

Australian Federal Court Update: AVN vs Department of Health

SYDNEY, AUSTRALIA, April 4, 2022 /EINPresswire.com/ -- On Thursday, March 31, The Hon Melissa Anne Perry of the Federal Court of Australia made a huge call by determining that neither the AVN ([Australian Vaccination-risks Network](#)) nor Mr. Mark Neugebauer has the appropriate 'special interest' or 'standing' to bring our dispute to the Court. This was not a decision on the merits of the case itself surrounding the the vaccine safety argument, rather, a decision based on 'standing.'

Standing is the [legal ability](#) for someone to commence or be involved in legal proceedings. In Australia, for a person to have standing, their private rights and interests are (or will be) affected by the matter, or they have a "special interest" in the subject matter.

"We are by no means defeated, and although we are still awaiting Her Honor's reasons, we believe this decision will be appealable. An appeal would take place before the Full Court, where three of Australia's best judges will hear arguments around 'standing' and 'special interest'. As this dismissal cost the urgent hearing date of April 20, it is our hope that upon a reversal of the dismissal, the Full Court will see the historical significance both in its facts and the legal principles and will hear the case as a matter of urgency."

Mark Robinson (Senior Counsel), Jeremy Harrison (Barrister), Peter Fam (Instructing Solicitor), Meryl Dorey (AVN Founder), Julian Gillespie (AVN Consultant & former Barrister), and Mark Neugebauer (proposed co-Applicant) have met in the wake of the decision to assess and plan next steps.

Given that the AVN is an organization with a nearly 30-year history of advocating for vaccine safety, we strongly disagree with any assessment of our interest in the case being insufficient and believe there is adequate precedent on our side.

Further, the AVN stands by our co-applicant Mr. Neugebauer's standing in the case. Mr. Neugebauer lost his career due to refusing the mandated vaccine and has been ordered to vaccinate his 7-year-old foster son whom he has been caring for since infancy.

If the AVN and Mr. Neugebauer don't have a special interest, who does?

A successful appeal will additionally ensure that this decision does not stand as a precedent to

block other interested parties from seeking to challenge decisions made by governments and ministers in the courts.

"We are encouraged that a successful appeal would provide this case - the most historic drug safety case ever presented to an Australian Court - an opportunity to be heard by the Full Court."

Case Number: Federal Court of NSW - NSD52/2022

To Donate: <https://givesendgo.com/AVNJudicialReviewFund>

USA Media: Jen Smith | jenspublicrelations@gmail.com

AUS Media: Meryl Dorey | meryl@avn.org.au

Available for Interview: Julian Gillespie (Former Barrister & AVN Consultant) and/or Meryl Dorey (Founder, AVN)

Meryl Dorey

Australian Vaccination-risks Network, Inc

[email us here](#)

This press release can be viewed online at: <https://www.einpresswire.com/article/567196836>

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