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Conscientious objection clause needed in new law on equality

The Malta College of Family Doctors (MCFD) is a Voluntary Organisation (VO/0973) that strives to improve the academic and clinical performance of family doctors (known as “it-tobba tal-familja” or “general practitioners”) and the standards of primary health care in our country.

The MCFD agrees that a clause on conscientious objection should be added to the new law on equality.

On one hand, doctors should not be faced with clinical situations where they are forced to act against their ethical convictions or be deemed liable if they exert their freedom of conscience. Medical practice involves and requires both sound clinical and ethical judgement. Clinical judgement includes taking decisions, deciding on the urgency of treatment provision or the optimal utilisation of limited resources for patient care. Ethical judgement is based on the values of the medical profession, which include the value of life, justice, respect for others and equality.

On the other hand, a set of guidelines should be issued to ensure that conscientious objection is applied judiciously, thereby safeguarding patients and allowing for the continued provision of optimal medical care. Conscientiously objecting doctors should not be exempt from providing care before or after a procedure.

The MCFD, whilst appreciating that it may be impossible to qualify every possible scenario, urges lawmakers to make an attempt to cover the most salient ones. Additionally, the legislators need to clarify further the issue of 'life-saving procedures/situations' - which procedures/situations are considered life-saving and why, and what alternatives may be available.