

From: Nichita Gavrilescu
To: [medboardconsultation](#)
Subject: Public consultation on Good medical practice
Date: Thursday, 2 August 2018 3:17:20 PM

To whom it may concern,

Thank you for the opportunity to comment on the proposed draft revised code of conduct for doctors in Australia.

In general I think it reads well and am in support of the changes.

However, 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 .”

Whilst I appreciate that public comments have the potential to affect the reputation of the medical profession as a whole, **I believe there also need to be safe guards in place to protect doctors to be able to state their personal opinions freely and without threat of deregistration as long as they acknowledge that this is their personal opinion.**

I am gravely concerned that the above paragraph can be used as grounds for silencing a doctor who holds an unconventional perspective that is at odds with the medical community. **It is extremely important for doctors to be able to verbalise these perspectives and debate on them because this is how scientific progress is made, by challenging established medical opinion.** This new paragraph will make it very difficult for doctors to feel safe in discussing contentious topics for fear of deregistration.

Some examples from history where this has proved important

- Frontal lobotomies (this was once accepted by medical consensus in treatment of psychiatrically ill patients prior to 1950, the consensus needed to be challenged)
- Hungarian doctor Ignaz Semmelweis (in 1847 he challenged the status quo by suggesting hand hygiene would reduce child infant mortality)

This new paragraph could effectively silence the medical discussion of sensitive topics including (but not limited to); euthanasia, abortion, gender theory and gender reassignment, sexuality.

A better balance between protecting the reputation of the profession and the right of doctors to exercise freedom of speech in challenging established medical opinions in medicine could be achieved by altering the paragraph, for example:

“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..”

In summary, thank you for the opportunity to comment on this. In my opinion good medical practice resides in encouraging doctors to challenge established medical opinions with robust and respectful debate, as well as maintaining community trust in the profession by making it clear that your opinions are your own and you are not speaking on behalf of the profession as a whole in such debates.

Kind Regards,

Dr Nichita Gavrilescu

