

Case: Michael Harris – Father of Emma Harris

Patient Information:

- **Name (Parent):** Michael Harris
- **Age:** 35 years
- **Child's Name:** Emma Harris
- **Child's Age:** 4 years
- **Gender:** Female
- **Indigenous Status:** Not Aboriginal or Torres Strait Islander
- **Year:** 2024
- **ICPC-2 Codes:** A – General/Preventive Medicine

Competency Outcomes:

1. Communication and Consultation Skills:

- Demonstrates effective and empathetic communication with the parent.
- Navigates discussions involving legal and ethical aspects of parental consent for immunisation.

2. Clinical Information Gathering and Interpretation:

- Understands the family background, reasons for non-immunisation, and current custody dynamics.
- Identifies barriers to immunisation and obtaining informed consent.

3. Diagnosis, Decision-Making, and Reasoning:

- Formulates an approach that complies with Australian laws on parental consent for immunisation.
- Weighs ethical considerations against the child's best interests.

4. Clinical Management and Therapeutic Reasoning:

- Provides guidance to the parent on obtaining appropriate consent and outlines the necessary legal steps.
- Advises on the best course of action to ensure the child's health.

5. Legal and Ethical Practice:

- Demonstrates an understanding of Australian laws regarding shared parental responsibility and consent for medical treatment.
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Instructions to the Candidate:

- **Review** the background provided and conduct a focused assessment of the father's request.
 - **Navigate** the legal and ethical considerations regarding immunising a child when parents have differing views.
 - **Discuss** the steps required to comply with Australian laws and advise the father on the appropriate process.
 - **You have 15 minutes** for this clinical encounter.
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Scenario:

Michael Harris, a 35-year-old father, presents to your clinic requesting immunisation for his 4-year-old daughter, Emma. Emma has not received any vaccinations due to her mother's strong opposition based on safety concerns. Michael and Emma's mother recently finalised their divorce, and they share joint custody. He explains that he strongly believes in the importance of immunisation for Emma's health and wants her to be vaccinated but is unsure of the legal and ethical implications of proceeding without the mother's knowledge or consent.

Michael expresses frustration about the disagreement and worries about the potential health risks to Emma if she remains unimmunised. He is looking for advice on how to navigate this situation legally and ethically while prioritising his daughter's health.

Examiner Information:

Prompts and Suggested Answers:

1. Understanding the Legal Background (Ask):

- **Prompt:** What would you ask Michael to clarify the legal context of his request?
- **Suggested Answer:** I would ask if there are any existing **parenting orders or agreements** that specify medical decision-making rights for Emma. I would also clarify the nature of their joint custody arrangement to understand if both parents have equal decision-making authority.

2. Exploring the Ethical Considerations (Assess):

- **Prompt:** How would you discuss the ethical implications of immunising Emma without the mother's knowledge?
- **Suggested Answer:** I would explain that, ethically, the child's best interests are paramount. However, in situations of shared parental responsibility, it is essential to respect the rights of both parents to make decisions. Immunising a child without mutual consent can lead to legal disputes and potential breaches of shared custody agreements.

3. Legal Framework for Consent (Advise):

- **Prompt:** What is the legal stance on parental consent for immunisation in Australia?
- **Suggested Answer:** In Australia, parents who share joint custody generally need **mutual consent** for medical decisions, including immunisations. If one parent disagrees, the issue may need to be resolved through **family court** or mediation. I would advise Michael that proceeding without the mother's consent could breach legal agreements and create legal consequences.

4. Guidance on Next Steps (Assist):

- **Prompt:** What steps would you recommend Michael take to ensure he follows the appropriate legal process?
- **Suggested Answer:** I would recommend Michael:
 - **Engage in a mediated discussion** with the mother to reach an agreement.
 - If mediation fails, seek legal advice or apply to the **family court** to obtain a ruling that prioritises Emma's health and well-being.

- Document his concerns and reasoning for wanting Emma to be immunised, as this can be presented in court if needed.

5. Providing Support and Resources (Arrange):

- **Prompt:** How would you support Michael while the legal process is ongoing?
- **Suggested Answer:** I would reassure Michael that his concerns for Emma's health are valid and provide educational resources on the **benefits and safety of immunisation**. I would offer information on **mediation services** and suggest he consult a **family lawyer** experienced in custody and medical consent issues. Regular follow-up appointments could be arranged to discuss updates and provide ongoing support.

Examination Checklist:

- **Understanding Legal Background:** Did the candidate ask relevant questions about custody and legal arrangements?
- **Ethical Considerations:** Did the candidate address the ethical complexities of unilateral parental decisions?
- **Knowledge of Legal Requirements:** Did the candidate demonstrate an understanding of Australian laws regarding parental consent for immunisation?
- **Guidance on Next Steps:** Did the candidate offer appropriate advice on mediation and legal action?
- **Support and Resources:** Did the candidate provide resources and reassurance while navigating this process?

This clinical encounter assesses the candidate's ability to navigate complex legal and ethical issues surrounding shared parental responsibility and immunisation, focusing on patient communication and adherence to Australian laws.