

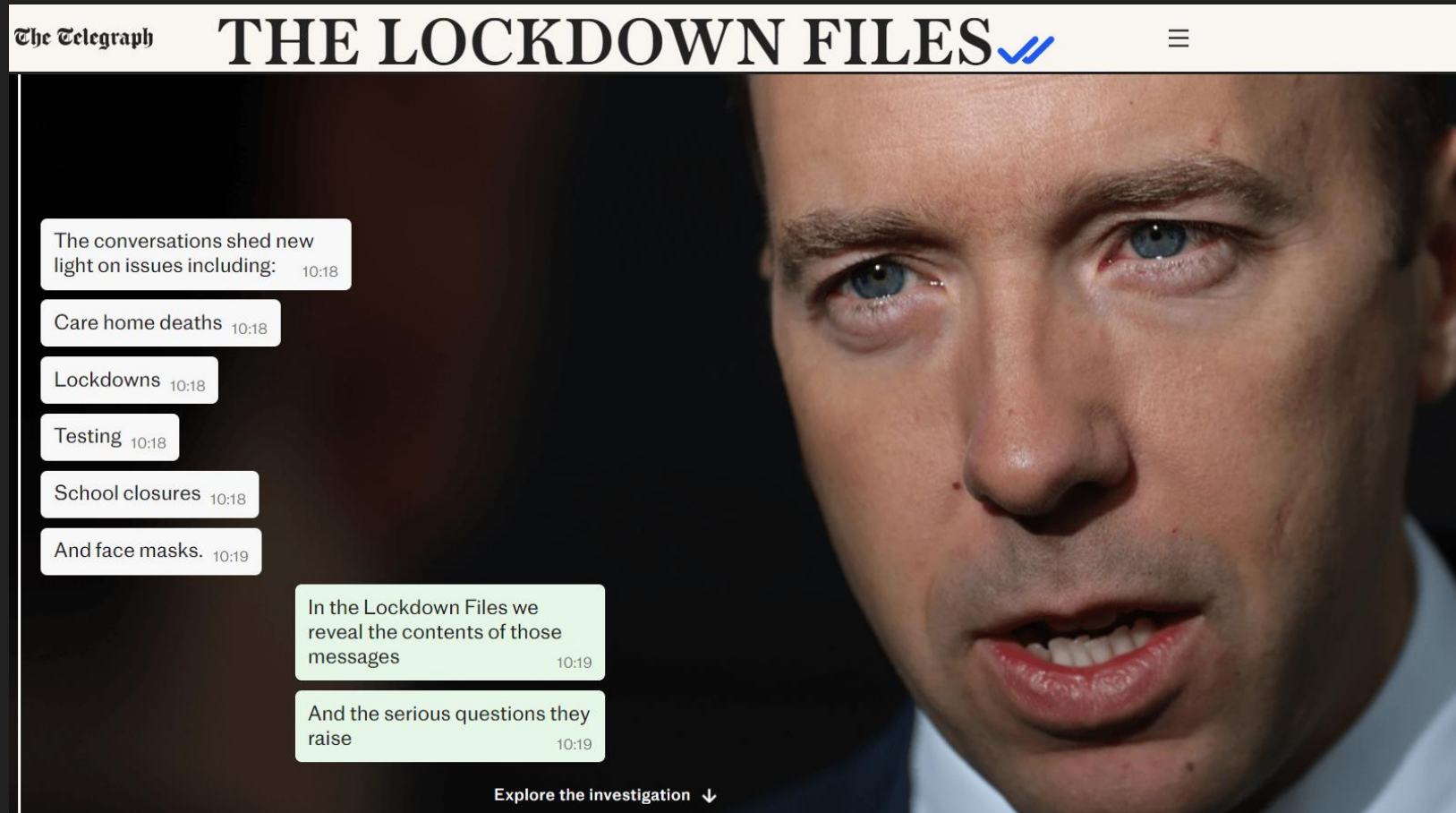
Voluntary Informed Consent and Covid Jab Mandates



Are we sitting on a powder keg?

Breaking news...

Covid scandal starting to erupt in UK...

Focus on Matt Hancock, former Secretary for Health and Social Care



The Telegraph **THE LOCKDOWN FILES**  

The conversations shed new light on issues including: 10:18

- Care home deaths 10:18
- Lockdowns 10:18
- Testing 10:18
- School closures 10:18
- And face masks. 10:19

In the Lockdown Files we reveal the contents of those messages 10:19

And the serious questions they raise 10:19

[Explore the investigation](#) ↓



Former prime minister Scott Morrison has urged premiers to drop remaining vaccine requirements as he reveals **National Cabinet's expert advisory panel "never agreed" to widescale mandates.**

Sky News, Monday 6 March 2023

"On vaccination mandates, they were not imposed by the federal government other than for aged care and sensitive health settings which I don't think there's been too much dispute about,"

"The federal government did not support any other mandate at all, all of those mandates were done by state governments."

"That is off the decision of state governments and that is their responsibility."



Scott Morrison expects COVID-19 vaccine will be 'as mandatory as you can possibly make it'

Mornings with Neil Mitchell, 3AW, Wednesday 19 August 2020

Neil Mitchell: *Would you be prepared to make it, vaccination mandatory?*

Scott Morrison: *We've got to get about 95%...taking medical advice...I would expect it to be as mandatory as possible...*

The Victorian Premier says the state is heading for a 'vaccine economy', here's what that might look like

By Judd Boaz

Posted Mon 6 Sep 2021 at 4:43am, updated Mon 6 Sep 2021 at 7:55am



The Victorian government says the state will head towards a 'vaccine economy', with the unvaccinated locked out. (Reuters: Dado Ruvic)

Victorian Premier Daniel Andrews has sent a clear message as to what the future of the economy looks like in the state, saying proof of double vaccination will now be the price of entry.

