
PROPOSAL 8 - VOLUNTARY ASSISTED DYING

That the Synod:

(1) Affirms that:

- (a) life is a gift of God, and all human life, regardless of circumstance, is precious to and has dignity before God;
- (b) 'neither death nor life, neither suffering nor anything else in all creation will be able to separate us from the love of God in Christ Jesus our Lord' (see Romans 8:38-39);
- (c) as followers of Christ and through God's accompanying grace, gifts of fresh wisdom, peace, courage and compassion can be birthed in the midst of suffering, which is a deep and abiding mystery;
- (d) 'while death is the end of mortal life it marks a new beginning in our relationship with God' (see *Uniting in Worship 2*; Funeral Liturgy);
- (e) as followers of Christ we are called to spiritual discernment and responsibility as we journey through life and death;
- (f) as the body of Christ we are called to be a loving and supportive community around people in need of care as they or their loved ones move closer to the end of mortal life;
- (g) as citizens in a pluralistic culture we also seek to care for and respect our neighbours who may not hold to our faith in God yet may experience fear, uncertainty, pain, grief or sometimes, extreme and extended suffering, as they prepare for their own death or that of their loved ones; and
- (h) multi-disciplinary palliative care is a vital service that can optimise the quality of life for someone who has an active, progressive, advanced disease, with little or no prospect of cure even as they move closer to their death;

(2) Acknowledges that:

- (a) there is a high level of community support in principle for the introduction of Voluntary Assisted Dying legislation in WA, whilst others hold serious misgivings;
- (b) the WA Government has introduced legislation to authorise Voluntary Assisted Dying with significant safeguards to respect human rights, to defend the vulnerable, and yet to provide legal provision for people who meet the strict eligibility criteria to be allowed to access medical assistance to bring their life to a close if the suffering becomes intolerable;
- (c) this legislation also intends to provide protective procedures to monitor and to protect the integrity and involvement of others such as family, friends, witnesses and health professionals;
- (d) as palliative care becomes more accessible, it and other end of life care and services within the community will give most people the support they need at the end of their life;
- (e) regrettably some people may still experience pain and distress at the end of life, yet for various reasons are ineligible for the voluntary assisted dying resource, so will still need high level loving comfort and care from family, medical personnel and care facilities;

(3) Recognises that within the Church:

- (i) there is a diversity of faithful Christian understandings and responses to dying and to voluntary assisted dying which are consistent with the affirmations in clause (1); and that
- (ii) exploring, accessing, making provision for, or conscientiously objecting to, voluntary assisted dying are all possible Christian responses if the Voluntary Assisted Dying Bill 2019 does become law.

(4) Therefore, if Voluntary Assisted Dying is legalised,

- (a) Acknowledges the freedom of Uniting Church members, ministers, officers or staff to explore, access, make provision for, or conscientiously object to personal participation in, this option or process;...

- (b) Acknowledges the freedom of agencies or facilities of the Uniting Church in Western Australia, such as Juniper/Uniting Church Homes, UnitingCare West or other bodies to explore, access, make provision for this option or process for their clients, residents, patients or staff as is consistent with the law;
 - (c) Requests ministry agents and bodies within the Uniting Church in Western Australia to continue to offer compassionate pastoral response to all people, including those who choose to explore or access voluntary assisted dying;
 - (d) Encourages Church leaders, as appropriate to their role, to further resource Uniting Church ministers, lay leaders, chaplains and others who offer spiritual, pastoral and practical care relating to the end stages of life, including engagement with:
 - (i) First Peoples;
 - (ii) diverse cultural and language needs;
 - (iii) the range of Christian and community responses to the changing context;
 - (iv) affected Church bodies and agencies;
- (5)
- (a) Commends the WA Government for its commitment to increased financial allocations to palliative care services; and
 - (b) Urges the WA Government to live up to, and in future years extend, its commitment to increased support for quality palliative care services with better access across the State; and
- (6) Communicates these decisions to the Premier, the Minister for Health and the Leader of the Opposition.

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RATIONALE:

- R1. The whole of Synod could be devoted to the complex and sensitive subject of Voluntary Assisted Dying and we might still feel we'd only touched the tip of the iceberg. However, this issue has been in the public arena for some time. Now that the government has put forward specific legislation it is a timely opportunity to listen afresh to the proposals and the various voices that are addressing the issues, in order to explore our collective view on behalf of the Uniting Church in Western Australia. If this topic raises concerns or distress for yourself, please share your thoughts and feelings with a family member, friend, minister or other supportive person.
- R2. Loving and comforting, pain and suffering, death and dying, personal and collective experience are all profound themes that are expressed in the Biblical record as well as in our own life and times. There are many aspects to all of these elements of the human drama, and it is not surprising that there are many different views on how to interpret particular circumstances.
- R3. There is a wealth of existing resources on this topic across the Uniting Church in Australia, as well as across the church at large and around the world. Several particular resources are helpful for us at this time.
- The Justice and International Mission (JIM) Unit of the **Victoria/Tasmanian Synod** produced a comprehensive Consultation Paper on *Voluntary Assisted Dying/Suicide* in 2017. Following the Victorian Government's legalisation of Voluntary Assisted Dying, further work to assist the Church's response was prepared by the Centre for Evidence and Implementation, including proposals for their 2019 Synod.

