

Analysis: UK right-to-die law will still not succeed

December 16 2013

Analysis by Dr Iain Brassington, ethicist, Centre for Social Ethics and Policy, University of Manchester:

"The Supreme Court will today witness the latest round in the right-to-die case brought by, and latterly on behalf of, Tony Nicklinson and Paul Lamb. Their claim is that the current law on assisted suicide is incompatible with Article 8 of the European Convention on Human Rights, which guarantees respect for private and [family life](#).

"Previous attempts to argue this have been rejected on the points of law, and the Courts have been highly reluctant to make more general statements about what should be legal in this regard, preferring to leave decisions about the legalisation or otherwise of assisted dying to Parliament.

"One small concession that was made in previous hearings is that it was deemed that the DPP should provide clear guidance about the legal status of a healthcare professional's having assisted a person to travel abroad for the purpose of ending his own life. However, that does not tell us anything about the case being heard today.

"It seems likely that this latest round of hearings will not advance Nicklinson's and Lamb's case. While Article 8 might confirm a person's right to end her own life, it does not follow from that that there is a right to assistance; and it is straightforward that there are limits to the protection that the Article affords: it does not mean that everything that

happens within the confines of the home is privileged.

"Neither will the necessity argument - an important component of the claim - work, because it is not necessary to end a person's life to end his suffering. We could imagine it being possible to induce permanent deep sedation, for example: this would mean that the patient would no longer be aware of his intolerable life, but would not require that that [life](#) be ended. As such, dying is not necessary.

"Therefore it seems reasonable to predict that, once again, the judges will express sympathy for the plight of those who want to end their lives but are unable, but will once again assert that there is nothing that they can, or are willing, to do."

Provided by University of Manchester

Citation: Analysis: UK right-to-die law will still not succeed (2013, December 16) retrieved 12 May 2024 from <https://medicalxpress.com/news/2013-12-analysis-uk-right-to-die-law.html>

This document is subject to copyright. Apart from any fair dealing for the purpose of private study or research, no part may be reproduced without the written permission. The content is provided for information purposes only.