IN THE HIGH COURT OF AUSTRALIA
BRISBANE REGISTRY

BETWEEN:

Associate Professor Peter Parry
Plaintiff

Dr Julian Fidge
Second Plaintiff

Dr Shoba Iyer
Third Plaintiff

Dr Astrid Lefringhausen
Fourth Plaintiff

Mark Neugebauer
Fifth Plaintiff

Australian Vaccination-Risks Network
Sixth Plaintiff

and

Secretary, Department of Health
Defendant

APPLICATION

To: the Plaintiffs
Maat's Method

the Defendant
Australian Government Solicitor

The intervener makes application for the following orders sought:

1. An order for leave to intervene in the proceeding.
2. The application for a constitutional or other writ in the matter be refused.
3. The application be remitted to another court for consideration.

The intervener relies on the affidavit of Dr William Anicha Bay affirmed on 23 January 2023 filed in support of the application.

Dated 23 January 2023

.....
Dr William Anicha Bay

IN THE HIGH COURT OF AUSTRALIA
BRISBANE REGISTRY

BETWEEN:

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Australian Vaccination-Risks Network
Sixth Plaintiff

and

Secretary, Department of Health
Defendant

NOTICE OF APPEARANCE

The notice is filed for the purpose of applying for leave to intervene in the above matter.

The intervener Dr William Anicha Bay appears.

Dr William Anicha Bay is self-represented.

Dated 23 January 2023

.....
Intervener

IN THE HIGH COURT OF AUSTRALIA
BRISBANE REGISTRY

BETWEEN:

Associate Professor Peter Parry
Plaintiff

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Second Plaintiff

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Australian Vaccination-Risks Network
Sixth Plaintiff

and

Secretary, Department of Health
Defendant

AFFIDAVIT

I, Dr William Anicha Bay, of PO Box 860 North Lakes, Queensland, suspended medical practitioner, affirm as follows:

1. I am applying for leave to intervene in the matter of Parry & Ors v. Secretary, Department of Health (s162/2022) (the **Matter**).

2. I have made an application[1] for the following orders:

   1) The application for a constitutional or other writ in the matter be refused.
   2) The application be remitted to another court for consideration.

3. I have sought these orders because it would be contrary to law, contrary to justice, and not in the public interest for "a new defined category of standing" to be identified and applied by the High Court of Australia (the **Court**) in this **Matter** for the reasons set out in this affidavit below.

[1] *Bay Application to Intervene* – Form 21

JUSTICE OF THE PEACE (QUALIFIED)
QUEENSLAND GOVERNMENT
Reg.No. 15930
DEPT. OF JUSTICE & ATTORNEY-GENERAL

PATRICIA MARIE MAYOH J.P QUAL

23/1/23.

4. I argue that the plaintiffs' application should be dismissed at first instance due to a clear lack of standing on the face of the application due to an absence of an immediate liability between the plaintiffs and the defendant. In the Federal Court of Australia case of similar subject matter, *Australian Vaccination-Risks Network Incorporated v Secretary, Department of Health*[2] *(the AVN case)* it was held that the plaintiffs needed to be able to demonstrate, "a real justiciable controversy as to some immediate right, duty or liability between the applicant and the respondent such as to constitute a "matter" in respect of which the Court has jurisdiction vested in it in accordance with Chapter III of the *Constitution"*.

5. The **Matter** can be dismissed in the first instance because the plaintiffs have already confessed to a lack of standing (and thus an absence of a matter) by requesting a new category of standing to be created and applied to them in paragraph 11[3] of their application to the **Matter**.

6. This Federal Court of Australia ruling regarding the need for a matter is supported by *Abebe v The Commonwealth at [31]*[4], "Without the right to bring a curial proceeding, there can be no matter.", and in *Hobart International Airport Pty Ltd v Clarence City Council* at [80][5] it was held that if the parties "do not have standing, there is no matter."

7. Furthermore, as stated by Justice Perry in the *AVN* case[6] "...the question whether an applicant has standing logically precedes any consideration of the merits of a particular matter,..", therefore I argue it would be the logical approach for the **Court** to not proceed with the **Matter** beyond the initial application for lack of standing.

8. Notably, in the *AVN* case Justice Perry proceeded to hear and determine the questions of standing before trial (notwithstanding the court's discretion to not do so) because her Honour perceived this was the best use of the court's time and resources. With respect to the **Court's** authority to decide its own matters; I, too, would submit for consideration to the **Court** that it would not be an equitable usage of the **Court's** time and resources to further entertain this well-decided issue of standing.

