

**From:** Ana G  
**To:** [medboardconsultation](#)  
**Subject:** 'Public consultation on Good medical practice'  
**Date:** Friday, 3 August 2018 7:28:15 PM

---

To whom it may concern,

Thankyou for the opportunity to comment on the draft of the proposed code of conduct for doctors in Australia.

I have concerns regarding the impact of the expanded section on Professionalism which has been moved from 1.4 to section 2.1.

In particular, I have concerns about the implications of the following paragraph on freedom of speech: "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 is at odds with good medical practice and may be considered unprofessional ."

I understand that public comments may impact the medical profession reputation. However, there also needs to be means to protect doctors to state their personal opinions without a threat of deregistration , as long as they acknowledge this is their personal opinion.

I believe our community is represented by a diverse range of people, and in a multicultural society our health care delivery needs to be able to accommodate for a diverse group of people. For example, some groups feel it is necessary for us to ignore gender, as evidence by the recent attempt to remove gender pronouns from use in language. In contrast, other cultures, such as the aboriginal culture, appreciate the differences between men and women, as part of their holistic value of health. For example they have activities in their culture which are viewed as " Women's business" such as basket weaving, and others viewed as "Men's business" such as the use of the digeridoo. In a health care setting, <http://www.wathaurong.org.au/>.

	<p><b>Wathaurong</b> Our Services. Our services provide Aboriginal families living or in transit in Wathaurong's traditional boundaries with assistance, increased and improved access to a range of culturally appropriate health, housing, education, employment and cultural services; contribute to improvements in community wellbeing; and build the capacity of the ... <a href="http://www.wathaurong.org.au">www.wathaurong.org.au</a></p>
---	---

I have observed a different health model at the Wathaurong Co-op in Geelong, where the health model is designed to best help the specific needs of the aboriginal people. As such , in this community, they acknowledge that some patients can feel uncomfortable talking to patients of the opposite gender, and respect the patients views in order to allow for the best health outcome. If we have a blanket approach to our view health care, this is not

going to allow the best health care management for people from diverse cultures, ultimately impacting the health of our patients. As seen above, a gender neutral care for aboriginal persons would not reflect best practise for them.

Our ability to advance in medicine, and in care comes from the freedom to discuss and share unconventional perspectives. For example, consider the work of Barry Marshal and Robbin Warren. They had a very unconventional perspective when considering the cause of peptic ulcers. According to the proposed amendment to the code of conduct, they may have been deregistered simply for daring to think different to the medical community. However, their theory was able to be proven scientifically, and has consequently saved many people unnecessary gastric surgery, and its associated complications. Further examples of unconventional perspectives include Galileo who was imprisoned because he tried to share his research that the earth is not the centre of the Solar system. Indeed it seems that silencing debate in the medical community, is likley to halt rather than advance our health care systems. In contrast progress in medicine comes from review and improvement of current medicine, which includes challenging current practises, and conducting scientific experiments to find an answer.

Best practise is continually changing, and we need to acknowledge that all doctors should be contributing to the improvement of best medical care. Thus we need to allow a safe space for the discussion of health , in order to come to the best outcome for the patients.

Further, this approach is even necessary in clinical investigation. When we are trying to find a diagnosis, if we ignore incongruences with our primary differential diagnosis we can miss alternate diagnosis. Similarly, with best medical practise if there are incongruences in the views of best medical practise we need to consider why they are there, and if it indicates there is an area of research to improve best practise, or if we can demonstrate that the view is not scientifically based and thus can be discredited on the basis of evidence.

To ensure the community is best protected we could include a statement 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, if this is made clear you are entitled to express your own personal opinion, even where it differs from the established professional consensus of the medical community, within the confines of the Australian law. Behaviour which could undermine community trust in the profession is at odds with good medical practice and may be considered unprofessional..

This protects the community from being mislead from the consensus of the medical community, whilst allowing the ongoing discussion of optimal health care in order to reach the best outcome for the patient.

Thankyou for the opportunity to be involved.

Regards, Anastasia Gavrilesco,  
Third Year Medical Student.