

Hospice UK briefing on assisted dying legislation in England and Wales - March 2026

Introduction

This briefing provides an update on assisted dying legislation in England and Wales, including progress of the Bill and Hospice UK's activity in response.

The Terminally Ill Adults (End of Life) Bill has been progressing through Committee Stage in the House of Lords since November 2025. During this stage, members of the Lords table and debate specific amendments to the Bill. As you may have seen in the media, more than 1,000 amendments have been tabled to date.

At present, it appears increasingly unlikely that the Bill will pass. Several stages of scrutiny remain before the parliamentary deadline of Friday 24 April, and it is therefore likely that the Bill will run out of time. As a Private Members' Bill, it would not automatically carry over into the next parliamentary session, making it unlikely that the legislation will reach its final stages before that deadline.

Friday 24 April is the key date to prepare for, as it is increasingly likely that the Bill will run out of parliamentary time at that point.

We recognise that this may prompt questions or require a public response from hospices. Our External Affairs Team is available to support members in preparing communications or responding to media enquiries if needed.

Please get in touch at policy@hospiceuk.org if you would like support with any preparations.

Our legal advice and resulting engagement

Since the Bill was first introduced, we have engaged constructively with the Bill sponsors and parliamentarians across the spectrum of views on assisted dying to ensure the voice of our sector is heard loud and clear.

This engagement has resulted in some important outcomes. We secured amendments requiring the Secretary of State to consult palliative and end-of-life care providers, including hospices, when developing guidance during any implementation period, should the Bill ultimately become law. Our Chief Executive, Toby Porter, has also given evidence before several parliamentary committees during the Bill's passage.

When the Bill moved into the House of Lords late last year, we commissioned legal advice from Bates Wells to better understand the potential legal implications for hospices should the Bill pass, particularly in light of changes made in the House of Commons stages.

The advice indicated that, while the Bill as currently drafted does not place a direct obligation on hospices to participate in assisted dying, the absence of a clear legal mechanism enabling organisations to determine transparently whether and how they might be involved could create uncertainty.

In particular, the advice identified a risk that decisions about involvement could arise implicitly through wider system pressures, for example at ICB level, or through legal challenge, rather than being determined explicitly by hospice boards and leadership teams.

The legal advice also identified:

- that the Bill provides that medical practitioners are entitled to use their professional judgement to decide whether to offer assisted dying services (s.5(2) of the Bill). That grant of individual discretion could be read as overriding a decision by an employer, such as a hospice, not to allow its employees to offer such services, and could protect such employees who do so.
- a hospice choosing not to participate could face a claim under the Equality Act 2010. For example, it could be accused of adopting a policy which has a particularly adverse effect on people with the protected characteristic of disability; that would constitute indirect discrimination, and could only be justified if it was a proportionate means of achieving a legitimate aim. A proportionality defence would be more straightforward for a hospice that was exercising a legal right to determine the extent of their involvement with assisted dying services; if the Bill passes without such an amendment, it would be harder for such a hospice to argue that it was pursuing a "legitimate aim".
- a converse risk, that even if hospices wish to participate in providing assisted dying services, the bill does not go sufficiently far as to permit them to do so. That is because most hospices are registered charities whose objects may fall under the overarching recognised charitable head of the "advancement of health". There is legal uncertainty as to whether assisting with dying can be a means of advancing health. If not, then hospice charities with those objects will not be able to offer such services because to do so would mean they are acting ultra vires of their governing documents, and in breach of charity law.
- that a number of amendments proposed by members of the House of Lords, including proposals for a blanket ban on hospice participation or a simple opt-in/opt-out mechanism, could themselves be unworkable and carry legal risks.

In response, we worked closely with Bates Wells and engaged in detailed discussions with the Bill's sponsors to develop a set of amendments that would introduce a new clause clarifying that nothing in the legislation would prevent hospices from making their own decisions regarding involvement in assisted dying services. We sought to ensure the

wording reflected the wide range of positions that hospices may wish to take. The Bill's sponsors agreed to table these amendments.

However, given the current position of the Bill and the high likelihood that it will not complete its passage during this parliamentary session, these amendments have not yet been formally tabled or debated. **Despite this, given the level of parliamentary and public interest in this issue, it remains likely that assisted dying legislation - whether in a similar form or through a new Bill - will return in the near future.**

For this reason, we continue to maintain constructive relationships with the Bill's sponsors and with MPs and Peers across Parliament so that the perspective of our membership and legal risks are well understood should legislation re-emerge.

Next steps

We are continuing to monitor the passage of the Bill and will continue to keep you updated on [our website](#) and via Hospice Leaders Briefing.

We also recognise that discussions about assisted dying continue to unfold within hospices. Our Programmes team have [developed resources to support the facilitation of safe space discussions on assisted dying](#).

Frequently Asked Questions

What is Hospice UK's view on assisted dying?

Hospice UK has no collective view on whether the law should change on assisted dying. This reflects the many different views that exist among hospices, including staff, volunteers, trustees, patients and families.

We recognise that this is a decision for society, as expressed by Parliament.

Whatever is decided on assisted dying, we have seen clear agreement amongst both the public and Parliamentarians that palliative and end of life care needs to be improved, and that hospices need better support from the government to protect their services long into the future.

Through our engagement with MPs and Peers, we have secured a requirement for the Secretary of State to consult hospices when developing guidance on the operation of the Act, should it become law. This amendment ensures there will be a mechanism that guarantees hospice input.

As part of this process, and in line with the legal advice we have received, we will continue to advocate for hospices to retain the flexibility to determine the extent of their involvement in any future assisted dying service.

Is assisted dying now legal in England and Wales?

No. The Bill has not become law and it is increasingly likely that it will not pass during the current parliamentary session.

We will continue to monitor the current Bill's progress through Parliament, as well as the possibility of new assisted dying legislation being introduced following the King's Speech in May.

Does the Bill require hospices to deliver assisted dying?

Currently, the Bill does not specify any requirement for hospices to be directly involved in delivering assisted dying.

More broadly, the Bill contains limited detail about how assisted dying would operate within the health and social care system, including where responsibility would sit or how services would be funded. Many operational and funding questions would be addressed during an implementation period if the Bill were to become law.

We recognise that this lack of clarity is causing concern for many within the hospice community, and we continue to raise these issues with the Bill's sponsors and with MPs and Peers.

How else will Hospice UK support its members?

Our Programmes team have developed a set of [resources](#) that provide a practical roadmap to support hospice leadership teams to hold safe space discussions with staff and volunteers.

You can also email our Policy Team (policy@hospiceuk.org) with any questions or requests for support.