
Failure to obtain informed consent for Covid jabs - what is the indemnity insurance position of health practitioners?

Elizabeth Hart <elizmhart@gmail.com>
To: Elizabeth Hart <elizmhart@gmail.com>

Thu, Sep 29, 2022 at 3:34 PM

How many millions of people in Australia have been **pressured, coerced and manipulated to submit to Covid-19 jabs via mandates**, contravening health practitioners' obligation to obtain 'voluntary informed consent' before a medical intervention, i.e. 'vaccination'?

Are health practitioners covered by medical indemnity insurance if they haven't properly informed their patients before the jabs, and obtained authentic 'voluntary informed consent'?

I'm seeking clarification on this matter, please see email thread below.

Elizabeth Hart
Independent researcher investigating the over-use of vaccine products and conflicts of interest in vaccination policy
vaccinationispolitical.net

----- Forwarded message -----

From: **Elizabeth Hart** <elizmhart@gmail.com>

Date: Thu, Sep 29, 2022 at 3:18 PM

Subject: Follow up to: Failure to obtain informed consent for Covid jabs - what is the indemnity insurance position of health practitioners?

To: <premier@sa>

Cc: <ejminoz@>, <James.Stevens.MP@aph>, Malcolm Roberts <senator.roberts@aph>, Rennick Gerard (Senator) <senator.rennick@aph>, Simms Office <simms.office@parliament.sa>, Simms, Robert <Robert.Simms@parliament.sa>, <black@parliament.sa>, <bragg@parliament.sa>, <ministerforhealth@sa>, <nicola.spurrier@flinders>, <ptadelaide@parliament.sa>, <schubert@parliament.sa>, <senator.antic@aph>

For the attention of:

Peter Malinauskas
Leader of the SA Labor Party
Premier of South Australia

Peter Malinauskas, please see below my email to Martin Fletcher, CEO of the Australian Health Practitioner Regulation Agency (AHPRA), asking if the medical profession is facing a catastrophe due to the failure of health practitioners to obtain authentic 'voluntary informed consent' from patients subject to Covid-19 jab mandates?

For example, the South Australian Government's Covid-19 jab mandates...

I've now forwarded queries on this matter to providers of medical indemnity insurance, i.e. Natasha Fenech, Group CEO and Managing Director of the Avant Mutual Group; Ian Anderson, Chief Executive Officer, MDA National; Natasha Anning, Chief Executive Officer, Medical Indemnity Protection Society; and Eric Lowenstein, Chief Executive Officer, TEGO.

I've also brought this important ethical, and potentially legal, issue to the attention of doctors' organisations, i.e. Nicole Higgins, President-Elect, Royal Australian College of General Practitioners; Jennifer Martin, President-Elect, Royal Australasian College of Physicians; Stephen Robson, Federal President, Australian Medical Association; and Christopher Neil, President, Australian Medical Professionals Society.

It really is quite startling to think about Peter Malinauskas...mandated medical interventions, in the so-called liberal democracy of Australia...how the hell did this happen?!?!

Please see email thread below.

Sincerely
Elizabeth Hart
Independent researcher investigating the over-use of vaccine products and conflicts of interest in vaccination policy

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From: **Elizabeth Hart** <elizmhart@gmail.com>

Date: Wed, Sep 28, 2022 at 5:08 PM

Subject: Failure to obtain informed consent for Covid jabs - what is the indemnity insurance position of health practitioners?

To: <Jamie.Pearce@ahpra>

Cc: <Amanda.Watson@ahpra>, <communications@ahpra>

Please forward this email to the people listed below:

For the attention of:

- Martin Fletcher, CEO, Australian Health Practitioner Regulation Agency (AHPRA)

Copied to:

- Anne Tonkin, Chair, Medical Board of Australia

- Gill Callister, Chair, AHPRA Agency Management Committee

Martin Fletcher, is the medical profession facing a catastrophe due to the failure of health practitioners to obtain authentic 'voluntary informed consent' from patients subject to Covid-19 jab mandates?

AHPRA has previously confirmed to me in writing that practitioners have an obligation to obtain informed consent, i.e. "Practitioners have an obligation to obtain informed consent for treatment, including vaccination. Informed consent is a person's voluntary decision about health care that is made with knowledge and understanding of the benefits and risks involved." See [AHPRA letter dated 21 September 2021](#), copy attached.

