

Assisted dying

an exploration



Meeting for Sufferings has asked Quakers in Britain to consider assisted dying.

This guidance is intended to help Friends, in local or area meetings, and other Quaker communities.



What's happening?

Two area meetings have adopted a concern to work for a change in the law in relation to assisted dying in the UK. They have asked for a process of discernment among Quakers in Britain.

Meeting for Sufferings believes Friends want to explore questions about dying and death, as well as specific issues about assisted dying. There are differing and deeply-held views, and we do not necessarily expect to come to unity.

What's the process?

Quaker meetings are encouraged to consider this, in whatever way is appropriate. This could happen in local meetings and other Quaker groups, but any formal minutes for Meeting for Sufferings need to come from area meetings.

There isn't a timetable or deadline – Meeting for Sufferings will come back to this at an appropriate time, but not before the second half of 2020.

Meeting for Sufferings said:

“Our understanding of that of God in each person enables us to consider what love requires in each individual circumstance rather than leading to a united response. ... We do not necessarily expect to come to unity: a failure to unite is not a failure. There is a value and a beauty in being able to find neither for nor against; but what love requires – and to ask questions. Our explorations need to be respectful and loving, and we need to be aware that our position is often one of privilege.”

Friends who want to explore this further may wish to:

- read the information provided by the two AMs (copied below)
- invite Friends from one or both of the AMs to visit
- read *Assisted dying: a Quaker exploration*, published by Leeds Area Meeting and available from the Quaker Centre Bookshop at Friends House (https://bookshop.quaker.org.uk/Assisted-Dying_9780993494703)
- research the views of other churches, faith groups, professional bodies and campaigning organisations
- learn about approaches taken in other countries.

A large print edition is also available; please contact publications@quaker.org.uk or call 020 7663 1162.

Published in 2019 by Britain Yearly Meeting, registered charity number 1127633.

Have Quakers considered this before?

British Quakers have considered these issues before. A brief search of the archives shows that Lotte Rosenberg spoke to Essex and Sussex Quarterly Meeting in 1966 on the topic of 'Is the sanctity of life absolute?'; a number of Quakers published articles about euthanasia in the 1970s and 1980s; Quaker Social Responsibility and Education Committee was working on euthanasia in 1979, and Quaker Home Service considered medical ethics in 1995.

In 2010 North Scotland AM expressed opposition to the End of Life Assistance (Scotland) Bill, which was going through committee stage at the time (it was defeated).

In June 2014 two AMs (London West and Leeds) asked Meeting for Sufferings to consider end-of-life care. Sufferings passed this to Quaker Life Central Committee (QLCC). QLCC saw this as the starting point for a huge subject and set up a short-term working group. QLCC's work considered end-of-life issues generally rather than the specific topic of assisted dying. It organised a Quaker Life Representative Council focused on death and dying, and published a short leaflet called Love and loss.

In 2016 Leeds AM published a book, *Assisted dying: a Quaker exploration*, which was sent to all local meetings.

What is the current law on assisted dying?

This is an extremely short introduction – BYM does not have specialist staff who can advise in any detail.

Assisted suicide is illegal under the terms of the Suicide Act (1961) and is punishable by up to 14 years' imprisonment. Trying to kill oneself is not a criminal act. Euthanasia – whether voluntary or non-voluntary – is regarded as either manslaughter or murder. The maximum penalty is life imprisonment.

The Scottish Parliament rejected the End of Life Assistance (Scotland) Bill in 2010 and rejected an Assisted Suicide Scotland Bill in 2015. The Westminster Parliament rejected an Assisted Dying Bill in 2015. (On that occasion "leaders of all the UK's major faith groups" wrote to MPs to oppose assisted suicide.) There was a backbench debate in the House of Commons on 4 July 2019.

In Britain there are several independent bodies working for a change to the law:

- Assisted Dying Coalition (www.assisteddying.org.uk), which has five member bodies
- Dignity in Dying (www.dignityindying.org.uk) and Dignity in Dying Scotland (www.dignityindyingScotland.org.uk).

There are also organisations that oppose a change in the law, including some faith bodies and some disability rights groups.

The issues are being considered by other British organisations, including health and social care professionals. As just one example, the British Medical Association (BMA) agreed in 2019 to undertake a consultation of members.



If you have questions about the process please email sufferings@quaker.org.uk or contact the Deputy Recording Clerk, Juliet Prager, at Friends House on 020 7663 1101.

Please send any minutes agreed by area meetings to sufferings@quaker.org.uk.

Minutes sent by area meetings

Please note: North West London Area Meeting and Staffordshire Area Meeting are making slightly different proposals about possible changes to the law.

For further information, or to invite Friends from the AM to speak, please contact:

- Staffordshire AM: winsutton.ad@gmail.com
- North West London AM: clerknwlondon@gmail.com.

North West London AM, held 22 May 2019

Minute 19.05.06 A Concern – Care for the Dying

We have heard a concern that a minority of dying people suffer unbearably and are beyond the reach of palliative care.

