

Memorial addressed by the President and Committee of the Royal College of Physicians, London, to the Select Committee on medical legislation (April 23, 1856).

Contributors

Royal College of Physicians of London.

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To the Right Hon. W. F. COWPER, M.P., and the other
Members of the Select Committee to which the Medical
Bills have been referred.



THE PRESIDENT AND COMMITTEE OF THE ROYAL COLLEGE OF PHYSICIANS, having been informed that a Bill, entitled "A Bill for Regulating and Improving the Medical Profession", and ordered by the House of Commons to be printed, 7th April, 1856, has been referred to a Select Committee, trust that they may be permitted to state respectfully the strong objections entertained by the College of Physicians to this Bill, as being not only exceedingly unjust to the College, but sure to be injurious, in many ways, to the profession and the public.

The means by which it is proposed in this Bill to "regulate" and "improve" the profession are twofold: first, by fixing the amount of medical qualification, without which no person shall be permitted to enter upon medical practice; and secondly, by effecting a general registration of qualified practitioners. But the manner in which it is proposed that these measures shall be carried out, would, in the opinion of the College, introduce worse evils than any which now exist.

For the standard of qualification, and of age, to be fixed under Clause VIII, being necessarily a minimum standard, not only would no inducement be held out to any one to aim at higher qualifications, but those inducements, which have been in force hitherto, would be, to a considerable extent, destroyed by this Bill; which grants, for the first time, perfect equality to all licenses and diplomas, however different the amount of time, and study, and expense necessary for their acquirement, and consequently represented by them. Thus would the licenses and examinations of Bodies, consisting of members of one branch of the profession only, as, for example, those of the two last bodies in Schedule B.—viz. the Apothecaries' Society of London, and the Company of Apothecaries of Ireland—be rendered valid for practising, not merely as apothecaries, but as surgeons and as physicians; which would be manifestly unfair to physicians and surgeons, and inexpedient, if not unsafe, as regards the community.

Again, as to the number of Bodies which grant diplomas and licenses, nothing has created greater confusion in the profession, or tended more to deteriorate medical education, than the large number of Bodies possessing or assuming this right; an evil which, so far from being abated, would be even increased by this Bill; for it extends this right to other Bodies, which have it not, or have not exercised it; and would admit as qualifying for practice, even, as already stated, in every branch of the profession, the licenses of Bodies which, if they have the means of teaching and examining in any branch, certainly have it not in all.

The manner in which registration is appointed to be conducted under this Bill is objectionable, because no distinction is made between the different classes in the profession. And with what show of justice can those who are already legal practitioners be called upon, by Clause XX, to pay a considerable sum for registration, which could be to them of little service? Indeed, to those to whom some superiority of rank

has hitherto been conceded, on account of their superior education, such registration would be positively injurious.

In any case, those who are already legally qualified ought not to be taxed for registration so highly as those who, being as yet unqualified, will hereafter enter the profession. Again, the imposition of an annual payment, however small, for renewed registration, is vexatious and unnecessary.

By this Bill, a large and highly paid Council would be constituted for the sole purpose of enforcing a minimum standard of medical qualification. But it would be wholly powerless to keep the qualifications of superior grades of the profession up to a higher standard, or to produce in them uniformity of qualification.

Meanwhile, it is to be feared that the right to be given, by Clause XII, to the Council, and to *any* registered practitioner, of access to all examinations, and of accompanying students to hospitals and infirmaries, would be productive of much inconvenience, and would be repugnant to English notions of order and propriety.

The College protests most strongly against the repeal, by Schedule A., of the 14th and 15th H. VIII, c. 5, of the second section of the 32nd H. VIII, c. 40, and of the fifth section of 1st Mary, Sess. 2, c. 9; for by such repeal the College would be deprived summarily of its charter and of all the privileges and powers which it has enjoyed and exercised—as it believes for the public good—during upwards of three hundred years!