9. I have grounds to seek leave for intervention in this **Matter** due to my prior involvement in the **Matter** as one of the former plaintiffs. I withdrew from the case on 14 September 2022 due to my concerns regarding the lack of standing I had in the **Matter**. I documented these concerns to my legal representative Peter Fam of Maat's Method via an email[7] on 14 September 2022.

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[2] *Australian Vaccination-Risks Network Incorporated v Secretary, Department of Health* [2022] FCA 320 (the *AVN* case) at Orders 9. (c).

[3] "The plaintiffs in these proceedings seek the High Court of Australia (the **High Court**) to identify and apply a new defined category of standing."

[4] *Abebe v Commonwealth* [1999] HCA 14; 197 CLR 510

[5] *Hobart International Airport Pty Ltd v Clarence City Council* [2022] HCA 5; 96 ALJR 234

[6] *Australian Vaccination-Risks Network Incorporated v Secretary, Department of Health* [2022] FCA 320; 1 Introduction at [8].

[7] Exhibited and marked and at A1.

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22/1/23.

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10. I was replaced after my withdrawal, with the current plaintiffs in this matter, whom Peter Fam of Maat's Method is also representing. My concerns regarding the lack of standing persist and have not been resolved despite my suggestions to this legal team that a plaintiff with valid legal standing apply for a review of the decision of the Secretary, the Department of Health concerning the Spikevax (elasomeran) Covid-19 vaccine (the **Vaccine**) for individuals 6 months of age or older (the **Decision**)[8] in order to give the case its best chance of success.

11. Notably however, the **Matter** has been progressed with the full knowledge of Counsel to the plaintiffs: that the plaintiffs do not meet the lawful standing requirements. This is made clear by the application's wording, "The plaintiffs in these proceedings seek the High Court of Australia (the **High Court**) to identify and apply a new defined category of standing."[9] For this reason, I have reasonable grounds to question if attempting to achieve a new category of standing may have been the ultimate goal and intention in bringing the **Matter** at the outset, rather than the purported reason to review a decision of the defendant to the **Matter**.

12. If achieving the new category of standing was not the predominate goal of Counsel for the plaintiffs; then the legal team would have brought the **Matter** to the **Court** with a plaintiff who does have lawful standing. This would have avoided the standing issue entirely and have given the review of the **Decision** its best chance of success.

13. In a situation where the plaintiffs assert that there are large numbers of affected babies and children, it is reasonable to expect and require that an affected person (with standing) should bring this **Matter** to the **Court** for consideration. It is counterproductive and disingenuous to use legal strangers as plaintiffs who then need to succeed in a challenge to the existing law on standing in order to have a case heard for the benefit of plaintiffs who are not even represented, let alone ready to prove injury or a controversy. For this reason, I ask the **Court** to **reject** a new definition and/or new category of standing in this **Matter**. If there is a legitimate case to hear it can be brought to the **Court** by an affected person, with proper standing.

14. On one hand, while it is true that the matters the plaintiffs raise are "...matters of public importance. The challenged vaccination decision... has the potential to have far reaching adverse implications for minor children in Australia who receive the impugned vaccine[10]", on the other hand; this fact does not justify or warrant any amendment to the current law of standing which has served the Australian courts and Australian people very well throughout history.

15. I contend that our established law on standing has provided an avenue of remedy for affected and interested parties; whilst also providing a sufficient barrier to wasteful litigation initiated by legal strangers so as to ensure the courts are not overburdened. As such any revision of the law of standing may act as a significant

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[8] See email exhibited and marked at A1.

[9] *Parry & Ors v. Secretary, Department Health Originating Application* S162/2022, 20 December 2022 on pg 3 and 4 at [11]

[10] *Parry & Ors v. Secretary, Department Health Originating Application* S162/2022, 20 December 2022 on pg 4 at [12]

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impediment to the correct and important work of the **Court**, and therefore would not be in the public interest or in the interests of justice.

16. There would be no issue of a need to create a new category of standing had this **Matter** been commenced with an appropriate plaintiff who meets the established standing requirements. I believe that the decision to proceed with the **Matter** without appropriate plaintiffs has intentionally been made by the legal team to try to induce the **Court** to develop the law to create a new category of standing by using the vehicle of concern regarding the **Decision** on the **Vaccine** as a way to achieve this aim.

17. Through my notification of my concerns regarding lack of standing made via email to this legal team while I was the lead plaintiff, in late 2022[11]; I alerted the legal team (Maat's Method) via email on 14 September 2022 that our case in this **Matter** did not have high prospects for success. I expressed these concerns because I realised that I (as only a witness to Covid-19 vaccine injuries) was not a parent of an injured child who would be the proper plaintiff in this **Matter**. As such I advised the legal team that they should proceed in the **Matter** with a plaintiff who had proper legal standing only, and for this reason I withdrew as plaintiff in this **Matter** on the 14th September 2022.

