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The Christian Medical and Dental Society of Canada and the Canadian Federation of Catholic Physician Societies would like to provide a Christian perspective on the review of *Physicians and the Human Rights Code*. In addition, we attach legal submissions prepared by our counsel, Mr. Albertos Polizogopoulos of Vincent Dagenais Gibson LLP/s.r.l. for your consideration. The legal submissions assert that conscience rights are guaranteed by the *Charter of Rights and Freedoms* and that they apply directly to the professional governance function of the College. They also establish that declining to provide service does not necessarily constitute discrimination as it relates to services and not classes of individuals. Our organization would welcome the opportunity to meet with officials of the CPSO to articulate our views and discuss alternatives that would allow for both the protection of physician conscience rights and appropriate access to medical services for patients.

The Christian physician comes to their vocation out of a desire to help patients and to follow in the footsteps of Jesus Christ who healed those who were sick. Indeed, it is through their relationship with Christ that the Christian physician finds the source of compassion for their patient care. The privilege of following Christ comes with a responsibility, however. Jesus Christ, who is the source of boundless love, also calls us to a profound respect for human life that is a gift from God. This means that certain procedures, prescriptions and “therapies” must be avoided – for the good of the patient and the physician, who may not participate in them without affecting their relationship with Christ.

The Christian physician must be able to be true to their faith in Christ because that relationship is the cornerstone of their integrity, compassion and vocation to care for the sick. In this sense, the Christian physician is following in a great tradition of Christian healthcare in Canada that began with the first European settlers in the 17th century.

At the same time, the Christian physician understands that many people in our society may not share the Christian faith or the same moral convictions. As Christ was open to healing all, so the Christian physician is open to serving all patients who come to them. Discrimination is not the way of Christ and should not be the way of the Christian physician.



But just as the attitudes and lifestyle of patients is accepted, while perhaps not agreed with, so the Christian physician asks for the same tolerance in return from patients. There will be times that the Christian physician will not be able to provide the procedure, prescription or service that the patient requests because of the physician's moral or religious beliefs. These views may also be supported by scientific evidence or clinical judgement. There will be times when the Christian physician must respect the patient's viewpoint even though they believe it is in error. The Christian physician will not ridicule the patient's choice, nor will they impede it. But they must not be asked to collaborate in something they believe to be morally wrong.

Our members report that this difference of opinion and worldview need not create a rupture in the physician/patient relationship. Many of our members find that patients respect for their doctor increases when they are open and honest about these conflicts. Many patients return to their Christian physician after they have accessed the controversial service from another practitioner. This is because they respect their physician's moral integrity and know that they would never do anything intentionally to harm them.

Referral is as problematic as actually performing the controverted procedure. In a referral, the physician is essentially recommending that the procedure needs to be done, and expects that the physician who receives the referral will do it. This is morally equivalent to doing the action. Members are more open to providing the patient with information about how to access the service, if that is required by the governing body.

If Christian physicians are forced to participate in activities that go against their Christian faith, the College will do great damage to many well-qualified physicians who are currently making significant contributions to health care in Canada. In doing so, the College will be alienating the Christian physician from the source of their compassion and their caring, their relationship with Christ, by asking the physician to do something which is against the will of God and their conscience. Many Christian physicians will be forced to leave their specialty area or the practice of medicine altogether. We are already seeing a disturbing trend among our members, as physicians are leaving practices that have higher rates of moral or ethical conflicts. We have even met students in other faculties who expressed interest in medicine but decided against it because of these types of conflicts. We have learned that in Sweden, obstetrician/gynaecologists must perform an abortion during their training in order to be qualified to practice.

This is discrimination. It is the systematic disqualification of perfectly acceptable candidates because of their religious beliefs. If unchecked, this direction will result in whole specialties that are off limits to Christian physicians. As reflected in the legal submission we have prepared, such a policy could be deemed to be unconstitutional. We sincerely hope and pray that the College will assert the constitutional rights of Christian physicians of freedom of conscience and religion, effectively saying no to



religious discrimination in the practice of medicine in Ontario. Christian physicians need the support of their governing body in this regard.

Christian physicians are concerned about conscience protection for non-Christian physicians as well. Followers of other religions and adherents of secular worldviews can object to involvement in procedures based on their creed. We must therefore extend our statements to our colleagues who have similar concerns. We suggest that should physician assisted suicide in Canada be legalized, many physicians will find themselves not wanting to participate, because euthanizing patients is not why they entered medicine in the first place. Conscience protection will be essential to allow these doctors to stay in practice. This issue affects many more physicians than just those who are Christian.

Canada is a tolerant country in which people from all sides are able to sit with each other and come up with solutions that benefit everyone. Forcing physicians to refer for, or perform procedures that are against their faith or creed is exclusionary, discriminatory and highly corrosive of professional ethics and integrity. It is not in keeping with the Canadian tradition of being open to all beliefs and cultures.

We hope that the College will resist the pressures to the contrary.

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