

Summary of the Ethics Framework by Upshur (2002): Principles for the Justification of Public Health Intervention

This short document presents an adapted summary of the framework proposed by Ross Upshur in 2002. The framework was intended “to bring clarity to some of the ethical aspects of public health decision making in practice” and to determine “when public health action is justified.” It has a limited field of application: it does not “for example, cover screening and prevention programs, health promotion programs or public health research” (p. 102)¹. This document concludes by referring to an example of the application of Upshur’s framework in practice.

Please consider the following four principles:

1- Harm Principle

- Does the action limit the liberty or autonomy of any individuals or groups?
- Does the action set out to:
 - Prevent harm to individuals or groups other than those who are being restricted?
 - Improve the well-being of individuals or groups other than those who are being restricted?
 - Prevent individuals or groups from doing harm to others by constraining them?
 - Improve the well-being of individuals or groups by constraining them?

“The only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others” (Mill, 1859, cited by Upshur, p. 102).

2- Least Restrictive or Coercive Means

- Can the same ends be achieved in a way that is less restrictive of the liberty of individuals or groups ?

“[M]ore coercive methods should be employed only when less coercive methods have failed. Education, facilitation and discussion should precede interdiction, regulation or incarceration.”

“Furthermore, there should be no discrimination in their application” (p. 102).

¹ Upshur, R.E.G. (2002). Principles for the Justification of Public Health Intervention. Canadian Journal of Public Health, 93(2), 101-103. Retrieved from: <http://journal.cpha.ca/index.php/cjph/article/download/217/217>



Summary of the Ethics Framework by Upshur (2002): Principles for the Justification of Public Health Intervention

3- Reciprocity Principle

- Does the action impose ethical duties or burdens on certain individuals or groups?
- If yes, will they be helped or compensated?

If ethical duties are imposed, society is obliged “to facilitate individuals and communities in their efforts to discharge their duties.”

If one imposes burdens on individuals or groups, “these should be compensated” (p. 102).

4- Transparency Principle

- Did all stakeholders participate in the decision-making process?
- Was the decision-making process dominated by one group?
- Was there any political interference?

“All legitimate stakeholders should be involved in the decision-making process, have equal input into deliberations, and the manner in which decision-making is made should be as clear and accountable as possible” (p. 102).

Example of Upshur’s (2002) ethics framework applied in practice:

Canadian Nurses Association. (2006). *Public health nursing practice and ethical challenges*. Ottawa.
Retrieved from: http://cna-aiic.ca/~media/cna/page-content/pdf-en/ethics_in_practice_jan_06_e.pdf