"There is going to be a vaccinated economy, and you get to participate in that if you are vaccinated," Mr Andrews said.

"We're going to move to a situation where, to protect the health system, we are going to lock out people who are not vaccinated and can be," Mr Andrews said.

The government says it is in the process of developing an industry pilot program to trial the viability of a vaccine economy, where more events, facilities and services are open to people who have received two doses of a COVID-19 vaccine.

Key points:

- The Victorian government will trial increased freedoms for double vaccinated residents
- Victorian businesses have thrown their support behind a 'vaccine passport' scheme
- The Moonee Valley Racing Club will make vaccination compulsory for those wishing to attend the Cox Plate Carnival

Covid jab mandates

Victorian Premier Daniel Andrews, September 2021:

There is going to be a vaccinated economy, and you get to participate in that if you are vaccinated...

We're going to a situation where, to protect the health system, we are going to lock out people who are not vaccinated and can be.

What is the legal basis for Covid jab mandates?

Consider an article published on the Australian Institute of Company Directors website in August 2021, i.e. **Should you vaccinate your staff?**, which notes:

“A vaccination is an assault – you are stabbing someone with a needle”, explains Jamie McPherson, a partner at HBA Legal.

“Generally, for any vaccination, whether it’s for COVID-19, flu, smallpox or otherwise, you require the person’s consent to do it. That’s from a medical point of view, as well as in terms of employment contracts.

The only way around this is if a vaccination is legislated. We haven’t seen legislation in Australia for vaccinations, but we’ve seen health directions. **A health direction is not a piece of legislation, but it’s given the power of legislation.**

If a health direction is mandatory, that overrides the consent.”

Has this been verified? Does a health direction override consent? On what basis?

Why did health practitioners cooperate with Covid jab mandates?

Why did they abandon their legal and ethical obligation to obtain **voluntary informed consent** before a medical intervention?





Australian Government
Department of Health
and Aged Care

Australian
Immunisation
Handbook

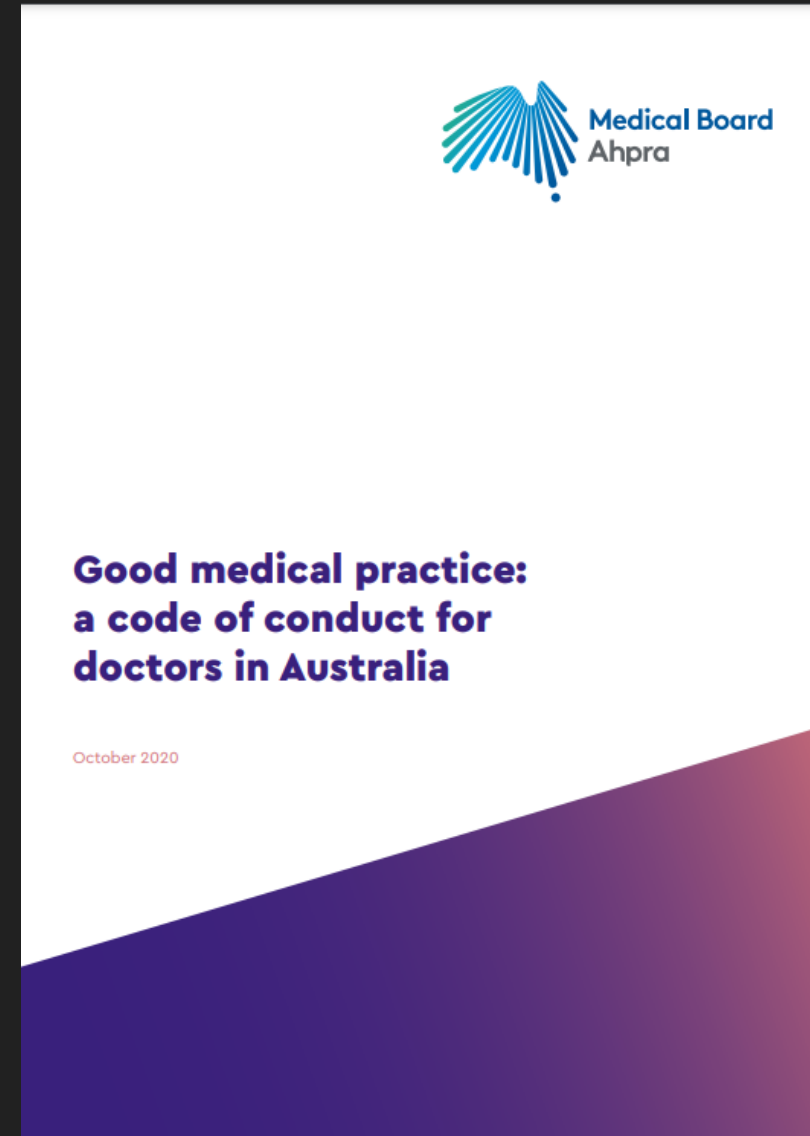
For consent to be legally valid...

- ***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 not having it, and any alternative options have been explained to the person.***

Good medical practice: a code of conduct for doctors in Australia

4.5 Informed consent

Informed consent is a person's voluntary decision about medical care that is made with knowledge and understanding of the benefits and risks involved...





