_____ (Chief Executive Officer)

NHS_____

Address _____

Post Code _____

Date _____

Formal complaint regarding Covid vaccination

1. Personal details

(i) My name is _____.

(ii) My address is as above.

(iii) My date of birth is _____.

(iv) My NHS number is _____.

(v) I received my first dose of the _____ vaccine on _____.

(vi) I received my second dose on 16th April 2021.

(vii) Prior to Covid vaccination my fitness levels were _____.

2. Breach of duty of care and medical protocol with regards to informed consent

It has recently come to my attention that I was not properly informed about the Covid vaccines. I refer you to the exhibited evidence presented herein and enclosed/attached.

I am told that you were provided with the evidence contained within Document Reference No: NE013712676GB previously, including the enclosed Exhibits to which I will be referring, but did nothing about it. It shows that NHS _____ failed in their duty of care to follow medical ethics and protocols with regards to obtaining properly informed and thereby valid consent, as follows.

Green Book Chapter 2

(i) Public Health Scotland provided Covid-19 vaccination guidance to NHS Boards. That guidance advises that *"it is the **responsibility of immunisers** to ensure that informed consent has been obtained"* and recommends the **Green Book Chapter 2** guidelines for consent.

~Exhibit MJS12

(ii) the Green Book Chapter 2 refers doctors and healthcare practitioners to both the GMC (page 5 - Professional guidance on consent') and BMA (page 6 - 'Other key references') guidelines for consent.

~Exhibit MJS13

GMC guidelines on consent

(iii) The General Medical Council guidance on consent confirms that

(a) patients have the right to make informed decisions.

(b) there is an obligation to provide patients with the information they need to make informed decisions.

(c) that information should include potential risks of harm and uncertainties, with an experimental, novel gene-therapy product falling under the categories of "risk" and "uncertainty" by definition.

(d) health professionals should not have relied on any assumption that vaccine recipients would not have wanted this information in order to make an informed decision.

(e) health professionals should not have relied on assumptions that vaccine recipients would not have considered such information to be significant in order to make an informed decision.

(f) health professionals have an obligation to ensure that vaccine recipients **understand exactly what they are consenting to**.

(g) otherwise the consent obtained is neither valid nor legal.

~Exhibit MJS14

BMA guidelines on consent

(v) The British Medical Association Toolkit on consent for doctors

(a) aligns with, supports and reinforces the GMC guidance on the issues of relevance; sufficiency; risk (an experimental vaccine still within clinical trials with no medium- to long-term data constitutes "risk" by definition); and what an individual patient may attach significance with regards to information provided for informed consent to be valid.

(b) this includes discussing the nature (eg, novel gene technology) and uncertainty (eg, experimental with unknown safety profile) of an intervention.

(c) doctors cannot rely on a body of medical opinion for this purpose.

(d) **information should not be withheld**.

(e) failure to do so could be challenged in law.

(f) states that *"**a patient genuinely understanding what is being proposed** is more important than how consent is recorded."* (Page 4)

~Exhibit MJS16

Core Knowledge for COVID-19 Vaccinators

(viii)NHS England's vaccinators training slides confirm that, in order for consent to be valid

(a) the person giving consent should receive an explanation of the treatment

(b) the person giving consent must be appropriately informed

(c) the person giving consent must have the necessary information

(d) the person giving consent must have adequate information

(e) the person giving consent must be given as much information as they need; and that

(f) informed consent is a legal requirement

(g) sufficient evidence-based information must be provided to make balanced and informed decision

(h) it is **key** that the person **must understand what they are consenting to**.

~Exhibit ADD01 (addendum)

*Note: if Scotland's Covid-19 vaccinator training is of a lesser standard or different to NHS England's in any way and do not teach that it is **key** that the person **must understand what they are consenting to**, I would be grateful if you would advise me how and to what extent.*

3. Consent NOT informed

When granting my consent for the _____ injections

(i) I was not informed that the vaccine I was injected with was still within Phase III clinical trials.

~Exhibit MJS02

(ii) I was not informed that the vaccine I was injected with was

(a) unlicensed **~Exhibits MJS04/MJS05**

(b) unproven **~Exhibits MJS05**

(c) investigational **~Exhibits MJS05/MJS06/MJS10**

(d) experimental **~Exhibits MJS02/MJS05/MJS07**

(e) gene therapy **~Exhibits ADD02/MJS08**

(f) genetic modification (whether temporary or otherwise) **~Exhibits ADD03/MJS09**

(iii) I was not informed that by the time of my second dose, the AstraZeneca vaccine had been withdrawn in at least eighteen countries due to health concerns.

~Exhibit ADD04

(iv) I was not informed that MHRA's approval was for Conditional Marketing Authorisation only, which is a process required for products that are unlicensed/unproven/experimental/ investigational and/or still within clinical trials, such as the Covid vaccines.

~Exhibit ADD05

(v) The guidance on consent for Covid-19 vaccinations, including

(a) the Green Book chapter on consent

(b) GMC guidance

(c) BMA guidance, and

(d) Core Knowledge for Covid-19 Vaccinators

clearly states and confirms that responsibility for informed consent lies with vaccinators, and that sufficient information has to be given for a patient to understand exactly what they are consenting to before their consent can be considered to be informed.

(vi) Supported by the facts and evidence presented in these documents, I state for the record that **my consent was NOT informed**.

(vii) The facts and evidence presented are by no means exhaustive.

4. Health issues suffered and losses sustained due to the _____ vaccine

(a) Since Covid vaccination I have suffered from _____.

(b) I contacted the NHS _____.

(c) etc

(d) etc

(e) etc

(f) etc

(g) I now understand that research shows that _____ is a recognised side effect of the Covid vaccines.

~Exhibit ADD06

5. My requirements from this complaint

As detailed above, I have suffered demonstrable serous injury and loss from the _____ vaccine. However, this complaint is NOT about my injuries or loss, **this complaint is about the decision that led to me taking the vaccine in the first place and NHS _____'s failure to provide the necessary information required prior to injecting me with an experimental substance**.

_____ is Chief Executive of NHS _____ and as Accountable Officer bears ultimate responsibility for all actions and decisions of NHS _____.

I therefore require from NHS _____ a substantive rebuttal to the above points and Exhibits ******, otherwise:

A. an acknowledgement that the evidence provided with this complaint is factual and correct.
B. an acknowledgement that NHS _____ therefore failed in their duty of care to provide sufficient or adequate information prior to vaccination.
C. an acknowledgement that **I did not understand what I was consenting to**.
D. an acknowledgement that **my consent was NOT informed**.

Thank you for your consideration on this matter. I look forward to your response.

Yours sincerely,