**Submission No 91**

# INQUIRY INTO TEACHER SHORTAGES IN NEW SOUTH WALES

**Organisation:** National Education Workers (N.E.W)

**Date Received:** 29 July 2022

# INTRODUCTION.

The National Education Workers (N.E.W) are an organised entity of education professionals who united together in resistance of the 'vaccination' mandates.
Though it is hard to count how many other education workers disenfranchised from their profession, we approximate the numbers who evacuated themselves from N.S.W schools to sit around 20,000.

This has increased a shortage of teachers in an industry already beleaguered by under-staffing due to increased workloads (teacher to student ratio and class frequency) & administrative burden, lower intake from tertiary graduates, and a growing 'teacher attrition' (caused by the aforementioned pressure) rate, already causing an existing shortage of approximately 12,000 (see: Gallop inquiry).

Atop this, more numbers are concealed via the removal of N.S.W teachers from their 'permanent employee numbers', as they are relegated to a status beholden only to their 'casual employee number'.

Meanwhile investigations into so-called 'misconduct', by the Professional Education standards (P.E.S) and their C-19 counterpart (C-19 P.E.S) [a fact never clarified to the educators interrogated], has kept education workers in limbo.
These (D.O.E) investigations were ultimately discarded, without official notification or apology, after being "put on hold" for half of this year (2022).
Unable to work, or even communicate, these education workers were absent (since November 8th 2021 to now) though counted 'on the books'.

The utilisation of the verb 'furloughed' appears to encapsulate many of these numbers…

This concealing of teachers removed for asking for the time and the wider scientific literature supporting 'vaccination' for C-19 are furthered by the N.S.W Teachers' Federation (T. Fed) to whom I have written and informed, repeatedly.

The T.Fed, who proved unsupportive during our hardest times remain wilfully ignorant to our numbers as they aid the suppression of our (N.E.W) voice.

It is for their lack of support that we, the N.E.W, first grew in significance and numbers.

Recently (July 2022), the Department of Education (D.O.E) announced they are withdrawing their attacks upon education workers – perpetrated under the application of 'non-compliance' upon professionals who refused experimental 'vaccination' – and have 'directed' education workers back to schools.
However, most of these professionals have been stripped of their permanent status (and designating 'employee number') and relegated to casual status.
Others have not, and are being force-fed a return to an environment that saw them discriminated against, belittled, harassed and bullied.

P.E.S (led by Daryl Currie) and the ‘C-19 P.E.S’ (headed by Rob Easton), despite withdrawing many of their ‘misconduct’ investigations, have chosen to record education workers choosing to refuse ‘vaccination, as of ‘remedial warning’ (a mark that remains on their permanent record!).

We challenge this punitive blemish as without procedural fairness; considering the ‘misconduct’ hunt was dropped.

Rather than apology or true remedial action, the D.O.E/P.E.S remain hostile and discriminatory. The recently released ‘risk-based assessment’ regime furthers the D.O.E’s fostered culture of discrimination as it asserts unnecessary (as exemplified by their own accepted scientific data) restriction to thousands of education workers (e.g: Special Support Staff).

P.E.S has been explicit in articulating that investigations into other misconduct – supposedly by education workers reacting to coercion and breaches of privacy or law – are ongoing…

It is due to the continual, and continuation of, bullying that many education workers are refusing to return.
This culture of internal and non-transparent mechanisms was already problematic before the hysteria of C-19 permitted bureaucrats, unrestricted by law or their own codes of conduct, further violation of due process.

The N.E.W welcome this (Senate estimates) forum, where the responsible/dutiful persons/entities will be asked to account for their influence.

We will assist this process by contributing our own supplied data and rationale in addition to the required burdens of proof resting upon the responsible entities and dutiful persons called upon to respond.
This presents as imperative as the paucity of scientific evidence, substantiating why the D.O.E is willing to impose a risk of harm (catastrophic) upon education workers, and even students, is not only starving their discourse of authenticity but leaving them (until now) without the energy to respond to our multiple inquiries (including requests for risk assessments in September 2021).

To liberate these institutions of perpetuated, systemic, error, aggregate data will need be disseminated and rigour applied to ensure measurement and methodological validity, henceforth, as well as provision of sources, unpolluted and free of potential conflict of interest.

We of the representative N.E.W cannot condone an arbitrary and interpretational code of conduct that permits the oppression of independent science or thought; thousands of seasoned professionals further hesitate to return to an industry which attacks such fundamental processes of inquiry.

This submission draws upon direct correlation with the ‘vaccine’ debate as it is this causal factor that is being denied by the Department of Education (D.O.E); it apparent in their rhetoric claiming unvaccinated education workers ‘may cause significant risk of harm to children’.

The D.O.E make misrepresentative quantification of ‘teacher shortages’ as they name their cause as ‘C-19’ but neglect to qualify their significance as being increased by workers evading the harsh and unreasonable ‘vaccine’ regime done in the name of ‘C-19’.

The recent teacher shortage increase is exacerbated by ‘vaccination’ mandates and the behaviours of education colleagues and department; the common factor evident to the reasonable and objective observer.

A simple bi-variate analysis illustrates the correlative patterns.

Alongside (measurement) instrumental rigour, we assert the actual risk that truly endangers human life; the ‘vaccines’.

The removal for protections of (dignity) privacy and capacity to question are component to the resulting bullying by state, department, schools executives/colleagues and proximal community.

‘Teacher shortages’ as someone such as the minister of (not *for*) education Sarah Mitchell would apply, is supposedly a statistic that is itself of failed immunity for the ‘vaccination’ forced upon it. Mitchell claims teacher shortages are created by a sickness sought prevented by mandated C-19 ‘vaccines’.

However, Mitchell appears to have overlooked the pre-existing data, residing in the Gallop inquiry.

Or the Pfizer ‘safety data sheet’ or its other damning data (see: link attached).

To this day Mitchell continues to ignore the existence of thousands of N.S.W education workers (e.g: teachers) who chose to refuse forced intake of an experimental ‘vaccine’.

Some of these numbers are already in the possession of the honourable Mark Latham.

Thus, Mitchell’s preferred ‘shortages’ enjoyed a gain of function, in that they gathered statistics Mitchell ignored the humanity of but counted, loosely, as... not there.

There appears to be a dissonance between Mitchell’s acceptance of ‘shortages’ and her denial of resistant teacher groups such as the N.E.W despite the hundreds of letters our members have written to her.

We (N.E.W) challenge this rhetoric and would see the D.O.E answerable to their unsubstantiated ‘science’ and claims.

Uncertainty alone essentially links risk as a factor to ‘vaccine’.

Whereas risks of harm or mortality (from C-19), for people not 55< with existing co-morbidity, are minimal.

We, at the N.E.W, are pleased to assist a (panel of inquiry) qualitative process that is external to the D.O.E's problematic quantification, especially one subject to an appropriate level of parliamentary scrutiny.

The case law, offered herein, are of particular adherence to administrative and legislated law and the legal precedents surrounding child protection and their definition of 'risk' in the context of the application to working with children.

The N.E.W challenges the ideology fuelling the state-sanctioned hypochondria and the top-down approach to the resulting implementations in the name of 'health'; this risk-based assessment regime the latest.
The continuation of this kind of narrow, theoretical, sampling, has exhausted its collection of preferred data sources, leaving it saturated and looped in atemporal dogma.

The substantively significant statistics - observable in the scientific data from, both, the sources privileged to be promoted by government departments and the wider, global, independent scientific community – are of undeniable risk of harm and death.

It is this next phase, surrounding these proposed 'risk-based assessments' that will determine whether (and how many) education workers return to schools with confidence in their former job security.

It is engagement of this process (as stakeholder) that the N.E.W makes this submission containing cross-examination of the data and rationale behind the persisting 'vaccination' regime.

It need be understood that we, National Education Workers (N.E.W), remain dedicated professionals who – rather than follow unsupported medical insinuations – instead chose to interrogate the sensationalised power narratives and consult reputable scientific evidence as we sought to protect the children and young people (Y.P) of this country.

Most of us consider this professional protective quality as primary element to our stance which has cost us nearly a year of attack, disrespect by government institutions, loss of income, stall of career and loss of professional respect.

Thus, we are not – nor have we been (in this regard) – in contravention of the N.S.W Code of Conduct.

The N.E.W feel that a threshold question and test has been twice passed, in gauging our (psychological; emotional) personal (not to mention, professional) loss and the threat we feel we face at needle point (future).

We object to the harassment, stalking, intimidation, discrimination, slander, bullying, contempt and isolation we have endured at the hands of the Department of Education (& other school [e.g: Catholic diocese] 'leaders').

If there is to be an agreement between parties, administering industrial instruments (e.g: risk-based assessments and their contractual obligations), such enterprise bargains need be subject to law with meaningful consultation.

The D.O.E and the Catholic diocese have not invited dialogue, despite it being composite of their own guidelines (e.g: Education Award; codes of conduct; I.R.C/F.W.C Acts).

Unions, such as the Teachers Federation, have been as useless and complicit in forwarding the dominant C-19 agenda as enforced by education providers.

The N.E.W, as organised entity – representing education workers – assert our place in these discussions as 'stakeholder' and functioning education representative group.

The N.E.W would engage in the decision-making process regarding the terms to which education workers will be asked to contract to.

In this submission to the committee, we will circulate the (variables) themes and spheres through which the cause for our removal (both, by school administration and by self-preserving need for escape) was exacted; namely the political (e.g: mandates), the socio-cultural (e.g: behavioural) and the biophysical (e.g: survival).

In parts, laws and legislation will be referenced or cited.

In others, the more human account will enter the authorial voice.

We shall indulge the personal and anecdotal, as well as the philosophical and logical inquiry and of course legal (law).

In good faith, we have asserted ourselves (contrary to the ignorance of upper state education ministry and Teachers' Federation) as an organisation of humans who are ready, willing and able to perform all the expected duties, essentially, inherent to the role of education worker.

We remain professional education workers in both function and spirit, as we contend our stance via fact and law.

It is for the return to respect that we stand, as stakeholders, in this debate as we seek a return of the dutiful functions of the Department of Education, it currently astray from the precepts that give meaning to administration of our most honoured profession.

