

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

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

I have seen relatives and friends die in a manner that they would not have chosen, had there been a more humane alternative available to them. Having been diagnosed with an incurable illness myself, I have had to face up to what type of death I would like myself when I run out of treatments.

Please select the category which best describes your organisation

No Response

Please choose one of the following:

I would like this response to be published anonymously

If you have requested anonymity or asked for your response not to be published, please give a reason (Note: your reason will not be published):

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).

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.

I have been diagnosed with cancer 3 times so far and fortunately it has been treatable so far. As things currently stand, if I was given a terminal diagnosis it cannot be guaranteed that I can have a pain free and peaceful death, without suffering. I have also witnessed family and friends who have died from or with cancers and MND and have seen first hand their suffering at not being able to have the death of their choice. I think it is so unfair and downright cruel to prevent people with a terminal diagnosis from being able to choose when they die and also to put their loved ones through watching them suffer needlessly. Even worse, if someone with a terminal diagnosis does seek assistance (whether by travelling abroad where it is legal or where they have ended their life at home) their next of kin currently would be investigated to see if there has been criminality involved. This then stigmatises grieving relatives, even if no criminal charges are laid against them. For people with conditions such as MND, they can expect their quality of life to deteriorate as their body is gradually taken by the disease, although mentally they remain of sound mind and fully aware of the physical changes their bodies are gradually going through. To go from being fit and healthy, to having to rely on others to help you eat & drink; toilet; perform personal hygiene/care, etc. and to lose the ability to eat without choking or be able to breathe without mechanical assistance whilst denying them the right to choose when and how they die is inhumane.

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.

I believe that legislation will provide a framework to ensure that people who are terminally ill will genuinely have a choice when palliative care no longer provides them with freedom from suffering, whilst still providing safeguards to terminally ill people who choose to let nature take its course, to protect them from being coerced into an early death against their wishes for the benefit of others. Other countries have legalised assisted dying and people from Scotland have utilised this avenue alone, to help minimise the risk that their love ones could be criminalised for helping them. Legislation can ensure that protections are in place for all parties involved in the process.

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)?

Fully 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 think that the proposed process allows protection for all parties involved in the process. It is right that a terminally ill adult who wishes to utilise assisted dying has a discussion with a doctor for the reasons given in the consultation. I believe that a reflection period is necessary to allow a person to fully consider the option once it has been confirmed as available to them, but I do not feel qualified to comment on what the most appropriate length of time would be, given that individual circumstances in terms of predicted life-expectancy can vary considerably. The examples given in the consultation appear to cover a variety of scenarios.

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

Fully supportive

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

Please explain the reasons for your response.

I believe that these safeguards provide adequate protection to all parties concerned in the process and do not solely protect the individual who wishes assistance with their death. It is important that doctors and other HCPs are also protected and I am of the opinion that these safeguards provide this.

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.

I believe that having a body which is responsible for collecting and reporting data is useful to track the number of people who have an assisted death each year; to look for trends in terms of the diseases involved and to record other useful information.

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

I am not qualified to comment on this, other than to recognise the suggestion in the consultation to have a register accessible by relevant HCPs (perhaps only doctors being able to view the details of other doctors and so on) to allow conscientious objector HCPs to refer patients to equivalent level HCPs who can assist.

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:

don't know

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.

I am not able to answer this question.

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?

Unsure

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.

I do not feel able to answer this question.

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?

Unsure

Please explain the reasons for your response.

I am not able to comment on this aspect of the proposal.

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.