

Assisted Dying for Terminally Ill Adults (Scotland) Bill

Letter to MSPs from Scottish DPOs, supported by DPOs across the UK

Dear MSP,

We are writing to you as very concerned organisations, controlled and run by disabled people, about the upcoming vote for the Assisted Dying for Terminally Ill Adults Bill in Scotland and the impact this Bill will have on disabled people and other protected groups of the Equality Act 2010 in Scotland.

We appreciate that the Bill is a Bill of choice and compassion. Whilst respecting the strongly held beliefs of MSPs who support the Bill, we fear that this will not be the case for many who will feel coerced into 'choosing' an assisted death.

The Bill has been framed as being only available to with anyone a terminal illness, and until this week "terminal illness" was defined as anyone with an advanced progressive or progressive condition that is "unrecoverable" and can "reasonably be expected to cause their premature death" – extremely broad eligibility. We understand an amendment was accepted following a vote to change the eligibility to someone with only 6 months to live. However, we remain concerned about the impact on 1000s of disabled people in Scotland, many of whom live with a terminal diagnosis. We have heard from many medical practitioners throughout the Bill development period, that determining such a prognosis is highly problematic and often lacks medical accuracy. The Report of the All-Party Parliamentary Group for Terminal Illness [inquiry into the legal definition of terminal illness](#) states that 84% of GPs agreed that the 6-month definition is not fit for purpose.

The current eligibility of the assisted dying Bill would cover anyone over 18, which was raised from 16 after fierce objection and fear for from children's rights groups. This highlights how strong the opposition to this Bill has been. This Bill would forever change the Doctor - Patient relationship, and the looser rules in this Bill could open Scotland up to death tourism from other parts of the world.

During the [Health, Social Care and Sport Committee stage 2 amendments considerations, proposals for mandatory training for doctors](#) to recognise coercive control were voted down. As a result of interventions from the Royal College of Nursing Scotland the Scottish Bill was changed to include any nurse doing a final assessment of someone's capacity and coercion risk/ analysis related to an assisted death must be supported by a Dr.

Scottish Domestic abuse experts warned during Committee stage that this Bill "[risks offering a new, potentially lethal weapon to abusive partners have been diagnosed with a life- threatening or terminal illness.](#)" Furthermore, according to the University of Strathclyde who have done extensive research on the Bill and other international assisted dying Bills, that "[the threat of coercion under the proposed law is real and significant](#)". It is estimated that, [1 in 3 Scottish women live under domestic abuse or coercive control](#) which this adds up to [225,000 older victims of domestic abuse in Scotland](#) according to the domestic abuse charity Hourglass. During the UK Select Committee evidence sessions, [Professor Jane Monkton Smith OBE](#), a leading expert on domestic homicide explained that even those with decades of training and experience struggle to spot coercion, especially subtle coercion and that the safeguards were not adequate.

The watering down of safeguards throughout the passage of the Bill has led to well-founded fears about the risk of coercion particularly people who feel like a burden by family, friends or wider society and particularly those with cognitive and or degenerative impairments and those with learning disabilities. Many doctors, allied health professionals and social workers agree that coercion is extremely difficult to identify and that they lack the expertise and training to recognise coercion. This will mean that coercion will be extremely challenging if not almost impossible to detect.

No disabled people's organisation in Scotland or the UK publicly support the Bill and many Royal Colleges though neutral have expressed strong concerns around the lack of safeguards in this Bill. We

are aware that disabled people are not unified for or against it, however as long as safeguarding is a concern, we cannot be supportive of this Bill as it stands.

We firmly believe the government should instead be investing more into accessible housing, healthcare and palliative care, inclusive education, social care support and more to improve the lives of disabled people- rather than to end them.

Some further concerns we have with this Bill are:

- Fewer safeguards and inadequate protections for people with learning difficulties.
- The Financial Memorandum for the Bill states that implementation and delivery would be funded from existing NHS resources. Funding assisted dying will take money out of fundamental palliative care and essential health and social care support funding (which is already being decimated).
- Denial and attitudes towards the rights of disabled people. This is being exacerbated by media hostility around ‘benefit scroungers’, Motability cars, Access to Work and employment for disabled people, among other issues.
- It was highlighted during the pandemic the alarming number of Do Not Attempt Cardio-pulmonary Resuscitation (DNACPR) Orders placed on Disabled people and the withholding of critical care for disabled people. DNACPRs are still being used without the consent of disabled patients today. We are very concerned this Bill would open this up further as a loophole to the assisted dying process.

We implore you to vote against the terminally ill adults Bill on Tuesday 17th March and protect disabled people and terminally ill people’s lives in Scotland.

Thank you for taking the time to read our letter. Thank you for taking the time to read our letter.

Yours,

DPOs in Scotland

Dumfries and Galloway Voice (DG Voice)



Glasgow Centre for Inclusive Living (GCIL)



Glasgow Disability Alliance (GDA)



Inclusion Scotland



Self Directed Support Scotland (SDSS)



DPOs and Allies across the UK

DPAC (Disabled People Against Cuts) <https://dpac.uk.net/>

GAIN (Group for Autism, Insurance, Investment and Neurodiversity)
www.gaintogether.org

LegaCare <https://www.legacare.org/>

We Thrive <https://www.we-thrive.co.uk/>