18. On 14 September 2022, I also advised Julian Gillespie, retired barrister, and who I believe to be an advisor to Counsel for the plaintiffs to the **Matter** of these same concerns via a separate email as well[12].

19. In addition to these emails; on 14th December 2022; I also advised the Third Plaintiff in this Matter, Dr Shoba Iyer via telephone conversation of my concerns regarding a lack of standing and the possible detrimental implications for individual medical rights that may result from the new category of standing they are requesting.

20. Despite these warnings, the plaintiffs, and Counsel for the plaintiffs decided to proceed, and filed the application for this **Matter** on 20 December 2022.

21. I am now concerned that the application for this **Matter** may be motivated by a desire to achieve development of the law of standing rather than motivated by achieving the stated outcome regarding protection of babies and children from the risk associated with the administration of the **Vaccine**. This is evidenced by the plaintiffs' legal teams own words as stated on their 'GiveSendGo' fund raising page for "The Australian Babies Case[13]" under the heading "Approaching the High Court", where the legal team write at length about their aspirations to obtain the new category of standing which will "reverberate around the world".

22. Furthermore, I am concerned that broadening the category of standing in the manner as requested by the plaintiffs may later be used to interfere with the private rights of informed consent and interfere in the sacrosanct doctor-patient relationship. It is conceivable that opening an avenue for legal action by an

[11] Exhibited and marked at A1.
[12] Exhibited and marked A2.
[13] Exhibited and marked B1.

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"interested stranger" to take action against individuals who make an informed choice to decline receipt of a purported preventative drug or other treatment could result in an untenable volume of litigation in Australia. Allowing interference in this informed choice of treatment would be contrary to the right of informed consent[14], bodily autonomy[15], freedom of religious beliefs and practices[16], and potentially the right to life[17] (if the purported preventative drug or other treatment has death as a potential side effect).

23. Furthermore, if the new category of standing is granted, action could also be conceivably taken against a health practitioner who informs a patient about inherent material risks which causes the patient to decline receipt of the purported preventative drug or other treatment. This threat of legal action would inhibit the free flow of information in the doctor-patient relationship critical to successful and safe therapeutic outcomes and would be contrary to the health practitioners' duty to warn[18]. Therefore, such interference (or threat thereof) would not be in the public interest.

24. The plaintiffs' requested new special interest category is very broadly worded. Specifically, "the plaintiffs in these proceedings seek the High Court of Australia (the **High Court**) to identify and apply a new defined category of standing. That is, where a person can establish that the subject matter of the proceedings involves life threatening or seriously debilitating medical conditions, and they seek to preserve human life from preventable death or injuries, the principles for finding standing should be more liberal than the ordinary test. Where the fabric of human life might be compromised or adversely impacted, interested and involved members of the public should have a right of standing in such circumstances[19]". Such broad wording creates a high risk of any new category of standing being used to negatively affect private rights in the future and as such this new category is contrary to the recommendations of the Australian Law Reform Commission.

25. The ALRC states in 4.21[20] Balancing public and private rights, "As to the first issue, the Commission considers that standing rules should not unduly interfere with the freedoms of holders of private rights to determine whether and how their rights should be made the subject of litigation. In ALRC 27 it recommended that a court, when determining whether a plaintiff with no private stake or special interest has standing, should take into account the wishes of any people whose legal rights or interests are directly in issue."

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[14] *Rogers v Whitaker* [1992] HCA 58; 175 CLR 479
[15] *Secretary, Department of Health and Community Services v JWB and SMB* [1992] HCA 15; 175 CLR 218
[16] *Commonwealth of Australia Constitution Act (The Constitution)* Section 116
[17] Part III, Article 6, Section 1 *Australian Human Rights Commission Act* 1986
[18] *Rogers v Whitaker* [1992] HCA 58; 175 CLR 479 at [16]
[19] *Parry & Ors v. Secretary, Department Health Originating Application* S162/2022, 20 December 2022 on pg 3 and 4 at [11]
[20] ALRC 27 paragraph 222, 257 in Beyond the Doorkeeper - Standing to Sue for Public Remedies [1996] ALRC 78. http://www.austlii.edu.au/au/other/lawreform/ALRC/1996/78.html#ALRC78Ch4, accessed 20 January 2023

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26. The ALRC states in 4.22[21] Balancing public and private rights, "The Commission **confirms** this recommendation. However, it should be redrafted to make it clear that in cases involving public and private rights the court must balance the public interest in allowing a person who has no personal stake to commence proceedings against the public interest in avoiding litigation that constitutes an unreasonable interference with the ability of a person having a private interest in the matter to deal with it differently or not at all."

