'

Are these 'special privileges' for the vaccinated also going to apply to Australian children, thus **coercing their parents** into subjecting them to medical experimentation?

Once again, I ask you, whatever happened to the **right to bodily integrity and informed consent?**

As Commissioner for Children and Young People, are you going to silently allow our children to be subjected to this coercive medical experiment, apparently for the sole reason of 'protecting others'?

It's looking ever more likely that government responses to COVID-19 will cause significant long-term harm to society, particularly to our children and young people, who will also bear the broader economic impact of lockdowns in the years ahead.[25]

Why aren't governments encouraging [early treatment](#) for those at risk, and following [long-standing public health principles](#), instead of crushing the rights and futures of our children?

Commissioner Connolly, are you going to stand by while our children endure what appears to be the most widespread and shocking abuse of their rights in recent memory?

I respectfully ask you to sign the [Declaration for the Protection of Children and Young People from the COVID-19 Response](#), publicly circulate it, and to support the cause for which you were appointed.

Your sincerely

Emma McArthur

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