20 September 2021

Ms Elizabeth Hart

By email only to elznhart@gmail.com

Dear Ms Hart

[Your correspondence to Ahpra](#)

I refer to your emails to Ahpra, the Medical Board of Australia and the Agency Management Committee in which you raised concerns about the current national vaccination program and informed consent. I have been requested to respond to your emails.

We appreciate you taking the time to contact us about these issues and apologise for the time required to respond to your enquiry. We are currently experiencing an increase in enquiries which has impacted on the time required to respond to people who contact us.

I hope that the following information is of assistance.

Role of Ahpra and the National Boards

The Australian Health Practitioner Regulation Agency (Ahpra) works in partnership with the 15 National Boards to regulate Australia's 800,000+ registered health practitioners. Together, our primary role is to protect the public. We do this by registering practitioners, managing complaints (notifications) and setting standards, codes and guidelines that all registered health practitioners must meet.

The national COVID-19 vaccination program

With regard to your comments about the national vaccination program, I advise that while Ahpra and the National Boards regulate individual health practitioners, we don't manage the rollout of COVID-19 vaccines. The national vaccination program is being managed by the Commonwealth, state and territory governments.

When providing care in person or sharing information online, registered health practitioners have a professional obligation to only share information that is evidence-based, in line with the best available health advice, and is consistent with public health campaigns such as the Australian COVID-19 Vaccination Policy. These expectations of registered health practitioners are not new and predate the COVID-19 pandemic.

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. There is more information about informed consent in each National Board's Code of Conduct or equivalent.

I confirm that practitioners' obligations to provide accurate information and advice about COVID-19 vaccination based on up to date and reputable sources of information about COVID-19 vaccines also apply when obtaining informed consent for COVID-19 vaccination.

Australian Health Practitioner Regulation Agency
GPO Box 9958 | Melbourne | VIC | 3000 | www.ahpra.gov.au

We have published information on our webpage [here](#) to explain how the National Boards' existing regulatory frameworks apply in the context of COVID-19 vaccination.

Yours sincerely

A handwritten signature in black ink, appearing to read "Amanda Watson".

Amanda Watson
National Complaints Manager

AHPRA, letter to Elizabeth Hart, dated 20 September 2021

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.

Mandated Covid jabs obviously undermine health practitioners' legal and ethical obligation to obtain 'voluntary informed consent'.

Why didn't the medical profession call this out?

Why did health practitioners cooperate with Covid jab mandates?

Covid jabs and 'voluntary informed consent' – a medical ethics disaster

The medical establishment refuses to acknowledge **the clash between Covid jab mandates and voluntary informed consent.**

The medical profession is in disarray – **it has failed to ensure voluntary informed consent before vaccination and other medical interventions.**

According to government statistics 64.8 million Covid jabs have been administered nationally (population 26 million) – **has 'voluntary informed consent' been obtained before any of these jabs?**



The Royal Australasian
College of Physicians

Emails sent by Elizabeth Hart to the medical profession in Australia, on the subject of voluntary informed consent – *the traditional doctors' professional organisations refuse to be accountable on this matter.*

Hyperlinks to emails recorded on vaccinationispolitical.net on the Vax: Australia webpage

EMAILS TO THE MEDICAL BOARD OF AUSTRALIA, AUSTRALIAN HEALTH PRACTITIONER REGULATION AGENCY, ROYAL AUSTRALIAN COLLEGE OF GENERAL PRACTITIONERS, ROYAL AUSTRALASIAN COLLEGE OF PHYSICIANS, AUSTRALIAN MEDICAL ASSOCIATION

[Covid jabs and 'valid informed consent' – a medical ethics disaster Email to Jennifer Martin, President-Elect of the Royal Australasian College of Physicians](#) 5/Dec/2022

[Why does ATAGI recommend COVID-19 mRNA injections for all children aged 5 to 11 years? Email to Karen Price, president of the RACGP](#) 9/May/2022

[Covid-19 jab mandates overriding 'valid voluntary consent' – email to the President of the Royal Australian College of General Practitioners](#) 28/Feb/2022

[Coercive COVID-19 vaccination...people in distress...](#) 20/Oct/2021

['Informed consent', 'voluntary healthcare decisions' and coercive vaccination...](#) 15/Oct/2021

[Response received from AHPRA](#) 20/Sept/2021

[\(Response received from AHPRA in October 2017 relevant to the No Jab, No Pay law\)](#) 5/Oct/2017

[Covid-19 injections and 'informed consent'](#) 10/Sept/2021

[Is it ethical to insist on covid-19 injections for health staff?](#) 7/July/2021

[Is it ethical to inject mass population with covid injections?](#) 5/July/2021

[Is it ethical for doctors to inject children with covid-19 injections?](#) 15/June/2021

[Coercive covid-19 injections in Australia – email to the Medical Board of Australia, AHPRA, RACGP, RACP, AMA](#) 8/June/2021

Have health practitioners, 'in effect', been conscripted to participate in the Australian Government's Covid-19 jab rollout, in contravention of the Australian Constitution, i.e. paragraph xxiiiA of s51?

Did the Morrison Government lie to health practitioners about them having specific medical indemnity for administering the Covid jabs?



