

# Assisted Dying for Terminally Ill Adults (Scotland) Bill

## Introduction

A proposal for a Bill to enable competent adults who are terminally ill to be provided at their request with assistance to end their life.

The consultation runs from 23 September 2021 to 22 December 2021.

All those wishing to respond to the consultation are strongly encouraged to enter their responses electronically through this survey. This makes collation of responses much simpler and quicker. However, the option also exists of sending in a separate response (in hard copy or by other electronic means such as e-mail), and details of how to do so are included in the member's consultation document.

Questions marked with an asterisk (\*) require an answer.

All responses must include a name and contact details. Names will only be published if you give us permission, and contact details are never published – but we may use them to contact you if there is a query about your response. If you do not include a name and/or contact details, we may have to disregard your response.

Please note that you must complete the survey in order for your response to be accepted. If you don't wish to complete the survey in a single session, you can choose "Save and Continue later" at any point. Whilst you have the option to skip particular questions, you must continue to the end of the survey and press "Submit" to have your response fully recorded.

Please ensure you have read the consultation document before responding to any of the questions that follow. In particular, you should read the information contained in the document about how your response will be handled. The consultation document is available here:

[Consultation Document](#)

[Privacy Notice](#)

I confirm that I have read and understood the Privacy Notice attached to this consultation which explains how my personal data will be used.

On the previous page we asked you if you are UNDER 12 YEARS old, and you responded Yes to this question.

If this is the case, we will have to contact your parent or guardian for consent.

If you are under 12 years of age, please put your contact details into the textbox. This can be your email address or phone number. We will then contact you and your parents to receive consent.

Otherwise please confirm that you are or are not under 12 years old.

*No Response*

## About you

Please choose whether you are responding as an individual or on behalf of an organisation.  
Note: If you choose "individual" and consent to have the response published, it will appear under your own name. If you choose "on behalf of an organisation" and consent to have the response published, it will be published under the organisation's name.

an individual

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

Professional with experience in a relevant subject

**Optional: You may wish to explain briefly what expertise or experience you have that is relevant to the subject-matter of the consultation:**

Nurse with a lot of experience in palliative and terminal care.

Please select the category which best describes your organisation

*No Response*

Please choose one of the following:

I am content for this response to be published and attributed to me or my organisation

Please provide your Full Name or the name of your organisation. (Note: the name will not be published if you have asked for the response to be anonymous or "not for publication". Otherwise this is the name that will be published with your response).

Helen Thomson

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number.

We will not publish these details.

**Aim and Approach - Note: All answers to the questions in this section may be published (unless your response is "not for publication").**

Q1. Which of the following best expresses your view of the proposed Bill?

Fully supportive

Q1. Which of the following best expresses your view of the proposed Bill?

**Please explain the reasons for your response.**

I have seen many patients suffering at the end of their life. Often the pain relief is making them feel sick, they may be unable to eat or drink much, their skin breaks down and they have to suffer the indignity of incontinence and feeling they are a "nuisance" or a "burden". The medication makes them sleepy and they feel frustrated that they are not able to stay awake as people visit them. After a long illness they deserve the choice to die at a time they choose with their relatives around them if desired. They often have had enough of the suffering, be it constant pain, indignity, struggling to breathe or watching their loved ones worn out from visiting and suffering themselves.

Q2. Do you think legislation is required, or are there other ways in which the Bill's aims could be achieved more effectively? Please explain the reasons for your response.

There must be clear legislation so that people are not prosecuted unnecessarily.

Q3. Which of the following best expresses your view of the proposed process for assisted dying as set out at section 3.1 in the consultation document (Step 1 - Declaration, Step 2 - Reflection period, Step 3 - Prescribing/delivering)?

Partially supportive

**Please explain the reasons for your response, including if you think there should be any additional measures, or if any of the existing proposed measures should be removed. In particular, we are keen to hear views on Step 2 - Reflection period, and the length of time that is most appropriate.**

I do not believe that nurses or doctors should raise the subject of assisted dying unless there have been repeated requests/statements from the patient that they wish to die or about helping them to die. In my experience this is usually a persistent utterance from those who have really had enough. The reflective period would more reasonably be 4 to 6 days as further delay would unnecessarily prolong suffering. It would also provide sufficient time to recover from a couple of really bad days.