*"It is precisely not about the insertion of 'newcomers' into existing orders, but about ways of being that hint at independence from such orders, ways of being in which the individual is not simply a*

*'specimen' of a more encompassing order. Whether all education actually contributes to subjectification is debatable. Some would argue that this is not necessarily the case and that the actual influence of education can be confined to qualification and socialisation."*
*Biesta, G (*cited in Gallop report*).*

KEY TERMS.
Agreement
Objective reasoning
Legitimate purpose
Conduct/misconduct
Reasonably practicable
Protected function
Inherent requirement
Adverse action
Discrimination
Hash and unreasonable
Unlawful
Liability
Precautionary principle
Balance of probabilities
Measurement validity
Longitudinal research/data
Foreseeable risk
Procedural fairness/guidelines
Unjustified risk
Proportionality (I.e: structured)
Implied freedom

NEGATIVE FACTORS INFLUENCING SHORTAGES
PRE-'PANDEMIC'

- 'teacher attrition' rate
- administrative overburden
- excessive workloads
- revocation of legal protection
- deficit of tertiary admission/graduates (education)
- casualization (existing)
- insufficient time for planning/marking
- lack of support services
- (unsubstantiated) 'priority areas' – professional development
- unregulated departmental agencies
- wage stagnation
- unpaid overtime (high amounts)
- privatisation
- see: Gallop inquiry

POST-'PANDEMIC'

- lack of due process
- mandated/forced 'vaccination'

- harassment/bullying/stalking/hostility
- invasion of privacy
- disempowerment
- moral perversion
- irrational/erroneous rationale
- non-transparent criteria for investigative processes
- departmental misconduct and malfeasance
- unsubstantiated/unsupported 'misconduct' interrogation (P.E.S)
- sustained (punitive)'remedial warnings'
- victimisation/misrepresentation/undue influence
- termination/dismissal
- forced leave
- casualization ( increased replacement of status)
- truncation of contract
- vilification
- unlawfulness

## N.E.W as STAKEHOLDER.

The N.E.W asserts as an 'organised entity', representing education (employees) workers in N.S.W (though assistive to Victorian and other interstate educative bodies).

Our guiding principles adhere to the just interpretation of Codes of Conduct (e.g: N.S.W), moral responsibility, and law.

We assert our right, as representative body, to engage the processes involving ongoing industrial instruments and enterprises.

*Fair Work Act 2009* (F.W Act) -

**employee organisation** means an organisation of employees

**enterprise** means a business, activity, project or undertaking.

**enterprise agreement** means: (a) a single-enterprise agreement; or (b) a multi-enterprise agreement.

*Industrial Relations (I.R) Act 1996 (N.S.W)*.

**Part 8 Legality of trade unions**

**303 Meaning of "trade union"**

A ***trade union*** is any temporary or permanent combination (whether or not registered as an industrial organisation under this Act)—

(a) for regulating the relations between—

(i) employees and employers, or

(ii) employees and employees, or

(iii) employers and employers, or

(b) for imposing restrictive conditions on the conduct of any trade or business,

whether or not such a combination would, except for this Act, be an unlawful combination because one or more of its purposes is in restraint of trade.

As a representative  body of employees and other education workers (some currently terminated or on the 'Not To Be Employed' [N.T.B.E] list), the N.E.W seek meaningful consultation and engagement in discussions surrounding the 'risk-based assessments' soon to be implemented and overseeing a return to schools and employment.

To date the D.O.E and Catholic diocese (along with multiple independent educational facilities) have ignored our attempts at dialogue in direct betrayal of law and codes of conduct.

We apply our rights under industrial law and the N.S.W Code of Conduct as stakeholders in pursuit of co-operative workplace reform and equitable, innovative and productive workplace relations.

## CODE OF CONDUCT.

*N.S.W CODE OF CONDUCT* 5.2.i: "promote collaborative and collegiate workplaces by developing a positive working environment in which all employees can contribute to the ongoing development of the department".

In section 5 of the *Code of Conduct* it states employees "are required to comply with reasonable instructions related to your work. If you consider an instruction unreasonable, you should say so to the person issuing the instruction in a civil manner, giving your reasons for concern and allowing the person an opportunity to respond."

N.E.W members attempted repeatedly to engage department and school principals in discussion immediately upon the 'vaccine' mandates forced upon education workers on August 27th 2021.

Instead, we were defamed and attacked.

The following list exemplifies some of the data and valid concerns education workers raised with their employers (both on site [e.g: school principal] and of executive or political level [e.g: Directors or the Secretary of Education]):

SCIENTIFIC DATA DISTRIBUTED BY N.E.W MEMBERS AS OF SEPTEMBER 2021.

- COVID VACCINES HAVE CAUSED 556 DEATHS AND 61,738 INJURIES in AUSTRALIA and OVER 16,000 IN EUROPE (European Medicines Agency) FROM THE MODERNA, PFIZER AND ASTRAZENECA VACCINATIONS.
- "THE COLLECTED DATA WERE CONSIDERED INSUFFICIENT TO ESTIMATE ASYMPTOMATIC INFECTION RATES. THEREFORE, IT IS CONSIDERED UNCLEAR WHETHER VACCINATION PROTECTS FROM TRANSMISSION OF THE VIRUS (INFECTIOUSNESS)" EFFICACY AND SAFETY OF THE MRNA-1273 SARS-COV-2 VACCINE. BADEN LR, ET AL., COVE STUDY GROUP. N ENGL J MED. 2021 FEB 4; 384(5):403-416.
- '87% (4/5) of pregnant women injected with Pfiser/Moderna lose their babies MRNA COVID-19 VACCINES IN PREGNANT WOMEN THE NEW ENGLAND JOURNAL OF MEDICINE. SEPTEMBER 8, 2021. DOI:10.10.56/NEJMX210017
- "ESTIMATED FAILURE RISK AS HIGH AS 94%". ESTIMATING THE COST OF VACCINE DEVELOPMENT AGAINST EPIDEMIC INFECTIOUS DISEASES: A COST

MINIMISATION STUDY. GOUGLAS D, THANH LE T, HENDERSON K, KALOUDIS A, DANIELSEN T, HAMMERSLAND NC, ROBINSON JM, HEATON PM, RØTTINGEN JA. LANCET GLOB HEALTH. 2018 DEC; 6(12):E1386-E1396.

- "Vaccine-mediated disease enhancement is another example of major side effect: In this condition, the humoral immune response driven by a SARS-CoV-2 vaccine could facilitate the virus acquisition or even make the disease evolve more severely". FDA . Emergency Use Authorization (EUA) for an Unapproved Product Review Memorandum Identifying Information. FDA; Montgomery, MD, USA: 2020.

Exemplary emails and letters, between education workers and their employers, can be supplied upon request.

Within this due process were questions of safety, efficacy and necessity, as well as requests for risk-assessments pertaining specifically to the 'vaccines' being forced upon people.

None of these requests were supplied with answer or data, let alone response.

The Code of Conduct goes on to say "Managers should be open to constructive questions or concerns regarding their instructions. They have a responsibility to respond appropriately".

The *Corruption Prevention in Public Schools* (*C.P.P.S)* states (as part of required teacher training) we act in the "public interest and act ethically".

The independent and objective scientific data, evident across all channels of research and informative publication, means there is no element of 'personal opinion' in our provision of up-to-date information, as science is ontologically (a posteriori) isolated from subjective opinion or politicisation.

We (N.E.W) have been clear and honest in bringing this information to the D.O.E's attention, but have only been shamed, discriminated against, vilified and targeted for resisting the mandated 'vaccine'.

During the C.P.P.S training 'sections' (7, 8 & 9) the Independent Commission Against Corruption (I.C.A.C) regulations are quoted. The language communicated includes a definition of corruption that includes anything "intentionally biased, dishonest or partial", or, "deliberate".

Can it be denied that narrowing of scientific inquiry is not intentionally biased or partial to the very pharmaceutical corporations that seek to make profit from them?

Can it be denied that disregard for the wider scientific discourse has not been deliberate and, ultimately, of omission of a duty required performed as public education member and human being?

The actions and omissions are, at law, seemingly dishonest and, therefore, criminal and corrupt.

It is our opinion that the current education decision-makers do not hold the right, or the moral integrity, to remain in their position, thus their authority that might influence any decision-making processes that relate to school, staff or students, is untenable.

We assert our freedom of (political, spiritual, epistemic, law) communication, to interrogate the data and decision-making influencing the education space (at law, function, academic philosophy and duty of care),
as protected attribute and inherent to the role of educator, protector of children and critical thinker.

As stakeholders, the N.E.W would see explanations given for the public record and the dutiful and responsible persons brought into the open for their shortcomings.

"Underlying all of this is the Plan's commitment to the most important stakeholder – the Australian public" – Operation Covid Shield (p.42).

'Proper' (see: *Public Governance, Performance and Accountability Act 2013 No. 123, 2013).*

## DISCRIMINATION.

Last year, the spiteful discrimination, encouraged by department and school executive was almost immediate, as the C-19 hysteria encroached upon traditional respect and values held true for a century of schooling.

Despite attempts by education workers (we [N.E.W] already formed as a support group by September 2021), to educate their co-workers, and assist this petrified population to consult the data (rather than intermediary sources and media sensationalism), we who questioned the 'vaccine' (safety, efficacy, necessity) were discriminated against.

This culture of unlawful discrimination, of unqualified biases, and aggressive vilification, was top-down in its implementation as educational decision-makers fostered blind ignorance and ideological totalism.

I, personally, was hounded by the head teacher of English and an almost fanatical brigade of 'vaccinated' teachers, from room-to-room, day-to-day.

Retreat, as many of us might have tried, was met with increased acts of stalking and harassment, as ferocity intensified timed by media saturation and pervasive political narratives.

This life-changing (& gene-altering), and permanent choice, was forced upon us and demanded immediate submission to.

This is despite the Pfizer ‘Safety Data Sheet’, which we distributed in September 2021, declaring ‘no safety data’ or ‘unknown’ measurement of ‘bioaccumulation’, ‘biotoxicity;, ‘biodistribution’ or ‘other adverse effects’.

We were ordered (‘directed’), by Georgina Harrisson and education executives (many of them members of [N.S.W] the principal’s association or council), to “follow the science”, yet not one dutiful person or employer could supply any.
Hypocrisy saw them intolerant of supplied data.

Thus, ‘believe the science’ appeared to effectively function as ‘believe the media’.

Cultural capital, under this new ‘vaccine’ regime, held time to ‘boosters’ and profiled, pharmaceutical, prosumerism through partipulation.

The narrow and unforgiving nature of the panicked narrative gave no ground to conflicting science, as heteronomy was chanted by the hordes.

Most shocking was what was perpetrated in the name of this paranoia.

BULLYING-

See: Group identity (Kaplan & Flum, 2017).
See: Social identity (Amin & Jafari, )
See: Entitavity (Tanti et al, 2011)

Social relativity was rapidly deleted by popular narratives as we (dissenting or questioning education workers) were disassociated, without due process or due respect for knowledge or fellowship, by an increasing and sudden milieu intolerant of wide-reading or independent thought.

What role models they then did make to those children and Y.P they supposedly protected.

Evans and Smokowski (2017, p.121) researched the role of bystanders in the bullying dynamic and found that 80% - 90% of school-age children and Y.Ps reported having been bystanders to bullying behaviour.

