



Elizabeth Hart <elizmhart@gmail.com>

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## Informed consent and mass population Covid-19 vaccination - considering Rogers v Whitaker

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Elizabeth Hart <elizmhart@gmail.com>  
To: minister.butler@health.gov.au  
Cc: Emma McArthur <ejminoz@gmail.com>

Wed, Apr 5, 2023 at 5:07 PM

### For the attention of:

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

Mark Butler, **millions of adults and children in Australia have been ordered to have Covid-19 vaccinations, regardless of their health status and risk of Covid-19.**

I suggest in most instances Covid-19 vaccination is an **unnecessary medical intervention**, against a disease it was known from the beginning wasn't a serious threat to most people, **with the WHO acknowledging** "Most people infected with the virus will experience mild to moderate illness and recover without requiring special treatment..." (See attached WHO statement on Coronavirus (COVID-19).)

**The vast majority of people are not 'patients' in need of a medical intervention to correct a health problem, or protect them from serious harm.** The majority of people are effectively protected via their own immune response, without need for the artificial interference of repeated Covid-19 vaccine products.

**Consider the case of Rogers v Whitaker 1992**, which underpins health practitioners' legal and ethical obligation to obtain informed consent. In this case, Maree Whitaker, a patient with an existing eye condition, consulted Christopher Rogers, an ophthalmic surgeon. **This was a one on one consultation between a patient and a medical professional with specific expertise.**

Contrast this case with the millions of people who have been pressured, coerced, manipulated, and even **mandated**, to have a medical intervention of no benefit to them. **Moreover, these individuals were compelled to present at a 'vaccination clinic' in order to be injected with a medical product, by a health practitioner who is unlikely to have specific expertise in Covid-19 or Covid-19 vaccine products.**

Mark Butler, **your department has confirmed to me: "Informed consent should be obtained for every COVID-19 vaccination, as per usual consent procedures for other vaccinations."** This isn't happening - people are not being properly informed. Additionally, **people under mandates are clearly not able to give lawful consent if they are attending the vaccination clinic under duress**, faced with the threat of loss of livelihood or freedom of movement and association.

**The medical profession is very much in the frame for this medical and political disaster, as they should have refused to cooperate with mandated medical interventions** - are they now at risk of liability for administering unnecessary Covid-19 vaccinations, without authentic voluntary informed consent? (See my presentation to the Australian Medical Network: **Voluntary Informed Consent and Covid Jab Mandates - Are we sitting on a powder keg?** February 2023. **PowerPoint slides** for this presentation.)

**Both the Albanese government and the former Morrison government have confirmed that health practitioners do not have specific medical indemnity for administering the Covid-19 vaccinations**, in response to my colleague Emma McArthur's and my own correspondence on this matter, as summarised in my email to you dated 21 November 2022, see: **Response re: Are health practitioners covered for indemnity insurance re the Covid jabs?** (Copies of letters we received from the Department of Health and Aged Care are attached.)

**Health practitioners, businesses and others who have overridden voluntary informed consent obligations must be warned about the potential ramifications.**

Mark Butler, the Australian federal, state and territory governments must take immediate steps to address this matter, **in the first instance ensuring all Covid-19 vaccination mandates are dropped.**


**I request your urgent response.**


Sincerely  
Elizabeth Hart

**5 attachments**

 **WHO - Coronavirus.pdf**  
727K

 **mc22-018819-signed-highlighted-1.pdf**  
177K

 **doh-reply-21-12-2021.pdf**  
120K

 **doh-reply-28-01-2022.pdf**  
100K

 **doh-reply-17-january-2023.pdf**  
92K