With health practitioners themselves being subject to Covid-19 jab mandates, **it's extraordinary that health practitioners have not effectively challenged this medical assault on personal autonomy and bodily integrity.**

Health practitioners who inject patients under Covid-19 jab mandates are in a highly conflicted position, given their obligation to obtain voluntary informed consent before a medical intervention. What is the medical indemnity insurance position? In this regard, please see below my email to Natasha Fenech, Group CEO and Managing Director of the Avant Mutual Group.

Presumably AHPRA is concerned about this most serious ethical issue?

Are you pursuing clarification on this matter with Avant and other medical indemnity insurers MDA National, Medical Indemnity Protection Society, and TEGO?

Please see below my email to Natasha Fenech of Avant. A similar email has also been forwarded to Ian Anderson, Chief Executive Officer, MDA National; Natasha Anning, Chief Executive Officer, Medical Indemnity Protection Society; and Eric Lowenstein, Chief Executive Officer, TEGO.

I request your acknowledgement of this email and your response on this matter.

Sincerely

Elizabeth Hart

Independent researcher investigating the over-use of vaccine products and conflicts of interest in vaccination policy

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From: **Elizabeth Hart** <elizmhart@gmail.com>

Date: Tue, Sep 27, 2022 at 5:29 PM

Subject: Failure to obtain informed consent for Covid jabs - what is the indemnity insurance position of health practitioners?

To: <nca@avant>

Please forward this email:

For the attention of:

Natasha Fenech

Group CEO and Managing Director

Avant Mutual Group

Natasha Fenech, **what is the indemnity insurance position of health practitioners who inject patients with Covid-19 'leaky vaccines', knowing the patient is subject to a Covid jab mandate?**

It's important to clarify this matter as many people, including health practitioners, have been, and are being, mandated to have Covid-19 jabs via State and Territory Government directions, plus mandates instigated by employers/businesses, sports clubs, entertainment and hospitality venues, retail, etc.

The Covid-19 jabs are 'leaky vaccines' that do not prevent infection nor transmission, and purportedly provide 'protection' of very limited duration against a disease it was known from the beginning wasn't a serious threat to most people. What is the evidence supporting these **mandated** medical interventions, impacting upon people of a variety of ages and health status?

The Covid jab mandates conflict with the obligation for health practitioners to obtain 'voluntary informed consent' before a medical intervention, i.e. as described in *The Australian Immunisation Handbook*, under **Valid consent, i.e. "For consent to be legally valid, the following elements must be present...It must be given voluntarily in the absence of undue pressure, coercion or manipulation...It can only be given after the potential risks and benefits of the relevant vaccine, the risks of not having it, and any alternative options have been explained to the person."**

The Australian Health Practitioner Regulation Agency (AHPRA) has also confirmed to me in writing that practitioners have an obligation to obtain informed consent, i.e. **"Practitioners have an obligation to obtain informed consent for treatment, including vaccination. Informed consent is a person's voluntary decision about health care that is made with knowledge and understanding of the benefits and risks involved."** See **AHPRA letter dated 21 September 2021**, copy attached.

A **factsheet published by the Australian Government Operation COVID Shield** notes: (Copy attached.)

As a health professional you:

- **require informed consent from a patient prior to providing them with a vaccination; and**
- **have a duty of care to ensure patients are making educated and informed decisions about vaccination.**

The Operation COVID Shield factsheet notes:

A patient must provide informed consent prior to vaccination.

If a patient has not provided informed consent you should not vaccinate them, even if they are mandated to receive a COVID-19 vaccination to perform particular roles or enter certain settings.

Presumably millions of people in Australia have now been injected with Covid-19 'leaky vaccines' via State and Territory Government directions, and mandates instigated by employers/businesses, sports clubs, entertainment and hospitality venues, retail, etc.

As many people have been *pressured, coerced and manipulated* to submit to the Covid-19 jabs via mandates, how can they have given 'voluntary informed consent' in accordance with *The Australian Immunisation Handbook*, the **AHPRA confirmation letter dated 21 September 2021, and the Australian Government Operation COVID Shield factsheet?**

Natasha Fenech, **please clarify the indemnity insurance position of health practitioners who have injected their patients with Covid-19 'leaky vaccines' *without* 'voluntary informed consent' being obtained.**

This is a most important matter of public interest, and I request your early response.

Sincerely

Elizabeth Hart

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2 attachments

 **response-from-ahpra-re-informed-consent.pdf**
105K

 **covid-19-vaccinations---handling-consent-refusal-by-people-presenting-for-vaccination-handling-**

consent-refusal-by-people-presenting-for-vaccination.pdf

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