I, personally, watched it happen everyday; only now it was perpetrated by fanatical teachers.

Mobbed by the angry herd and stripped of a (microcosmic socially but macro-social independently as phenomenon) perception retaining social validity, unenlisted education workers were made free targets for negative animalistic behaviours unleashed and somehow justified by state-sanctioned rancour and education department and executive!

Disempowerment of the mob (See: Baumann 1993) fed the furious herd as they exacted citizen policing contrary to basic ethical frameworks taught daily.

“Social capital deprivation and anti-social capital are associated with the likelihood of engaging in negative bystander” (including bullying perpetration) behaviour (Evans & Smokowshki, p.120).

Once a target to bullying (“often committed competent, employees”), one can experience “no orientation...and no responses to their questions about those things” (MacIntosh, 2005, p. 900).

Kept off-balance, and disenfranchised by executive or support, education workers were hounded and oppressed.

We were vilified by pop-media and political rhetoric, as exclusive discursive regimes restricted intellectual or verbalised inquiry, as unlawful discrimination was perpetrated in the name of 'the science' no one could seem to produce!

Thus, bullying intensified to victimisation.

The students watched it all happen.

> "One here doesn't have a power which is wholly in the hands of one person who can exercise it alone and totally over the others. It's a machine in which everyone is caught; those who exercise power just as much as those over whom it is exercised...it becomes a machinery no one owns".
> Foucault, M. (1980, p.156).

Mask-wearing (devoid of conclusive scientific data) became the badge honoured by the fanatical, who policed its bondage with fervour upon students and other teachers alike.

I personally, despite holding a mask exemption, was incessantly attacked by teachers and executive staff, who refused to accept provisions generated by their preferred authoritative entities.

I can supply the correspondence between myself and school executive – who ultimately reported me to P.E.S for something permitted by law (N.S.W Health department) – upon request.

I also have footage of myself supplying the school principal with the Pfizer Safety Data Sheet and the clinical evidence proving the significant element of risk 'vaccines' posed to children.

This man, as many of his associated members of principals' associations/councils, chose to ignore the evidence or the calls alerting him to his reckless action!

Desperate, this man made false reports to P.E.S to which I believe I am still subject.

It has been made impossible for me (to date) to ascertain the status of such 'investigations' as P.E.S have not responded since December 2021 and the D.O.E has cut me off from the email service they propose to communicate through…

This phenomenon (silent P.E.S/emails dismantled) is indicative of what is being experienced by hundreds of other (D.O.E) education workers.

On a wider social level, the 'public list' is being pushed upon vulnerable and traumatised education workers who have been subject to hate, bias and stalking for 11 months!

The D.O.E states that they are implementing this 'public list' (as the "protection of children is paramount") as 'response' to the 'recommendations' from the Royal Commission Into Institutional Responses To Child Sexual Abuse (R.C.I.I.R.T.C.S.A).

However, what the D.O.E permit misocmmunction of is that their ‘responses’ were never recommended!

I have provided (in the below section, name for the ‘Royal Commission’) the comparisons of these discrepancies for further study.

Meanwhile, as the D.O.E promotes ‘wellbeing’ it is refusing people their preference for not being identified to the public (thus identifiable to anyone), by refuting their communications of harm being done (to their wellbeing) or the potential for digital stalking or identity theft.

Evidence of these emails and a list of the numerous breaches of D.O.E’s digital platforms, can be supplied upon request.

Again, we would question the D.O.E’s capacity for substantiating their rationale or the methodology proving their actions (such as this ‘public list’) is fit-for-purpose.

The threatening coercion, yet again perpetrated by (unqualified bureaucrats) the D.O.E, forcing traumatised education workers (including mothers escaping domestic violence) to be publicly displayed before random strangers, is creating another negative factor that is keeping people from the N.S.W education sector.

Identifying information, such as the unnecessary ‘public register’ continues to enable an environment of bias, discrimination and victimisation.

## INDUSTRIAL RELATIONS.

The Fair Work Act 2009 (Sub-division C) contains a phrase asserting the imperative determination of what is ‘better off over all’.
Thus, the rationale that will consider the future interaction with the dominant ‘health’ narrative will observe the balance of probabilities as well as (structured) proportionailty.

Decision-makers (providing they remain employed) need consider the alternatives to attempting to extend the encouraged hyperchondria inflicted upon Australian society and the repercussions for ignoring the warning signs (let alone independent and conclusive scientific data).

Global initiatives and implementations, refusing the ‘vaccine’ manufacturers (e.g: ) their unmitigated political influence let alone legal impunity, are ignored by many Australian agencies; yet other selective and privileged texts are given priority (despite obvious potential for conflicted interest).

Who selects which ‘science’ is to be observed and which is to be ignored?

Such deliberative process need be made available to public disclosure and judicial oversight.

Again, we of the N.E.W assert our right to be included (as representative body) in future determinations.

F.W.C Act 2009.
Division 2—Object of this Act 3
Object of this Act
The object of this Act is to provide a balanced framework for cooperative and productive workplace relations that promotes national economic prosperity and social inclusion for all Australians by:

(c) **ensuring that the guaranteed safety net of fair, relevant and enforceable** minimum wages and **conditions**
**can no longer be undermined by the making of statutory individual employment agreements of any kind given that such agreements can never be part of a fair workplace relations system**; and

(e) **enabling fairness and representation at work and the prevention of discrimination by recognising the right to freedom of association and the right to be represented**, p**rotecting against unfair treatment and discrimination, providing accessible and effective procedures to resolve grievances and disputes** and providing effective compliance mechanisms;
[emphasis added]

In anticipation of a party or entity challenging the above-mentioned 'Division' of the F.W Act, by asserting the extension of 'Effective compliance mechanisms', we would require they prove efficacy.

The *F.W Act* goes on to articulate, twice;

(1) A term of an enterprise agreement is a discriminatory term to the extent that it discriminates against an employee covered by the agreement because of, or for reasons including, the employee's race, colour, sex, sexual orientation, age, physical or mental disability, marital status, family or carer's responsibilities, pregnancy, religion, political opinion, national extraction or **social origin**.
- [*195 Meaning of discriminatory term: Discriminatory term*]

(3) Each of the following is an anti-discrimination law:

(a) the *Anti-Discrimination Act 1977 of New South Wales*
- [*Division 5—Other protections 351 Discrimination*]

The common law protects rights to privacy, physical integrity, human treatment and freedom of contract (persons are free to choose the contractual terms to which they are subject).

Case law (including High court precedence) also protects freedom of expression of political or government matters.

**I.R.C N.S.W 1996.**
**169 Anti-discrimination matters**

(4) An industrial instrument may be varied at any time by the Commission in order to remove any unlawful discrimination arising from the instrument. An application for such a variation—

(a) may be made by a party to the instrument

Unlawful discrimination, fostered as professional ideology, is applied from the executive even ministerial level!

For example, as per the (unsubstantial) recent 'risk-based assessment' regime, 'Special support Personnel' (S.S.P) will still be mandated to 'vaccinate'.
Yet it is convention for schools to provide inclusive spaces.

> Research findings from across the globe indicate that schools and teachers are struggling to respond to the wide array of students (Wills & Cain, 2002). Proponents of inclusivity argue that inclusive education is a better education for all participants in schooling and that "differences can be a resource for community development" (Frank, 1999). At the school level, inclusive education seeks to address the learning needs of all with "a specific focus on those who are vulnerable to marginalisation and exclusion" (UNESCO, 1994). UNESCO promotes inclusive school communities as the most effective way of combating discriminatory attitudes, creating welcoming communities, building an inclusive society and achieving education for all.

Thus, it is daily occurrence for students of 'special needs' to congregate and socialise (in close proximity) with other students.
This can be during break times, class, or units in physical education.

Non-S.S.P staff are also findings themselves regularly overseeing 'special needs' students (for any of the above reasons).

The regime dictated by the D.O.E (& it's 'key stakeholders') directs S.S.P to 'vaccinate', yet sees them regularly (daily) mingle with unvaccinated people.

The concepts of purpose, proportionality, efficacy, suitability and adequate balance will be further interrogated.

Upon what evidence (or rationale) are the D.O.E's supposedly 'evidence-based' implementations founded?

The paramountcy principle, alluded to in the D.O.E communications, is given salient proposition, yet is undermined by a lack of rationale or integrity providing safety, efficacy or necessity.

We of the N.E.W continue to declare that is is we who best protect the interests, safety and welfare (including wellbeing) of (our students) children and young people (Y.P) as we stand between them and the potential of harm posed by adverse 'vaccination' reaction.

Again the question of proportionate response need immediately prevent the D.O.E from recklessly forcing the unjustified risk to students by mandating (or even recommending) 'vaccination' to a population (by age) not at risk from any of the purported strains of C-19!

The evidence supporting these mandates remains elusive.

Copies of our (N.E.W) letters/emails, alerting educational facilities and executive, and political figures, can be supplied upon request.

## ‘NOT TO BE EMPLOYED’ (N.T.B.E) LIST.

The N.T.B.E list, traditionally reserved for sex offenders and violent criminals, has been brought to bear against education workers refusing ‘vaccination’, despite their requests for data proving safety, necessity or efficacy being ignored.

Again the D.O.E has nominated terms that breach codes of conduct, yet are unable tot substantiate their appropriate application.

The N.T.B.E criteria and the connection of recent charges against us remain without conclusion.

The P.E.S process for deliberating the claims brought against education workers has been non-transparent and without the ongoing updates or facility for rebuttal.

P.E.S contacted education workers, mid-November (2021), informing them of their investigation into what they called ‘non-compliance’, before more than half a year of unresolved silence ensued.

This left education workers in limbo, they blithely referred to as ‘unresolved’ (over 6 months later) and prevented from re-entering their profession.

In the media, they may have been described as ‘furloughed’.

Many still find themselves in this quagmire.

Despite our attempts at answers (due process), the D.O.E has remained ignorant of our requests for closure (or meaningful consultation).

I, as many others, immediately countered P.E.S (whether Darly Currie or Rob Easton) with questions of lawfulness or supportive definitions for their application of ‘misconduct’ or ‘non-compliance’; especially those existing at the time of our becoming teachers (e.g: inherent role).

To date the supporting literature or philosophy for P.E.S/C-19 P.E.S investigators is not disclosed, nor has any form or brief of evidence been produced by they who harass and seek to punish education workers (leaving them ‘on hold’ for over 6 months)!

Such mechanisms are unduly reliant upon insufficiently defined administrative powers.

Now, without any form of statutory instrument to support their witch-hunt, P.E.S have withdrawn proceedings pursuing ‘non-compliance’ for refusing ‘vaccination’.

However, there remains a sword poised above the heads of many, as P.E.S declares that there are those who will still need to answer to charges of misconduct, relating to recent times.

