

From: Pascal Van Mello
To: [medboardconsultation](#)
Subject: Public consultation on good medical practice
Date: Friday, 3 August 2018 10:26:09 AM

Dear Sir, Madam,

I understand that the Medical Board of Australia draft code of conduct will apply to all Australian doctors and will require them to be 'culturally safe' and comply with a patient's beliefs about gender identity and sexuality, with no provision given for a doctor to differ in their professional judgement.

I am concerned that the possible interpretation of 'culturally safe' will impact on good health outcomes and good medical practice. Being 'culturally safe' is not necessarily the same as being 'medically safe'. Doctors should be free to challenge difficult problems that patients might seek to avoid, such as excess weight, excess alcohol, dangers of sexual behaviours, and should at the very least be allowed to tell medical truth.

I am also concerned about the change which will ensure doctors do not discriminate against patients on 'medically irrelevant grounds' such as race, religion, sex, gender identity, sexual orientation, disability or other grounds, as described in anti-discrimination legislation. Respecting a patient should not equal respecting cultural beliefs and practices that may be in opposition to good medical practice. To say that some grounds such as gender identity or sexual orientation are irrelevant is mind-boggling given the financial and human cost they carry.

I am finally very concerned that the new guidelines may have a devastating effect on the freedom of doctors to publicly debate the merits of medical treatments, and may force them to be silent if their view differs from those of the Board. This a blatant rejection of freedom of speech.

Therefore, I believe that the wording of the 2009 version of the Code is ethically sound and should therefore not be changed.

Best regards,
Pascal