Opening Statement by the Medical Council in relation to Clinical Guidelines in light of the impending introduction of abortion services in Ireland

Meeting of the Oireachtas Joint Committee on Health, Wednesday, 19th September 2018

Chairperson and members, firstly I would like to thank you for this opportunity to address the Committee today. As the chairperson said, my name is Dr Suzanne Crowe and I am a member of the Medical Council and I am also the Chairperson of the Working Group which is reviewing the section relating to abortion in the Guide to Professional Conduct and Ethics for Registered Medical Practitioners. I am joined here today by Mr Bill Prasifka, CEO of the Medical Council.

We are here to discuss the Medical Council’s role in regards to this important issue, so I will begin by giving a quick outline of the Council’s responsibilities and functions, as these hold serious relevancy to its duty in relation to the referendum result and the pending legislative changes.

The Medical Council is the statutory body which is responsible for the regulation of doctors within the Republic of Ireland. Its purpose is to protect the public by promoting and ensuring the highest standards among doctors.

The Medical Council works to ensure that medical education and training is always up-to-date and is benchmarked against the highest international standards.

Standards for undergraduate and postgraduate training are set by the Medical Council, while The Council also requires doctors to maintain their professional competency through updating and maintaining their professional skills on an ongoing basis.

The Medical Council is also where the public may make a complaint against a doctor.

The principal functions of the Medical Council relate to the control of standards of education and training at undergraduate and post-graduate levels, the registration of medical practitioners in accordance with their education and training, the determination of questions of professional misconduct or fitness to practise, and the operation of EU directives relating to education and training in the practise of medicine.

The Medical Council also provides guidance to doctors on matters relating to conduct and ethics through its Guide to Professional Conduct and Ethics for Registered Medical Practitioners.
In summary, the key objective of the Council is to protect the interests of the general public in their interactions with registered medical practitioners while also supporting doctors.

In relation to the Medical Council’s role following the referendum result and pending legislative changes, it should be noted that the Medical Practitioners Act of 2007 requires the Council to, amongst other things, provide appropriate guidance on all matters relating to professional conduct and ethics for registered medical practitioners.

However, it is the role of the Post Graduate Training Bodies to set clinical guidelines.

The Medical Council sets out ethical guidelines for registered medical practitioners in the Guide to Professional Conduct and Ethics for Registered Medical Practitioners, of which the current edition (8th edition) was published in 2016.

The Medical Council’s Guide to Professional Conduct and Ethics is regularly reviewed and updated when there is a relevant change in legislation.

Section 48 of the 2016 edition details guidance on doctor’s actions around abortion, however the guidance currently relates to before the referendum result. Therefore, it will need to be adjusted and updated in relation to the upcoming legislative changes.

Section 49 of the current Guide puts forward guidance for conscientious objection from a doctor. This section is also of a particular relevance to the changes in legislation and will be reviewed and updated as appropriate.

Section 48 and Section 49 of our Guide to Professional Conduct and Ethics, and a full copy of the Guidance have been provided to the Committee as supplementary information in advance of this meeting.

The Medical Council term of 2018 – 2023 has recently begun.

Reviewing the Ethical Guide in light of the referendum results was an item for the agenda during the first meeting.

During the first meeting, the council came to the decision to establish a Working Group to review the Guide to Professional Conduct and Ethics, as there will be sections which need to be updated and/or changed following the referendum results.

The procedure for a section of the Medical Council’s Guide to Professional Conduct and Ethics to be updated would normally be for a Council Committee or Working Group to review relevant information relating to the topic (be it research, new legislation, etc), consult with key stakeholders and then draft their guidance on the matter.
Once Council is happy with the draft wording, further targeted consultation would normally take place and any feedback taken into consideration. Final proposed guidance will then be brought to the full Medical Council meeting to be decided upon.

This ethical guidance from the Medical Council is for the use of Doctors and should be followed in conjunction with the Clinical Guidelines set out by the Postgraduate Training bodies.

The Medical Council is happy to keep the members of the Joint Committee updated throughout the process.

I would like to thank the Chairman and the Committee for the invitation to address you today.

We are happy to address any questions the Committee may have.