Again, this process remains shielded from scrutiny and has removed the capacity for dialogue or rebuttal.

As P.E.S state they will contact teachers, they remove their ability to access the D.O.E email system, through which they need receive communication.

Notably, the date the D.O.E were due to report to people was missed by nearly a week.

Worse, the withdrawn (unlawful) P.E.S charges of ‘non-compliance’ have resulted in an unmitigated staining of teacher records; ‘remedial warning’.

In effect, this black mark is affected without scrutiny, justification, or space for challenge!

In effect, one is condemned for the mere fact that their name has been raised within the database of this murky department.

One might name it mandatory sentencing that has removed the pesky element of judicious oversight or right to fair process.

Whatever criteria has been applied to condemn education workers, supposedly found within the N.T.B.E list, will need be reconciled.
The decision-making processes used to tarnish education workers’ reputations – let alone used to enforce financial hardship – is currently a shadowy obstacle that education workers, seeking return to schools, are finding is blocking their path.
Access to this list is being refused to those upon it, who would see the charges brought against them so as to be given clear forum to respond.

Our (N.E.W) repeated requests for the criteria and rationale for being placed upon this list, is consistently denied.

Returning to our jobs and schools is being stymied by a non-transparent process which is seemingly without platform for challenge, nor fairness of chronology; in that we are asked to commit hours of ‘professional learning’ and finance of relative costs (e.g: N.E.S.A registration) before being informed (or not) we are victim to this arbitrary incarceration of professional capacity.

We demand open and full disclosure of the processes and criteria used to condemn education workers!

Education workers, formerly of the Catholic diocese (certain locations), are worse off in that they are being almost automatically sentenced to the N.T.B.E list for refusing the experimental ‘vaccine’ and protecting bodily autonomy.

This is despite the D.O.E – the P.E.S/C-19 P.E.S agents, and crown solicitors (through I.R.C), specifically – declaring that no employees had been placed on the dreaded N.T.B.E list!

Though the D.O.E has had to back away from their perverse application of the 'misconduct' term, Catholic schools have been less regulated by law (an easy bar to pass under, recently) and principle, and vengefully branded their former staff.
These former Catholic school workers are discovering their inclusion upon the N.T.B.E list via D.O.E representatives (e.g: the telephone information 'EdConnect').

Yet, no clear list of charges (or relevant facts) are produced.

What clandestine processes are here used to prevent education workers from returning to schools?

How many names may one school principal target in their personalised diet of professionals?

And what document, law or code governs this decision-making and who oversees due process?

To whom are these (keepers of the N.T.B.E list) decision-makers immediately answerable?

Will this list be publicised as part of the upcoming, iterations, of the 'public list' suggested by the D.O.E?
And, if so, will education workers who have questioned (& received no compelling response) the experimental 'vaccine' be distinguished from those perpetrating crimes of violent of sexualised nature toward children (as per N.T.B.E list finality)?

Currently ex-D.O.E educators are able to apply successfully to Catholic schools, but ex-Catholic school teachers remain incarcerated within the N.T.B.E list without cause shown or offered pathway to mitigation.

It need be ensured that this 'list', amongst other actions or omissions, does not function as something through which discriminatory practices communicate.
Without procedural fairness, the apparently harsh and unreasonable treatment of education workers will be permitted continuation.

As per 'MANAGEMENT OF CONDUCT RELATED TO NON-COMPLIANCE WITH COVID-19 VACCINATION REQUIREMENTS GUIDELINES' (M.C.R.N.C.V.R.G):

4.4 Procedural fairness.

Procedural fairness is a legal safeguard applying to an individual whose rights or interests are, or could be, affected. An employee who receives allegations of misconduct should have access to these guidelines. **Fundamental tenets of procedural fairness include that a person be advised of the matter against them, have an opportunity to respond to the matter and have their response considered by the investigator or decision-maker**.

[emphasis added]

It need be understood that education workers are subject to the legislative guidance of the T.S Act 1980.

Therein, and whereupon teachers were informed signatory to their professional realm, the definition of ‘misconduct’ differs from the M.C.R.N.C.V.R.G and its contrived ‘C-19 non-compliance’ (achieving ‘misconduct’ in response).

However, as it (M.C.R.N.C.V.R.G) states, “For a decision maker to be satisfied that an allegation of misconduct is proven, **it is not necessary that each of the particulars of that allegation be made out as a matter of fact**.

As with much else, the D.O.E’s (& Catholic), internal, administrative ‘powers’ run contrary to law.

They contest matters of law and fact.

Without scrutiny of the N.T.B.E process, and its decision-makers, this hidden agenda will continue to blacklist professionals and, thus, prevent their return to work (thus soothing teacher shortages).

The various amendments to the T.S Act 1980, include some apparently unreasonable treatment, and we ask these be scrutinised by parliament.

**93T Termination of employment of unauthorised persons:**
(3) The dismissal takes effect immediately **without any right to a hearing or any requirement to comply with the rules of procedural fairness**.

What else have the D.O.E been up to in dismantling the fundamental concepts of free and equitable society?

Article 14 of the ICCPR:
The right to a fair and public hearing enshrines principles of open justice which require the administration of justice must take place in courts which the public and the media may access.

Although ‘termination’ or ‘dismissal’ appears to not, under current legal limitation, require procedural fairness, one might ask if this be so of situation within the N.T.B.E list (ongoing)?

The current lack of apparent, just, provision may impact the extent to which individuals are able to meaningfully participate in the investigation process of contraventions under the relevant Act and make it difficult for affected persons to ascertain what laws apply to them at any given time.

Being cut-off from emails ensured correspondence was interfered with and, thus, the ‘opportunity to respond’.

I, personally, suffered this circumstance, prevented from responding fairly and accurately.

The removal from the D.O.E digital carriage service is an unreasonable interference with these circumstances as reasonable efforts we made by myself, and thousands of others, in seeking meaningful participation in discussion and inquiry.

The purposeful and ongoing refusal by D.O.E is seemingly an absolute liability as our calls for humane and respectful treatment are continuously ignored.

All emails can be supplied upon request.

## WELLBEING.

The harm to the wellbeing of education workers has arrived via many forms.

We address the concepts of bullying, harassment, stalking, victimisation, isolation and destruction of professional and financial lives throughout this submission.

Notably, another convenient ambiguity lent to the D.O.E's 'official' numbers is the growing numbers (of N.S.W teachers ) who have been displaced and concealed via the removal from their 'permanent employee numbers' and relegated to casual status, referred to via their 'casual employee number'.

Casualization was a pre-existing impediment to teacher numbers, as job security is undermined.

Principals are complicit in this as I myself have been witness to.
The immediate example is the violated agreement to offer a teacher a permanent position after two years of (consistent) casual or temporary contracting.

Recently, education workers are being placed on the 'public list – against their will or articulated risk to wellbeing – as the D.O.E (activated by unqualified bureaucrats) reject their voiced objection to being publicly identified.

This same circumnavigation of (free will) valid and informed consent, is now typical characteristic of the current persons staffing our educational institutions at school, executive or parliamentary level.

As with the prolonged P.E.S investigations, the D.O.E has neglected its own codes of conduct, federal/state laws, or morality.

Rather than apologise, or seek real and meaningful remediation, they re-offend.

We of the N.E.W refute the idea that we will continue to be subject to the unlawful and vindictive 'internal review' 'processes' of institutions that have neglected their dutiful acknowledgement of law or fact, breached clear guidelines for ethics, betrayed educational values, and refused to commit to meaningful dialogue or transparent review.

Without reckoning for crimes committed, these educational institutions remain in the hands of the same negligent and corrupt procedures and persons who neglected their duty of care whilst claiming empty lip-service for ‘protection of children’, ‘wellbeing’, ‘privacy’ and fair and equitable work spaces.

To whom do potentially returning teachers, who have suffered trauma and psychological injury at the hands of unlawful and arbitrary acts, forward the protection of their wellbeing to?

## SENSITIVE/PERSONAL INFORMATION.

The recent announcement (falsely claiming authentic reasoning by evoking the name of the R.C.I.I.R.T.C.S.A) of the D.O.E’s ‘public list’ – seeking unnecessary publishing of identifying information – is but the latest violation of privacy.

By September 2021 (mandates announced on August 27th) school principals were contacting doctors seeking education workers’ personal/sensitive medical information (evidence provided upon request).
Rather than respond and sufficiently answer the concerns of reluctant education workers (concerned at breaches of the Privacy Act 1988), numerous principals chose to make direct contact with their private physicians!

Already deeming themselves medical professionals, as they prescribed an experimental drug (with questionable ‘safety’ data and nothing conclusive), principals now chose to secretly attempt to harvest private information!

The media pseudo-science had by then been realised as rapid ideology, a discursive and belief system, to a physicalised parading of school executive as pseudo-health professionals who communicated their erroneous methodology upon unreflexive underlings.

Such actions were conducted in direct contravention of our (N.E.W members’) expressing our preference for privacy (medical/personal/sensitive) and non-disclosure. Despite our definite communications to schools executive, to desist from contacting private physicians (and the like), principals ignored our withdrawal of consent and chose to breach the doctor/patient confidentiality.

From there, as expressed to school and department staff and decision-makers, to where would this sensitive information be stored and with whom was it shared (or observable)?

The ‘public list’ is the latest violation of privacy for educators!

We ask that the ‘Senate Committee No.3 – Education’ require the dates and names of the entities with whom our private, sensitive and personal information was shared.

Education workers are fearful that these crimes will be repeated, as unapologetic schools and departments open their doors (though not their hearts).

The harassment and bullying was, not only, not prevented by executive or department, but encouraged as they led their charges based upon absent science and revocation of embedded ethical philosophy.

These detrimental actions were perpetuated, knowingly, by school executive who we (N.E.W) ensured were informed as to their breaches of dutiful conduct as a culture of fear and derision was fostered.

Bauman (1993, p.126) names this 'agentic state' as an "extinguished...moral capacity" as such ethical sentimentality is "first fragmented, then co-ordinated [into] action".

This 'collective effort', enabled by state departments, dehumanises those targeted as "the totality of the moral subject [is] reduced to the parts or attributes… evaluated solely in terms of their technical, instrumental, value" (p. 127).

Thus, agentic hordes of now radicalised educators, incensed by executive and department, pursued we who (fulfilled our capacity as reflexive consumers of information and data) questioned the logical fallacies sold by politicians and pop-media, the mobbing strengthened by their dedication by all to the task at hand, reinforcing their disciplined (though morally compromised and pseudo-scientific) ranks in willingness to co-operate (and enforce their will and that of 'the narrative').

They were first equipped with our sensitive/personal medical information (e.g: 'vaccination status').