If they are mentally competent and have a prognosis of death within six months, they should have a right to medical help to bring their own lives painlessly to an end.

North West London AM finds this concern genuine and asks the Clerk to forward it to Meeting for Sufferings to reflect and discern whether Quakers might truly support a change in the law to allow assisted dying.

Tim Heath

Clerk

Towards a Good Death: the need for legislation to allow assisted dying with clearly defined safeguards

Our concern arises from a powerful sense of compassion for those terminally ill people who are beyond the reach of palliative care, who suffer intolerably and long for the relief of death but are unable to attain it under current UK legislation. They are a relatively small number, but we feel compassion for each one, especially when we hear his or her personal story.

Annexe 1 sets out our process in reaching our concern. Annexe 2 explains the background which leads us to believe the issue should be of active concern to Quakers nationally at this time.

While the great majority of dying patients can be helped to avoid unbearable suffering, through the withdrawal of treatment or palliative sedation, these are not options for some of those who have an illness like motor neurone disease. A dying person may lose the ability to move, to swallow, to eat or drink, to speak, or to breathe unaided.

Those with physical capacity can, if they so choose, take their own lives without help. But if the patient is physically incapacitated, though mentally capacitous, they may need help to obtain and/or be handed a

lethal dose of medicine, even though they perform the final act of taking it themselves. This help, including help by a doctor, is unlawful under the Suicide Act 1961.

At present, about one patient every eight days goes to Switzerland from Britain for help to die. These patients must be fit enough to make the journey and therefore might choose to die before they would otherwise wish. This is contrary to the best interests of the patients and their families. We are also concerned that most people cannot afford to go to Switzerland with their families for an assisted death. This is against our testimony to equality. Also, many people want to go to Switzerland but their doctors refuse to give them the required medical report. This is also an example of inequality – some doctors help, others don't.

A Populus Poll, published on their website in March 2019, showed that: 84% of the UK population support assisted dying; 86% of disabled people do so; and 82% of Christians do so, too. However, some people are concerned that if assisted dying were legalised, unscrupulous relatives could take advantage and encourage a dying relative to end his or her life earlier than would happen naturally. In reality, under the current law, such relatives could encourage their elderly relative to starve themselves to death, or to refuse treatment, or indeed to seek an assisted death in Switzerland.

We are proposing a strongly safeguarded system which would protect dying people far better than now. The patient could apply for the right to an assisted death only when he or she has no more than six months to live; has consulted two doctors individually, who would confirm the diagnosis, prognosis and wishes of the patient; and ensure the patient has the capacity to make this decision. There would be mandatory waiting periods to ensure the person had time to reflect on the decision at each stage.

The above process has worked well in Oregon for more than 20 years and will, we hope, be replicated in legislation in the UK. The hospice movement in Oregon, which was hostile to the proposed law before it was introduced, now supports it. Oregon also has one of the best palliative care systems in the US.

Some people with particular religious beliefs say that the time of our death is a matter for God. There is also an argument that there can be a spiritual value in suffering. But we accept the use of modern medicine to mitigate suffering and to keep us alive for many years beyond the date when we would die without medical intervention. This is not regarded as 'playing God'. We feel that the ethical issues should be a matter of individual conscience, for both patient and doctor.

The Unitarian and Free Christian Churches have passed a resolution in favour of assisted dying, but with a broader remit than the one we propose. The Liberal and Reform Jews worked with us on same-sex marriage and are interested in working with us on this issue too.

To conclude, as Quakers we feel that everyone in the UK who meets the criteria outlined above and who wants an assisted death should have access to it. We hope other Quakers will support our concern for a change in the law.

The Scottish Parliament is due to carry out a consultation in 2020. If successful, Westminster will be under pressure to introduce a bill. Our hope is that BYM might reach a position in time to influence these developments. We are therefore asking Sufferings to start a process of discernment which would enable BYM to consider the issue next summer. This would mean that Sufferings would need to consider the concern in October, giving six months to consult area meetings and receive a response for Sufferings to consider at their spring meeting. We realise this might mean delaying other matters, but this is a unique opportunity to influence Westminster and Scotland, should BYM decide to do so.

Annexe 1. Our process

A concern about assisted dying was brought to a small group of Friends at Hampstead Meeting by a long-term attendee, Molly Meacher. Molly is chair of Dignity in Dying and, as a member of the House of Lords, is party to debates on this issue. Hampstead Meeting recently held three sessions open to all on death and dying. Two of the four of us facilitated these sessions.

We met together several times as a group to explore the issue of assisted dying, including with the clerk to our meeting on one occasion. One of us is currently clerk to elders and took the concern about assisted dying twice to elders' meetings. The paper expressing our concern was sent to meeting for worship for business in June 2019 with the support of elders.

There was an informed and deep debate, and it was agreed to send the matter to AM with the hope that it would be sent to Meeting for Sufferings. We presented our paper at AM in July, when it was agreed that the minute supporting this concern would be sent to Sufferings for further discernment.