- The **Queensland Synod** established an inquiry which prepared a report and recommendations for the Synod earlier this year: *Final Report- Voluntary Assisted Dying Queensland Synod 2019*.

R4. These documents naturally include some localised content which is not directly relevant to our context. However, the main issues addressed and the diversity of views expressed, can relevantly speak to our considerations too, so they are being made available on the WA Synod website for your reference. We recognize the differing responses each of those Synods has made to the issue this year.

- The letter by the Queensland Moderator Rev David Baker (19 June 2019) describes the background process and the text of the decisions of their 34th Synod which “seeks to witness to the God given dignity and worth of every human life... We seek to witness to God’s good gift of creation and the intrinsic worth and dignity of all people in every circumstance that is grounded in a reality that is untouched by the circumstances of our lives or death...”

The Queensland Synod went on to say: “**In recognition of this, we do not support the legalisation of voluntary assisted dying in Queensland. If legalised, our facilities will not provide this as a service and our staff, in the course of their employment, will not participate in medical acts to end a life through voluntary assisted dying...**”

- On the other hand, the 14th Synod of Victoria and Tasmania passed a resolution with some differences in July 2019. They affirmed that all life is precious to God, and has dignity before God, regardless of circumstances. They affirmed that the love of God in Christ holds us throughout all of our lives and in our dying, and that there is nothing that can separate us from the unbounded love of God. They affirmed the calling of Christians to be discerning communities of love and care to others, in their journey through life and death. They affirmed that palliative care is the primary way in which we support and care for those at the end of life, including their families, and called on the Government to increase resourcing for this.

Within the limitations of the Victorian Voluntary Assisted Dying legislation, the Synod recognised **that exploring or accessing voluntary assisted dying, as well as conscientiously objecting, can all be faithful Christian responses.**

In the light of this, **permission was given to the relevant UCA institutions and associated hospital group within Victoria, to make voluntary assisted dying allowable for their patients, clients and residents, under due conditions of the law.**

R5. This proposal being put to the WA Synod is based on the Synod of Vic/Tas Minute 26 ‘Response to Victorian Voluntary Assisted Dying Legislation’, though the proposer takes responsibility for this wording.

R6. A further suite of valuable resources for us can be found on the website www.health.wa.gov.au/voluntaryassisted dying. This includes the final report of the Ministerial Expert Panel. It also has links to the End of Life Choices inquiry which includes the comprehensive Report of the Joint Select Committee on End of Life Choices **My Life, My Choice** (2018). That year long inquiry received over 700 public submissions from individuals and organisations canvassing a wide variety of experiences and perspectives.

R7. Go Gently Australia has produced valuable personal resources in their website and a film of personal testimony by West Australians who have witnessed extreme suffering and seek urgent law reform is available for viewing at **thebrokenhearted.org.au**

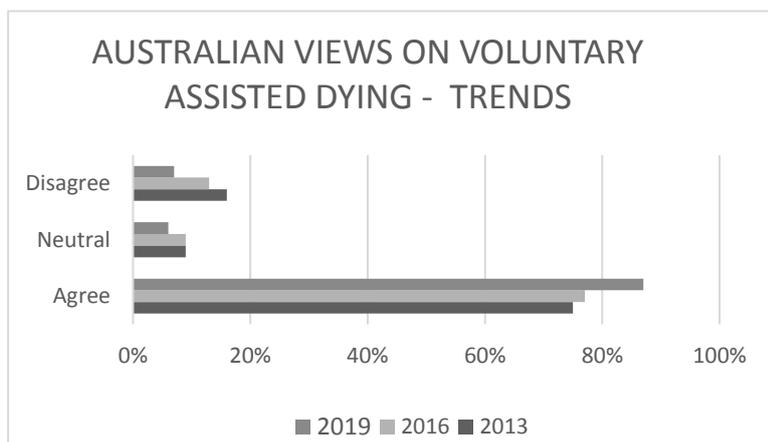
R8. The catch-cry ‘Doctors are to cure not kill’ may seem self-evident and a direct application of the verse from the Ten Commandments: ‘You shall not murder’ (or ‘kill’) – Exodus 20:13 (NRSV). Surely this is a key expression of God’s character and expectation of the people of Israel and later comers who draw on the fundamental importance of teachings from the Torah that flow into New Testament. But even there it was not an absolute prohibition. Most people today who quote

the injunction not to kill would be appalled if the next Chapter, Exodus 21: 15, 17 were to be applied today: ‘Whoever strikes/curses father or mother shall be put to death’.