The Crimes Act 1900 (NSW) s.60E provides that it is an offence to 'assault, stalk, harass or intimidate any school student or member of staff of a school, while the student or member of staff is attending a school'.

The apprehension caused by this witch-hunt (which continues) is harmful mentally and financially (which increases the anxiety).

Psychological/psychiatric injury is prevalent and we see dozens of N.S.W education workers pursuing it via the workers' compensation pathway.
We note that the D.O.E has yet to arrive with substantive evidence to support their forcing mandates upon education workers and stripping them of their livelihoods as these issues are contested in the Injury Commission.

The hounding by P.E.S investigators and school principals, occurred (perhaps intentionally) by phone.

This stalking continued on weekends and whilst people were on leave.

This included sick leave.

All these campaigns of harassment were enabled by the breaches of privacy perpetrated in the name of C-19!

Whereas school executive would not reply, substantially, to written correspondence, P.E.S continued relentlessly with menacing emails.
Yet not a legal or medical professional was involved or given reference to.

Psychological/psychiatric injury is sustainable at the mere threat of termination, let alone enduring an experimental process under a regime set by N.S.W Health which refused to produce safety or long term data to prove its efficacy or necessity.

The anxiety and depression felt by so many of my colleagues (perhaps permanently scarred) is evident in their incapacity to work or, for some, the refusal to ever return to a climate of aggression and victimisation.

The continued, and unnecessary, exposure of education workers' private/sensitive information is of an ongoing concern, as is the over-extension of bureaucrats past legal or professional limitations.

## CHILD PROTECTION.

W.W.C.C
*EPN v Children's Guardian [2022] NSWCATAD 184*

This applicable case held upon the balance of probabilities and measures whether the returning, unvaccinated, education workers would pose as risk to the safety, wellbeing and welfare of children and Y/Ps.

This 'risk' need be real and appreciable.

This means, it need be substantiated by conclusive evidence.

For example, were we to pose the C-19 'vaccine' as a potential risk of harm to children and Y/P, all one need do is observe the prominent data.

Balance the probabilities of harm from 'vaccines', to the risk posed by C-19 to people under 55yrs (with existing co-morbidity), let alone 20 years, and the fact that 'vaccination' does not prevent transmission.

What now presents as that most urgently demanding attention for risk analysis?

Quite obviously, these are the 'vaccines'.

Yet, in further perversion of valiant provisions (e.g: the 'paramountcy principle'), the D.O.E neglected to safety test the 'vaccines' and instead chose to risk-assess the unvaccinated.

Vast global scientific (including clinical) data has existed for a year proving the unvaccinated do not pose a risk (if anything, to the contrary).

Briginshaw and Briginshaw [1938] HCA 34, 60 CLR 336
warns about the use of "inexact proofs" in the context of making serious findings of fact (at p 362 per Dixon J)

'MANAGEMENT OF CONDUCT RELATED TO NON-COMPLIANCE WITH COVID-19 VACCINATION REQUIREMENTS GUIDELINES':

The guidelines apply to permanent employees employed under the Teaching Service Act 1980 and the Education (School Administrative and Support Staff) Act 1987 (section 2.2).

The paramount consideration in these matters is the protection of children, ensuring a safe environment for students, staff and visitors at all times.

The M.C.R.N.C.V.R.G is largely contradictory in its messaging as it claims facts are good, if convenient to the lack of process, though unimportant (e.g: 'merits or otherwise of... medical evidence related to vaccinations).

However, we no longer adhere to a strictly internal review and though the D.O.E/Catholic diocese appear to believe their company policies exclude them from the rule of law, it now comes to pass that this is incorrect.

Primarily, the burden of proof – providing statistical data proving harm/risk to children/Y.P – need be supplied by the parties seeking to implement 'vaccine' regimes. Adequate justification for the invasive biological procedures, as this 'vaccination' regime represents, need observe criminal and tort law and be proven as safe and proper, as well as evidence-based.

<u>PRECAUTIONARY PRINCIPLE.</u>
The most widely adopted versions, based on the United Nations' 'Rio definition', seek to ensure that uncertainty about potentially serious hazards does not justify ignoring them (Weier & Loke, 2007,p.xi).

Weier & Loke go on to assert, "Efficient and effective implementation of precaution requires decision makers to take account of the full range of relevant factors, including the magnitude, nature and severity of potential harm".

Considering the 'potential harm' caused by C-19 'vaccination' is death, then it cannot be considered less than catastrophic.

The government's own data and compensation scheme is, intrinsically, an acknowledgement of this potential.

Outside of the less acknowledged causal link ('vaccine' and mortality rates) there is significant and rational basis for concern.

For an ongoing ‘vaccine’ regiment, as it appears the state government continued to promote, to be safe and effective, the evidence to prove this need be submitted and cross-examined.

However, the D.O.E (including principal’s associations/councils) appear to reject such due processes.

Either way, the growing and compelling scientific data generated by entities independent of potential conflicted interest, cannot be ignored; not by a governing body that wishes to remain objective and cautious in their exercise of their duty of care and lawful discretion.

The appropriate methodology defining macro practices, such as we contend, draws from theoretical foundations whilst simultaneously developing new theories observing professional values and ethics.

*Criminal Code 1995*, s5.5 ‘Negligence’:

A person is negligent with respect to a physical element of an offence if his or her conduct involves:

(a)such a great falling short of the standard of care that a reasonable person would exercise in the circumstances; and

(b)such a high risk that the physical element exists or will exist;

that the conduct merits criminal punishment for the offence.

The physical element would be an omission of factual science and intentional disregard for life, as would be observed by a reasonable person. Thus, the standard of care is violated if intentional circumstances are create unjustifiable risk of harm and death to human beings.

It is for violations of reasonable evaluation of the potential harm from vaccines that so many education workers have stepped away (taking leave [paid or unpaid]) or are stalked by D.O.E authorities (such as P.E.S).
This has increased the understaffing of schools as these professionals are prevented form returning.

The potential harm to children and Y.P is also an issue and one we (N.E.W) feel can be avoided as substantiated by science.

## ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE (R.C.I.I.R.T.C.S.A).

The first item of obvious discrepancy, between the ‘recommendations’ made by the Royal Commission and the D.O.E’s suggested implementations made independent – though in the name - of the R.C.I.I.R.T.C.S.A is published under section 8.10 (8.9 granted) where the term ‘public’ is not recommended as feature of any list.
A registered teacher’s information is, instead, recommended to be shared with teacher employers and registering authorities.
In section 8.11 the R.C.I.I.R.T.C.S.A recommends “nationally-consistent provisions” between teacher registration authorities only.

No ‘public list’ is mentioned or recommended, as the D.O.E’s ‘response’ might suggest.

Section (recommendation) 8.12 articulates the necessity to protect personal information of teachers, something the D.O.E appears to ingratiate yet immediately undermine.
Misinterpretation then elicits over-reach, as the ‘recommendation’ is perverted via detached ‘response’.

ROYAL COMMISSION RECOMMENDATIONS.

https://www.childabuseroyalcommission.gov.au/recommendations

Royal Commission into Institutional Responses to Child Sexual Abuse (p.25).

Improving information sharing in key sectors.
Sharing information about teachers and students.

Recommendation 8.9
The Council of Australian Governments (C.O.A.G) Education Council should consider the need for nationally consistent state and territory legislative requirements about the types of information recorded on teacher registers. Types of information that the council should consider, **with respect to a person’s registration and employment as a teacher**, include:
a. the person’s former names and aliases
b. the details of former and current employers
c. where relating to allegations or incidents of child sexual abuse:
i. current and past disciplinary actions, such as conditions on, suspension of, and cancellation of registration
ii. grounds for current and past disciplinary actions
iii. pending investigations
iv. findings or outcomes of investigations where allegations have been substantiated
v. resignation or dismissal from employment.

Recommendation 8.10
The C.O.A.G Education Council should consider the need for nationally consistent provisions in state and territory teacher registration laws providing that teacher registration authorities may, and/or must on request, **make information on teacher registers available to:**
**a. teacher registration authorities in other states and territories**
**b. teachers’ employers.**

As you can see, the term ‘public’ is not posited in relation to a ‘nationally consistent’ teacher register.
The R.C.I.I.R.T.C.S.A does (see: below) recommend “nationally-consistent provisions… providing that teacher registration authorities may or must notify teacher registration authorities in other states and territories”.

Recommendation 8.11
The C.O.A.G Education Council should consider the need for nationally-consistent provisions
a. in state and territory teacher registration laws or
b. in administrative arrangements, based on legislative authorisation for information

sharing under our recommended information exchange scheme providing that teacher registration authorities may or must notify teacher registration authorities in other states and territories and teachers' employers of information they hold or receive about the following matters where they relate to allegations or incidents of child sexual abuse:

a. disciplinary actions, such as conditions or restrictions on, suspension of, and cancellation of registration, including with notification of grounds
b. investigations into conduct, or into allegations or complaints
c. findings or outcomes of investigations
d. resignation or dismissal from employment.

Recommendation 8.12

In considering improvements to teacher registers and information sharing by registration authorities, **the C.O.A.G Education Council should also consider what safeguards are necessary to protect teachers' personal information.**

Teacher registration

Recommendation 13.8

The Council of Australian Governments (C.O.A.G) should consider strengthening teacher registration requirements to better protect children from sexual abuse in schools. In particular, C.O.A.G should review minimum national requirements for assessing the suitability of teachers, and conducting disciplinary investigations.

RESPONSE TO THE ROYAL COMMISSION - as per D.O.E/N.E.S.A 'ACCREDITATION REFORMS'.

https://www.nsw.gov.au/sites/default/files/2020-10/NSW-Government-response-to-the-Royal-Commission-into-Institutional-Responses-to-Child-Sexual-Abuse-June-2018_0.pdf

'Accepted in principle' - Royal Commission recommendation #8.12:

The Council of Australian Governments (C.O.A.G) Education Council has created a special-purpose working party to develop shared responses to education-related recommendations arising from the Royal Commission's Final report, to provide advice to the Education Council and C.O.A.G over the next 12 months.

The N.S.W Government **acknowledges the critical importance of ensuring that teachers' personal information is protected**, while ensuring that information which is relevant to child protection is recorded and **shared with appropriate groups**.

[emphasis added]

As with much of the 'the narrative', their appears to be a contradiction herein.

Whilst their 'special purpose working party' (of guarded selection criteria in itself) "acknowledges the critical importance of ensuring that teachers' personal information is protected" they go on to state their intention to share this information with "appropriate groups".

The N.E.W would ask, who these groups are and when the transference of personal information may be considered public?
Has this already happened, as in the department's dealings with Sonic Health Plus?

You'll note (in italics) the language the D.O.E use.
They mention their response to the Royal Commission, or their address of it, yet are careful not to say they deliver the recommendations from the Royal Commission, because they do not.