Ministers

Department of Health and Aged Care

[Home](#)

[Media centre](#)

[Mark Butler](#)

[Anika Wells](#)

[Ged Kearney](#)

[Emma McBride](#)

[Malarndirri McCarthy](#)

This content relates to a former minister

[Home](#)

COVID-19 indemnity scheme to protect health professionals and patients

The Australian Government is establishing a COVID-19 Vaccine Claim Scheme to provide further assurance and confidence to patients and health professionals in the COVID-19 vaccine rollout.



The Hon Greg Hunt MP

Former Minister for Health and Aged Care

Media event date: 2 July 2021

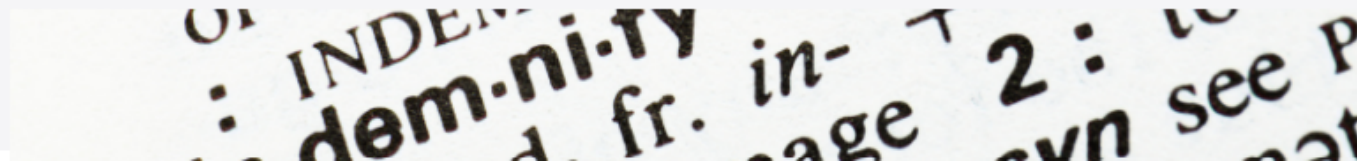
MEDIA RELEASE

No-fault indemnity scheme a boost to vaccine rollout

Published 28 August 2021



Australia's vaccination rollout has received a major boost with the Federal Government's announcement of a no-fault indemnity scheme for Covid-19 vaccinations.



11 November 2021

**For the attention of:
The Hon Greg Hunt MP
Minister for Health and Aged Care**

Dear Minister Hunt

Please could you advise to what extent the Commonwealth Covid-19 vaccine claims scheme provides insurance and indemnity for the civil and criminal liability that would arise where battery and clinical negligence occur due to a failure to obtain valid informed consent?

Please could you also provide the terms and conditions for this scheme.

Yours sincerely
Emma McArthur



Australian Government
Department of Health

Ms Emma McArthur
ejmino@gmail.com

Dear Ms McArthur

Thank you for your correspondence of 11 November 2021 to the Minister for Health and Aged Care, the Hon Greg Hunt MP, concerning the COVID-19 Vaccine Claims Scheme (the Scheme). The Minister has asked me to reply. I apologise for the delay in responding.

The Scheme opened to potential claimants on 13 December 2021 and has been established as a fit-for-purpose, time-limited claims scheme to respond to the unprecedented circumstances of the COVID-19 pandemic.

The Scheme does not provide an indemnity for practitioners or insurers, it does however provide patients who have suffered one of the eligible clinical conditions or an administration injury as a direct result of a COVID-19 vaccine, with faster access to compensation rather than a costly and complex court process.

I can advise that informed consent should be obtained for every COVID-19 vaccination, as per usual consent procedures for other vaccinations.

To this end, the Australian Government has made a range of accurate, evidence-based resources available to ensure people can be informed about COVID-19 vaccines. These cover the different COVID-19 vaccines in Australia and information on preparing for vaccination and what to do after vaccination. These also include expert health advice from Australian Technical Advisory Group on Immunisation (ATAGI) to assist people with their decision-making, and are available at: [COVID-19 vaccination – Patient resources | Australian Government Department of Health](#)

In general, a parent or legal guardian of a child has the authority to consent to that child being vaccinated.

Under common law regarding the mature minor rule, all medical practitioners are permitted to make an assessment of an adolescent's competence and maturity to consent to medical care (i.e. Gillick competence) including vaccination.

A child or adolescent may be determined to be mature enough to understand the proposed procedure and the risks and benefits associated with it. These young people may have the capacity to consent under certain circumstances.

Legislation on how this principle is implemented varies between jurisdictions. In some states and territories, older adolescents may be able to provide their own consent for vaccinations, for example those offered through school-based vaccination programs.

GPO Box 9848 Canberra ACT 2601
Telephone: (02) 6289 1555

For more information, visit the Australian Immunisation Handbook, which has information about 'valid consent', including criteria for consent to be legally valid or check with your state or territory health authority about these laws.

For written consent, vaccination providers can use the 'Consent form for COVID-19 vaccination', which is available at: [COVID-19 vaccination – Consent form for COVID-19 vaccination | Australian Government Department of Health](#).

Further information on the eligibility criteria under the Scheme including Frequently Asked Questions, an overview of the Scheme and the Scheme Policy can be found at: <https://www.health.gov.au/initiatives-and-programs/covid-19-vaccine-claims-scheme>.

Information is also available on the Services Australia website at: <https://www.servicesaustralia.gov.au/covid-19-vaccine-claims-scheme>.

I trust the above information is of assistance to you.

Yours sincerely

Louise Morgan
Acting Assistant Secretary
COVID-19 Vaccine Claims Scheme Taskforce
Medical Benefits Division

21 December 2021



Elizabeth Hart <elizmhart@gmail.com>

Are health practitioners covered for indemnity insurance re the Covid jabs?

Elizabeth Hart <elizmhart@gmail.com>

Wed, Nov 9, 2022 at 11:26 AM

To: minister.butler@health.gov.au

Cc: "Rennick Gerard (Senator)" <senator.rennick@aph.gov.au>, senator.antic@aph.gov.au, Malcolm Roberts <senator.roberts@aph.gov.au>, Emma McArthur <ejmino@gmail.com>

For the attention of:

Mark Butler
Minister for Health and Aged Care
Australian Government Department of Health and Aged Care

Mark Butler, are health practitioners covered by indemnity insurance if they fail to obtain valid informed consent before administering Covid jabs?

