

# Voluntary Assisted Dying

(A report from the Standing Committee.)

## Key Points

- The NSW *Voluntary Assisted Dying Act 2022* imposes on faith-based organisations, such as Anglican Community Services (**Anglicare Sydney**), who are opposed to euthanasia or physician assisted suicide, a legal obligation to facilitate, support or permit euthanasia or physician assisted suicide. This is yet another egregious assault on religious freedom.
- Anglicare Sydney, a major provider of seniors' care, risks being significantly impacted by the application of the provisions of the *Voluntary Assisted Dying Act* enforcing participation.
- The recommended motion reaffirms the Sydney Diocese of the Anglican Church's continued opposition to euthanasia or physician assisted suicide. In addition, while noting the Archbishop's Working Group, calls on the NSW Government to permit faith based organisations to choose not to participate, as in other states.

## Purpose

1. The purpose of this report is to provide supporting comments in relation to a motion on the Business Paper to be moved at the request of the Standing Committee regarding voluntary assisted dying.

## Recommendations

2. Synod receive this report.
3. Synod, noting the report, Voluntary Assisted Dying –
  - (a) reaffirm the principled and continuing opposition of the Sydney Diocese of the Anglican Church to euthanasia or physician assisted suicide because it –
    - (i) is a threat to the safety and well-being of the most vulnerable in our society;
    - (ii) overturns the ethics of medicine and health care;
    - (iii) undermines the need to provide adequate and appropriate palliative care to all Australians, irrespective of who they are or where they reside; and
    - (iv) is opposed by all faiths, including Christianity, that share belief in the sanctity of life,
  - (b) note that –
    - (i) the NSW *Voluntary Assisted Dying Act 2022* will commence in eighteen months' time;
    - (ii) in the meantime the Archbishop has established a Working Group to provide operationally informed guidance to the Board of Anglican Community Services (**Anglicare Sydney**), and the Archbishop as President of Anglicare Sydney, and other Anglican organisations on the theological issues and implications of the *Voluntary Assisted Dying Act*; and
    - (iii) the Working Group invites comments from members of Synod on the theological issues and implications of the Voluntary Assisted Dying Act by no later than 14 October 2022. Comments should be sent by email to [Diocesan.Secretary@sydney.anglican.asn.au](mailto:Diocesan.Secretary@sydney.anglican.asn.au),
  - (c) condemn the *Voluntary Assisted Dying Act* for imposing on faith-based organisations opposed to euthanasia or physician assisted suicide, a legal obligation to facilitate, support or permit euthanasia or physician assisted suicide, as an egregious assault on religious freedom, and
  - (d) call on the NSW Government to administer the *Voluntary Assisted Dying Act* in such a manner as to permit faith-based organisations, including residential aged care providers, who oppose euthanasia or physician assisted suicide on the grounds of institutional conscientious objection, not to participate in, facilitate or permit euthanasia or physician assisted suicide in or at their premises, facilities or services in any way.

## Background

4. In 2017 Synod passed resolution 5/17 as follows –

‘Synod –

- (a) consistent with its previous resolutions (17/16, 32/14 and 38/10), reaffirms that all human life is precious in God’s sight, and that the Bible prohibits the purposeful killing of innocent people,
- (b) re-iterates its opposition to patient-assisted suicide and doctor-assisted euthanasia,
- (c) recognises that there are no adequate legal safeguards possible for any proposed legalisation of euthanasia or assisted suicide that can protect the vulnerable and frail aged,
- (d) calls on Anglicans in the Diocese of Sydney to engage in the public debate on euthanasia/assisted suicide in an informed way which recognises the social, ethical and medical consequences of any new legislation, and
- (e) calls on the NSW Parliament –
  - (i) to reject the *Voluntary Assisted Dying Bill 2017*, and
  - (ii) to continue to prioritise the improvement of palliative care services.’

5. In May 2022, General Synod passed resolution R107/18 as follows –

‘General Synod –

1. Reaffirms its principled opposition to euthanasia or physician assisted suicide as:
  - (a) a threat to the safety and well-being of the most vulnerable in our society;
  - (b) it overturns the ethics of medicine and healthcare;
  - (c) it undermines the need to provide adequate and appropriate palliative care to all Australians, irrespective of who they are or where they reside;
  - (d) it is opposed by all faiths that share the belief that life is sacred; and
  - (e) it undervalues the positive contribution vulnerable or terminally ill people may make in the lives of others.
2. Strongly opposes all existing or proposed legislation that imposes on faith-based organisations opposing euthanasia or physician assisted suicide, a legal obligation to facilitate, support or permit euthanasia or physician assisted suicide, as an assault on religious freedom.
3. Commends Victoria and Western Australia for recognising institutional conscientious objection grounds, and permitting faith-based organisations to choose to neither facilitate nor support nor permit euthanasia or physician assisted suicide.
4. Calls on the NSW Parliament to oppose the *Voluntary Assisted Dying Bill 2021* and if that is not possible, to amend Part 5, Division 2 of the Bill, to permit faith-based organisations who oppose euthanasia or physician assisted suicide, to refuse, on the grounds of institutional conscientious objection, to participate in, facilitate or permit euthanasia or assisted suicide in or at their premises or facilities or services in any way.’

