



Mandatory Covid-19 Vaccination To Reach Herd Immunity In Malaysia?

On 15.6.2021, the Prime Minister of Malaysia proposed a four-phase Covid-19 recovery plan which tentatively lasts until the end of this year. It is a phased exit strategy for the country to steer out from the pandemic based on three indicators, namely the number of daily Covid-19 infections, the capability of public healthcare system and the percentage of population that has received two doses of vaccines.

This simply means that the movement restrictions will remain in implementation so long as the Covid 19 cases do not decline sufficiently.

As at 16.6.2021, around 14.6 million (62.50%) of Malaysians have registered for vaccination and around 5 million Malaysians have received their Covid-19 doses. Malaysia's daily vaccination rate had also surpassed 200,000 level for the first time on 15.6.2021.

Making Covid-19 vaccination mandatory?

Many countries are pinning hopes on Covid-19 vaccine as the solution for normalcy. Currently, the Malaysian government has no plan to make Covid-19 vaccination mandatory. However, the government may switch its game plan to a mandatory vaccination policy so that the desired herd immunity levels could be achieved within the designated time frame. The Covid-19 vaccinations should be made mandatory once the vaccine uptake is low, Covid-19 cases get out of hand and when the hospital capacity is at critical level.



Indonesia has made Covid-19 vaccines compulsory early this year. On 16.6.2021, the Moscow city authorities have also made vaccination mandatory for more than 2 million workers with public facing roles in the Russian capital. Companies which fail to vaccinate workers could face fines and could also be shut down for up to 90 days. On the same day, Covid 19 vaccine has also been made compulsory for England care home staff. Workers who refuse to take the jabs may be redeployed away from front line tasks or even potentially losing their jobs.

The greater the public health threat, the more liberty ought to be restricted

The step to make Covid-19 vaccination mandatory interferes with individual liberty and autonomy. Many may regard mandatory vaccination as a form of inequity or oppression. However, individual liberty has its external component encompassing human interaction. As such, mandatory vaccination should be considered when it is necessary for and proportionate to the achievement of public goal. Covid-19 presents a substantial risk of harm to the community. The step towards mandatory vaccination can be justified when it prevents serious harm to others in the community. Having said that, the government should make data available to demonstrate that the vaccine being mandated is found to be safe in the population for whom the vaccine is to be made mandatory.

In fact, Article 5(1) of the Malaysian Constitution provides that no person shall be deprived of his life or personal liberty, save in accordance with law. It would appear that the government can make vaccination mandatory pursuant to Sections 11(1) and 11(3)(a) of the Prevention and Control of Infectious Diseases Act 1988. These provisions provide that it shall be lawful for any authorised officer to direct any person living in an infected local area to subject himself to treatment or immunisation. Anyone who refuses to comply with Section 11(3)(a) commits an offence. It is even provided under Section 11(4) that it shall be lawful for an authorised officer to use such force, with or without assistance to ensure compliance with direction issued under Section 11(3)(a).

Mandatory vaccination is not desirable as it often underlines failing vaccination program and policy by the government. Many are also concerned that making vaccines compulsory is counter-productive and it only heightens vaccine hesitancy which will defeat the aim of achieving herd immunity. Obligatory Covid-19 jabs may be unpalatable to some. Yet, if we do not advance in levels once vaccines are fully and freely available, harsher policy and certain degree of compulsion or mandatory Covid-19 vaccination may well be necessary.

At this point of time, the country is currently progressing quite well in terms of the inoculation of its population. However, the vaccine uptake by the population remains relatively low and we have not seen substantial reduction in the daily number of Covid-19 cases. Effective vaccination policy saves lives, it saves the country's economy too. The government should implement drastic steps to significantly shore up registrations for Covid-19 vaccination during this critical period. It is true that the compulsion or restrictions of liberty should be as minimal as necessary to achieve the goal, but perhaps, it is time to make Covid-19 vaccination mandatory.

Conclusion

We need the country's economy to thrive before businesses collapse and there is no other way than getting the population immunised. All Malaysians have a part to play in achieving the herd immunity required for normalcy to return. Perhaps, desperation for normalcy and freedom is the most effective tool in enhancing the vaccine uptake and achieving herd immunity.

We do not have much time to spare, the clock is ticking.

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