I have raised this matter previously with you in my emails dated 4 October 2022 and 7 October 2022, copies attached.

Emma McArthur has also previously sought clarification on this matter in her email dated 11 November 2021 to Greg Hunt, then Minister for Health and Aged Care, in which she asked:

Please could you advise to what extent the Commonwealth Covid-19 vaccine claims scheme provides insurance and indemnity for the civil and criminal liability that would arise where battery and clinical negligence occur due to a failure to obtain valid informed consent?
Please could you also provide the terms and conditions for this scheme.

Emma McArthur received a response to her queries from Louise Morgan, Acting Assistant Secretary, COVID-19 Vaccine Claims Scheme Taskforce, Medical Benefits Division, dated 21 December 2021.

The response from Louise Morgan notes the COVID-19 Vaccine Claims Scheme opened to potential claimants on 13 December 2021, and "has been established as a fit-for-purpose, time-limited claims scheme to respond to the unprecedented circumstances of the COVID-19 pandemic".

Louise Morgan also notes:

The Scheme does not provide an indemnity for practitioners or insurers, it does however provide patients who have suffered one of the eligible clinical conditions or an administration injury as a direct result of a COVID-19 vaccine, with faster access to compensation rather than a costly and complex court process.

I can advise that informed consent should be obtained for every COVID-19 vaccination, as per usual consent procedures for other vaccinations.

(My emphasis.)

Mark Butler, according to Louise Morgan, it appears there is no indemnity for practitioners or insurers...and that informed consent should be obtained for every COVID-19 vaccination, as per usual consent procedures for other vaccinations. In her response, Louise Morgan also referred to the Australian Immunisation Handbook, "which has information about 'valid consent', including criteria for consent to be legally valid..."

This is a very interesting response from Louise Morgan, because in July 2021, Greg Hunt announced that the Morrison Government was establishing a "fit-for-purpose COVID-19 vaccine medical indemnity scheme" to "support increased vaccination uptake by assuring Australians that health professionals, including GPs, nurses and pharmacists administering COVID vaccines as part of the Commonwealth vaccination program have appropriate indemnity coverage". (Media release: [COVID-19 indemnity scheme to protect health professionals and patients](#), see copy attached.)

The media release notes "The scheme will support claims made against privately practising health professionals who administer a COVID-19 vaccine approved for use by the Therapeutic Goods Administration (TGA)".

A further media release published on 28 August 2021 states: "The Morrison Government has finalised the details of the no fault COVID-19 Vaccine Claim Scheme following extensive consultation with the peak medical, healthcare, business and insurance sectors to ensure a comprehensive National Scheme".

The media release notes "It also ensure [sic] that health professionals administering vaccines will be able to continue with their crucial role in the vaccine roll out with assurance that the claims scheme will offer them protection." (See: [No Fault COVID-19 Indemnity Scheme](#), copy attached.)

To summarise, in July 2021, Greg Hunt announced health professionals, including GPs, nurses and pharmacists administering COVID vaccines as part of the Commonwealth vaccination program would have appropriate indemnity coverage, and the media release published in August 2021 appears to confirm this.

But the letter to Emma McArthur from Louise Morgan dated 21 December 2021 clearly states there is no indemnity for practitioners or insurers...and that informed consent should be obtained for every COVID-19 vaccination, as per usual consent procedures for other vaccinations.

So far, I haven't found a media release refuting the announcements of indemnity protection for health practitioners.

Again Mark Butler, I ask you to clarify this matter - are health practitioners such as GPs, nurses and pharmacists covered by indemnity insurance if they fail to obtain informed consent before the Covid jabs?

I request your early response.

Sincerely

Elizabeth Hart

Independent researcher investigating vaccine products and conflicts of interest in vaccination policy
vaccinationispolitical.net

6 attachments

- Mandated Covid jabs - are health practitioners indemnified without 'voluntary informed consent'.pdf
160K
- Is there an Albanese Government COVID-19 jab medical indemnity insurance scheme for health practitioners.pdf
91K
- 11-november-2022-covid-19-vaccine-claims-scheme.pdf
49K
- doh-reply-21-12-2021.pdf
120K
- COVID-19 indemnity scheme to protect health professionals and patients _ Health and Aged Care Portfolio Ministers.pdf
56K
- No Fault COVID-19 Indemnity Scheme _ Health and Aged Care Portfolio Ministers.pdf
57K



Australian Government
Department of Health and Aged Care

Ref No: MC22-018819

Ms Elizabeth Hart
elizhart@gmail.com

Dear Ms Hart

Thank you for your correspondence of 4, 7 October and 9 November 2022 to the Minister for Health and Aged Care, the Hon Mark Butler MP regarding the COVID-19 Vaccine Claims Scheme (the Scheme). The Minister has asked me to reply. I have addressed the three pieces of your correspondence below.

Your letter seeks clarification on whether the Government has established a medical indemnity scheme for health professionals administering COVID-19 vaccines, following media releases by the former government on 2 July 2021 and 28 August 2021. I can advise that rather than putting in place a medical indemnity scheme for health professionals, the former Government established the no-fault Scheme, which commenced operations on 13 December 2021.

Importantly, this means that a person making a claim under the Scheme, does not need to establish that another party was at fault. The injured person, does, however, need to provide evidence (detailed in the Scheme Policy) to establish that the harm (or a person's death) was likely caused by a Therapeutic Good Administration (TGA) approved vaccine or its administration, to be able to access compensation under the Scheme. While a medical indemnity scheme for health professionals administering the COVID-19 vaccine was not established per se, the creation of the no-fault Scheme was intended to support increased participation by health professionals in the COVID-19 Vaccination roll-out.

