



Australian
Vaccination
Network Inc.

7th September, 2012

Mr Don Jones,
Assistant Commissioner, Compliance and Enforcement
NSW Department of Fair Trading
PO Box 972
PARRAMATTA NSW 2124

By mail and by FAX to 02 9895 0222

Dear Mr Jones,

Thank you for your assistance in answering my questions on the afternoon of Tuesday, September 4th, 2012.

I write to you in response to your letter dated August 28th, 2012 and received at our office on Monday, September 3rd, 2012.

I am aware of the powers of the Commissioner for Fair Trading under the Associations Incorporation Act, 2009 to deem that the name of an organisation is unacceptable or undesirable.

The Australian Vaccination Network has been registered with the Department of Fair Trading since 1996 and at no time until the present has our name been called into question. We represent a group of Australians who discuss the issue of vaccination and we are also a network of like-minded individuals who have banded together for mutual support and for the dissemination of information on the issues surrounding vaccination in Australia. Can you please inform us which of these words - Australian - Vaccination - Network, could possibly be considered to not represent our organisation? Which of these words does the Department consider to be misleading and why? Also, can you please inform us of what name the Department would consider to be appropriate for our organisation?

We are well aware that there are those within the community who disagree with some of our activities. They oppose open discussion of vaccination, and feel that consumers should not have the opportunity to view information and viewpoints which are at odds with their own.

In 2009 some of these individuals started a group called Stop the Australian Vaccination Network (SAVN) whose goal - as their name suggests - is to stop our volunteer-run parent and health practitioner-supported organisation in any way they can. SAVN is not representative of those within the community who disagree with our viewpoint and their methods have included threats of physical violence, intimidation, the posting of violent pornographic images and, as you have seen, a spate of complaints to various government bodies - both federal and state. These bodies have included the Department of Fair Trading, the Office of Liquor, Gaming and Racing, the Health Care Complaints Commission, the Federal and various State Departments of Health and ASIC amongst others.

We believe that the "level of community concern" you mentioned in your letter is merely a level of concern being expressed by members of SAVN who have taken it upon themselves to force an organisation to close simply because they disagree with our viewpoint on a medical issue. We also believe that in a democracy, all viewpoints should be allowed since suppression of any side of a scientific debate is never in the best interest of the community.

abn 077 002 923
AVN PO Box 177 Bangalow 2479 NSW
ph 02 6687 1699 fax 02 6678 0894
email info@avn.org.au www.avn.org.au

The people who complained that our name is objectionable only did so because they feel that what we **say** is objectionable. Their complaints are about stopping our message and information - they have nothing to do with our name per se. These same people regularly try to stop seminars and information meetings held by the AVN and their attempts to block our freedom of communication should be opposed by your Department.

To use the powers of the Department to force a name change or to deregister the AVN would serve only to further the political agenda of a particular group and would not serve the purpose or intent of the Act under which the Department is operating. Such a perversion of the Department's regulations, used to stifle a particular point of view, could be in breach of Australian law and in contravention of the spirit of free speech and democracy which Australians hold so dear.

As Dr Brian Martin has stated in his article on the attacks against our organisation, focusing here on the campaign of complaints against us with various government departments (Debating Vaccination (<http://avn.org.au/about-av/debating-vaccination/>):

"McLeod's complaint to the HCCC is not a legal action, so it cannot be described as a SLAPP, but it has a similar dynamic. It could be called a SCAPP, a Strategic Complaint Against Public Participation. A SCAPP, like a SLAPP, shifts a public debate into a different arena that ties up the target of the complaint in prolonged procedures, requiring a large time commitment with the risk of an adverse finding.

Others, besides McLeod, have complained to the HCCC about the AVN. Furthermore, complaints about the AVN have been made to the Office of Liquor, Gaming and Racing, the Department of Fair Trading, the Australian Securities and Investments Commission and other government bodies. This is evidence of a concerted campaign against the AVN using official complaints. The acronym SCAPP thus seems warranted. An adverse formal outcome is not essential to the effectiveness of a SCAPP as an attacking tool. The complaints have required Dorey to spend large amounts of time and effort, and have produced anxiety."

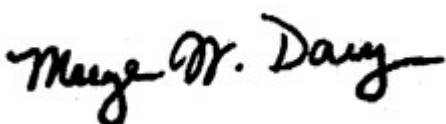
Whether you agree or disagree with what the AVN does, for the Department to act on these complaints about our name would mean it has become a de-facto tool of those who want to destroy our organisation and seek to prevent our ability to present our viewpoint to interested audiences.

The cost to the taxpayer of these endless investigations must run into the millions of dollars. The cost to our organisation in time, membership funds and stress to the individuals involved is also not inconsiderable.

We are parents and consumer advocates who are simply trying to help other parents who have come to us for information and support. We are fighting a battle not of our making and it is not one we have or ever would have chosen.

Our committee does not believe that our name is misleading and / or deceptive in any way. Instead, we believe that the name Australian Vaccination Network perfectly describes who we are, what we stand for and why it is essential that in any health debate, there must always be room for both sides to be aired with openness and respect.

Kind regards,



Meryl Dorey,
AVN National President
on behalf of the AVN National Committee