27. In this **Matter**, the public interest is in favour of allowing only those persons who have a direct private interest in the regulation of vaccines to take legal action (or not) because it is only those individuals with their concomitant private rights who can benefit from a remedy to the controversy that the **Court** can provide.

28. The **Matter** involves five private individuals and one corporation (the Sixth Plaintiff) suing for enforcement of their public rights. As stated in *Anderson v The Commonwealth*, "Great evils would arise if every member of the Commonwealth could attack the validity of the acts of the Commonwealth whenever he thought fit; and it is clear in law that the right of an individual to bring such an action does not exist unless he establishes that he is 'more particularly affected than other people'".[22] As will be discussed in paragraphs 31 and 32, none of the six plaintiffs will be able to demonstrate more affectation than any other person of the Australian public. Thus, I submit to the **Court** it is in the public interest to reject this **Matter** at its first instance.

29. The ALRC states in 4.9[23] Removing the need for a 'special interest', "In general terms, to establish standing under the current law a person must possess a private right or have an interest in the subject matter of the action which is more than a mere intellectual or emotional concern and which is beyond that of any other member of the public (that is, a 'special interest'). The courts have applied the 'special interest' test by looking for a nexus between the plaintiff's interest and the subject matter of the action."

30. They continue, "As the law now stands ... [the criterion of 'special interest'] seems to involve in each case a curial assessment of the importance of the concern which a plaintiff has with particular subject matter and the closeness of that plaintiff's relationship to that subject matter."[24]

31. In this regard, none of the plaintiffs in this **Matter** have a close enough relationship to the subject matter, that being individuals aged 6 months or greater affected by the **Decision**. This is because none of the plaintiffs are a parent of an affected child or baby. Foster carers do not have parental responsibility for the children under their care and they can only make decisions that are delegated to them by the

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[21] *Beyond the Doorkeeper - Standing to Sue for Public Remedies* [1996] ALRC 78; http://www.austlii.edu.au/au/other/lawreform/ALRC/1996/78.html#ALRC78Ch4, accessed 20 January 2022

[22] *Anderson v The Commonwealth* [1932] HCA 2; 47 CLR 50 at [52]

[23] Beyond the Doorkeeper - Standing to Sue for Public Remedies [1996] ALRC 78; http://www.austlii.edu.au/au/other/lawreform/ALRC/1996/78.html#ALRC78Ch4, accessed 20 January 2022

[24] *Onus v Alcoa of Australia Ltd* [1981] HCA 50; (1981) 149 CLR 27, 42 (per Stephen J). See also *North Coast Environmental Council Inc v Minister for Resources* [1994] FCA 1556; (1994) 127 ALR 617, 637 in Beyond the Doorkeeper - Standing to Sue for Public Remedies [1996] ALRC 78; http://www.austlii.edu.au/au/other/lawreform/ALRC/1996/78.html#ALRC78Ch4, Accessed 20 January 2022

PATRICIA MARIE MAYOH JP (QUAL)

JUSTICE OF THE PEACE (QUALIFIED) QUEENSLAND GOVERNMENT Reg.No.: 15930 DEPT. OF JUSTICE & ATTORNEY-GENERAL

23/1/23.

Government or by the parents of the child. A psychiatrist, geriatrician, General Practitioner, and a scientist also do not have a close enough guardianship relationship to babies or children. Furthermore, the AVN (the Sixth Plaintiff) does not have standing for all of the reasons outlined by Justice Perry in *the AVN case,* and it holds no parental responsibility for individuals aged 6 months or older. These plaintiffs would be more appropriate as expert witnesses to support a claim by an affected person with standing.

32. It may be argued that some of these plaintiffs have a professional concern regarding the subject matter, again that being individuals aged 6 months of greater affected by the **Decision**, however such a concern is of no higher elevation than any other member of the public who has similar qualifications and thus they have, "no locus standi to seek a declaration or injunction to prevent the violation of a public right or to enforce the performance of a public duty."[25]

33. ALRC Report 27[26] recommends that, "there should be a presumption that a person has standing unless the court is satisfied that the person is 'merely meddling'. Standing should be denied to a plaintiff who has no personal stake in the matter and who clearly cannot represent the public interest adequately". As discussed above at paragraphs 9,10,11 & 17,18,19 of this submission; I am quite concerned on the basis of my previous direct involvement with this case as a previous plaintiff; and on the basis of my previous communications with the plaintiffs' Counsel; and the written and verbal statements of the legal team for the plaintiffs regarding the standing matter; that this **Matter** is being brought to "merely meddle" in the law of standing.

