February 19, 2015

College of Physicians and Surgeons of Ontario
80 College Street
Toronto, Ontario M5G 2E2

Re CPSO draft policy: Professional Obligations and Human Rights

The Ontario Human Rights Commission (OHRC) has reviewed the College of Physicians and Surgeons of Ontario’s (CPSO) new draft policy, Professional Obligations and Human Rights. The new draft policy addresses many of the recommendations the OHRC made in its August 2014 submission during the CPSO’s preliminary consultation. It better reflects the legal principles set out in decisions by the courts and in the OHRC’s Policy on Competing Human Rights.

More specifically, the CPSO’s draft policy will help physicians understand the scope of their legal obligations under Ontario’s Human Rights Code, and sets out the CPSO’s expectation that physicians will respect the fundamental rights of those who seek their medical services. At the same time, it acknowledges a physician’s right to freedom of conscience and religion. The draft policy recognizes that no right is absolute; the core of a right is more protected than the periphery; rights can be limited by the rights and freedoms of others; and that the aim is to respect the importance of both sets of rights. The draft policy effectively strives to achieve this balance of rights.

As you may be aware, I’m leaving the Commission at the end of February. Feel free to direct any questions you may have to Commission staff.