As part of our preparation as a group of four, we considered a forthcoming report from Dignity in Dying, contacted Woodbrooke staff, including a tutor who had been part of the Leeds working group on assisted dying, read the Leeds book, spoke to Oliver Waterhouse from Quaker Life about a forthcoming Woodbrooke event on end-of-life matters and networked with other Friends, locally and nationally, known to have similar concerns.

One of us is a member of the London Quakers steering group, which is organising a day conference in November on assisted dying. Speakers include the former Archbishop of Canterbury George Carey and Tom Shakespeare, one of the contributors to the Leeds volume.

The fact that a number of AMs have brought this matter to the attention of Sufferings over the last few years surely reflects the growing concern in the Society of Friends, and more widely, that the law on assisted dying needs to change.

Annexe 2. Background to our concern

Since 2016 we have seen the spread of assisted dying internationally. Canada, seven US States, including California, as well as Victoria, Australia, have legalised assisted dying for terminally ill people who are suffering unbearably and are mentally competent – the model we hope to adopt in the UK.

Within the UK, we have seen important developments. There is a widespread debate in Scotland on the issue, and MSPs plan a formal consultation next year and legislation the year after. Jersey and the Isle of Man are also working towards a law on assisted dying. In England and Wales, the medical profession is shifting its position. The Royal College of Physicians and the Faculty of Clinical Oncology of the Royal College of Radiographers have ended their opposition and adopted a neutral position, having consulted their members. The Royal College of General Practitioners and the BMA are planning a consultation with their members in the autumn with a view to adopting a neutral position. A number of charities supporting people with serious illnesses are planning to consult their members on the issue. And the Liberal Jewish community is shortly to consider a motion to support assisted dying. The Unitarian Church already support an assisted dying policy (though with a broader remit than the one proposed here).

In the 2014–15 parliamentary session the House of Lords considered a bill to introduce assisted dying along the lines we propose. Parliament was dissolved before the bill could complete its passage. However, it was well received in the House of Lords. A similar private member's bill was poorly presented in the House of Commons in September 2015 and was not approved.

A debate on assisted dying was held in the House of Commons on 4 July 2019, introduced by MP Nick Boles. Nearly three-quarters of the MPs who spoke were supportive of assisted dying, and some described moving cases of the cruel effects of the current law.

Eileen Aird, Terri Banks

Anne Charvet, Molly Meacher

31 July 2019

Staffordshire Area Meeting

Minute 9 Assisted Dying

Staffordshire Area Meeting has considered the following minute received from Wolverhampton Local Meeting:

“Minute 8 Assisted Dying (business meeting 7 July 2019)

‘Friends in Wolverhampton Meeting have spent time in consideration of the issues around assisted dying and how this practice relates to our Quaker faith. We are united in asking Area Meeting to agree a minute asking Meeting for Sufferings to encourage BYM Friends to approach their MPs to explain the changes we need, and also to work with other organisations such as ‘My Death, My Decision’, ‘Friends At The End’, ‘Humanists UK’ and ‘Dignity in Dying’ to get a change in the law which would allow people to have a medically assisted death in the UK if that is their wish. This law would need to be surrounded by clear safeguards, as in Switzerland, to prevent any misunderstanding or misuse of the law. The present situation divides us. There are some who can afford the £10–15,000 to travel to a clinic for the purpose of achieving a medically assisted death should they wish, and those who cannot.’

This concern comes originally from a Friend whose considerably disabled daughter had to travel to Switzerland to end her life, with the help of Eternal Spirit, Basel. We believe that we should respect the wishes of those who make a considered decision that life is now intolerable for them through pain or other distress. We unite with this concern and will send this minute to Meeting for Sufferings. We ask Friends in Britain to accept the principle of assisted dying, and to express those views, encouraging our Members of Parliament to take this into law. The support of Britain Yearly Meeting will enable us in speaking truth to power.

At present we only allow people who can afford to travel to have this choice. It also requires their accompanying relatives or friends to break the law. We should not be requiring people to have to end their lives sooner rather than later, because they need to be fit enough to travel as well as being rich enough. The alternative of attempting suicide in the UK can have dreadful consequences.

Statistics show that over 80% of the population agree with the principle of assisted dying, yet MPs have voted strongly against. (Rob Marris, then an MP, who introduced the defeated private member’s bill, asked why he thinks this is so, replied along the lines of “because they don’t trust the electorate”.)

General public – 80% in favour

Medical profession – 50% in favour

MPs – 26% in favour.”

Concerns were raised about the level of safeguarding which would be included in the legislation. However, the principle needs to be established before specific safeguards are agreed.

Friends shared personal experiences in support of the Wolverhampton Meeting minute. There were reservations based on the level of safeguards and whether or not we should await our appropriate ‘time to go’. Overall, with these exceptions, the meeting was in unity. Reassurance was given that there would be a great deal of further discussion in Britain Yearly Meeting before a final position is arrived at.

We therefore agree to send this minute to Meeting for Sufferings in support of the minute from Wolverhampton LM.

Berry Dicker

Clerk

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