34. Furthermore, I believe each of the individual plaintiffs have no personal stake in the matter due to them not being legal guardians for injured children, and there is evidence to suggest the Sixth Plaintiff (the AVN) is a plaintiff of no special authority to represent the public as well. It was held in the *AVN case* at [98][27] that the Australian Vaccination-Risks Network, (the AVN) was, "unable to demonstrate an interest greater than that of an ordinary member of the public."

35. Notably, as recently as 2022, the **Court** has considered the issue of the special interest test for standing. In *Hobart International Airport Pty Ltd v Clarence City Council* [2022][28], the case of *Onus V Alcoa of Australia Ltd* [1991][29] reaffirmed the rules regarding the test of special interest. Kiefel CJ, Keane and Gordon JJ, stated at [66] that "... the sufficiency of the interest of a person in a particular case "must be a question of degree, but not a question of discretion" and that in answering that question of degree it is appropriate to consider both whether the interest is "sufficient to assure that 'concrete adverseness which sharpens the presentation of issues' falling for determination" and whether the interest is "so distinctive" as to avoid a multiplicity of proceedings."

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[25] Justice Mason in *Australian Conservation Foundation Inc v commonwealth* [1980] HCA 53; 146 CLR 493 at [2]
[26] https://www.alrc.gov.au/inquiry/standing-in-public-interest-litigation/
[27] *Australian Vaccination-Risks Network Incorporated v Secretary, Department of Health* [2022] FCA 320
[28] *Hobart International Airport Pty Ltd v Clarence City Council* [2022] HCA 5; 96 ALJR 234
[29] *Onus v Alcoa of Australia Ltd* [1981] HCA 50 (18 September 1981) (Gibbs C.J., Stephen, Mason, Murphy, Aickin, Wilson and Brennan JJ.); 149 CLR 27; 36 ALR 425

PATRICIA MARIE MAYOH J.P QUAL
JUSTICE OF THE PEACE (QUALIFIED) QUEENSLAND GOVERNMENT Reg.No.: 15930 DEPT. OF JUSTICE & ATTORNEY-GENERAL
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36. The degree of adverseness between the plaintiffs and the defendant in this **Matter** are not concrete because none of the plaintiffs can or will be able to demonstrate how the **Decision** has affected their interests above and beyond members of the public with similar qualifications. Furthermore, the interests the plaintiffs hold in the subject matter are not so distinctive as to avoid multiple proceedings because many doctors, scientists, and foster parents in Australia could bring similar actions owing to those categories of the public having no greater (or less) interest in the subject matter than the plaintiffs.

37. Finally, the plaintiffs are seeking a declaration[30] at 'Orders Sought' No. 4 in the **Matter.** In *Hobart International Airport Pty Ltd v Clarence City Council*[31] at [33] it is stated that the applicant must have a ""sufficient" or "real" interest in obtaining the relief…". At [64] in *Hobart International Airport Pty Ltd v Clarence City Council* their Honours interpret this in reference to the language of Justice Dixon in *British Medical Association v The Commonwealth*[32], "in terms of a person needing to have a "sufficient material interest" in seeking it, as well as in terms of a person needing to have a "real interest" in seeking it." At [65] they said, "..an interest will be "material" if the person "is likely to gain some advantage, other than the satisfaction of righting a wrong, upholding a principle..". I argue that the six plaintiffs have no material or real interest in having the declaration issued that they have sought because none of the six plaintiffs will gain an advantage from the **Decision** of the Secretary, the Department of Health being declared unlawful.

AFFIRMED by the deponent
at Pine Rivers Magistrates Court,
Strathpine in Queensland on 23 January
2023.

Before me:

PATRICIA MARIE MAYOH J.P QUAL

JUSTICE OF THE PEACE (QUALIFIED) QUEENSLAND GOVERNMENT Reg.No.: 15930 DEPT. OF JUSTICE & ATTORNEY-GENERAL

[30] "In the alternative, a declaration the defendant's decision made on 19 July 2022 was made unlawfully."
[31] *Hobart International Airport Pty Ltd v Clarence City Council* [2022] HCA 5; 96 ALJR 234
[32] *British Medical Association v The Commonwealth* [1949] HCA 44; 79 CLR 201

IN THE HIGH COURT OF AUSTRALIA
BRISBANE REGISTRY

Affidavit of Dr William Anicha Bay affirmed on 23 January 2023.

