



**College of Health  
& Medicine**

3rd Aug 2018

To whom it may concern

I write in relation to the Medical Board of Australia, Public consultation on draft revised code of conduct: *Good medical practice: A code of conduct for doctors in Australia*. I wish to raise some comments and concerns about Section 2.1 (Professional Values and Qualities of Doctors) .

I appreciate the opportunity the MBA has provided the opportunity to provide open comment about this important revision of the Code of Conduct.

The draft Code appears to require unreasonable restrictions on free speech and the involvement of medical practitioners in public debate and formulation of public policy. Section 2.1 of the draft Code states “If making public comment, you should acknowledge the profession’s generally accepted views and indicate when your personal opinion differs.” This is a difficult expectation given its scope is neither limited to matters of established medical practice nor does it recognise the diversity of medical opinion on many clinical and public policy issues for which there are no “generally accepted views”.

It is more important that the medical professional state the context in which they are giving their views and whom they are representing eg their speciality, special interest group, personal opinion. Trying to acknowledge the professional generally accepted view is difficult and contested.

The language in the draft Code relating to public comment by medical practitioners could be re- worded in line of the Chicago University statement of principles on free expression (<https://freexpression.uchicago.edu/page/statement-principles-free-expression>). For example:

“The medical practitioner is fully committed to the creation and dissemination of knowledge across the spectrum of disciplines of the profession, and is free to promote a culture of intense inquiry and informed evidence based argument and public debate that generates lasting ideas of merit, which can inform public policy, community health and wellbeing, and regarding which members of the profession and community have a responsibility both to challenge and to listen.”

Yours sincerely



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NB Please note these are my own personal views and may not reflect the view of the University of Tasmania