Submission of Bishop Fabbro to the College of Physicians and Surgeons of Ontario (CPSO) regarding the review of the Human Rights Code policy

This submission is in response to the notice of the College of Physicians and Surgeons of Ontario regarding its review of the Human Rights Code policy. I write you as the Bishop of the Diocese of London to bring to your attention the concerns of Catholics in my diocese and across the province. In 2012, the Catholic Bishops of Canada published a Pastoral Letter entitled "Freedom of Conscience and Religion". Our purpose was twofold:

1) We believe that religious believers and their communities have made remarkable contributions to society in diverse sectors, such as culture, health care and education, particularly when they enjoy freedom of conscience and religion. These contributions have been evident in Canada's history, even prior to its becoming a nation, in the many hospitals founded by faith communities and in the outstanding service given by doctors, nurses and health care professionals of different religions.

2) Recently in our country people of religious faith are finding themselves in disturbing situations in which they are pressured to act against their conscience or their religious beliefs.

In our pastoral letter, we note that the Charter of Rights and Freedoms affirms that each citizen has certain fundamental freedoms, such as the freedom of conscience and religion (Article 2). Likewise, the Universal Declaration of Human Rights affirms that everyone has the right to freedom of conscience and religion (Article 18).

Some people are advocating that the CPSO should change its policy and deny a doctor's right to refuse treatment, so as to ensure equal access to services covered by our national health care system. I believe this approach should be rejected, because it fails to respect the right to freedom of conscience guaranteed by the Charter and upheld by the Universal Declaration of Human Rights.

The Catholic Church teaches that freedom of conscience and religion are the cornerstones of human rights and the foundation of every free, democratic society. No one should be forced to act against his or her conscience. Following one's conscience is profoundly personal. We should all be concerned if doctors had to put aside their conscience and their religious beliefs in order to practice their profession.

We live in a pluralistic society. This means that different spheres of belief must co-exist in our country. In a democratic society, religion should be allowed to operate freely. Religious believers should not be excluded from the public sphere and forced into the private sphere.

It has been pointed out that the pressure to deny doctors the right to refuse treatment reflects a view that reduces doctors to mere technicians who provide services to which patients have a right. Treating doctors in this fashion, however, fails to respect the traditional understanding that they are professionals with ethical obligations in the treatment of their patients. Everyone has the right to freedom of conscience, both the patient and the doctor. Denying the doctor's right to this freedom harms the patient as well, because respect must be mutual in any healthy relationship.

In the review of your conscience policy, then, I respectfully urge you to consider the impact on our
society if freedom of conscience is increasingly restricted and to protect the right to freedom of conscience for all of your members.

Sincerely yours,

Most Rev. Ronald Fabbro, C.S.B.
Bishop of London