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

Ladies and Gentlemen:  

Re: Conscience rights of doctors  

Our understanding is that the latest draft of "Professional Obligations and Human Rights" by the CPSO includes the proposal that doctors be obliged to provide referrals when they cannot provide a procedure for reasons of conscience. When this policy was first proposed in the summer of 2014, a "duty to refer" was clearly rejected (50% opposed, 44% in favour) by physicians and members of the public during an open consultation process. Yet the CPSO has kept the "duty to refer" provision in a rewrite of the policy, which has been submitted to another open consultation scheduled to end in mid-February.  

This kind of egregious behaviour by a minority who sadly appear to dominate the CPSO board is contrary to all democratic tradition. The membership and members of the public have spoken; the matter should be considered closed for this generation. To continue pushing a "duty to refer" when it is clearly not wanted speaks of the worst kind of manipulation and unscrupulous effort to wear down the majority by sheer repetition.  

What makes the action by the board worse is that this issue is one that strikes at the heart of the role of medicine in society. Since the days of ancient Greece, and through the monastery hospitals and religious orders of the middle ages which gave rise to modern medicine, the practice of medicine has been dedicated to the enhancement and saving of life. This philosophy has always provided the underlying direction of medicine and human rights themselves. A doctor who believes in this cannot be made to violate his own conscience by either undertaking procedures that he or she believes are anti-life or by facilitating others to undertake such procedures. In short, doctors who believe female genital cutting, for example, is wrong should not have their right to follow their conscience violated. To force them either to do or refer to another the doing of such a procedure makes them morally responsible. Not only does it violate their conscience and human rights; in doing so, it also violates basic medical ethics, as expressed in Hippocrates' first principle: Do no harm.  

The disregard, and even contempt for religious conscience rights, is widespread in the current world. Yet freedom of belief and the right to act according to one's conscience are fundamental cornerstones of modern democratic society. The unbridled assault on such rights should not be led by the profession of medicine, which historically has stood for love (not manipulation) of neighbour and the generous, respectful, life-oriented treatment of all.