This entire posture manifests the 'teacher accreditation reforms' (as per the 'Teacher Accreditation Amendment Bill 2021' – Gorgona Harrisson), which also includes a disturbing and highly interpretational section (see: below) declaring the secretary of education can do whatever they please.

**Overview of Bill.**

The object of this Bill is to amend the Teacher Accreditation Act 2004 (the Act) as follows—

(g) to make other consequential amendments.

What amendments are these to be, and 'consequential' how?

It need be noted, by the secretary and any other dutiful or responsible person within department (or school) that section (a) mentions the "the protection of children is paramount in the administration of the Act".

We at the N.E.W, again, assert that we are they who truly protect children and Y.P and challenge these so-called education authorities to submit the data upon which they would force 'vaccination' upon other humans.

TEACHER ACCREDITATION REFORMS - D.O.E/N.E.S.A.

https://educationstandards.nsw.edu.au/wps/portal/nesa/about/initiatives/teacher-accreditation-reform

The Teacher Accreditation Act 2004 has been amended in response to the Royal Commission into Institutional Responses to Child Sexual Abuse.

The changes ensure child protection is at the forefront of decision-making in teacher regulation. They also bring N.S.W in line with the national framework for child safety.

The introduction of an assessment of suitability to teach for initial and ongoing accreditation is one of the key new requirements that addresses the recommendations from the Royal Commission.

This means that all Australian teacher regulatory authorities will apply a consistent approach to child safety.

A change to the decision-making structure regarding teacher accreditation decisions will mean that N.E.S.A will be making decisions about teacher accreditation at all levels.

Existing Teacher Accreditation Authorities will continue to make these decisions while we develop new processes in consultation with key stakeholders.

The Act also introduces a new category of accreditation for non-practising teachers that allows those teachers who work in the broader education community outside of a school or early childhood service to remain in the profession. We will work with stakeholders to ensure that these teachers can maintain their accreditation by meeting contextually appropriate requirements.

The introduction of a public register of teachers further aligns N.S.W with other jurisdictions.
The searchable register will only include teachers' names,
their NESA number
and confirmation that they are actively accredited.

Other changes include strengthening and streamlining teacher accreditation processes,
and reducing administrative burden on teachers, principals, schools and school sectors.

Embedding high standards for teachers in the Act provides another layer of protection for children in N.S.W schools and early childhood services.

Notable is the misinterpretation of the R.C.I.I.R.T.C.S.A recommendation (8.9) toward "the types of information recorded on teacher registers".
The D.O.E's response claims a "public register of teachers further aligns N.S.W with other jurisdictions", though fails to state that this was not part of the recommendation.

To what purpose would a public register perform, as it gives teachers' personal information that is otherwise useless, to the layman?
Let the secretary or minister answer to how a N.E.S.A number, or the fact that they are actively accredited, might serve a private citizen?

And how does the Department claim their imperative to protect teachers and their personal information is delivered?

If, a parent or carer wishes to gain the services of a trained education professional as a tutor, or coach, then there is room for discussion around teachers volunteering their names to be placed on such a list.
However, the 'opt-out' state of current affairs surrounding this 'public list' fails in a duty of care to protect vulnerable teachers in a time of prevalent digital crimes of identity theft and other fraud (let alone historical failures of D.O.E in this [data protection] regard).

Not to mention discrimination, victimisation and vilification.

Following this, the nomination of 'high standards' has, to date, been unqualified by N.E.S.A as they fail at such measurement.
How will these, soon-to-be-revealed, 'high standards for teachers' add "another layer of protection for children" and be proven as conclusive (bivariate analysis); through which conception of 'high' are they to be considered?

Highly 'vaccinated', via an 'ongoing accreditation' earned by perpetual 'booster' injections?

Do we, now, add flu shots to the pharmaceutical intervention upon bodily autonomy?

What guarantees do the department, and its figureheads, give to suggest they will not continue their perversion of scientific discourse and continued march toward complete loss of privacy?

And what of transparency and justified purpose?

We (N.E.W) education workers, who chose to question the unsubstantiated 'science' of Health and Education departments, engaged the wide-reading required for thorough and rigorous investigation, can truly declare our own heightened standards for protection of children and Y.P.

Thus we question what 'ongoing accreditation' will look like, and how this will alleviate 'administrative burden' let alone prove effective or necessary.

RISK ANALYSIS.
As per the Work Safe Australia recommendations, we shall point-by-point anticipate the 'risks' supposedly associated with C-19 (the obvious harm or death from 'vaccines' aside) as we access the potential rationale of the D.O.E and their preferred and privileged stakeholders.

Let us recall that we are considering a 'risk'to already vaccinated staff members and children and Y.P who tend to suffer very mild (if any symptoms).

[AS PER https://www.sira.nsw.gov.au/workers-compensation-claims-guide/insurer-guidance/eligibility-compensable-injuries/disease-injury#prescribed-employment]

**COVID-19 related psychological injuries.**

The COVID-19 pandemic has created a challenging situation for many employers, including the introduction and increase in a range of psychosocial hazards in the workplace.

Psychosocial hazards arising from COVID-19 include, but are not limited to:

- the concern about exposure to COVID-19 at work

We recommend a more holistic and thorough information campaign, hosted by the D.O.E, that educates staff and engages their ability to inquire without fear-based and reactionary panic. The onus to heal the wounds of fear, perpetrated, is upon government departments and their complicit actors (such as the Covid Taskforce and associated literature and digital resources).

AS PER https://covid19.swa.gov.au/covid-19-information-workplaces/industry-information/agriculture/risk-assessment]

It should be planned, systematic and cover all reasonably foreseeable hazards and associated *risks*. A risk assessment involves considering what could happen if someone is exposed to a hazard (for example, COVID-19) and the likelihood of it happening. A risk assessment can help you to determine:

- how severe a risk is
- whether any existing control measures are effective
- what action you should take to control the risk, and
- how urgently the action needs to be taken.

| | CURRENT 'HEALTH' | 'VACCINES' |
|---|---|---|
| Severity | Death/harm (over 55yrs) | Death/harm |
| Effective – control measures | Transmission/no | Not effective |
| Risk control action | Education/habits | Read information |

| | | |
|---|---|---|
| Urgency | Immediate | Immediate |

Safe Work Australia (S.W.A) goes on to recommend,
The exposure of your workers and/or customers/clients to COVID-19 is a foreseeable risk that must be assessed and managed in the context of your operating environment.

A risk assessment will assist to:

- identify which workers are at risk of exposure
- determine what sources and processes are causing the risk
- identify if and what kind of control measures should be implemented, and
- check the effectiveness of existing *control measures*.

Here are our, informed, responses to the above four dot points, assuming C-19 as 'risk':

- workers over 55< with a pre-existing co-morbidity
- other humans (including students and outworkers)
- healthy diet, fresh air, sleep, exercise, sunlight, Ivermectin
- low effectiveness

Here are our, informed, responses to the above four dot points, with **'vaccines' as the 'risk'**:

- all workers at risk due to enforced mandates (shortages a result)
- 'vaccine' manufacturers and complicit politicians, public servants and stakeholders
- information and education
- natural immunity is permanent and durable

It need be noted that requests for risk analyses were made to the D.O.E and school principals late last year (September). These were either ignored or refused.

Attached is the link to the Pfizer safety data sheet and their more recent document ….

How do I know what is 'reasonably practicable'? (S.W.A website)

Deciding what is reasonably practicable to protect workers or other persons from harm requires taking into account and weighing up all relevant matters, including (but not limited to):

- Likelihood of the hazard or risk occurring– the greater the likelihood of a risk occurring, the greater the significance of this factor when weighing up all matters and determining what is reasonably practicable
- Degree of harm that might result from the hazard or risk– the greater the degree of harm that might result from the hazard, the more significant this factor will be when weighing up all matters to determine what is reasonably practicable. Where the degree of harm that might result from the risk or hazard is high, a control measure may be reasonably practicable even if the likelihood of the hazard or risk occurring is low.
- Knowledge about the hazard or risk, and ways of minimising or eliminating the risk – this must take into account what the duty holder actually knows and what a reasonable person in the duty holder's position would reasonably be expected to know.

A reasonable person is easily able to perceive, not only the inefficacy of the ‘vaccines’ regime but their harm and death caused.

Sarah Hargens, of the D.O.E’s legal department is quoted – in her correspondence to one of our (N.E.W) members – of being fond of what might be ‘reasonably practicable’.

We draw your attention to the second of the above dot points, it stating - “Where the degree of harm that might result from the risk or hazard is high, a control measure may be reasonably practicable even if the likelihood of the hazard or risk occurring is low.”

Might we consider the ‘vaccines’ of potentially high degree of harm (considering death is a possibility) and, thus, the ‘control measure’; is to permit one’s natural immunity to function.

The risk to the self is negligible and the prevention of transmission is not stopped by ‘vaccination’, therefore the simple logic determines that those fearful and/or compromised of health may subject themselves to ‘vaccination’.

As the ‘vaccination’ does not prevent transmission, then it is pointless to mandate ‘vaccines’ upon the rest of us healthy people (thus endangering us of sickness or death).

Anything contrary to the rationale posited above will need be substantiated by independent entities (without risk of conflicted interest).

Outside of the ‘vaccines’ enforced by state departments, there are other elements and substances in need of risk analysis.
One of these is ethylene oxide, that which is found on/within many of the tests (e.g: R.A.T).

‘Foreseeable risk’ (& risk assessment) as per Briginshaw and Briginshaw [1938] HCA 34, 60 CLR 336.

To proceed with a prudence fit for the processes due toward other humans and their life and livelihood, we also require their to be included in the forthcoming ‘risk-based assessment’ criteria, a scientific inquiry and address of:

- bioaccumulation (‘vaccine’)
- biodistribution (‘vaccine’)
- bio-toxicity (‘vaccine’)
- myocarditis/pericarditis (‘vaccine’)
- non-natural neurocites (‘vaccine’)
- gene/DNA alteration/suppression (‘vaccine’)
- effects on natural immune response systems (‘vaccine’)
- mutagenicity (‘vaccine’)

As per Briginshaw and Briginshaw [1938] HCA 34, 60 CLR 336:

"reasonable satisfaction is not a state of mind that is attained or established independently of the nature and consequences of the fact or facts to be proved...[and] should not be produced by inexact proofs".

In good faith, the N.E.W brings this urgent requirement, as essential burden of proof, to the attention of decision-makers.

The 'factual analysis' of all up-to-date evidence will be expected from a government required to observe law and the protection of its citizens.

*[CXZ v Children's Guardian [2020] NSWCA 338]*

This legal precedent orders a process that questions whether upon the evidence (and that means the whole of the evidence) the applicant poses a risk to the safety of children

It is an inherent requirement, as an educator and protector of children and Y.Ps, that we remain alert, inquisitive and informed.
The recent phenomenon, of pop-media narratives and department's intellectual brutality, discouraged thought, censored discussion, positioned one's questioning or questing for data as absurd.

