Dear Sirs,

RE: Current review of the CPSO Human Rights Code policy

I am seriously concerned that there appears to be pressure on the CPSO to revoke the present policy allowing doctors to decline to provide non-emergency care or referrals for the same if the procedure(s) requested violate the doctors' own consciences. My concerns and objections are:

1) Freedom of conscience is protected under Canada's Charter of Rights and Freedoms. As far as I understand, the Charter makes no stipulation about how the conscience is formed, be it by religious or other principles. The CPSO can hardly have a mandate to dictate what forms the consciences of its members. By denying doctors the power to perform or refuse to perform any given treatment or procedure on the basis of conscience, the CPSO is saying that its members must be completely professionally amoral. That was the basis on which Nazi "medical" experiments were carried out.

2) Some, if not all, the potentially refused services have credible and increasing evidence that in themselves they are detrimental to health. Abortion (which of course by definition is fatal to the child), birth-prevention by mechanical, pharmaceutical or surgical means (including vasectomies), and mammograms, for example, all can be opposed on clinical grounds. How would the CPSO propose to determine whether a doctor refuses to prescribe/perform/refer for these procedures on the basis of conscience or on the basis of professional judgement? There are recognized medical treatments that some doctors refuse to provide (i.e. the use of a penicillin to correct a uterine palpce). As the CPSO then proposing to require all physicians to provide all the
possible treatments worthy of their respective specialties? That makes no professional sense at all.

In light of these concerns I urge the CPSO to ensure that doctors retain the right to refuse or to provide particular treatments or procedures for their own reasons, be they reasons of conscience, competence or professional judgement, and to refer patients to other doctors or not as their conscience dictates.

Thank you for your considered attention to this important matter.