For the reasons which have been stated, and others that might be adduced, it appears to the College that this Bill, introduced professedly “for Regulating and Improving the Medical Profession”, would have the effect of increasing the disorders by which the profession has long been harassed, and of lowering the standard of medical education.

THE MEDICAL PROFESSION BILL introduced by Mr. Headlam, “To alter and amend the Laws regulating the Medical Profession,” the College considers to be founded on far better principles, and has presented accordingly to the House of Commons an earnest petition that, after it has been amended in some of its details, this Bill may be passed. For it preserves the distinction of three orders in the profession—physicians, surgeons, and general practitioners;—which distinction is recognized and accepted by the public, and has been, in fact, produced by the wants of society: and it further requires that the members of each of these orders shall be duly and appropriately examined by a College of Physicians, or a College of Surgeons, or a joint Board of Physicians and of Surgeons in general practice. A practical examination of this kind ought always to be superadded to general examinations, even in the case of graduates of universities; because the proper business of universities is to superintend, and test, and reward with due distinctions and titles, the general education of students, whose competency for actual practice ought to be further ascertained by a College of Physicians or of Surgeons. The Colleges were founded expressly for this duty: and it would be easy to shew that such an arrangement is the best for the interests and protection of the public. Thus, to constitute physicians, the ordinary requisites should be a university education, and subsequently a practical examination by a College of Physicians. Nevertheless, some provision should be made for the admission into the order of physicians of a small number of persons of eminent character and

ability, who, though they may not have enjoyed the advantage of a university education, may in after life have established a strong claim to such a distinction by long experience or by scientific acquirements.

As, however, the general education of the numerous class of medical students, who are unable to study and graduate at a university, requires to be encouraged and as far as possible improved, this important object is very properly provided for in Mr. Headlam's Bill (Clause XIX), by the institution of a preliminary examination to be passed by all who are not graduates of any university.

The College of Physicians has always been desirous that perfect reciprocity of practice should be established amongst members of the same order of the profession in the three kingdoms, provided that a sufficient uniformity of qualification, in each order respectively, be first secured. To render this point secure, a Council or central authority is necessary, to which just so much power should be entrusted as would suffice to enforce the requisite uniformity of qualification.

The College is decidedly of opinion that the Medical Council should not be very numerous, and that the members of it should be appointed by the Crown.

In the registration of legally qualified practitioners, care should be taken that the recognised distinction of classes be sufficiently marked. Otherwise the existing inducements to seek the best and highest education will be diminished. In no case, and at no time, whether at first or hereafter, should anyone be registered as a physician who is engaged in pharmacy, that is, who derives profit from the sale of medicines.

The College is further anxious that physicians should not have their social position lowered by having the power given to them of recovering charges.

The College approves especially of the enactment in this Bill, Clause XXVIII, that all practitioners hereafter shall be enrolled in the College of Physicians, or the College of Surgeons of the country in which they practise. For such an arrangement it holds to be highly conducive, indeed indispensable, to good order and discipline and moral control in the profession. And if the requisite uniformity of qualification, in the different orders respectively, has been secured, the transference, on change of residence, from the College of one country to the corresponding College of another, without the necessity of fresh examination, will be easily arranged and readily granted.

Finally, the College desires, and has petitioned, that a short Act may be passed to enable the Crown to grant to the College of Physicians of London a New Charter, which may harmonise with the provisions of the Medical Profession Bill, amended, as indicated in the foregoing remarks. A new Charter is absolutely necessary to the College to enable it to improve its internal constitution, to abolish the obsolete distinction between Licenses and Extra-Licenses, and to discharge, with credit to itself and benefit to the public, the important duties already committed to it by the legislature, and those which would be committed to it by the Bill for altering and amending the laws regulating the medical profession.

JOHN AYRTON PARIS, *President.*

FRANCIS HAWKINS, *Registrar.*



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MEMORIAL

ADDRESSED BY THE

PRESIDENT AND COMMITTEE OF THE
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TO THE

SELECT COMMITTEE ON MEDICAL
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