



Conscientious Objection - 2013

Doctors (medical practitioners) are entitled to have their own personal beliefs and values, as are all members of society. There may be times, however, where a doctor's personal beliefs conflict with their peer-based professional practice. A doctor who makes a conscientious objection to providing, or participating, in certain treatments or procedures should make every effort in a timely manner to minimise the disruption in the delivery of health care and ensuing burden on colleagues. The doctor needs to take whatever steps are necessary to ensure the patient's access to care is not impeded.

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1. Doctors (medical practitioners) are entitled to have their own personal beliefs and values, as are all members of society. There may be times, however, where a doctor's personal beliefs conflict with their peer-based professional practice. In exceptional circumstances, and as a last resort, a doctor may refuse to provide, or participate in, certain medical treatments or procedures that conflict with his or her own personal beliefs.^[1]

2. A conscientious objection is based on sincerely-held beliefs and moral concerns, not self-interest or discrimination.

3. When a doctor refuses to provide, or participate in, a legally-recognised treatment or procedure because it conflicts with his or her own personal beliefs and values, this constitutes a 'conscientious objection.'

4. A doctor should always provide medically appropriate treatment in an emergency situation, even if that treatment conflicts with the doctor's personal beliefs and values.

5. When a doctor refuses to provide, or participate in, a medically appropriate treatment or procedure based on a conscientious objection, it affects and potentially disrupts the patient's access to care. In accordance with the Medical Board of Australia, doctors should:

- be aware of their right to not provide or directly participate in treatments to which they conscientiously object;
- inform their patients and, if relevant, colleagues, of their objection, and
- not use their objection to impede access to treatments that are legal.^[1]

6. A doctor who makes a conscientious objection to providing, or participating, in certain treatments or procedures should make every effort in a timely manner to minimise the disruption in the delivery of health care and ensuing burden on colleagues. If you hold a conscientious objection you should:

- inform your patient of your objection, preferably in advance or as soon as practicable;
- inform your patient that they have the right to see another doctor. You must be satisfied the patient has sufficient information to enable them to exercise that right. You need to take whatever steps are necessary to ensure your patient's access to care is not impeded;
- continue to treat your patient with dignity and respect, even if you object to the treatment or procedure they are seeking;
- continue to provide other care to your patient, if they wish;
- refrain from expressing your own personal beliefs to your patient in a way that may cause them distress;
- inform your employer, or prospective employer, of your conscientious objection. Discuss with your employer how you can practise in accordance with your beliefs without compromising patient care or placing a burden on your colleagues.

7. A doctor who has a conscientious objection should not be treated unfairly or discriminated against.

8. A patient may also invoke a conscientious objection to a particular treatment or procedure; for example, a patient may refuse a blood transfusion due to their personal beliefs. In such cases, a competent patient's informed refusal of treatment should be respected. Conscientious objection to treatment, particularly potentially life-saving treatment, on behalf of a patient with impaired capacity requires special consideration.

[1] For the purposes of this position statement, 'participation' may include indirect actions such as referring the patient to another doctor who will provide the service.

[i] Medical Board of Australia. *Good Medical Practice: A Code of Conduct for Doctors in Australia*.

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(https://ama.com.au/system/tdf/documents/AMA_position_statement_on_conscientious_objection_2013.pdf?file=1&type=node&id=40602)

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