

INTERIM JOINT REPORT OF THE THEOLOGICAL FORUM AND FAITH ACTION PROGRAMME LEADERSHIP TEAM ON ASSISTED DYING MAY 2024

Proposed Deliverance

The General Assembly:

1. Receive the Interim Joint Report.
2. Note the work of the Assisted Dying Working Group to date and that further consultations will be undertaken prior to a final report being produced for the General Assembly of 2025.

Report

1. BACKGROUND

1.1 In light of the proposed introduction of the 'Assisted Dying for Terminally Ill Adults (Scotland) Bill' to the Scottish Parliament, the Faith Impact Forum invited the General Assembly of 2023 to reaffirm its historic opposition to Assisted Dying. The deliverance stated:

'[The General Assembly] supports the current legal protections which prohibit assisted suicide/assisted dying and urge members of the Church to make representation to their MSPs.'

1.2 However, a countermotion was moved, which recognised that opinion in the Church was more diverse than outright opposition. This countermotion also instructed that this diversity of views be explored further:

'Noting that the historical decisions of the General Assembly have been to support current civil law as to assisted dying, but now recognising that there exists a range of theological views and ethical opinions on assisted dying within the Church, instruct the Faith Action Programme Leadership Team, the Theological Forum and other relevant parties to explore such views and opinions and report to a future General Assembly.'

1.3. On a vote, 103 supported the original motion to reaffirm the Church's blanket opposition to assisted dying, while 225 voted for the countermotion, which then passed 238–71, with 5 commissioners recording dissent.

1.4 Following this decision, a small Group consisting of members of the Theological Forum, FAPLT and experts in this area was formed to follow through on the decision of the General Assembly. Its members are: Rev Dr John Ferguson (Convener), Rev Dr Liam Fraser, Rev Dr Alasdair MacLeod, Ms Nathalie Mares MacCallum, Professor Paul Middleton, Dr Murdo MacDonald, Rev Tara Granados and Libby Milton.

1.5 The Group understands its remit to include identifying the range of theological and ethical opinion in the Church, exploring the theological and ethical basis of these views, including their theological validity, and asking what affect this diversity should have on the Church of Scotland's response to any proposed change of legislation.

2. THE WORK OF THE GROUP TO DATE

2.1 Given the complexity of this issue and the sensitive questions it raises, the Group has not yet completed its work for this year's General Assembly. This is therefore an Interim Report to update Assembly on progress to date. A final report will be presented in 2025.

2.2 The Group has met on six occasions, and has spent considerable time reflecting on theological and ethical aspects of the issue, including the implications of any change in the Church of Scotland's position. It also researched the position of other denominations. It has heard from a number of experts working in this area, including the head of Palliative Care at a University in Canada, who spoke about their experience of MAiD (Medical Assistance in Dying), as well as a Researcher in Medical Ethics, and a Professor of Neurology.

2.3 Through its deliberations, the Group has identified a number of different positions held by members of the Church of Scotland, which it intends to explore further, including:

- Those who continue to support the historic opposition to assisted dying.
- Those who would not choose assisted dying for themselves for theological or other reasons, but would support a change in the law so as to not impose their beliefs on others.
- Those who see no theological or ethical impediment to changing the law, but would nonetheless be unsure whether or not they would take up the option themselves.
- Those who support a change in the law and would be at peace in their Christian faith to consider or choose assisted dying if they received a qualifying terminal diagnosis.

2.4 These are the main positions on a spectrum of belief, underpinned by either conflicting theological views, or conflicting interpretations of the same theological view. However, while the Group has identified a range of diverse opinion, it has identified more agreement on the necessity for safeguards should there be a change in the law, such as methods, access, residency requirements, etc., which would require further consideration.

3. NEXT STEPS

3.1 The Group will continue to explore the spectrum of views by speaking with further organisations, including CrossReach, and individuals, such as hospice chaplains, and representatives of charities working in this area, and other denominations. The Group also intend to create space for Presbyteries to inform its discussions should they wish.

3.2 Given the likely ongoing significance of this issue, the Group intends to produce resource materials to help congregations and members think through the theological and pastoral implications raised by the questions around Assisted Dying.

In the name of the Faith Action Programme Leadership Team and the Theological Forum

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