Q4. Which of the following best expresses your views of the safeguards proposed in section 1.1 of the consultation document?

Fully supportive

**Please explain the reasons for your response.**

Any and all safeguards should be included. Influence from any party, including relatives, should be established by discussion. More than one professional discussing the options should be necessary. Of particular importance is the check that all other options have been explored including that adequate and suitable pain relief has been given, guided by palliative care experts, if the reason for a request for PAD is incessant or unbearable pain.

Q5. Which of the following best expresses your view of a body being responsible for reporting and collecting data?

Fully supportive

**Please explain the reasons for your response, including whether you think this should be a new or existing body (and if so, which body) and what data you think should be collected.**

There should be a new body who may be associated with the current authorities or specialist branch

Q5. Which of the following best expresses your view of a body being responsible for reporting and collecting data?

whose sole responsibility is to monitor, advise and assess individual cases. They should also be responsible for proposing revisions of the law if it became necessary.

Q6. Please provide comment on how a conscientious objection (or other avenue to ensure voluntary participation by healthcare professionals) might best be facilitated.

It might be possible to register an objection to these practices with the professional body (e.g GMC or NMC) which would constitute an exemption from being required to participate in them. This should be accompanied by an expression of why the professional objects and should not be a flimsy excuse but heartfelt conscientious objection assessed as reasonable by the Body concerned. The reasons should be assessed by the Body but not noted on the registration. This would demonstrate suitable reflection on the subject.

## Financial Implications

Q7. Taking into account all those likely to be affected (including public sector bodies, businesses and individuals etc), is the proposed Bill likely to lead to:

some increase in costs

**Please indicate where you would expect the impact identified to fall (including public sector bodies, businesses and individuals etc). You may also wish to suggest ways in which the aims of the Bill could be delivered more cost-effectively.**

More training may be required for doctors and nurses to deal with the issues and an increase in specialist staff available would probably be necessary. The new Body responsible may lead to extra costs and any increase in professional body responsibility may require increased staff.

## Equalities

Q8. What overall impact is the proposed Bill likely to have on equality, taking account of the following protected characteristics (under the Equality Act 2010): age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation?

Slightly negative

**Please explain the reasons for your response. Where any negative impacts are identified, you may also wish to suggest ways in which these could be minimised or avoided.**

May impact slightly on age - younger people may be discourage more from requesting assisted dying. People unable to express themselves adequately may also be slightly disadvantaged

## Sustainability

Q9. In terms of assessing the proposed Bill's potential impact on sustainable development, you may wish to consider how it relates to the following principles:

- living within environmental limits
- ensuring a strong, healthy and just society
- achieving a sustainable economy
- promoting effective, participative systems of governance
- ensuring policy is developed on the basis of strong scientific evidence.

With these principles in mind, do you consider that the Bill can be delivered sustainably?

Yes

**Please explain the reasons for your response.**

It certainly promotes a strong, healthy and just society, protecting individual rights and acknowledging public wishes in governance. It should not have any environmental effects.

## General

Q10. Do you have any other additional comments or suggestions on the proposed Bill (which have not already been covered in any of your responses to earlier questions)?

This bill is long overdue. There may be some difficulty with relatives who disagree with their loved one's decision. I presume there is some immunity from prosecution by the relative assuming all procedures have been properly carried out by the professionals involved, which should be assessed by the relevant supervisory body - not the courts. After professional, specialist, independent assessment, a detailed submission could be accepted by the legal system as an exoneration prior to any legal action being initiated - unless corruption of the Body itself is suspected, e.g. undue influence from the professional via close friendship/blackmail. (Presumably the members of the Body assessing the case should have to declare no relationship with the professional being assessed.) This should avoid lengthy suspensions and unnecessary stress of staff, which may lead to reluctance to acquiesce to patient choice.