I can advise that the TGA closely monitors the safety of COVID-19 vaccines and has a well-established and robust system in place to capture reports of suspected adverse effects of all medicines including the COVID-19 vaccines.

Informed Consent

Informed consent should be obtained for every COVID-19 vaccination, as per usual consent procedures for other vaccinations.

To this end, the Australian Government has made a range of accurate, evidence-based resources available to ensure people can be informed about COVID-19 vaccines. These cover the different COVID-19 vaccines in Australia and information on preparing for vaccination and what to do after vaccination. These also include expert health advice from the Australian Technical Advisory Group on Immunisation (ATAGI) to assist people with their decision-making, and are available at:
<https://www.health.gov.au/resources/collections/covid-19-vaccination-patient-resources>.

For more information, visit the Australian Immunisation Handbook at:

GPO Box 9848 Canberra ACT 2601

2

<https://immunisationhandbook.health.gov.au/contents/vaccination-procedures/preparing-for-vaccination>, which has information about 'valid consent', including criteria for consent to be legally valid or check with your state or territory health authority about these laws at: <https://www.health.gov.au/health-topics/immunisation/immunisation-contacts>.

For written consent, vaccination providers can use the 'Consent form for COVID-19 vaccination', which is available at: <https://www.health.gov.au/resources/publications/covid-19-vaccination-consent-form-for-covid-19-vaccination>.

For further information about the Covid Vaccine Claims Scheme including Frequently Asked Questions, an overview of the Scheme and the Scheme Policy, please visit www.health.gov.au/initiatives-and-programs/covid-19-vaccine-claims-scheme.

Medical Indemnity Insurance for health practitioners

The Commonwealth's medical indemnity schemes provide financial protection to both privately practising health practitioners and patients in circumstances where a patient sustains an injury (or adverse outcome) caused by medical misadventure, malpractice, negligence or an otherwise unlawful act. In Australia, it is compulsory for all registered health professionals to hold medical indemnity insurance under the [Health Practitioner Regulation National Law Act 2009](#) (National Law). Subsection 129(1) of the National Law provides:

A registered health practitioner must not practise the health profession in which the practitioner is registered unless appropriate professional indemnity insurance arrangements are in force in relation to the practitioner's practice of the profession.

The objective of the Commonwealth's medical indemnity schemes are to:

- promote stability in the medical indemnity insurance industry
- keep premiums affordable for doctors and allied health professionals; and
- ensure availability of professional indemnity insurance for eligible midwives.

Thank you for writing on this matter.

Yours sincerely

Nigel Murray
Assistant Secretary
MBS Policy and Specialist Services Branch
17 November 2022

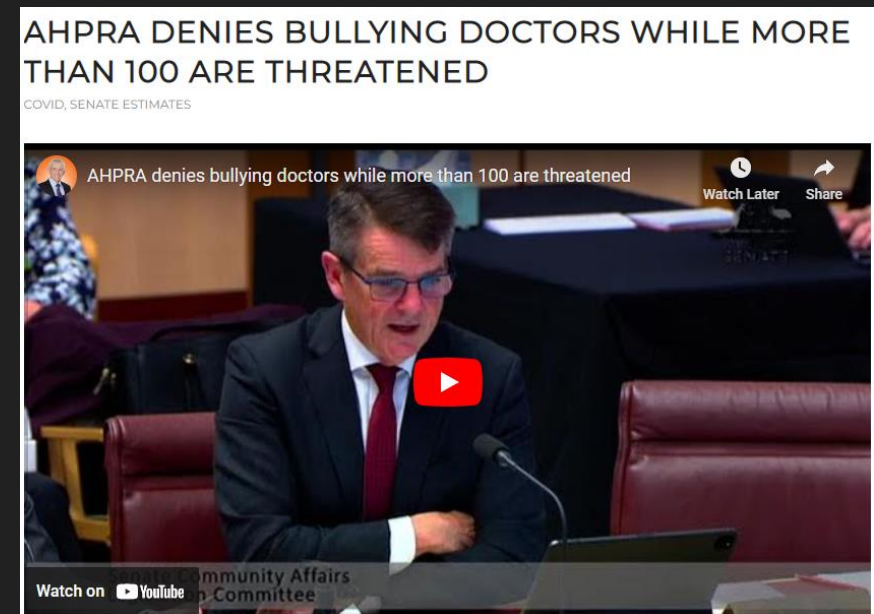
Informed consent should be obtained for every COVID-19 vaccination, as per usual consent procedures for other vaccinations.

Nigel Murray
Assistant Secretary
MBS Policy and Specialist Branch
Department of Health and Aged Care
17 November 2022

Are health practitioners in an impossible situation?

They're obligated to obtain voluntary informed consent, *but constrained from questioning the information that supports vaccination, e.g. under threat of regulatory action by AHPRA.*

This was raised recently by senator Malcolm Roberts in a Senate Estimates meeting, when he questioned AHPRA CEO Martin Fletcher.



Are health practitioners properly informed about Covid-19 and the Covid jabs?

To obtain authentic voluntary informed consent, health practitioners need to be informed themselves – **but how much do they know about Covid-19?**

Are governments, bureaucrats, the medical / scientific establishment, and the media reliable sources of information?

Are there conflicts of interest impacting on the quality of information relevant to Covid-19 policy?