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10

20

IN THE HIGH COURT OF AUSTRALIA
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and

Secretary, Department of Health
Defendant

EXHIBIT A1

This is the exhibit marked A1 produced and shown to Dr William Anicha Bay at the time of affirming his affidavit this 23rd day of January, 2023.

Email to Peter Fam, Maat's Method

Before me

.....
Justice of the Peace

JUSTICE OF THE PEACE (QUALIFIED) QUEENSLAND GOVERNMENT Reg.No.: 15930 DEPT. OF JUSTICE & ATTORNEY-GENERAL

23/1/23.

PATRICIA MARIE MAYOH J.P QUAL

Case Proceedings

From William Bay <[redacted]>

To Peter Fam[redacted]

Date Wednesday, September 14th, 2022 at 11:54Wednesday, September 14th, 2022 at 11:54

Hi Peter,

After reviewing the suggestions for a re-working of my draft affidavit(

I have done some research on our current matter and don't believe I have the standing required to give this case high prospects of success (I think it would be better replacing me with a family that has had a child injured or killed than me who has only witnessed injuries).

Therefore I would like to withdraw from this case and decline any further involvement in the matter that may expose me to costs.

Sincerely

William Bay

Sent from Proton Mail for iOS

IN THE HIGH COURT OF AUSTRALIA
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Secretary, Department of Health
Defendant

EXHIBIT A2

This is the exhibit marked A2 produced and shown to Dr William Anicha Bay at the time of affirming his affidavit this 23rd day of January 2023.

Email to Julian Gillespie

Before me PATRICIA MARIE MAYOH J.P QUAL

Justice of the Peace

JUSTICE OF THE PEACE (QUALIFIED)
QUEENSLAND GOVERNMENT
Reg.No.: 15930
DEPT. OF JUSTICE & ATTORNEY-GENERAL

Gmail

William Bay <[redacted]>

Heads up - My role is ending

William A. Bay <[redacted]>
To: Julian Gillespie <[redacted]>

14 September 2022 at 12:04

Hi Julian,

Out of my respect for you I want to give you the heads up that I have just emailed Peter instructing him to NOT proceed with including me in the high court case for standing.

I don't feel certain about good prospects of success and the financial backing that may or may not be available to me if we lose .

I hope I am wrong and you are very successful. 👍

Sincerely

William

--

Kind regards,

William Bay
M.B.B.S. (Hons) B.Bus. M.Ed Dip. FS
Ph: 0404529590

IN THE HIGH COURT OF AUSTRALIA
BRISBANE REGISTRY

BETWEEN:

Associate Professor Peter Parry
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Sixth Plaintiff

and

Secretary, Department of Health
Defendant

EXHIBIT B1

This is the exhibit marked B1 produced and shown to Dr William Anicha Bay at the time of affirming his affidavit this 23rd day of January 2023.

GiveSendGo fundraising page. (https://www.givesendgo.com/AustralianBabiesCase, accessed 17 January 2022)

