

**Letter to Mr Stephen Barclay, MP for North Cambridgeshire**  
**Copied to**  
**Rt Hon Nadhim Zahawi - Minister for Covid-19 Vaccine Deployment**  
**Rt Hon Matt Hancock - Secretary of State for Health and Social Care**

**23<sup>rd</sup> March 2021**

Dear Mr Barclay,

### **The making of Covid-19 vaccination mandatory for care staff**

Yesterday the Telegraph newspaper ran a story in which it claimed to have received leaked cabinet plans which confirm that care home workers will be required by law to have a Covid-19 jab<sup>1</sup> under a historic legal change agreed by Boris Johnson and Matt Hancock. Evidently the Prime Minister and Health Secretary have requested the change in law.

The care profession has been under extreme pressure over the last year. The workers within this sector represent some of the lowest paid working demographic, which alone has had a negative impact on the well-being of those within the sector.

Carers work long hours and have a difficult job to carry out. They offer a range of skills and deal with work that not many of us would wish to undertake. They are already undervalued, and now it seems are being singled out and likely to be forced into having a Covid-19 vaccine, which we have consistently been told in the past, would never be mandatory. Our carers should be valued and applauded for the job they do, not coerced into have a medical treatment which they may not want.

The government is walking a very thin line if they intend to bring such rules into place. Not only are they unethical, but they are also against various codes and legislation which exist for the sole purpose of protecting a person's body autonomy and the enshrined right to choose what is placed in it. These rights are given by our Creator and not to be usurped by any man, woman or government.

A summary of relevant legislation as regards this issue is as follows: -

- The Equality Act 2010<sup>2</sup> protects individuals from discrimination relating to protected characteristics
- The Parliamentary Assembly of the Council of Europe RN 2361<sup>3</sup> (27 January 2021) states that:

*6.1 Paragraph 7.3.1 - ensure that citizens are informed that the vaccination is NOT mandatory and that no one is politically, socially, or otherwise pressured to get themselves vaccinated if they do not wish to do so themselves.*

*6.2 Paragraph 7.3.2 - ensure that no one is discriminated against for not having been vaccinated, due to possible health risks or not wanting to be vaccinated.*

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<sup>1</sup> <https://www.telegraph.co.uk/politics/2021/03/22/care-home-staff-face-compulsory-covid-vaccination/>

<sup>2</sup> <https://www.legislation.gov.uk/ukpga/2010/15/contents>

<sup>3</sup> <https://pace.coe.int/en/files/29004/html>

- The UK Supreme Court case Montgomery v Lanarkshire Health Board<sup>4</sup> (2015) established the principle of an individual's right to informed consent without coercion or penalty
- The Universal Declaration on Bioethics and Human Rights<sup>5</sup> protects an individual's bodily autonomy, the right to informed consent, and the right to refuse medical interventions without penalty or restriction. It states:

*“any preventive, diagnostic and therapeutic medical intervention is only to be carried out with the prior, free and informed consent of the person concerned, based on adequate information.”*

*“Scientific research should only be carried out with the prior, free, express and informed consent of the person concerned.”*

As the Covid 19 vaccines do not finish their trials until 2023 they are still classed as experimental treatment and scientific research, and as such fall within the above.

- The Nuremberg Code<sup>6</sup> which sets out ten points in relation to medical experiments and/or experimental treatment which are:-
  - i. The **voluntary** consent of the human subject is absolutely essential.
  - ii. The experiment should be such as to yield fruitful results for the good of society, unprocurable by other methods or means of study, and not random and unnecessary in nature.
  - iii. **The experiment should be so designed and based on the results of animal experimentation** and a knowledge of the natural history of the disease or other problem under study that the anticipated results will justify the performance of the experiment.
  - iv. The experiment should be so conducted as to avoid all unnecessary physical and mental suffering and injury.
  - v. **No experiment should be conducted where there is an a priori reason to believe that death or disabling injury will occur;** except, perhaps, in those experiments where the experimental physicians also serve as subjects.
  - vi. The degree of risk to be taken should never exceed that determined by the humanitarian importance of the problem to be solved by the experiment.
  - vii. Proper preparations should be made and adequate facilities provided to protect the experimental subject against **even remote possibilities of injury, disability, or death.**
  - viii. The experiment should be conducted only by scientifically qualified persons. The highest degree of skill and care should be required through all stages of the experiment of those who conduct or engage in the experiment.
  - ix. **During the course of the experiment the human subject should be at liberty to bring the experiment to an end if he has reached the physical or mental state where continuation of the experiment seems to him to be impossible.**
  - x. During the course of the experiment the scientist in charge must be prepared to terminate the experiment at any stage, if he has probable cause to believe,