World Health Organization

Most people infected with the virus will experience mild to moderate respiratory illness and recover without requiring special treatment.

However, some will become seriously ill and require medical attention. Older people and those with underlying medical conditions like cardiovascular disease, diabetes, chronic respiratory disease or cancer are more likely to develop serious illness.

If most people aren't at serious risk...why is almost everyone being pressured to submit to Covid jabs over and over again...and sacrifice their own effective natural immune response?

It's a massive global experiment...



The Hon Greg Hunt MP
Former Minister for Health and Aged Care

“The world is engaged in the largest clinical trial, the largest global vaccination trial ever...”

Interview with David Speers on ABC Insiders, 21 February 2021

The 'expert' advice... Any conflicts of interest?

Australian Technical Advisory Group on Immunisation (ATAGI) Nigel Crawford

Australian Health Protection Principal Committee (AHPPC)

Chief Medical Officer Paul Kelly

Chief Health Officers

ATAGI COVID-19 Working Group

National COVID-19 Coordination Commission

Therapeutic Goods Administration (TGA) John Skerritt

CEPI Jane Halton

TGA Advisory Committee on Vaccines (ACV)

COVID-19 Vaccines and Treatments for Australia – Science and Industry Technical Advisory Group

Pharmaceutical Benefits Advisory Committee (PBAC)

Department of Health & Aged Care Secretary Brendan Murphy

Doherty Institute

National Centre for Immunisation Research and Surveillance (NCIRS)

Burnet Institute

Murdoch Children's Research Institute

Kirby Institute

Garvan Institute

Grattan Institute

Immunisation Coalition...

Funded by Pfizer, Moderna, GSK, CSL Seqirus, Sanofi, Bioclect, Novavax, MSD, Apotex, Roche

Quoting from Elizabeth Hart's email to Mark Butler, 21 November 2022:

...it appears that **health practitioners have been misled by the former Morrison Government into believing they are covered by a specific government medical indemnity scheme for administering Covid-19 jabs**, as it has now been confirmed by your department that **health practitioners are not covered by a specific Covid-19 government medical indemnity scheme**.

The health practitioners inserting the needle must be warned they're not protected by a specific government Covid medical indemnity scheme after all...and they need to consider the quality of the information they're providing to people to gain their 'valid informed consent' to the jabs. **They must also consider the impact of job mandates - which pressure, coerce and manipulate people to submit to Covid jabs**, in contravention of The Australian Immunisation Handbook, i.e. **job mandates inhibit a 'voluntary' decision**.

No response received from Mark Butler...



Australian Government
Department of Health and Aged Care

Ref No: MC22-022011

Ms Emma McArthur
eiminoz@gmail.com

Dear Ms McArthur

I refer to your correspondence of 16 November 2022 to the Attorney-General, the Hon Mark Dreyfus KC MP regarding the legal liability of health professionals administering COVID-19 vaccine. Your letter has been referred to the Minister for Health and Aged Care, the Hon Mark Butler MP. The Minister has asked me to reply.

I note that you have also raised this issue with the former Minister for Health and Aged Care, Mr Greg Hunt on 11 November 2021 and 21 January 2022.

As previously advised health professionals should be seeking informed consent from patients before providing vaccination services, but the question of legal liability if they do not obtain such consent is a matter for affected individuals to seek their own legal advice on.

Thank you for writing on this matter.

Yours sincerely

Nigel Murray
Assistant Secretary
MBS Policy and Specialist Services Branch
17 January 2023

cc: Mr Mark Dreyfus KC, MP
Attorney-General
PO Box 6022
Parliament House
CANBERRA ACT 2600
mark.dreyfus.mp@aph.gov.au



COVID-19 VACCINATION

Handling consent refusal by people presenting for vaccination

This factsheet provides guidance for vaccination providers on handling consent refusal by people presenting for vaccination. This may occur, for example, where a person requires vaccination for their employment.

Background

Vaccine providers have reported some people have requested vaccination but have refused to provide informed consent. It can be associated with behaviour that includes, but is not limited to:

- aggressive, abusive, apologetic, blame shifting, quiet and loud behaviour;
- offering bribes or gifts to falsify consent documentation;
- changing words on consent forms (e.g. crossing out consent and replacing with 'coerced' or 'forced'); and
- trying to engage in political debate or discussion including 'violation of rights' and 'personal freedoms'.

What is informed consent and why is it important?

Informed consent is an individual's voluntary decision to agree to a healthcare treatment, procedure or intervention, such as a COVID-19 vaccination, in its entirety, after the individual has been provided understandable, sufficient, appropriate and reliable information about the intervention, including the potential risks and benefits. Consent can be verbal or written.

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.

It is not your role as a health professional to debate topics or change a patient's opinion. Patients may be hesitant for a range of reasons such as their beliefs about vaccination, bad experience with previous vaccination, needle phobia or misinformation.

Can I vaccinate a patient if they are mandated to receive a vaccination?

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.

What should I do if a patient is aggressive or I feel threatened?

Staff safety is a priority and you do not have to tolerate aggressive behaviour. If a patient is being aggressive, you can:

- request the patient to leave the clinic; or
- if you do not feel comfortable to request a patient to leave, and if able, remove yourself from the situation and escalate to a supervisor.

The following page provides some suggested talking points to assist you to have conversations with patients who do not provide informed consent.

