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# Doctor barred after anti-vax rant launches legal fight to overturn suspension

A doctor suspended by the regulator after a bizarre anti-vax rant caused a scene outside a Brisbane court before making a bid to get his registration back.



**Blake Antrobus**

 @bt\_ant  3 min read November 30, 2022 - 4:47PM **NCA NewsWire**



A Queensland doctor has livestreamed his misleading tirade with Australia's Chief Medical Officer Professor Paul Kelly during a conference in Sydney.

A suspended Queensland doctor and anti-vax protest leader who filmed his bizarre rant against Australia's chief medical officer has asked the Supreme Court to overturn his suspension.

William Bay [livestreamed his spray](#) towards Paul Kelly during a medical conference earlier this year, accusing the top doctor of "lying" while demanding he stop "forcing" vaccines on people.

A month later, his medical registration was suspended by the Australian Health Practitioner Regulation Agency (AHPRA).



Suspended Queensland doctor and anti-vax protest leader William Bay blows a horn before his directions hearing at the Supreme Court in Brisbane. Picture: NCA NewsWire / Dan Peled

But Mr Bay, a GP registrar who practiced in Woody Point, north of Brisbane, has now dragged the AHPRA, the Medical Board of Australia and even the State of Queensland into a legal fight to get the decision overturned.

He claims it has impacted his “right to work and earn a living”.

The legal move is in stark contrast to Mr Bay’s behaviour in August during a protest outside the AHPRA’s Brisbane office.

He was filmed bellowing “kick me out” during a Zoom meeting with AHPRA officials as supporters cheered in the background.





Mr Bay poses for a picture with a group of supporters outside court before his hearing. Picture: NCA NewsWire / Dan Peled

A small gathering of supporters gathered outside Brisbane Supreme Court on Wednesday and took up seats in the back of the public gallery.

Mr Bay spent the morning chatting to supporters and snapping pictures before making a bizarre gesture of blowing a horn.

Representing himself, he told Supreme Court Justice David Boddice he would be seeking several orders, including a hearing on the AHPRA's and the Medical Board's jurisdictions.

"This case involves a matter of interpretation of the law regarding the human rights act, specifically my right to hold a religious belief in the context of the safety of the Covid-19 vaccines," Mr Bay said.

The court was told the suspension had burdened his "implied right to clinical communication".

Mr Bay told the court the case was ultimately about his "right to speak" and sought an interlocutory order that he should be allowed to seek "gainful employment", not connected with his role as a medical practitioner.

He also asked for proceedings to be broadcast, which Justice Boddice dismissively told him they wouldn't be.

"If someone is interested in it, they can walk through the door and listen to it," Justice Boddice said.

Justice Boddice said a two-day hearing for the application would be organised in March next year.





A two-day hearing will be organised in March next year to hear Mr Bay's application. Picture: NCA NewsWire / Dan Peled

In court documents seen by *NCA NewsWire*, Mr Bay claims his suspension was “invalid at law” and that the AHPRA and the Medical Board of Australia had been “overly restrictive” in their actions.

His application claims the applied law was ultra-vires (Latin for “beyond the powers”).

“This has severely impacted my right to work and earn a living in my chosen profession,” Mr Bay claims in his documents.

“This compliance letter is beyond the power of AHPRA and the Board, as they are using it to regulate my employment outside of my registered profession and to stop me working in healthcare in any capacity.”





Mr Bay livestreamed his confrontation with Australia's chief medical officer, Paul Kelly, at a conference in Sydney.

Mr Bay claims there are jurisdictional errors with the suspension which include laws passed by Queensland parliament.

He says the parties had failed to consider his protest and social media activities were consistent with doctors' Codes of Conduct.

Mr Bay is the leader of the Queensland People's Protest (QPP), an anti-vaccination and anti-mandate protest group which promotes opposition to Covid-19 vaccine mandates.

During the medical conference in July, Mr Bay accused Prof Kelly of lying and "gaslighting" his colleagues.





In his court documents, Mr Bay claims the AHPRA's decision to suspend his medical registration impacted his ability to earn a living.

In footage which was livestreamed, he is heard shouting "All GPs, all doctors of Australia, you are on notice by the people of Queensland" as he is led out of the building by security.

AHPRA suspended Mr Bay's medical registration a month later.

At the time, they said Mr Bay's conduct posed a "serious risk" to persons" and he "may have behaved in a manner that demonstrates a general absence of qualities essential for a medical practitioner", including respect for public health directives and "the ethical exercise of judgment".

In a defiant speech to supporters after Wednesday's hearing, Mr Bay claimed the court had agreed there was "valid cause to question the legal, constitutional validity" of Health Practitioner Regulation National Law.

He told waiting media he believed the AHPRA was "impersonating" the Commonwealth.

"I am alleging they are a fictitious and fraudulent entity because they are purporting to act as the Commonwealth of Australia, which cannot be done because of legislation from Queensland," he said.

"It is not lawful or constitutional and I expect the court will inevitably agree with me."

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