

Alberta Catholic doctors fear erosion of conscience rights

Many Catholic doctors in Alberta are worried that they will soon be forced to provide referrals for medically assisted suicide, says the head of the provincial [St. Luke's Physicians' Guild](#).

Dr. Mary Ellen Haggerty says a recent Ontario court decision sets a precedent that will lead to a legal requirement that any doctor in Alberta must provide that referral. For Catholics, such a referral would make them morally complicit in the act itself. To date the doctors have been protected by the Charter rights to freedom of conscience and freedom of religion if they refused to participate in assisted suicide and euthanasia, as well as abortion and other controversial procedures.



Dr. Mary Ellen Haggerty

"There is a real threat to anybody Catholic practising in Canada," Haggerty said at the St. Luke's guild annual meeting Oct. 20. "It's establishing case law, and people are going to be able to use that to push an agenda which is already being pushed here in Alberta."

"The issue is you'll lose your licence. If you lose your licence, you can't practise. So then how do you make a living? And what happens to my patients if I lose my licence?"

Earlier this year, [a three-judge panel](#) unanimously rejected an attempt by the Christian Medical and Dental Society of Canada to quash a requirement of the

College of Physicians and Surgeons of Ontario that states doctors who morally object to assisted suicide or other medical procedures must provide an “effective referral” to doctors who will provide the service.

In Alberta, physicians are asked about medically assisted suicide at the time of their licence renewal, and [they must provide information on MAID](#).

But Haggerty said the Ontario ruling takes it one step further by requiring doctors to provide a written referral. Doing so, either directly or indirectly, would contravene Catholic teaching. And Haggerty warns that the spectre of such a referral requirement in the future has already had a chilling effect.

Haggerty said she has heard anecdotally that some Catholic physicians have gone “underground” – refraining from self-identifying as Catholic to patients and colleagues for fear that doing so could jeopardize their medical licence.

Haggerty also notes some physicians may switch their type of practice, their province, or leave the profession altogether rather than provide a procedure they see as morally wrong.

“I’ve seen it happening. They don’t want to be targeted basically by somebody who wants to see them close their practice – or perhaps they don’t want to have to defend their views,” said Haggerty, whose guild represents 100 Catholic physicians in Alberta.

“They want to protect themselves from certain expectations.”

Haggerty herself hasn’t been directly asked to provide medically assisted suicide, but there’s growing concern among Catholic physicians given the Ontario ruling.

The St. Luke’s Guild annual meeting was focused on how Catholic physicians can respond to challenges against their conscience rights, in particular with regards to medically assisted suicide.

Medically assisted suicide has been legal in all of Canada since 2016. [Statistics Canada reports](#) there have been 6,749 medically assisted deaths from December 2015 when it was first legal in Quebec – to Oct. 31, 2018. There were 2,614 patient deaths from January to October 2018 alone.



Rev. Michael Schumacher was the guest speaker at the St. Luke's Physicians' Guild annual meeting. Andrew Ehrkamp, Grandin Media

Although it's legal, that doesn't make it right, says the spiritual adviser to the St. Luke's Guild.

"To make somebody do something or to expect their compliance, especially under some threat or duress or some penalty, is especially problematic," said Rev. Michael Schumacher, who has studied the issue of medically assisted suicide and addressed the guild meeting.

"Just because something is civil law doesn't mean that it is moral. There are always instances where civil law needs to be maybe revisited or needs to be revamped to be actually more compliant with what's truly good for individuals or the common good," he said.

"I think it affects the future of medicine and the practice of it in the country."

Haggerty said the Ontario court ruling sets a dangerous precedent that also affects patients.

"If you're a general practitioner, you'd like to be able to talk to your patients," she said. "In Ontario, it sounds like you're not even supposed to talk to them about your views. And yet in any other field of medicine or any other question in medicine, you're always giving your views about a lot of things."

“It’s an issue for the whole community and it’s an issue for people who are vulnerable too. If they don’t have a physician they trust, they won’t go to one.”

The St. Luke’s Guild supports initiatives to fight court cases that place physicians in a position where they have to make decisions that would violate their conscience rights. They support the Christian Medical and Dental Society, which spearheaded the court case in Ontario, as well as other groups such as Canadian Physicians for Life.

Haggerty said the guild is trying to expand its membership to provide a larger and more unified voice, but she’s also concerned about the effects of a loss at the Supreme Court if the Ontario court ruling is challenged at that level.

“It’s probably worth the fight, but there’s no guarantee that we would win. You don’t start a fight if you don’t think you’re going to win,” she said.

“Maybe we should challenge it anyway, but when do you start the challenge? When do you start the fight? There’s punches going on. When do we start to punch back? We need more support from society basically. What the issue is, is not having Catholic physicians, or not having Catholic physicians practising with Catholic values. And so people lose that gift.”

Haggerty encouraged guild members to write to their members of the legislative assembly to make them aware of the issue. At least one, United Conservative Party MLA Dan Williams, says he supports them.

“This is an issue for everybody, whether you’re in medicine or not,” said Williams, the MLA for Peace River and a Catholic himself, who attended the St. Luke’s Guild meeting.

“Without protection of conscience for our doctors and other health care providers, we end up in a spot where physicians – and those trusted with making sure they do no harm – are not secure in the knowledge that they can use the best medical judgment they have to provide care.”

-With files from Canadian Catholic News