

Honorable Daniel Andrews MP
Premier of Victoria

cc: Honorable Martin Foley MP, Health Minister
Prof. Brett Sutton, Chief Health Officer
Mr. Jeroen Weimar, Commander, COVID Response Victoria

Monday 13th September 2021

Dear Mr Andrews,

We represent the Strictly Orthodox Jewish population in Melbourne. Our combined communities total some 1200-1500 families, approx. 10,000 men, women and children. All of our constituents are Torah observant. We are aware that the Victorian government has been consulting with the RCV and/or the JCCV on behalf of the wider Jewish community, and although we support and appreciate their efforts, we don't believe that these organisations fully cater for the specialised and unique needs of our combined communities / demographic.

At the moment, as per the direction of the Chief Health Officer, all of our Synagogues are closed for services. Unlike most other denominations and religious groups, we do not have the option of electronic broadcast or the use of any other technology on our Sabbath and Jewish festival days, due to the restrictions of Jewish Laws on these days. As a result, our members are far more constrained, limited, and disconnected than other religious groups. Needless to mention that this is having a detrimental spillover effect in many ways on our members and their respective families. Our members, in regular times, attend synagogue thrice daily. It is, so to speak, our second home.

We understand and are fully aware of the severity and potency of Covid-19. Last year, when the global pandemic was showing the first signs of infiltration into Victoria and Australia, we were proactive and closed our Synagogues on 19th March 2020, as an extra precaution. This was a week and a half before the government's mandated restrictions to close places of worship, which began on the 28th of March 2020. Thank G-d, our communities have been virtually Covid-free for 18 months. As a result of our encouragement, our communities have one of the highest vaccination rates – with the vast majority of our over-40s fully vaccinated – at a higher rate than the general community.

Yom Kippur is the holiest day in the Jewish calendar. For Orthodox Jews, this is the *one* day in the year that almost every Jew in the world would attend Synagogue without fail. Our members could not fathom the idea of not praying together on this day. The importance, and obligation, in Jewish law and custom, of praying together as a group

is beyond the scope of this letter. Suffice it to say that many of our members are still agonising from last year's closure of our synagogues during the high holidays and festival days, especially from being prevented to attend a formal and proper Yom Kippur service. There is a very real emotional and psychological impact that will leave a lasting toll. We cannot overemphasise the centrality of Yom Kippur, and the tone it sets for one's entire year. We also pray for our families and the wellbeing of our country, which is the protection from Above that we all need, especially during these difficult times.

A court hearing was held some 10 days ago, in which the Victorian government presented the position that they would be allowing a 'watered down' Rosh Hashana, which was essentially an allowance to blow the shofar (ram's horn) "while exercising". In reality, there was some confusion on what exactly was allowed, which caused some uncomfortable situations when police attended the blowing of the shofar in parks and streets last week. Although the shofar blowing is an important part of the Rosh Hashana service, for Ultra-orthodox Jews who annually spend an average of 7-8 hours experiencing a synagogue service, this represented the ultimate injury; a short five-minutes Shofar blowing punctuated by uniformed police questioning.

As you are well aware, the Victorian Health department recently permitted a Thai boxing event to be held in locked-down Melbourne, at a time when grassroots sports have been sidelined and gyms have been closed for weeks. A total of 69 people attended on the night, with 50 people on the premises at the same time. Organisers followed all the Covid-safe protocols, and all attendees signed a declaration form saying they had not been to any exposure sites.

It would be fair to state that religious services in a place of worship, on the holiest day of the Jewish calendar, are more essential than a Thai boxing event. We respectfully request that the Government similarly accommodate the needs of our constituents and formulate a workable protocol allowing us to attend our services.

We believe that this is no longer just a local issue. While it is true that every jurisdiction around the world will have adopted varying approaches in managing the pandemic, they all take note that Australia is the only country in the world, without exception, where no religious services will be allowed on Yom Kippur, under current laws, and where there seems to be no proactivism on the part of the government to approve a framework which allows religious obligations to coexist with robust and reasonable Covid-safe rules. History will record this fact forever.

Therefore, we request your partnership in formulating a mutually-acceptable framework for Minyanim (reasonably sized prayer quorums), to be conducted in a satisfactory and Covid-safe manner. Strict density quotients would apply, with groups of 10 men plus those running the service as a minimum. While not as practical in all situations, services could be held outdoors if no other option can be found. Pre-

registration, a marshal, masks, distancing etc. are a given. Even if such a framework may not be suitable for all locales, such as where there is a high number of cases and transmission, surely something suitable can be arranged for postcodes with very low numbers of active cases (such as 3185, 3183, 3161, 3162 etc.)

Due to the proximity of Yom Kippur, and the need to fully prepare any required logistics, we respectfully request your urgent response by noon of Tuesday, 14 September 2021.

In support of our request, please also see the attached submissions.

Yours Sincerely,

Rabbi Shlomo Kohn – Adass Israel
Rabbi Moshe Donnebaum – Heichal HaTorah
Rabbi Yehuda Kohn – Merkaz HaTorah
Rabbi Ariele Berlin – Shaarei Tefillah
Rabbi Shmuel Lesches – Young-Yeshivah
Rabbi Yonosan Johnson – Kollel Menachem
Rabbi Mordechai Szmerling – Hamayan
Rabbi Yaakov Joseph – Ohr Yisrael
Rabbi Menachem Channen – Ohrsom / Beit Halevi
Rabbi Hendel Serebryanski - Yeshivah Shule

We, the undersigned, as medical providers to the orthodox Jewish community, support this application and encourage the government to approve a safe way for Yom Kippur services to proceed, which will also benefit the wellbeing and mental health of our community.

Dr Debbie Herbst Dr Clifford Jacobson Dr Jonathan Pinczower Dr Shyrla Pakula

Dr Daniel Aronov Dr Tony Graj Dr Hershel Goldman