

## Public Health Perspective of Mandating COVID Vaccination for Athletes in Australia

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### Abstract

**Objective:** Vaccination programs are one of the most significant achievements of public health as they have improved our quality of life by reducing and eradicating numerous infectious diseases. However, there is growing evidence highlighting the drawbacks of COVID vaccine mandates.

This report will review the empirical evidence, identify ethical dimensions and utilise public health frameworks to deliberate a way forward.

**Results:** Mandates cannot be justified from a public health perspective as they are disproportionate to the current threat from COVID, not a necessary public health action and conflict with positive and negative libertarian principles. Moreover, mandates fail to address social injustice and are difficult to defend or justify to athletes in the current living with COVID environment.

**Conclusion:** Boosting COVID vaccination uptake in athletes is better achieved by exploring alternatives like understanding reasons for low vaccination rates, working with sporting organisations and addressing vaccine hesitancy before resorting to more assertive approach like mandates.

**Keywords:** Athletes; Covid-19; Harm minimisation; Sport participation.

### Introduction

The COVID-19 pandemic had far-reaching effects on the sporting community. It has led to widespread event cancellations, financial strain on sporting organisations, and shifts in sporting dynamics [1]. Australia took early steps in mandating COVID vaccinations, initially for essential community workers and later extending it to athletes. While vaccination requirements have since been relaxed, the recent increase in the number of COVID cases has reopened discussions about reinstating mandatory vaccinations for athletes. The issue of compulsory vaccination poses inherent challenges, especially within the realm of sports where unique dynamics and high visibility of

athletes come into play. The vaccination decisions made by athletes hold significant consequences, impacting fellow athletes, team cohesion, and the smooth conduct of sporting events. Moreover, athletes, being influential figures, face heightened scrutiny due to their impact on public perception. This report will argue against mandating vaccinations for athletes. It will delve into empirical evidence, ethical considerations, and public health frameworks to propose a reasoned path forward.

### Available evidence

Evidence-based reasoning forms the foundation of any effective public health policy. There is no doubt that vaccination

programs represent one of the most notable triumphs of public health efforts; however, there is a mounting body of evidence suggesting that the drawbacks of COVID vaccination mandates are beginning to outweigh their benefits. With the emergence of new COVID variants, studies suggest that the efficacy of vaccinations in preventing disease transmission is significantly diminished [2]. Consequently, mandating vaccinations for athletes is unlikely to satisfy its intended purpose of curbing the disease transmission. Moreover, such mandates can lead to decreased uptake of other non-compulsory vaccinations, lower compliance with COVID preventive measures like physical distancing and mask-wearing, and diminish trust in regulatory authorities [3]. Athletes have traditionally played a pivotal role in promoting healthy public health behaviours, making the preservation of their trust paramount. A systematic review comprising 23 studies recommends adopting a multifaceted approach involving education, persuasion, and enablement as more effective means of improving vaccination uptake compared to mandates [4]. The World Health Organisation, after reviewing empirical evidence, advises against mandating vaccinations unless alternative measures have proven ineffective [5]. Concerns about the impact of vaccinations on training schedules have a significant mental burden among athletes [6]. A recent survey involving over 100 individuals found that 23% reported a perceived decline in performance following full vaccination [7].

### Normative ethical elements

The ethical dilemma of mandatory vaccination for athletes is nuanced as there is conflict between the utilitarian goal of health maximisation, enabling sporting events and protection of individual liberty. The debate also encompasses determining the optimal equilibrium between key ethical principles of proportionality, transparent decision-making, distribute justice and upholding accountability. The Kass framework for public health ethics offers a pathway for deliberation on this important issue. Kass outlines a framework that takes into account the public health objectives, vaccination program effectiveness, potential burdens, alternative strategies, distributive, and procedural justice [8].

While mandates improve vaccination uptake, there is no evidence suggesting that comparable vaccination rates cannot be achieved in athletes by alternative means. Athletes have resources to circumventing restrictions posed by vaccination mandates by acquiring fake certificates and hence undermining the rationale supporting mandatory vaccination [9]. Mandatory vaccinations exemplify hard paternalism and conflict with both negative and positive libertarian perspectives. Similar goals can be achieved by a well-designed multifaceted public health approach of working with sporting organisations and enhancing awareness and addresses safety concerns. Kass's framework also refers to procedural justice and including citizens in the decision-making to enhance the legitimacy of decision-making and fostering a sense of collective responsibility. We have not performed this sufficiently with athletes to provide reasonable justification for procedural justice. Application of Kass's framework reveals that mandatory COVID vaccination is not justified.

Ethical objection to vaccine mandates also aligns when assessed with the five justificatory conditions outlined in the Childress public-health framework [10]. To justify mandates the potential benefits of vaccination must outweigh the negative consequences and should be a necessary public health action. The implementation of mandatory vaccination can be argued to be a proportional response in 2021 when the Emergency Management Act was invoked in the majority of Australian

states. However, this is no longer applicable and while COVID is still prevalent, it is no longer a significant threat and most cities have moved on to a "living with COVID model" [11]. Other evidence-based strategies improve vaccination rates without infringing moral considerations of liberty and justice [4]. It is hard to justify mandates for ongoing vaccination boosters with the federal policies transitioning their focus from COVID suppression to a "living with covid" environment where disruptions to society and community is minimised [11].

### Addressing the critics

Critics argue that mandating vaccination can be justified through a utilitarian lens, highlighting the significant benefits derived from the continuation of sports activities and the potential establishment of herd immunity among individuals in close proximity to athletes [12]. However, there is no evidence that the achievement of herd immunity among athletes has diminished disruptions to sports. The consequentialist argument is further flawed because approaches like utilitarianism typically guide us in determining appropriate action when the outcomes are clear and mutually agreeable. However, this is not the case with COVID vaccination in athletes. Studies have demonstrated that mandatory vaccination has negatively impacted mental well-being of those coerced and may not be effective in reducing transmission of newer variants [5]. Furthermore, there are increasing uncertainties surrounding COVID vaccination. These include the duration of protection, potential for asymptomatic transmission, and long-term side effects [13]. Mandatory vaccination proponents often refer to John Stuart Mill's 'harm principle', which asserts that individual liberty can be restricted when it causes harm to others. While the harm principle provides a solid rationale for restricting individual autonomy, the challenge lies in determining the necessity and proportionality of such interventions. As discussed above, mandates are neither necessary nor proportional given the current state of the disease. Should the COVID threat level change, it's prudent to reevaluate the utility of mandates based on evidence-based and ethical considerations

### Conclusion

The public health challenge posed by mandating COVID vaccinations for athletes is intricate and multifaceted. It involves maintaining a delicate balance between utilitarian goal of health maximisation, promoting community sporting events, protection of individual liberty and enabling equity. Application of public health frameworks has helped demonstrate that mandatory vaccination is not justified, disproportionate to the current level of threat and does not help in achieving key public health goals of social justice and health equity. Implementing less intrusive strategies can enhance vaccination rates among athletes while still realizing the advantages of vaccination for public health.

### Declarations

**Conflict of interest:** No.

**Financial disclosures:** No.

**Design:** Application for public health ethics framework to vaccination debate.

**Participants/Setting:** Athletes participating in sporting competitions.

**Interventions:** N/A.

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