Before me

Justice of the Peace

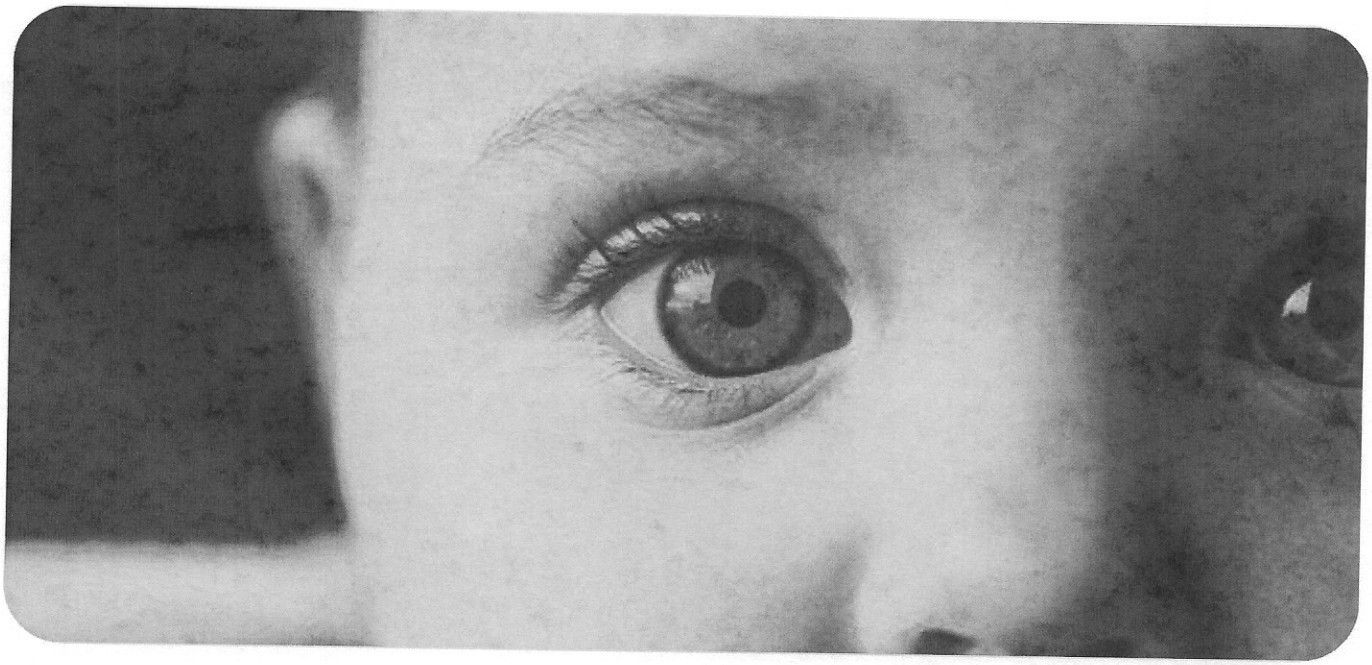
JUSTICE OF THE PEACE (QUALIFIED)
QUEENSLAND GOVERNMENT
Reg.No.: 15930
DEPT. OF JUSTICE & ATTORNEY-GENERAL

PATRICIA MARIE MAYOH J.P QUAL

GiveSendGo
SHINE BRIGHTLY

Give | Share | Pray

The Australian Babies Case



Campaign Created by: **Maat's Method and PJ O'Brien & Associates**

The funds from this campaign will be received by PJ O'Brien & Associates.

Goal: **AUD $100,000**

Raised: **AUD $ 80,083**

PATRICIA MARIE MAYOH J.P QUAL

JUSTICE OF THE PEACE (QUALIFIED) QUEENSLAND GOVERNMENT Reg.No. 15930 DEPT. OF JUSTICE & ATTORNEY-GENERAL

23/11/23

Australian Babies and Infants need Our Voices and Our Protection from an Experimental 'Vaccine' Program Gone *Too* Far

On 19 July 2022 the Therapeutic Goods Administration granted *provisional approval* to Moderna for use of its product (Spikevax) in children aged 6 months to 5 years old in Austra

Need Help?

Being *provisionally approved* means this injectable is still the subject of human clinical trials for

deaths, adverse events, and long-term side-effects, Australian authorities refuse to remove them from the market, even though the number of reported deaths and adverse events from the Covid-19 injectables, far exceed the number of deaths considered to be "due to" Covid.

This is despite the fact that the science is clear:

- **Covid-19 poses a statistically negligible risk to children** (see https://pubmed.ncbi.nlm.nih.gov/32531620/ and; https://onlinelibrary.wiley.com/doi/10.1111/apa.15270, among many other such studies); and
- **The Moderna vaccine presents significant risk to those to whom it is administered** (see https://www.sciencedirect.com/science/article/pii/S0264410X22010283 and https://doi.org/10.3390/jcm11082219 and https://www.nature.com/articles/s41467-022-31401-5, among many other such studies)

In these circumstances, *provisionally approving* the Moderna injectable for this age group is inappropriate and unethical.

But it is also unlawful; the Secretary of the Department of Health can only extend the *provisional approval* of a medicine to a new age group if "an indication of the medicine is the treatment, prevention or diagnosis of a life-threatening or seriously debilitating condition". That is clearly not the case here, as there is no clinical evidence to show Covid-19 is life-threatening or causes seriously debilitating outcomes in babies and infants aged 6 months to 5 years old. However, once being administered this experimental injectable, these children will be exposed to a significant risk of suffering an adverse event from the injectable, including possible death. We therefore seek to challenge the decision in Court.

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JUSTICE OF THE PEACE (QUALIFIED) QUEENSLAND GOVERNMENT Reg.No. 15930 DEPT. OF JUSTICE & ATTORNEY-GENERAL

PATRICIA MARIE MAYOH J.P QUAL

Approaching the High Court

The applicants in this case are seeking to avert a real risk of harm to human life, and in particular, to the life of children. In Australia, only an applicant who has "standing" can bring a case to court. This means that an applicant needs to have the legal authority to bring a case; they need to show that they have a "special interest" in the matter and that they are truly "a person aggrieved" by the decision that has been made. In this case, based on what has happened in previous cases, we

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Then, if the High Court agrees, the door will be open for us to present the evidence and data to show that the provisional approvals **must immediately be halted in Australia.**

And, although this is an Australian case, a win here will reverberate around the world.