ADMINISTRATIVE LAW – review under section 27 Child Protection (Working with Children) Act 2012 (NSW) child protection – working with children – risk to children whether risk real and appreciable – would a reasonable person allow unsupervised access to their own child in context of child related work

LAW (CRIMINAL).

The laws and legislation, posited below, are included in this submission for their reference.
We (N.E.W) understand that we are not here building a legal case, however we do feel that observation of the interaction of federal or state law with current C-19 'directions' is important as we consider the legal philosophy underpinning our claim.

Many of the referred/cited laws/legislation appear in the N.S.W Code of Conduct (e.g: Anti-discrimination 1977; Crimes Act 1900; Fair Work Act 2009; Industrial Relations Act 1996; Public Finance and Audit Act 1983; Teaching Services Act 1980).

Harm need be objectively reasoned, though subjective in its personalised experience.

The privatisation of morality is not to be confined to internal, departmental, inquiry alone.

As is evidenced, the administration of the C-19 'protocols' have been contrary to law.

COERCION -
*F.W ACT 2009, s.343.*

1. A person must not organise or take, or threaten to organise or take, any action against another person with intent to coerce the other persons, or a third person, to;

a) exercise or not exercise, or propose to exercise or not exercise, a workplace right, or
b) exercise or propose to exercise, a workplace right in a particular way.

A person must not organise, take or threaten any action against another person to force that other person, or third person, to;

- exercise or not exercise a workplace right
- propose to exercise or not exercise a workplace right, or
- exercise or propose to exercise a workplace right in a particular way.

Let us consider, as per law, the employees inherent right to leave -whether this be long service (L.S), sick leave, maternity, or leave without pay (L.W.O.P) – is determined by the employee as to be exercised at their discretion (within reasonable limits of times proposed and notice given).

Multiple education workers were coerced or forced to take leave as their 'choice' was this or be pursued and interrogated by P.E.S/C-19 P.E.S for 'misconduct' (defined as refusing the experimental drug).

Psychological injury resulted.

Harm, continues through apprehension and recidivist cultures of harassment, discrimination, breach of law and pseudo-science.

Fortunately, the latest data shows that 'vaccines' are unnecessary in that they do not prevent transmission, nor extended immunity (compared to natural immune responses).

Severity is also, a factor that has not been conclusively proven as prevented by any of the experimental 'vaccines'.

'Foreseeable risk' (& risk assessment) as per Briginshaw and Briginshaw [1938] HCA 34, 60 CLR 336. We need consider the findings from this High Court case in cross-reference with the requirement for a risk-assessment that is aggregate of all risks involved, rather than those that function as discriminatory practice.

Discrimination and bias appears to lend its perception to the data invited, as well as the 'key stakeholders' involved in the severely limited risk-based assessment.

Fortunately there remain laws to govern rogue (or those of conflicted interest) bureaucrats and politicians who would act outside the law, thinking themselves unaccountable to justice.

MINISTERIAL/SECRETARY.
T.S Act 1980.
13. Determination of conditions of employment.

(1) Except in so far as **provision is otherwise made by law.**

‘Proper’ conduct is also defined (see: *Public Governance, Performance and Accountability Act 2013 No. 123, 2013).*

**13.5 Standard of proof—defence**

A legal burden of proof on the defendant must be discharged on the balance of probabilities.

The N.E.W have consistently asserted up-to-date scientific data and made logical inquiry into the rationale behind the continuation of these destructive and life-threatening ‘vaccine’ measures (increasingly pushed upon age ranges of less and less risk of infection or serious case).

Yet the D.O.E threatens and coerces and punishes education workers despite there being a clear and present threat posed by their proposed biological intervention without conclusive or supportive data.

Given due notice and multiple warning, we wonder at the chance of a ‘conspiracy to commit an offence’ (Criminal Code, p.28) and welcome this opportunity for external review into the hidden dealings of what is supposedly a public office (Education).

I, , now pursue the following hypothetical as I wonder at the number of elements I need provide to constitute criminality.

Criminal Code 1995
Part 2.6—Proof of criminal responsibility

**Division 13**

**13.1 Legal burden of proof—prosecution**

(1)The prosecution bears a legal burden of proving every element of an offence relevant to the guilt of the person charged.

Note: See section 3.2 on what elements are relevant to a person’s guilt.

(2)The prosecution also bears a legal burden of disproving any matter in relation to which the defendant has discharged an evidential burden of proof imposed on the defendant.

(3)In this Code:
***legal burden***, in relation to a matter, means the burden of proving the existence of the matter.

**13.2 Standard of proof—prosecution**

(1)**A legal burden of proof on the prosecution must be discharged beyond reasonable doubt.**

(2)Subsection (1) does not apply if the law creating the offence specifies a different standard of proof.

**13.3 Evidential burden of proof—defence**

(1)Subject to section 13.4, a burden of proof that a law imposes on a defendant is an evidential burden only.

(2) A defendant who wishes to deny criminal responsibility by relying on a provision of Part 2.3 (other than section 7.3) bears an evidential burden in relation to that matter

(3) A defendant who wishes to rely on any exception, exemption, excuse, qualification or justification provided by the law creating an offence bears an evidential burden in relation to that matter. The exception, exemption, excuse, qualification or justification need not accompany the description of the offence.

(4)The defendant no longer bears the evidential burden in relation to a matter if evidence sufficient to discharge the burden is adduced by the prosecution or by the court.

(5)The question whether an evidential burden has been discharged is one of law.

(6)In this Code:

***evidential burden***, in relation to a matter, means the burden of adducing or pointing to evidence that suggests a reasonable possibility that the matter exists or does not exist.

Division 137—False or misleading information or documents

**137.1 False or misleading information**

(1)A person commits an offence if:

(a)the person gives information to another person; and

(b)the person does so knowing that the information:

(i)is false or misleading; or

(ii)omits any matter or thing without which the information is misleading; and

See also: Supreme Court Act 1970 (1970) 'Prohibition'.

See also: Criminal code 1995.Part 7.3—Fraudulent conduct

**Division 133—Preliminary**

**133.1 Definitions**

In this Part:

***deception*** means an intentional or **reckless** deception, whether by words or other conduct, and whether as to fact or as to law, and includes:

(a)a deception as to the intentions of the person using the deception or any other person; and

If we, education workers are to be deemed (prosecuted, if you will) a 'risk' as 'assessed' by those ('stakeholders' included) overseeing this process, then the burden of proof – beyond reasonable doubt – is upon them.

It need be shown that the daily, apportioned, 'vaccine' script – as voiced by educators – along with mask-wearing, is showing children and Y/Ps to be better off.

Can it be shown that the safety, welfare and wellbeing of children and Y/Ps has improved under the ongoing regime, considered ‘handling’?

Can ‘risk’ (from unvaccinated people) be shown via aggregate data from multiple scientific sources (free of potential conflicted interest)?

If not, how can it claimed that the ‘protection of children is paramount’?

The T.S Act 1980:
5A Protection of children to be paramount consideration
(1) The protection of children is to be the paramount consideration.

The N.E.W hereby claim their position as protectors of children and demand the conclusive evidence supporting children and Y.P will benefit from a lifetime of C-19 ‘vaccination’ and ‘boosters’.

If ‘harm to children’ is to be implied, then the onus of proof is upon those who prosecute its application.
The D.O.E and the Catholic diocese (indeed any employer) need show the data proving potential and significant harm to children and young people (Y.P).

We have already provided the data to show that the ‘vaccine’ does indeed pose a significant risk of ham to children and Y.P, as well as the negligible risk factor from C-19 (in all its purported variants).

The Australian government’s ‘vaccine damage’ scheme is admission of potential harm caused by vaccination.

What would a balance of probabilities test conclude if one were to weigh the risk, to children and Y.Ps, of ‘vaccination’ against that from C-19 (& ‘variants’)?

Can ‘proportionality’ (as at law) be shown?

What of ‘structured proportionality’ that need be satisfied for suitability, necessity and of adequate and balanced function?

Can the current, popularised, ‘vaccine’ regime be proven as of justified risk and as fit-for-purpose?

What statutory instrument oversees the collection of relevant and up-to-date data, free of bias, regulating the decision-makers and their proposed criteria for assessment?

The N.E.W demand inclusion and insight into the data and documentation supporting the implementations and procedures influencing the risk-based assessments.

What of the purpose of the ‘public list’? Can it be considered reasonable and effective whilst protective of civil and implied freedoms?

What remedies solve the ongoing vilification of unvaccinated teachers?

**Public Governance, Performance and Accountability Act 2013 No. 123, 2013**

**Act 5 Objects of this Act**

The objects of this Act are:

(a) to establish a coherent system of governance and accountability across Commonwealth entities; and

(b) to establish a performance framework **across** Commonwealth entities; and

(c) to require the Commonwealth and Commonwealth entities:

(i) to meet high standards of governance, **performance and accountability**; and

(ii) **to provide meaningful information to the Parliament and the public**; and

(iii) to use and **manage public resources properly**; and

(iv) **to work cooperatively with others to achieve common objectives**, where practicable;

[emphasis added]

Community interests (best and fairest) are not the same as what interests the community (in an increasingly voyeuristic society).

The concept of public interest has been determined on the basis of giving priority to the broader interests of the community over private interests; see *Smith v Commissioner of Police [2014] NSWCATAD 184*.

Would it not be fair to say that the best interests of a community include a fair and equitable society, based upon unbiased science and promoting a culture of curiosity and critical thought?

Is not the provision and increased quality of education paramount to the protection of children, in that it prepares them for life?

Are not the best role models those who would question the questionable and take stance at perceived wrongs or failures of state or power?

The Tribunal also refers to *ZZ v Secretary of the Department of Justice [2013] VSC 267* where Justice Bell reviewed the authorities in relation to the public interest test and adopted the analysis that included consideration of factors such as the right of a person to engage in work and in the community affairs, and people with appropriate skills and experience having contact with children.

The risks to life are without question prevalent above any economic or professional benefits and I would seek the rationale of any individual, entity or stakeholder that seeks juxtaposition of these spheres as equal consideration of interest..

As accountable authorities, all decision-making need be lawful and reasonable.

## CONFLICTED INTERESTS – POTENTIAL.

We ask the Senate Committee (no.3 – education) to inquire into the potential for conflicted interests that may influence the decision-making processes behind the C-19 directives and delivery.

There are a number of areas to focus upon.

One, is the concept of the government paying employers (such as the D.O.E, Catholic diocese or independent schools) to dismiss 'unvaccinated' people in favour of 'vaccinated' workers.

