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Transcript: AMA President Dr Michael Gannon, Sky News, 2 September 2016

Subjects: Duty of care ethics, same sex marriage and Fetal Alcohol Spectrum Disorder

ASHLEIGH GILLON: A court has ruled that a 6-year-old Perth boy with brain cancer doesn't have to undergo further chemotherapy or radiation. Oshin Kiszko was diagnosed with a malignant brain tumour last year but his parents opposed the treatment recommended by doctors. The boy's parents argued the treatment was invasive and traumatising. A court had earlier ruled in favour of the hospital, requiring Oshin's parents to submit him to chemotherapy and radiation. The matter returned to court yesterday with a judge siding with the parents, ruling further treatment would not be of benefit and that placing Oshin in palliative care is now in his best interests. For more on this and more, we're joined live from Perth by the President of the Australian Medical Association, Dr Michael Gannon. Dr Gannon, thank you for your time. I know you're a parent and a doctor, who should have the final say when it comes to giving very sick children treatment that could, on the one hand, save them but also could make their final weeks or months that much more traumatic for everyone?

MICHAEL GANNON: This is a very unusual case and that's what makes it newsworthy. We had a situation where the doctors felt very strongly that there was a chance to save this young boy's life and they took the unprecedented step of seeking a court order. This doesn't mark a change in attitude from the medical profession, this just means a group of individual doctors felt very strongly. I think the justice system doesn't always shine a happy light on our society, but I think what we saw here was doctors who cared so much about a child they sought a court order. There's never been any doubt the parents wanted the best for their child and the judge, in making his judgement, showed great compassion and really shone a light on how complex some of these issues are.

ASHLEIGH GILLON: Is there room for stronger laws in this space to clarify what can be a grey area for both parents and medical practitioners, or is a case by case basis the best approach?

MICHAEL GANNON: It very much has to be a case by case basis. We know the ethics of this and the law are very clear that, as a responsible adult, you can make whatever decisions you might make about your health, even if they are dangerous to yourself. There's the ethical principle of Gillick Competence, which states that even if you're underage, there are certain people as they approach, or certainly enter their teens, where people, where youngsters have the ability to make their own decisions. So, what we're really talking about is this small area of children from the age of zero to 12. It was quite unprecedented for this group of paediatricians to seek a court order. They thought that they were right.

ASHLEIGH GILLON: Dr Gannon, I'm keen for your view on a political issue that's not directly perhaps an AMA issue but of interest to our viewers, I think. This week we saw the debate, of course, over the possibility of a same-sex marriage plebiscite, and many of our politicians in Canberra this week were citing concerns about mental health of those within the LGBTI community as a reason for not supporting a plebiscite. Are you concerned? Are your members concerned that a nasty debate about gay marriage could lead to depression, could lead to self harm? Are those warnings- our politicians should be taking seriously, do you think?

MICHAEL GANNON: Well, there's no question that discrimination has health impacts and perhaps primarily mental health impacts, and that's absolutely essential that we don't see that in our community. What I would like to see around this debate is some openness and some warmth and some humanity about the way people feel about each other. One comment I would reject is that the Australian people aren't capable of having this discussion in an open and fair way. This idea that the Australian community is incapable of having a conversation and that there's only one correct point of view, I reject. I would like to see, whatever happens, whether society has a broader discussion which informs the deliberations of our Parliamentarians or if we do have a plebiscite that it's done in a warm, human, and respectful way. But different people are entitled to different opinions and that's not a danger to our system, that's a positive thing.

ASHLEIGH GILLON: Sure, but it shouldn't be a key reason, you don't think, for going ahead with the plebiscite, these concerns about mental health?

MICHAEL GANNON: Oh well, I would hate to see a debate that ended up in the gutter but I reject that idea that the Australian people aren't capable of exercising different views about a major societal issue in a respectful way. I've got no doubt that there'll be some particularly untidy commentary in this area on both sides, but I reject the idea that the Australian people aren't capable, in their own hearts, of having a warm and human debate about an important societal issue.

ASHLEIGH GILLON: And just on another matter, I've seen this week, the AMA is pushing for Fetal Alcohol Syndrome to be recognised as a disability. Just how big a problem is this in our country and what impact does it actually have on those affected?

MICHAEL GANNON: We're learning more and more about FASD. It's not that long ago it was just called Fetal Alcohol Syndrome and what we're increasingly recognising is that there is a whole disease spectrum of- you know, from mild impairment all the way through to serious brain and personality damage. Labelling it a disability doesn't change the access that individuals or parents might have to specialised rehabilitation services but it might smooth that journey for access to those support services. We don't know the true incidence of this condition. If we look at overseas data we suspect it might be even as high as five per cent in Australia. It's time to recognise the condition, to try and get those important health messages to, not only pregnant women, but all women of reproductive age.

ASHLEIGH GILLON: Do we actually know how heavy a drinker a mother has to be for their baby to actually end up with Fetal Alcohol Syndrome?

MICHAEL GANNON: Look, we don't know and there's so much more to learn and this is obviously an area where we do need more research, but the real concern is that we don't have the science to prove that there is a safe threshold ...

ASHLEIGH GILLON: We apologise, we are having some technical issues there, having some problems with Dr Gannon's audio. We apologise to him for that and we'll move on there. But the AMA and Dr Michael Gannon there highlighting this problem, Fetal Alcohol Syndrome which is, of course, an increasing problem we're seeing in particular communities especially in the Northern Territory.

2 September 2016

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