By Donating to this Cause you Agree to the following Terms and Conditions:

1. Monies donated to this cause will be used to meet the legal and related costs of proceedings to be issued in the High Court and/or the Federal Court of Australia.The applicants in this matter will be regularly updated as to the specific use of funds donated to this matter, and may choose to instruct the legal team to update the donors accordingly. Two advices have already been obtained from Senior Counsel which have confirmed there are some prospects of success. Senior Counsel along with a junior barrister and a legal team consisting of two instructing solicitors will run this case.
2. As always in litigation, there is no guarantee of success. By donating money into this fund you agree that you are not entitled to a refund at any time, irrespective of whether the case proceeds, succeeds, fails or changes its scope or direction.
3. The applicants who are bringing this case are doing so in their individual capacity as concerned citizens. The government has a lot more money than the applicants. In the event of an adverse costs order being made against the applicants or otherwise, money from this fund may be used to cover such order/s made in favour of the government.
4. Please note that your contribution will be a donation which will be paid directly to a solicitor's trust account and allocated entirely to the running of this case. Other than for internal administration purposes, the name of a donor will not be made known or publicly released unless otherwise advised by the donor.
5. Any donations made via the Give Send Go platform will incur a 3.5% service fee plus 30 cents US per transaction that will be deducted from your donation. The balance after this deduction will be the amount received in the trust account, and is what your receipt will reflect.
6. The case has several phases: First, we prepare and file a case in the High Court to clarify and settle the question of standing; and urgently in light of the evidence in support. Then, if

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that have been reasonably and properly incurred.

9. If at the completion or cessation (for whatever reason) of the proceedings (which may include appellate proceedings) there are monies exceeding AU$10,000 remaining in the trust account (i.e. surplus funds), donors who have contributed an amount greater than $1000 will be given the opportunity to elect to receive a pro rata return from the surplus funds. Any funds remaining after such pro rata return may be spent on uncharged legal fees.

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UPDATES

Update #3
December 21, 2022

On Tuesday 20 December 2022, we filed our case in the High Court of Australia.

This is a great step – our case is now on the record and we await confirmation from the Court of a first case management hearing. Our application makes clear the urgency of the

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Update #2
December 12, 2022

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Update #1
October 24, 2022

We have recently reduced the campaign target from $250,000 to $181,000 thanks to a generous private donation by an international organisation. The figure of $181,000 is our current estimate of additional monies required to run the entirety of the matter before the High Court. We note that an initial figure of $108,000 is required before we have the funds

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Click the Pray Now button to let the campaign owner know you are praying for them.

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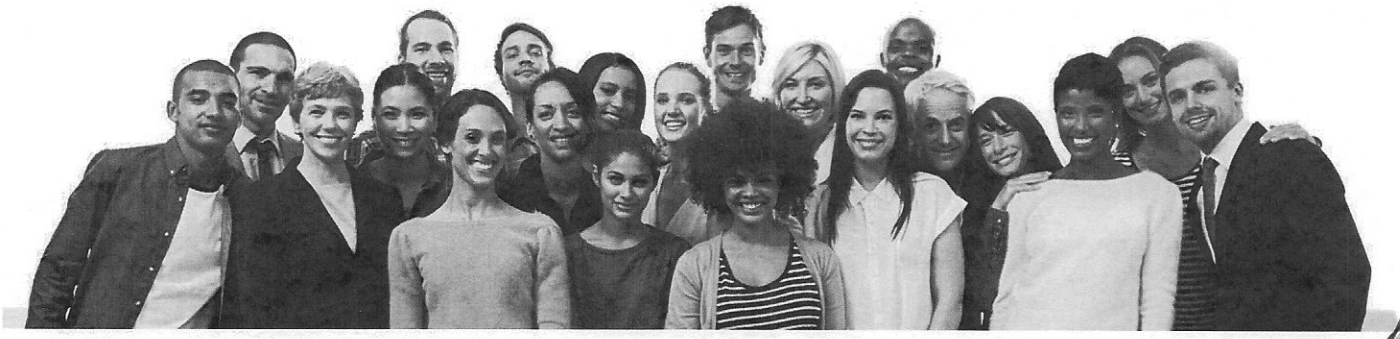

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