There is, also, increasing concern that the political figures directly complicit (e.g: Georgina Harrisson; Sarah Mitchell) in enforcing the 'vaccine' regime, can be influenced to push pharmaceutical products upon other humans (& their children).

Do the politicians before the Senate Committee have anything to declare?

We ask that Committee (no.3 – education) pose such questions to the political (or other) persons before the panel.

The 'Operation Covid Shield' (2021) document, under its section named 'Other incentives to promote vaccine uptake' (p. 35), states the intention for such incentives:

"While studies have shown financial incentives are unlikely to drive whole-scale vaccine uptake, the NCVTF will continue to work with jurisdictions and industry in looking at the role financial incentives have to play in targeting cohorts of people. This may include considering the role of gift vouchers and prize-drawers led by industry and business."

It is not only 'vaccines' (administered) that pose a potential commodity to be profited from for those of conflicted interest.

As is commonly known (amid the 'digital age') personal information has become a commodity to be shared, marketed and profited from.

Thus, we (N.E.W) request that the Senate Committee (no.3 – education) interrogate significant and influential figures within this portfolio of education, as to their capacity for profiting from the sharing of education workers' private, personal or sensitive information.

In particular we recommend a closer look at Sonic Health Plus and who they are, what they do, and with whom they had dealings.

How much of our personal/sensitive information has already been shared with such entities?

How many such entities are named as 'key stakeholder' in the ongoing regime for 'vaccination'?

What makes a 'key stakeholder' and who screens the propriety of their association with education?

How do their services and personnel (e.g: researchers) interact with the data-gathering mechanisms of education departments (including C-19 P.E.S [Rob Easton]) and how do these partnerships realise within the tax system?

See also" 'Artemis' (Sonic Health Plus).

Does the executive director for government business, Kristian Holz, have any further insight into this area?

The concept of unsolicited sharing of private or personal data, gathered under the guise of public institution (or otherwise), being forwarded to peripheral entities, describes a process that undermines valid or informed consent, let alone basic protection of Australian citizens.

RECOMMENDATION.
FLEXIBLE AND SEMI-PRESCRIPTIVE APPROACH.

When the threat of death is weighting the precautionary principles, ruling the decision-making determining the forthcoming 'vaccine' regime or its removal, then any trade-off between cost/benefit analyses, is unacceptable. To prevent serious and/or irreversible harm, the burden of proof lays with the entity proposing the activity; in this case administering 'vaccines' to other humans in the wake of data indicating their effects are persistent, toxic and liable to bio-accumulate (even if they seek to contend such science).

Inductive/deductive, preponderance of dominant narratives attempting monoculturalisation of discourse and resulting action has proven problematic to date, as prevention of transmission, severity or numbers of C-19 has failed.

Quite simply, new information is come to light (and has for some time) and the former narrative is outdated (if ever truly applicable) and not fit-for-purpose.

Nor are they who oversaw it and breached law, professional conduct and decency in the process!

Such an unjustified risk (when comparing risk of mortality from C-19 [and variants] and 'vaccine' harm/death) cannot be substantially supported, as the balance of probabilities makes obvious the critical risks outweighing the unsupported benefits.

The 'reasonable person test' indicates the worsened teacher (& other worker) shortages are caused (or exacerbated) by education workers seeking evasion of the coerced and mandated 'vaccine'. See:(s.31 [1.a]) C.Y.Y v Children's Guardian (no.2) [2017] NSWCATA 262.

People who are 55< with existing co-morbidity can, once informed adequately (via D.O.E/employer informational procedures) undertake the experimental 'vaccine' if they are afeared of harm.

Though, their interest in this is perhaps opposed to what is in their best interest…

The alleviation of anxiety or fear of harm, on their behalf, is upon the D.O.E/employer, considering the fear-based campaign until now which exacted a hypochondria upon much of the population.

The statistics of unnecessary ambulance call-outs are indicative of the hysteria inflicted upon the community by unreflexive state government departments and their 'officers' (including the 'Covid Strikeforce' and 'Taskforce').

The judges (J McAteer, Senior Member; E Hayes, General Member), presiding over EPN v Children's Guardian [2022] NSWCATAD 184, states, "In our view a reasonable person would acquaint themselves with all of the evidence and submissions (or matters) placed before the Tribunal... we are of the view that a reasonable person would not approach the matter with a closed mind, but apply an objective test in consideration of all the material".

The case (law) of *CHB v Children's Guardian [2016] NSWCATAD 214* held that *s.30(1A)* **assumes the reasonable person is acquainted with all the relevant facts.**

Facts the D.O.E and the Catholic diocese (as well as some independent schools) continue to purposefully ignore.

If the secretary for education, Gorgon Harrisson, has changed the procedural guidelines it need be examined with public and parliamentary scrutiny, as how else might criminality be prevented by potentially corrupt officials?

She is, after all, the accountable authority involved and named as 'employer' in industrial or civil laws.

The imperative of a system of representative and responsible government is recently degraded, as entities are permitted to contravene law by administering directions that are illegitimate and incompatible with the Australian Constitution and the common law.

The N.E.W accepts that there may be a variable at play, where certain actors (e.g: Covid Taskforce) implicated in the harm caused to so many (from 'vaccination'), may be suffering anxiety thus a form of psychological injury.
We understand there is likely to be a reluctance to confess their malfeasance and fear at retribution.

We would communicate to these parties that there will be no malice held, for what may be perceived (by many) as historical crimes against humanity.

This is not the case and we would prefer these actors to come forward and abandon their positions perhaps retained for fear of repercussion, only.

The N.E.W are willing to assist in future remediation to our shared population, as we collaborate to heal the wounds (perhaps generational) this biological terrorism has inflicted.

We hold hope, and ideas, for rehabilitation.
:)

As a reunited population of educators, in good faith, there is nothing we can't achieve together!

Safety, welfare and wellbeing as well as the professional pursuit of knowledge and joy found therein remains of fundamental interest and priority!

The provisions of law and method, will also apply to future determinations made by the D.O.E ) or their ‘officers’ or ministers [and the like]) in regards to subjects such as ‘ongoing (‘active’) accreditation’, interpretation of the codes of conduct and perceiving ‘risk of harm’ to children or otherwise.

Thus, it is maintained that clearly the ‘vaccines’, and their potential for shedding of spike proteins or mutagenicity, may cause significant risk of harm to children...

Unlike the privileged literature purported by Health and Education departments, the coming risk-based assessment need be evidence-based, up-to-date, free of confinement to privileged sources to the exclusion of independent science, and analysing the merits of the ‘vaccine’ as opposed to natural immunities and less invasive medical prescription.

Otherwise the continued exacerbation of teacher shortages will continue.

The elementary variables displaying likelihood or probability are obvious and further purveyance is, by some, considered criminally negligent.

It is the discontinuation of this illusory social hierarchy (discriminating against us still) that the N.E.W here challenge and seek exposed, as it lurks within school walls and unreflexive human ears.

A perpetuation of this state-sanctioned bullying and contagion of harassment and pseudo-science is indicated in the D.O.E’s forthcoming ‘risk-based assessment’ process as well as their ‘public lists’ and other theft of privacy and consent.

The state-sanctioned vilification feeding the ongoing discrimination (including unlawful administration of such by decision-makers) need be challenged discursively and via remedial programs reuniting a fractured population.
The hypochondria will need be a part of this healing process.

We, at the N.E.W, invite this process as subject to an appropriate level of parliamentary scrutiny.

We do not harbour resentment toward out colleagues for their fault of reason or susceptibility to state-sanctioned fear and bullying.
This is not a new story and the anthropological and habitual tendencies are their to be exploited via such ancient tools.
The exchange of money and freedom for obedience is nothing new and we are forgiving of human weaknesses and predisposition.

History stages such reproducible results…

Most recently, in LibertyWorks Inc v Commonwealth,
**15** Kiefel CJ, Keane and Gleeson
JJ restated the principles relevant to review of a statutory provision for consistency with

the implied freedom as follows:

> The constitutional basis for the implication in the Constitution of a freedom of communication on matters of politics and government is well settled. The freedom is recognised as necessarily implied because the great underlying principle of the Constitution is that citizens are to share equally in political power and because it is only by a freedom to communicate on these matters that citizens may exercise a free and informed choice as electors. It follows that a free flow of communication is necessary to the maintenance of the system of representative government for which the Constitution provides. The freedom operates as a constitutional restriction on legislative power and should not be understood to be a personal right.
>
> The freedom is of such importance to representative government that any effective statutory burden upon it must be justified. That process commences with the identification of the purpose which the statute seeks to achieve. That purpose must be legitimate, which is to say compatible with the constitutionally prescribed system of representative government. If the statute does not have a legitimate purpose no further consideration will be necessary, for invalidity will be made out.
>
> In addition to having the requisite purpose, the law must be shown to be proportionate to the achievement of that purpose. In order to justify a burdensome effect on the freedom a law must be a proportionate, which is to say a rational, response to a perceived mischief. A law will satisfy the requirements of proportionality if it is suitable, necessary and adequate in its balance.**16**

**15** LibertyWorks Inc v Commonwealth (2021) 391 ALR 188; 95 ALJR 490; [2021] HCA 18 (LibertWorks).

See also: Criminal Code 1995 s.10.4 ‘self defence’ describes that to which a human may defend against.

I, personally, am prepared to testify as witness before the commission and am able to produce dozens of (mostly unanswered) emails and other correspondence sent to the department and their officers, agents and executive.

I am also in a position to collect hundreds more, from other affected education workers.

I have provided, below, a list of persons I have either written to or corresponded with. Many of these names are of those who chose to ignore further communication, despite the expression of harm it was dealing and the assertion of law and administrative codes and guided practices.

We of the N.E.W thank the honourable members of the ‘Senate Committee no.3 – education’ for their efforts and service tot he Australian people.

Highest regards,

D.O.E AGENTS COMPLICIT AND INFORMED

- David Withey – former chief operating officer
- Gorgina Harrisson – Secretary of education N.S.W
- Yvette Cachia – former chief people officer
- Rob Easton – C-19 P.E.S
- Darly Currie – Executive director P.E.S
- Simone Walker – Deputy secretary school improvement & education reform group
- Sarah Hargens – General council – legal services
- Suzie Matthews – Executive director C-19 taskforce
- Chris Lamb – (acting) Chief people officer
- Sarah Mitchell – Minister of education N.S.W
-
- Angelo Gavrielatos – president of the N.S.W Teachers' Federation

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*Fair Work Act 2009*

*Industrial Relation Act 1996*

*Personal Information and Protection Act (1998) no.133.*

*Privacy Act 1988 [CTH]*

*Public Governance, Performance and Accountability Act 2013 No. 123, 2013*

*Supreme Court Act*

*Teacher Award N.S.W*

*Teaching Services Act 1980*

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