

From: michael cole
To: [medboardconsultation](#)
Cc: [REDACTED]
Subject: Public consultation on draft revised code of conduct, Good medical practice: A code of conduct for doctors in Australia. August 2018
Date: Thursday, 2 August 2018 10:21:35 AM

Dear AHPRA Medical Board,

Re: Public consultation on draft revised code of conduct, Good medical practice: A code of conduct for doctors in Australia. August 2018

There should be no changes to the medical code of conduct that allows the Medical Board or AHPRA to limit freedom of speech.

There are two related concerns involving the Medical Registration part of AHPRA and its proposed Code of Conduct changes.

The first is AHPRA's investigation of a general practitioner, Dr van Gend, for re-tweeting (sharing), without comment, posts by a Senate candidate (about a book about gender) and also re-tweeting a link, without comment, to an article about gender by the Telegraph's Miranda Devine. How could it be possible that a doctor cannot express an opinion about something? Or not even allowed to re-tweet someone else's opinion without comment. Anyway, it's an issue being debated politically and so protected by the Australian Constitution's implied freedom of political speech.

The second is AHPRA's new code of conduct for doctors which includes clauses such as:

“you need to acknowledge and consider the effect of your comments and actions outside work, including online, on your professional standing and on the reputation of the profession. If making public comment, you should acknowledge the profession’s generally accepted views and indicate when your personal opinion differs. Behaviour which could undermine community trust in the profession ... may be considered unprofessional.”

So expressing an opinion, which might be considered 'medical', contrary to the majority would be professional misconduct.

I don't agree with anything that Dr van Gend is alleged to have said, but if he can't can't express an opinion then neither can any of us.

Kindest regards,

Dr Michael Cole FRACP