

the sector speaks

shared rooms for same-sex couples

Should a Catholic aged care facility offer shared accommodation to an elderly same-sex couple?

The Caroline Chisholm Centre for Health Ethics had cause in recent times to explore this question, following a request from Mercy Aged Care in Melbourne to assist in preparing policy and procedure guidance on intimacy and personal relationships. This article sets out the considerations and conclusions we at the Caroline Chisholm Centre for Health Ethics reached in response to the question.

This article has been reviewed by Fr Joe Parkinson, Director LJ Goody Bioethics Centre, Fr Brian Johnstone CSsR, Honorary Professor at Australian Catholic University, Sr Helen Monkivitch, Executive Director Leadership and Mission at Mercy Health, and senior staff in Mercy Health and Aged Care. All expressed their support for its content.

In May 2014, Catholic Health Australia issued a member guideline, *Principles for Inclusion in a Catholic Hospital or Aged Care Service's Policy for Care and Accommodation of Same-Sex Attracted People*.¹ This guideline states that "Catholic hospitals and aged care services do not discriminate in respect to who they provide care to or who they accommodate as residents within their facilities."

But does this non-discrimination extend to an offer of shared rooms? We were not exactly sure.

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We also considered Catholic teaching, which does not approve of same-sex sexual intercourse.² Would shared rooms therefore facilitate actions which the Church does not approve of? Because of this concern, an early draft of our procedures stated that staff should not "provide services which are not in line with Catholic teaching", including "shared accommodation for same sex couples."

We thought more about this. Nowadays, many nursing home residents are very frail. Given this, would an elderly same-sex couple even be able to engage in actions which the Church does not approve of? It did not seem right to decide on policy based on untested assumptions about this.

After much deliberation, we ultimately found our way forward by considering a document written in April 1997 by Cardinal Basil Hume when he was Archbishop of Westminster and President of the Catholic Bishops' Conference of England and Wales.³

The Cardinal affirmed that the Catholic Church "does not approve of homosexual genital acts." However, he went on to speak about friendship and love. He noted that "friendship is necessary for every person." He continued, "In whatever context it arises, and always respecting the appropriate manner of its expression, love between two persons, whether of the same sex or of a different sex, is to be treasured and respected."

Cardinal Hume's reflections helped us to see that this question of shared rooms is not just about sex. More profoundly, it is about friendship and love.



Fr Kevin McGovern

When a same-sex couple move to a Catholic aged care facility, their friendship and love is one of the goods which they value. To preserve this good, they may indeed request shared accommodation. Because Catholic aged care services are committed to providing for the well-being of their residents, it seems reasonable that our facilities would respect this request.

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Depending on a range of factors which are beyond the aged care facility's control, the provision of shared rooms might or might not facilitate homogenital acts. In any event, a Catholic facility offers shared accommodation not to condone or promote such acts, but rather to help the couple to preserve their love and friendship.

If this does involve some level of cooperation in actions which the Church does not approve of, this cooperation is (in the technical language of the Principle of Cooperation) material, remote and contingent.⁴ As we seek to help a couple to preserve their friendship and love, we concluded that this level of cooperation was justified.

Based on this and a few other considerations, the final version of the procedure at Mercy Aged Care reads:

Preserving the friendship of a common life

- The friendship which develops between two people who share a common residence and a common life is important. This sort of friendship may develop between a married couple, de facto couple, two people of the same gender who are same-sex attracted, vowed religious, siblings or friends.
- To support this friendship and their common life, consideration will be given on a case by case basis to provide people in this situation with shared accommodation.
- Because of privacy concerns, sexual expression within shared accommodation should only be investigated if there are well-founded concerns of non-consensual sexual behaviours.

1 Catholic Health Australia, <http://www.cha.org.au/images/reports/CHA%20SSA%20Guidelines.pdf>.

2 See, for example, *Catechism of the Catholic Church*, #2357 & 2396; the *Congregation for the Doctrine of the Faith's Persona Humana*, #8; *Homosexualitatis Problema*, #7; and *Non-Discrimination against Homosexual Persons*, #2.

3 Cardinal Basil Hume, *A note on the teaching of the Catholic Church concerning homosexuality*, The Catholic Church in England and Wales, <http://www.catholic-ew.org.uk/Catholic-News-Media-Library/Archive-Media-Assets/Files/Department-of-Christian-Responsibility-and-Citizenship-files/Briefing-Papers/Homosexuality-a-note-on-the-teaching-of-the-Catholic-Church-by-Cardinal-Basil-Hume>.

4 For an explanation of these terms, see pp. 4-5 of Kevin McGovern and Kerri Anne Brussen, "Ethically Compromised Vaccines and Catholic Teaching," *Chisholm Health Ethics Bulletin* 17, no. 2 [Summer 2011]: 1-9; online at <http://www.mercyhealth.com.au/au/ccche/Documents/Bulletin%2017%202.pdf>.