Resources

- The Australian Technical Advisory Group on Immunisation has released information for providers on [COVID-19 Vaccination Consent & FAQ](#)
- Healthdirect has published information about [Informed Consent](#)
- The Australian Immunisation Handbook has information about [Preparing for Vaccination](#), including obtaining valid consent
- [Consent form for COVID-19 vaccination](#)

It appears health practitioners are still not being warned they're not actually protected by a specific government Covid jab medical indemnity scheme after all...

What is the situation when millions of people, including parents of children, find out they have not properly given 'voluntary informed consent' to the Covid jabs, particularly under coercive Covid jab mandates?

Are the health practitioners being set up to be thrown under the bus?



Medical Practitioners and Professionals
Australia

11 January 2023

Dear Medical Professional,

Administering of COVID-19 vaccination is likely not an indemnified action - this is notice of your obligations, rights, and potential risks.

On 2 July 2021 and 28 August 2021, the former Federal Government announced a proposed medical indemnity scheme for health professionals administering the COVID-19 vaccines. Recent [correspondence](#) from government advisers outlines that such an indemnity scheme was never established per se.

Unlike the case with manufacturers of COVID-19 vaccines, there appears to be no government liability protection beyond the [vaccine injury 'COVID-19 vaccine claims scheme'](#).

[Government](#) and [AHPRA](#) correspondence outline practitioners' obligations to obtain informed consent. AHPRA defines informed consent in section 4.5 of the [Good Medical Practice Code of Conduct](#). It is "a person's voluntary decision about health care that is made with knowledge and understanding of the benefits and risks involved."

[The Australian Immunisation Handbook](#) further states:

For consent to be legally valid...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 High court's decision of *Rogers v Whitaker 1992* sets today's precedent and standard for informed consent obligations. A doctor has a duty to warn a patient of any material risk involved in a proposed treatment, or else risk tortious liability from patients.

The 9 March 2021 joint statement by AHPRA and National Boards threatens regulatory action "for anti-vaccination messages in professional health practice, and any promotion of anti-vaccination claims, including on social media." Regardless, [evidence from reputable sources](#) demonstrates that COVID-19 provisionally-approved vaccines have real known and unknown harms and immunocompromising effects. Doctors have a duty to warn patients of any material risks associated with the treatment as well as ensuring their decisions are being made without undue coercion.

We encourage you to be aware that under section 3.4.6 of the [Good Medical Practice Code of Conduct](#), **you have a right not to provide or directly participate in treatments to which you conscientiously object.**

Sincerely,

Australian Medical Professionals' Society

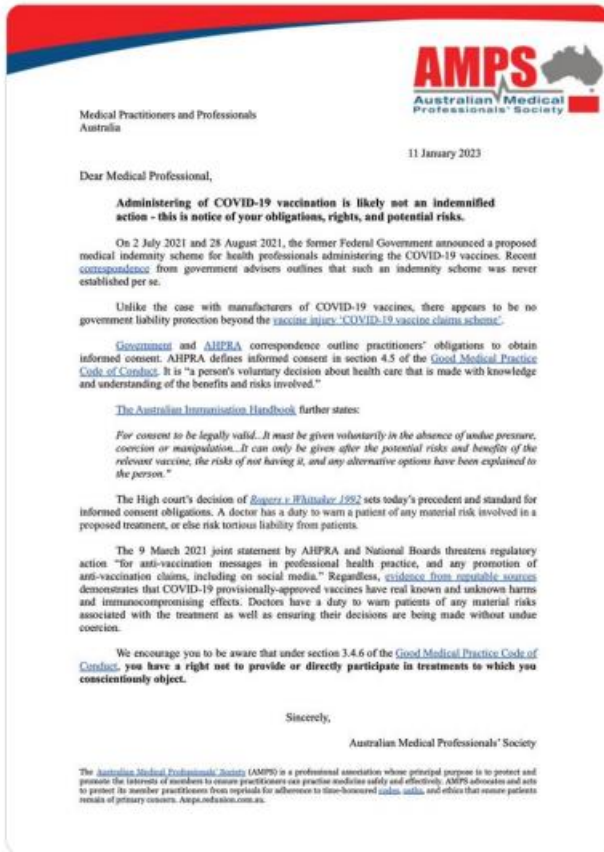
The [Australian Medical Professionals' Society](#) (AMPS) is a professional association whose principal purpose is to protect and promote the interests of members to ensure practitioners can practise medicine safely and effectively. AMPS advocates and acts to protect its member practitioners from reprisals for adherence to time-honoured [codes, oaths](#), and ethics that ensure patients remain of primary concern. amps.redunion.com.au.

← Tweet



Andrew Bridgen
@ABridgen

This is a message which is well overdue to all doctors and health professionals involved in the Covid 19 'vaccine' and 'booster' programme.



3:00 AM · Jan 17, 2023 · 419.4K Views

2,834 Retweets 165 Quote Tweets 6,648 Likes

DOCTORS DOWN UNDER MAY BE RESPONSIBLE FOR COVID VAX INJURIES



An underreported story of great significance as a top Australian medical society has just given notice of potential damages from the Covid shots.

#AMPS #InformedConsent #VaccinateAustralia

POSTED: January 27, 2023



ELIZABETH HART – Independent researcher investigating vaccine products and conflicts of interest in vaccination policy

The ethical aspects of vaccination, especially mandated vaccination, are of particular interest to me.

The potential conflicts of interests of academics working in the areas of vaccine development and promotion, and the influence of these academics on government policy, must be examined.

vaccinationispolitical.net

over-vaccination.net

EMMA McARTHUR – Independent researcher investigating pandemic preparedness and the response to Covid-19

humanityattheprecipice.com