

# 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).

William Stout

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

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

The Bill has a narrower scope than I might have wished in that it provides for those who are both suffering a terminal illness and are mentally competent at the point of decision. It does not provide for the currently

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

healthy to plan for a situation where they may no longer be mentally competent. I understand that the projected scope simplifies the safeguards required. So, within the scope projected, I am fully supportive.

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.

Yes. Legal protection is required for those on the front line who are in a position to provide assistance. The law is currently unclear and the consultation document argues this point very effectively.

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 safeguards are broadly sound. However, the reflection period of 14 days, reduced in the case of imminent death, may be too long. The consultation paper suggests that other jurisdictions use various durations without specifying a minimum. I would consider 3-5 days a reasonable period. It is likely that anyone seeking the assurance of an assisted death will already have thought long and hard about it and discussed it with loved ones. There is in any case a second decision point after the prescription has been agreed and before it is delivered. The timing of the use of the prescribed drugs should not be mandated. The timing of the attendance of the health professional with the drugs should be at the request of the patient. The experience in other jurisdictions is that in many cases attendance will not be required at all. There have to be safeguards for children but I am concerned that the age limit of 16 may be too high (cf the age limit for beginning gender reassignment, which also has weighty significance). While understanding the rationale, I am also concerned that the patient must administer the drugs themselves. There is an issue of capability. Some may rush to take action while still physically capable, as well as mentally competent, in order to ensure it is still possible. This is another reason why the time lapse between confirming the prescription and having it delivered must be very flexible. The mechanism for self-administration must be as physically easy as possible.

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.**

The safeguards are robust, perhaps overly so. The age limit of 16 could be a bit lower (say 14). However, to gain full public confidence I support what is proposed.

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

Fully supportive

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

The proposal for a register of objectors would possibly infringe the rights of healthcare professionals if made public. It might be better treated on an informal case by case basis.

## 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:

no overall change in costs

## 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 consultation paper rightly indicates that access to assisted dying will be extended from those who can afford to visit Switzerland to the entire population. The points made about race and sex are also right.

## 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.**

I agree with the points made in the consultation paper.

## 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 is a very well argued paper which is grounded in its scope and avoids some of the more contentious aspects of assisted dying. It provides for a Bill which will give Scotland a more humane approach to suffering and deserves the support of all right-thinking people.