



Hon Stephen Wade MLC, Minister for Health and Wellbeing  
Email: [Ministerforhealth@sa.gov.au](mailto:Ministerforhealth@sa.gov.au)

Tuesday, 11 February 2020

Dear Minister

Universal Access to Kindy SA (UAKSA) is a community group in South Australia who understand that the value of early childhood education cannot be over-stated. We know the Marshall Liberal Government agrees and upholds a strong commitment to ensuring access to early childhood education for all children in our state through the National Partnerships Agreement on Universal Access to Early Childhood Education<sup>12</sup> and other initiatives<sup>3</sup>.

UAKSA also understand that immunisation is one of the most effective and cost-effective health interventions to protect children and adults against serious disease. We strongly support the Government in striving to achieve the highest level of vaccination coverage in our state.

The introduction of No Jab No Play (NJJNPlay) policies in South Australia has been widely supported by the public as a means to improving vaccination rates and safeguarding our most vulnerable populations against vaccine preventable disease (VPD). We are concerned however that the proposed 'phase two' NJJNPlay Bill in 2020 could deny access to crucial early learning opportunities for South Australian children. With current data showing that approximately 95% of children in South Australia are fully vaccinated at 5 years old<sup>4</sup>, this leaves one in twenty children with the potential to be impacted by this policy.

Participation in early childhood education is associated with greater short- and long-term education and life outcomes<sup>5</sup>. It goes without question that the Marshall Government and the South Australian public view unvaccinated children as equally deserving of early childhood education, along with their vaccinated counterparts. As we know, children do not have a say in their vaccination status. Australia is also signatory to the International Covenant on Economic, Social and Cultural Rights<sup>6</sup> whereby in Article 13 we "recognise the right of everyone to education". Any exclusions to enrol in or attend child care, kindergarten or early learning programs included in a phase two NJJNPlay Bill will require South Australia to discriminate between children who will be allowed to receive early

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<sup>1</sup><https://www.education.gov.au/universal-access-early-childhood-education>

<sup>2</sup>[http://www.federalfinancialrelations.gov.au/content/npa/education/national-partnership/2020\\_UANP\\_FINAL.pdf](http://www.federalfinancialrelations.gov.au/content/npa/education/national-partnership/2020_UANP_FINAL.pdf)

<sup>3</sup>[https://www.education.sa.gov.au/sites/default/files/attendance-strategy-government-preschools-schools.pdf?acsf\\_files\\_redirect](https://www.education.sa.gov.au/sites/default/files/attendance-strategy-government-preschools-schools.pdf?acsf_files_redirect)

<sup>4</sup><https://www.health.gov.au/health-topics/immunisation/childhood-immunisation-coverage/current-coverage-data-tables-for-all-children#5-year-olds>

<sup>5</sup>[https://docs-edu.govcms.gov.au/system/files/doc/other/aifs\\_crit\\_review\\_ec\\_lit\\_final\\_pdf\\_0.pdf](https://docs-edu.govcms.gov.au/system/files/doc/other/aifs_crit_review_ec_lit_final_pdf_0.pdf)

<sup>6</sup><http://www.austlii.edu.au/au/other/dfat/treaties/1976/5.html>

childhood education and those who will not based on vaccination status. This extreme measure is worthy of significant deliberation.

The 2019 public consultation on NJNPlay followed the release of the Early Childhood Services and Immunisation Discussion Paper by your office. This Discussion Paper indicates that the analysis of the impact of NJNPlay legislation in other states is limited. There is no evidence to suggest that exclusion from early childhood education is required to be included in the scope of NJNPlay to achieve increased vaccination rates. The discussion paper states on page 27 that “while improved immunisation coverage has been experienced in the states which have implemented these (NjNPlay) measures, the relative impact of these policies is unable to be measured in isolation from ongoing changes in overarching national immunisation policies (such as the national No Jab No Pay policy) and other program activities in these jurisdictions”.

Where the importance of early childhood education is unequivocally agreed upon in scientific literature, Government policies/partnerships and by the public, it would only be reasonable for South Australia to wait for quality evidence to indicate a necessity to exclude children from early childhood education in order to achieve increased immunisation rates. NJNPlay will have a 5 year statutory review where assessment could easily take place to establish whether further measures are required. This time frame would also allow for ongoing evaluation of interstate legislation to produce quality evidence to inform SA policy.

We note the detailed submission to your office by the Royal Australasian College of Physicians (RACP)<sup>7</sup> during the 2019 public consultation on this matter outlining their own concerns and urging you not to deny children access to early childhood education. We also acknowledge their position statement ‘Early Childhood – The importance of the Early Years’<sup>8</sup> and reference these as current, researched and highly valuable supporting documents that reflect our own position. We agree with the RACP statement from their submission (page 2) that “early childhood education should not be seen as a policy lever by which to improve immunisation, but as an outcome that is at least equally as important as immunisation”.

The Early Childhood Services and Immunisation Discussion Paper released by your office also acknowledges (pg. 30) that there is a misconception that NJNPlay policy is designed to directly make early childhood education settings safer (i.e directly reduce the number of cases of VPD in these settings). You have carefully outlined that the purpose of the policy is only to increase vaccination rates in children across the state and that it does not have the capacity to directly reduce incidents of VPD in early childhood settings. This misconception and others are propelled in the media however, where the public is left misunderstanding the aims and scope of NJNPlay policies.

The Marshall Government is perfectly placed to wade through the complex issue before them of vaccination vs. education. Robust consultation is required to develop a deliberate, evidence-based policy and we recognise you are going to great lengths to get this legislation right. Through public consultation, analysis of interstate legislation, collaboration with stakeholders and internal discussion UAKSA thank you for not rushing this important policy for our state.

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<sup>7</sup>[https://www.racp.edu.au/docs/default-source/advocacy-library/racp-submission-to-the-south-australian-public-health-\(early-childhood-services-and-immunisation\)-amendment-bill---consultation-discussion-paper.pdf?sfvrsn=a72a1a1a\\_6](https://www.racp.edu.au/docs/default-source/advocacy-library/racp-submission-to-the-south-australian-public-health-(early-childhood-services-and-immunisation)-amendment-bill---consultation-discussion-paper.pdf?sfvrsn=a72a1a1a_6)

<sup>8</sup>[https://www.racp.edu.au/docs/default-source/advocacy-library/early-childhood-importance-of-early-years-position-statement.pdf?sfvrsn=e54191a\\_4](https://www.racp.edu.au/docs/default-source/advocacy-library/early-childhood-importance-of-early-years-position-statement.pdf?sfvrsn=e54191a_4)

Education and vaccination are equally as important as each other. UAKSA aim to give a voice to those children who will be impacted by NJNPlay and collaborate in moving forward with this policy. We are asking for ongoing access to early childhood education for all children in South Australia, regardless of vaccination status. Kindergarten is already the focus of the National Partnerships Agreement on Universal Access to Early Childhood Education and South Australia has signed on to promise 600 hours of kindergarten to every child. We invite you, Minister, to consider a phase two NJNPlay Bill that will result in a strong policy and commitment to vaccination in our state whilst aligning with public and professional views on the importance of early childhood education. We invite you to introduce a NJNPlay Bill that does not exclude children from enrolling in or attending kindergarten in the year before school.

UAKSA believe that working together we can achieve the best legislation for our state where early childhood education and immunisation move forward together, available and strengthened for all children. We welcome any questions or comments and kindly request to meet with you and/or your advisors to discuss this matter in full detail.

With kind regards,

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