6. The *Voluntary Assisted Dying Act 2022* was passed by the NSW Parliament in May this year.

## Discussion

7. On 20 May 2022, the Archbishop responded to the passage of the *Voluntary Assisted Dying Act* commenting that<sup>1</sup> –

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<sup>1</sup> <https://anglican.ink/2022/05/21/sydney-archbishop-responds-to-passage-of-euthanasia-laws/>

'The passing of the "Voluntary Assisted Dying" legislation will be a matter of regret for our whole community, not just for people of faith who objected strongly or for the doctors who raised their voices against it.

Thanks are due to those MPs who sought to ensure there would be safeguards protecting vulnerable people, medical practitioners and others who care for those who suffer. Unfortunately, most of the proposed amendments were rejected.

This legislation affects not only those who will choose what is euphemistically called "Voluntary Assisted Dying" but will fundamentally affect our culture and values.

We must be vigilant to maintain an emphasis on palliative care so that people have quality to the end of their lives and are not subject to undue pressure because of a lack of resources to support them in their suffering.

I hope the government will ensure that the scope of the bill and those to whom it is applied, does not broaden in the way it has done overseas, being extended to those who are not terminally ill and who suffer from a broad range of illness or disability.

Finally, pray for those suffering that they may be assured that everything will be done to preserve and promote their quality of life, and for medical staff whose relationship with patients has been fundamentally altered by these laws.'

8. At the request of, and following consultation with, Anglicare Sydney, the Archbishop has convened a Working Group to consider and provide guidance to the Board of Anglicare Sydney, and the Archbishop as President of Anglicare Sydney, on the theological issues arising from the requirement for Anglicare Sydney to allow voluntary assisted dying to occur in its residential aged care homes.
9. In doing so, the Archbishop is not seeking an exhaustive doctrinal consideration of all the questions relating to voluntary assisted dying or the implications of the Act for Anglicans generally. Rather, the Working Group has a very specific role to provide theologically and operationally informed guidance to the Board of Anglicare Sydney, and the Archbishop as President of Anglicare Sydney, on the implications of the Act in the specific situation applicable to Anglicare Sydney as an approved provider of residential and other aged care services.
10. The members of the Working Group have been drawn from the (overlapping) membership of the Social Issues Committee, the faculty of Moore College, the Doctrine Commission, Anglicare Sydney's Board and management and the episcopal leadership team. The members are –
 

The Rev Dr Andrew Ford (chair)	The Rev Dr Chase Kuhn
Dr Megan Best	Professor Jonathan Morris
The Rev Dr Andrew Errington	The Rt Rev Dr Michael Stead
Mr David Goodhew	
11. The issues the Working Group have been asked to consider are –
  - (a) a Biblical and theological understanding of –
    - (i) the sanctity of life;
    - (ii) historical Christian views on whether it is legitimate for a person to take their own or another person's life (and, if so, when);
    - (iii) obedience to the law of the land; and
    - (iv) the injunction to care for the vulnerable,
 as applied to the provisions of the Act requiring an aged care provider to allow voluntary assisted dying to occur in its residential aged care homes.
  - (b) if Anglicare Sydney complies with Act and permits, and does not hinder, a permanent resident accessing voluntary assisted dying services from a third party, is Anglicare Sydney complicit in the delivery of the services in a way which would be contrary to the teaching of the Bible?
  - (c) should Anglicare Sydney take actions to dissuade or prevent permanent residents from accessing voluntary assisted dying services? If so, what is the range of Biblically and theologically informed actions Anglicare Sydney should consider?
  - (d) if Anglicare Sydney takes all legal steps to –
    - (i) advertise that it does not agree with nor provide voluntary assisted dying services;

- (ii) inform residents of alternatives to voluntary assisted dying such as palliative care; and
- (iii) facilitates access to information and delivery of palliative care services,

is that a sufficient response despite still having to allow access by third parties who will provide voluntary assisted dying services? If not, what additional steps should Anglicare Sydney take?

- (e) if by complying with the Act, Anglicare Sydney would be complicit in the provision of voluntary assisted dying services, what other Biblically and theologically informed responses should be considered by Anglicare Sydney in relation to –
  - (i) Anglicare Sydney's residential aged care services;
  - (ii) Anglicare Sydney's home care services; and
  - (iii) the provision of independent retirement living accommodation?

12. The Working Group has been provided scope to refine, narrow or augment these questions to ensure the breadth of relevant issues are considered.

For and on behalf of the Standing Committee.

DANIEL GLYNN  
**Diocesan Secretary**

25 July 2022