

Draft Integrated "Do Not Attempt Cardio-Pulmonary Resuscitation" Policy
Response from the Scottish Council of Jewish Communities

[Click here](#) to read the draft policy

We welcome the opportunity to comment on the draft Integrated DNACPR Policy, and support its intention to "*ensure a consistent and integrated approach across Scotland to DNACPR decision making and communication*" in order to "*prevent ... significant distress to patients and families*".

Halachah (Jewish Law) regards human life as being sacrosanct. Its value is absolute, not relative to a person's age or health, and it is certainly not something that can be ended at will. The commandment of *Pikuach Nefesh* (saving life) is central to Jewish belief – the Talmud states that "one who saves a single life is regarded as if he had saved the whole world" and other religious obligations must (not "may") be set aside in order to do so.

Judaism is, therefore, unequivocally opposed to both euthanasia and suicide, and sets great store by the dedicated care given to patients in their final illness by members of the medical and nursing professions. Jewish religious tradition gives clear guidance to those caring for terminally ill patients and for the patients themselves. Expressed simply, the principle is that it is forbidden to do anything that will hasten death, but, whilst it is not permitted to shorten life neither is it permissible artificially to prolong the process of dying. Furthermore, a patient has no obligation to accept burdensome treatment even when it might appear to be his or her best option. There is, therefore, no intrinsic objection to appropriate DNACPR decisions, and we welcome the introduction of an integrated policy to regulate consistent decision-making throughout the NHS, and support staff in sensitive discussions with patients and their families.

A view about DNACPR decisions may be included in an advance directive or "living will" in which a patient seeks to make clear his or her own wishes about treatment in the event of serious illness. The Jewish position on living wills is complex; it would depend on the content of the wishes expressed, and there would also be reservations if it were drawn up so far in advance that the patient was not aware of the circumstances in which its provisions might come to be applied. A Jewish "living will" can however be useful in specifying the religious authority to be consulted for advice on management of the incompetent patient in his or her final illness, and also to nominate a proxy who can be trusted to represent the view and opinions of the patient. In the case of a Jewish person this will usually be a close family member or a rabbi.

The following comments relate to specific aspects of the policy and patient leaflet.

Terminology

i) The policy uses the terms "welfare attorneys", "welfare guardians", and "proxy decision makers" interchangeably, and without providing any definition. This can only result in confusion, so a single term should be used throughout both policy and patient leaflet, and should be clearly defined on first use in each. It should also be noted that, under the Adults with Incapacity (Scotland) Act 2000, this person may sometimes be the senior medical practitioner concerned.

ii) Even where they have been defined in an earlier section, the over-use of abbreviations in the patient leaflet may result in misunderstanding and confusion. In this respect we would particularly highlight the section headed "*What about other treatment?*", the entirety of which reads "*A DNA CPR order is about CPR only and you will receive all the other treatment you need.*" This not only sounds like jargon, but also appears brusque and somewhat dismissive.

Supporting patients to make appropriate decisions

Some patients may wish to consult a trusted religious adviser before making an advance decision about DNACPR. We therefore suggest adding a note to this effect at each of the following places in the document:

- pp7-8: in section headed "Appropriate and sensitive communication ..."
- p22 : in section headed "Patient decisions about resuscitation issues"
- p28: in section headed "What if I don't want to decide"
- p32: in section headed "Who else can I talk to about this?"

DNACPR form

Some patients and their families may fear that a DNACPR decision will prevent them from receiving other treatments and comfort measures. In order to avoid this, and also to ensure that all staff fully understand what is and is not authorised by a completed DNACPR form, we suggest that the statement "*Please be aware the DNAR decision does not refer to any treatment other than CPR. Patients should be assessed and provided with whatever other treatments are appropriate for their health and comfort irrespective of their DNAR status.*" should be prefaced by a banner headline of the same size and prominence as the "*Do not attempt resuscitation*" headline.

Training

We strongly recommend that Spiritual Care teams in hospital and community settings, and faith-specific hospital chaplains, should be included in training sessions about the DNACPR policy, since they may be called on by any or all concerned, to provide support when "*discussions [about DNACPR] result in upset and even anger for patients and their families, and are often uncomfortable for healthcare staff*".

Note: The Scottish Council of Jewish Communities (SCoJeC) is the representative body of all the Jewish communities in Scotland comprising Glasgow, Edinburgh, Aberdeen, and Dundee as well as the more loosely linked groups of the Jewish Network of Argyll and the Highlands, and of students studying in Scottish Universities and Colleges. SCoJeC is Scottish Charity SC029438, and its aims are to advance public understanding about the Jewish religion, culture and community. It works with others to promote good relations and understanding among community groups and to promote equality, and represents the Jewish community in Scotland to government and other statutory and official bodies on matters affecting the Jewish community.

In preparing this response we have consulted widely among members of the Scottish Jewish community.