

# Most people want it, but the UK isn't ready to legalise assisted dying

May 28 2015, by Isra Black



Demonstration in favour of legalising assisted dying in London, November 2014. Credit: David Holt, CC BY-SA

The same week that the [UK press reported](#) the death of Jeffrey Spector, who travelled to Switzerland to die rather than face a life of pain and paralysis, the Scottish parliament has [rejected the general principles of the Assisted Suicide \(Scotland\) Bill](#) by 82 votes to 36.

[The bill](#) sought to decriminalise assistance in the suicides of registered

medical patients in Scotland aged 16 years and above with a terminal or life-shortening illness or progressive condition who experienced an unacceptable quality of life without prospect of improvement. It set out a complex procedure that lawful assisted suicides should follow.

Patrick Harvie MSP, who took charge of the Assisted Suicide (Scotland) Bill following the death of Margo Macdonald MSP has pledged to continue the campaign.

[Spector](#), a 54-year-old Lancastrian with an inoperable spinal tumour, had received assistance to end his own life at the Swiss Dignitas clinic.

Spector, who was accompanied in his final moments by his family, stated that the [law prohibiting assisted suicide in England and Wales](#) had pushed him to end his life earlier than he would otherwise have wished. In [an interview with reporters, quoted in The Independent](#), he said:

*I don't want to take the chance of very high-risk surgery and find myself paralysed ... If the law was changed then what difference if I had an operation? I could do it after. Rather than go late, I am jumping the gun.*

Meanwhile, Lord Falconer [has announced his intention](#) to reintroduce an Assisting Dying Bill for England and Wales into the House of Lords in Westminster.

His [Assisted Dying Bill](#) which would have permitted adult residents whose terminal illness was likely to cause death within six months to request lethal medication from doctors if a specific procedure were followed, ran out of time in the most recent parliamentary session.

## **Public support**

While recent independent polls (commissioned by organisations in

favour of permitting [assisted suicide](#)) show very high levels of [public support](#) for legalising some form of assisted suicide in [Scotland \(69% in favour\)](#) and [Britain as a whole \(82% in favour\)](#), the prospects for a change in the law are grim, particularly in Scotland.

While support for assisted suicide has more than doubled in the Scottish parliament in the four years since Margo Macdonald's [End of Life Assistance \(Scotland\) Bill](#), there still needs to be a considerable shift in political will before a future [bill](#) can succeed.

The rejection of Patrick Harvie's bill on principle shows that even a measure whose drafting and purpose is not criticised for ["significant flaws"](#) is unlikely to become law.

Things may look rosier in Westminster, since the recent Assisted Dying Bill passed the second reading stage at which the principle of a bill is debated and usually put to a vote. However, there was no vote on the principle of the bill at this stage, because supporters and opponents of the bill agreed that the issue deserved further debate and line-by-line scrutiny at the committee stage. So the fact that the Assisted Dying Bill made it to committee does not in this case show that peers are favourable to the legalisation of assisted suicide.

It is also very easy to kill legislation in committee. Parliament sets aside very little time for scrutiny of legislation that is not part of the government's programme – such as Lord Falconer's bill. If opponents table more amendments than there is time available to discuss them, a bill will fail. This is exactly what happened to the Assisted Dying Bill; few of the [175 tabled amendments](#) were discussed over two days of debate. After the committee stage, there are two further stages (report and third reading), which also present opportunities to debate or amend a bill out of existence.

Even if an assisted suicide bill could be agreed in the House of Lords, it would then have to survive a near identical [legislative process](#) in the House of Commons. Let's not forget that MPs, unlike peers, do not have the luxury of being unelected and may be nervous about supporting legal change on a controversial moral issue in the face of [supremely well-organised opposition](#).

## Moral case

Supporters of assisted suicide need to convince politicians and the public that legalisation will not endanger the lives of "vulnerable" people. The [empirical evidence](#) from jurisdictions where [assisted dying](#) is lawful can help show this. The challenge is to communicate key findings from this complex and incomplete data set in a political moment.

Tactically, it may be desirable to talk less about autonomy and more about equality. Individuals should be able to choose assisted suicide not because choice has supreme value, but because respecting others' choices on how to live and die respects them as equals.

People who seek assisted suicide and the vulnerable who worry about the impact of assisted suicide want the same thing: for their life plans to be recognised as having equal moral worth.

Supporters of assisted suicide should take note that in the [Tony Nicklinson](#) case, the UK's Supreme Court dropped a strong hint that restricting suicide assistance to the terminally ill may fail to show due respect for all individuals' right to private life as protected by [article 8 of the European Convention on Human Rights](#). Supporters may therefore need to reconsider who would be eligible for an assisted death in their proposals for law reform.

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Source: The Conversation

Citation: Most people want it, but the UK isn't ready to legalise assisted dying (2015, May 28)  
retrieved 26 April 2024 from

<https://medicalxpress.com/news/2015-05-people-uk-isnt-ready-legalise.html>

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