

PUBLIC OPEN LETTER

Justice Watch New Zealand Inc.
Public Interest Correspondence

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Subject: Evidential Foundation for the Conclusion that Comirnaty (BNT162b2) Is Considered Safe for Use in New Zealand

Rt Hon Christopher Luxon
Prime Minister of New Zealand

And to:
All Honourable Ministers of the Crown

Dear Prime Minister and Honourable Ministers,

I write on behalf of Justice Watch New Zealand Inc. concerning matters of public accountability arising from the findings of the Royal Commission of Inquiry into COVID-19 Lessons Learned – Phase Two Report.

This open letter is published in the interests of transparency and public accountability.

This correspondence raises concerns regarding the evidential basis relied upon by the Commissioners in forming conclusions about the safety of the COVID-19 vaccine Comirnaty (BNT162b2).

The report appears to accept the vaccine as safe largely on the basis that the sponsor — as the manufacturer of the product — represents it to be so. The systems relied upon by the Commissioners to support this conclusion also appear to derive substantially from information supplied by the sponsor itself. In effect, the foundation upon which the safety conclusion rests appears to originate with the manufacturer whose product is under evaluation.

In addressing safety concerns, the report acknowledges that myocarditis can occur following vaccination. However, it does not explain the biological mechanism by which this condition may arise. Independent medical science, separate from the sponsor, has now advanced considerably in understanding these mechanisms. This body of scientific work does not appear to have been meaningfully reflected in the Commissioners' analysis.

A related concern arises from the structure of adverse-event reporting itself. At the outset, the sponsor establishes the reporting parameters that define how adverse reactions associated with its product are identified and recorded. Regulatory authorities then operate within those parameters when analysing reports of serious adverse reactions. As a consequence, the framework through which adverse events are recognised and interpreted originates with the sponsor itself.

This arrangement creates an inherent risk that the reporting and interpretation of adverse events is influenced by the sponsor's initial definitions and classifications of harm. Independent medical science operating outside the sponsor-regulator reporting framework approaches the issue differently, examining adverse reactions through clinical observation, mechanistic research, and epidemiological analysis. In a number of instances this independent work has produced findings that differ materially from the sponsor-derived conclusion that the product is considered safe for use in New Zealand.

It is therefore necessary to address the issue directly at its point of origin. The safety conclusion presented by the Commissioners appears ultimately to rest upon what the sponsor says about its own product. From that starting point, the analytical systems repeatedly cited in support of safety are themselves informed by the same sponsor-defined framework. Where the premise of safety originates with the sponsor, and the systems used to evaluate safety are constructed upon that premise, the resulting analysis risks becoming circular.

In the case of Comirnaty, the sponsor is Pfizer — a corporation that has previously been reported to have been subject to billions of dollars in penalty fines imposed through the independent United States court system for matters involving false representations. In that context, it is a matter of profound concern that the Commissioners appear unable to confront the central equation that arises in this case.

The position presented effectively reduces to the following sequence: the use of Comirnaty; the subsequent reporting of serious harm numbering in the tens of thousands; the reliance upon a system of evaluation whose parameters originate with the sponsor itself; the absence of meaningful engagement with independent medical science operating outside that sponsor-derived framework; and yet the ultimate conclusion that the product is considered safe for use in New Zealand.

When these elements are considered together, the reasoning becomes difficult to reconcile. A system that begins with sponsor-defined parameters, evaluates outcomes through sponsor-influenced reporting structures, and does not adequately incorporate independent scientific investigation cannot easily sustain a definitive conclusion of safety without addressing these underlying tensions directly.

Given the importance of these issues to public confidence in both science and government decision-making, I respectfully ask that the Government clarify the following matters:

1. Whether independent scientific evidence outside the sponsor–regulator reporting framework was considered by the Commissioners when forming conclusions regarding vaccine safety.
2. If such evidence was not considered, whether the Government accepts that the evidential foundation of the safety conclusion rests primarily on sponsor-derived information.
3. Whether the Government considers it appropriate that a safety conclusion of national importance should rely predominantly upon systems and reporting parameters established by the product’s manufacturer.
4. Whether the Government will consider commissioning an independent scientific review of the evidence relating to vaccine safety that is not derived from sponsor-defined frameworks.

A clear response to these questions would assist in clarifying the evidential basis upon which the safety conclusion rests and would contribute significantly to restoring public confidence in the integrity of the decision-making process.

Yours sincerely,

Andrew Major

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Distribution:
Prime Minister and all Ministers of the Crown