<sup>4</sup> <https://www.supremecourt.uk/cases/uksc-2013-0136.html>

<sup>5</sup> [http://portal.unesco.org/en/ev.php-URL\\_ID=31058&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=31058&URL_DO=DO_TOPIC&URL_SECTION=201.html)

<sup>6</sup> [https://en.wikipedia.org/wiki/Nuremberg\\_Code](https://en.wikipedia.org/wiki/Nuremberg_Code)

in the exercise of the good faith, superior skill and careful judgment required of him that a continuation of the experiment is likely to result in injury, disability, or death to the experimental subject.

The word voluntary is crucial here as mandating that a person must take an experimental treatment is not permitted. As I have already said, the Covid-19 vaccine is experimental until the trials for the same end in 2023.

It is also worth drawing attention to the other items in bold. (iii) no animal trials have been carried out. (v) many thousands of adverse reactions have been reported via the yellow card scheme which can be found on the .gov website, and which include blindness, stroke, and death. (ix) anyone must have the right to end any experimental treatment.

Although the Nuremberg Code has not been officially accepted as law by any nation or as official ethics guidelines by any association, it is considered to be the most important document in the history of clinical research ethics, and has had a massive influence on global human rights. The Nuremberg Code and the related Declaration of Helsinki are used in Institutional Review Boards (IRBs). In addition, the idea of informed consent has been universally accepted and now constitutes Article 7 of the United Nations' International Covenant on Civil and Political Rights. It also served as the basis for International Ethical Guidelines for Biomedical Research Involving Human Subjects proposed by the World Health Organization.

- The Public Health (Control of Disease) Act 1984<sup>7</sup> (section 45E) provides that Regulations made under certain sections of that Act **may not include provision requiring a person to undergo medical treatment ... “Medical treatment” includes vaccinations and other prophylactic treatment.**

These provisions are replicated in the Coronavirus Act 2020, Schedules 18 and 19, in relation to Northern Ireland and Scotland

The government are promoting the overriding of all the above to deliver, via care workers, a divisive and false rhetoric that “the only way back to a normal life is a vaccine”. This is manipulation through applied psychology, the evidence of which can be found via the leaked SAGE documents which clearly outline advice to the government on such tactics as, increasing fear in the public, coercion, persuasion and incentivisation, all of which are now being applied to maximise vaccine uptake.

Many of the UK public are quite aware of the applied psychology strategy and may I say are thoroughly sick and tired of it. Vaccination was promoted as a way out of lockdown and a return to normality but always “sold” on the basis that it would remain the right of the individual to choose whether vaccination was right for them.

It simply cannot be allowed that a section of this country’s workforce, who provide a critical service to the most vulnerable are now forced to take a medical procedure, to keep their jobs. The government should be mindful that many carers may choose to leave the profession if mandatory vaccination is required. This would leave a gaping hole in the provision of social care, exposing an already vulnerable clientele to further hardship. This in no way protects our elderly and vulnerable, as the government consistently tells us they, (and we), should be doing.

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<sup>7</sup> <https://www.legislation.gov.uk/ukpga/1984/22>

Given the above I am asking you to raise this issue as an urgent question in the house and to seek reassurance from the government on the following points: -

1. That the Government will not mandate Covid-19 vaccinations for care staff or any other person in whatever job role they have
2. That the Government will make it known through publicity that there must be no coercion in any workplace attempting to force any employee to have the Covid-19 vaccine, as this would be unlawful
3. That the Government will make clear that respect and value for the opinions and beliefs of all persons working in the care sector and indeed all residents of the UK should be given when each are making their decision about whether to have a Covid 19 vaccine or not

I expect the UK Government to uphold the long-held and cherished freedom of choice as regards vaccinations, and I expect you as my MP to hold them to account over the purported leaked documents as regards care home staff.

I therefore look forward to hearing from you that you will raise the above in the house as soon as you are able to. If you intend not to, would you please reply to me and confirm this, setting out your reasons for the same.