



Dear (Name MP/Senator),

I understand that in coming weeks you will be asked to deliberate on a proposed "Territories Rights Bill". The precise form of this proposed legislation is not yet determined but I thought it judicious to offer some thoughts on the topic for your reflection.

The Catholic Church has always held that Church and State are properly separate but share the objectives of pursuing the common good and promoting the dignity of the human person. Due to these common goals, I believe it is important to outline a perspective on the anticipated legislation.

The rationale for this proposed legislation is ensuring that Territory Assemblies have equal democratic prerogatives with the States. In my view this argument is flawed and such an outcome is evidently not intended at all.

In fact, the intent of the proposed bill is solely aimed at provision of the capacity of Territories to legislate for state-sanctioned killing through euthanasia or voluntary assisted dying.

My view is that a radical change to society's most foundational law, overturning the prohibition on the intentional killing of citizens, is ethically unjustifiable, cannot ensure legal protection of the vulnerable, and would fail to uphold the dignity of the dying.

The purpose of writing to you, as member of the *Federal Parliament*, at this point in time is to make several observations and to urge your deep reflection on the proposals before you.

1. The Constitution and the self-government Acts make it clear that Territories are not equivalent to States in nature or in capacities. The Commonwealth retains to itself the capacity to limit the scope of Territory competence and even to disallow Assembly legislation that is contrary to Commonwealth policy. The Constitution ss 53 (i) and 122 indicate that the citizens of Territories only have such rights as bestowed by the Commonwealth.
2. In light of these provisions, together with public comments that the proposed legislation is *exclusively* directed at enabling euthanasia/voluntary assisted dying to be enacted in the Territories, it is evident that the Federal Parliament is being asked to take responsibility precisely for legislation enabling the administration of lethal drugs to patients. This is quite a different proposition to the Acts of State Parliaments with similar intent. Through this legislation, the Commonwealth is being asked for the first time to sanction the killing of its most vulnerable citizens in jurisdictions where, Constitutionally, it has direct responsibility.



3. The ACT (Seat of Government) is prevented from establishing its own police force or developing legislation around censorship, yet these are not presented as limitations on democracy in the manner in which provision to legislate to sanction the killing of its own citizens is frequently publicly presented.

As a member of the Federal Parliament you have responsibilities for the citizens of your own electorates, States or Territories, but you also have wider responsibilities to work for the common good and the dignity of persons beyond any local dimensions. In exercising a conscience vote, as a parliamentarian, you are called on to consider the deepest dimensions of your own humanity and to act in a manner consistent with the good of all Australian citizens.

For example, I note that at the same time there is a call to make euthanasia and assisted suicide available to all, palliative care remains only accessible to some. Similarly, there is considerable irony that this call has a high degree of traction while the plight of many vulnerable Australians including First Nations people, those who are living with disability or who are aged may be offered this option but not consistently high quality care.

Legislation directly and specifically aimed at enabling lethal injections is difficult to reconcile with your responsibilities to the common good or the dignity of the person.

In presenting these views I am cognisant that

- the responsibilities of federal parliamentarians is not identical with that of those in State parliaments in that you have a broader remit;
- you will be deliberating on these matters carefully and sincerely;
- and, on the real question of state-sanctioned killing in Territories, you will need to accept a particular responsibility for the outcomes.

Please be assured of prayerful support in your deliberations as you seek to resolve the challenges before you in this matter and in exercising your civic duties. If you believed it would be appropriate and helpful, I would welcome the opportunity to speak with you about this proposed legislation.

Christopher Prowse
Catholic Archbishop of Canberra Goulburn