



## Jehovah's Witness girl could receive blood against her will during childbirth

**Court grants Victoria's Mercy hospital authority for blood transfusion as 'last resort' if haemorrhaging occurs**

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A Jehovah's Witness girl may be forced to receive a blood transfusion against her will this weekend when she gives birth in Melbourne.

Victoria's Mercy hospital was granted supreme court authority on Friday to give the girl blood as a "last resort" if she suffers a postpartum haemorrhage when induced into labour on Sunday afternoon.

The 17-year-old first-time mother is considered to be at increased risk of haemorrhaging because she is of "small stature" and the baby is large, meaning she may have a long labour, an assisted birth or an emergency caesarean section.

Jehovah's Witnesses forbid followers from receiving blood transfusions or blood products.

The risk to the baby from the mother refusing blood is considered low.

The Human Tissue Act has a provision that minors may be given blood transfusions without parental consent, but it was edited in 1994 with the concept of a “mature minor” who could “make up their own mind”, the court was told on Friday.

However, the child psychiatrist Campbell Paul told the hearing he did not believe the girl had the “decision-making capacity” to be considered as having “Gillick competence” - a term used to describe whether a child can consent to their own medical treatment.

Paul said the girl had “been through considerable disruption and trauma through her life” and had “transgressed a major value of her family and her community” by having pre-marital sex.

“You could imagine that she feels very frightened” and worried about “further punishment”, he said.

The obstetrician and gynaecologist Jacqueline van Dam told the court she was concerned about the girl’s “naivety” that if anything happened, “she would be protected by her faith”.

She said several strategies could be undertaken first in the case of haemorrhage, such as injecting a drug to limit bleeding or stitching the uterus.

The girl’s mother, who said she would not consent to the hospital administering blood to her daughter, told the court receiving a transfusion would have a significant impact on the girl’s wellbeing.

“Being forced to have that done against her will would be something like having violence done to her or being raped,” she said in a statement read to the court.

“She wants to do the right thing by Jehovah, by God.”

Justice Cameron Macaulay granted Mercy hospital the authority to give the girl a transfusion if necessary as “a last resort” but only if they first used all other strategies to stop the bleeding and obtained authority from two doctors.

“I’m not satisfied that [the girl] has the maturity to understand the consequences of her choice,” he said.

“I do not consider that allowing her, in effect, to choose to die ... is in her best interests.”

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