- R9. So wider questions need to be asked of the meaning of the command not to kill, and numerous different Biblical stories and theological reflections feed into a broad understanding of the sanctity of human life and where to draw boundaries around acceptable behaviour.
- R10. Does not the cry of the Hebrew slaves in Egypt for the Lord to hear their cries find an answer in the liberating story of the Exodus? That became a foundational understanding of the God who saves or delivers his people from harm and suffering. Micah’s call “to do justice, to love mercy and to walk humbly with your God” (6:8) finds further elaboration and demonstration in the compassionate life of the incarnate Jesus, the healer, Saviour, and compassionate deliverer. (Mark 5; 6:53-56; 7:24-29; Mt 25:31-40; Acts 9:32-43)
- R11. See also the ‘Theological Reflections on Voluntary Assisted Dying’ exploring ‘the sanctity of life’ and ‘autonomy and community responsibility’ in the Victorian Synod’s composite document *UCA Synod of Victoria and Tasmania Response to the introduction of voluntary assisted dying legislation in Victoria* prepared by the Centre for Evidence and Implementation (May 2019), which will be available on the WA Synod website.
- R12. Concern for ‘the vulnerable’ who might be surreptitiously encouraged to seek an assisted death is an important consideration. Safeguards must be established to reduce as far as possible the possibility of this happening. While the matter is contested, there are credible reports that this is a minimal risk. As current concerns about ‘Elder abuse’ are being explored in the public domain, there are many other aspects we can and must take as a society to promote security and wholesome respect for people who are aged, living with severe disabilities or with dementia or in any other sense are ‘vulnerable’ to exploitation or abuse.
- R13. But should not concern for ‘the vulnerable’ also encompass a competent adult whose conditions include –
- being diagnosed with a disease, illness or medical condition that is advanced and progressive and will cause death;
 - knowing that the condition will, on the balance of probabilities, cause death within 6 months (or 12 months in the case of neurodegenerative illness); and
 - the person considers they are experiencing suffering that cannot be relieved in a manner that they consider tolerable? These are part of the eligible criteria for participation in VAD in WA. See the Second Reading Speech by the Hon Roger Cook, Minister for Health for more details.
- R14. From a survey within the National Church Life Survey 2016 it was shown that Church attenders are more likely to oppose euthanasia than they are to support it. This differs from the general population. However, an analysis of the 2011 NCLS survey on attitudes to euthanasia showed much stronger support for the statement ‘People suffering from a terminal illness should be able to ask a doctor to end their life’ among Uniting Church participants than other Christians. (NCLS Research Fact Sheets 14011, 18008)

Attitudes to euthanasia by denomination (2011 NCLS Attender Sample Survey O v2)

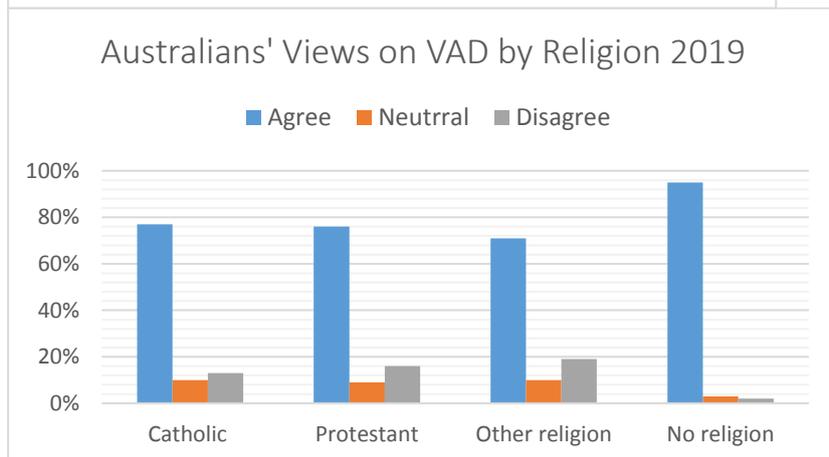
In percentages.	Pentecostal	Other Protestant	Baptist/ C of C	Lutheran	Anglican	Catholic	Uniting
Agree	14	14	15	23	25	28	42
Neutral/unsure	33	24	22	25	36	22	29
Disagree	53	62	63	52	39	50	28



Vote Compass community survey earlier in 2019 based on 450,400 responses to the statement:

“Terminally ill patients should be able to end their own lives with medical assistance.”

Showing comparison with changing attitudes from 2013.



Vote Compass 2019

R15. It is to be hoped that none of us will ever need to make use of the proposed assisted dying laws and that we will each have a peaceful death. However, it is possible that any one of us might at some time find that these laws could be a source of comfort and blessing for us or one of our loved ones. Let us give them our deep and prayerful consideration.

R16. Valuable resources:

- The reports prepared for the Victorian/Tasmanian Synod and the Queensland Synod and their relevant decisions of 2019 (available on WA Synod meeting website).
 - The Second Reading Speech on the West Australian Voluntary Assisted Dying Bill 2019 by Roger Cook, Minister for Health (available on Synod and Parliamentary websites).
 - **Your Life, Your Choice**, End of Life Inquiry Select Committee Report WA 2018 (www.healthywa.health.wa.gov.au/sitecore/content/Corporate/Articles/U_Z/Voluntary-assisted-dying).
- Former Archbishop George Carey’s change of heart -the Daily Mail 12 July 2014.

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23 August 2019 (Amended 5 September 2019)