

# 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".)

Member of the public

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).

Alec Morton

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?

Partially supportive

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

It does not seem right that we require people end their journeys in suffering and indignity rather than letting them leave at a time of their own choosing. I'm glad that this proposal is being put forward. I think it is long

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

overdue. My reasons for not being fully supportive are to do with reservations about the safeguards (see responses to later questions).

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.

Legislation is clearly required, to provide a clear pathway with appropriate safeguards. There is ample international experience now for how such a law can be formulated from Europe, US and elsewhere.

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.**

The process seem appropriate, although they would require to be translated into more detailed protocols before they can be operational. For the reflection period, 14 days seems short, given the definition of terminal illness does not have a time limit. I would prefer a longer reflection period (say a month or two) which could be shortened if the patient is in a state of extreme suffering or is declining rapidly.

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

Partially supportive

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

I'm surprised that there is no explicit medical assessment of the suffering or indignity to which the person is exposed, as avoiding these is the normal reason given for sanctioning assisted dying. Plausibly, someone could pass all the safeguards, while still being in a position to live without pain or significant loss of functioning for a long period of time. I would suggest an additional medical assessment that the person is or will soon be exposed to significant suffering or indignity which cannot be avoided through medical treatment be required.

The requirement that the patient must administer the medication themselves may be excessively restrictive in cases where patients are physically incapacitated and unable to do so.

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.**

Such a body should keep full case notes against a possible future case investigations, as well as reporting at a summary level the diagnoses age band and geography of the people who use the service. Given that an explicit aim of the proposal is provide another route for people with terminal illnesses considering suicide, it makes sense to consolidate data relating assisted dying with data on suicides to understand

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

whether this policy objective has been met. It also makes sense to monitor whether there are doctors who are signing off on an unusual number of such cases. I don't know what the best institutional arrangements for this are.

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

Healthcare professionals wishing could register a CO with their employer and this could be kept on their staff record.

## 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 reduction 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.**

The motivation for this proposal is humanitarian and the cost impact should be irrelevant. Nevertheless, considering the high costs of caring for people in their last months (on NHS, local authorities, carers and 3rd sector) it is plausible there would be some cost savings.

## 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?

Positive

**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.**

The people who are most exposed under the current arrangements are the old, who are disproportionately at risk of a terminal diagnosis and the consequent suffering.

## 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

## 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)?

*No Response*