

Assisted Suicide (Scotland) Bill

Scottish Disability Equality Forum

Scottish Disability Equality Forum (SDEF) works for social inclusion in Scotland through the removal of barriers to equality and the promotion of independent living for people affected by disability.

We are a membership organisation, representing individuals affected by disability, and organisations and groups who share our values. Our aim is to ensure that the voices of people affected by disability are heard and heeded within their own communities and at a national and political level.

General points

- SDEF, alongside their members, agree with the general principal to make the Assisted Suicide (Scotland) Bill legally allowable.
- Our members feel that those with physical disabilities, where quality of life is affected, should also be included in the Bill.
- In principle, the police should have a clearly defined role, however should not be directly involved with the procedure.

Answers to specific questions

Before completing this response, SDEF polled its members, made up of Individuals, Organisations and Access Panels, with a shorter version of this consultation. We have used these to help develop our response.

The General Principle

Question 1

Do you agree with the general purpose of the Bill to make it legally allowable, in the circumstances provided for, to assist another to commit suicide?

- Yes.
- The majority of SDEF members agreed on this.
- "I think if people make decisions when able. Life should be about quality not just length"

Protection from legal action for those providing assistance

Question 2

Do you agree that those who provide assistance in the manner set out in law should be protected from any criminal and civil liability?

- Yes.
- The majority of respondents to SDEF's survey supported this.
- "It must protect those that assist in any way. It is the person's choice".

The process that must be followed

Question 3

Do you agree with the three stage declaration and request process that an individual seeking assisted suicide would be required to be follow?

- Yes.
- There was unanimous support for this, with one respondent noting:

- “I think this is good. Timeframes deadlines can be hard for people sometimes, but the idea is good.”

The required illness or condition

Question 4

Do you agree that the person seeking assisted suicide must have a terminal or life-shortening illness, or a progressive condition which is either terminal or life-shortening?

- Yes.
- Many of our members also feel it is important that those with a physical disability should be included.
- “I think people with a physical disability should be included in this choice as having a physical disability can impact greatly on someone’s quality of life.”

Other requirements of the individual

Question 5

Are you satisfied with the requirements relating to age, connection with Scotland and capacity?

- Yes.
- The majority of our members felt that a mental health assessment be undertaken, where an assessment would give the opportunity to prove capacity.
- “A professional mental health assessment should be available to those in the category of ‘suffering from any mental disorder which might affect the making of the request’, as this is extremely vague and could automatically exclude some with a mental illness who may otherwise have the required capacity.”

The role of medical professionals

Question 6

Do you agree with the proposed roles of medical practitioners and pharmacists?

- Yes.
- However, our members have highlighted the following challenges with this:
 - In remote areas only one GP or Pharmacist may be available
 - Should one of the GPs assessing the individual be a specialist of the condition and its progression?

The act of assisted suicide

Question 7

Do you agree with the way a person would be permitted to end their life under the Bill?

- Yes.
- Our members agree with this, however, feel that a Disabled Person should be allowed to have assistance in taking drugs to end their life.
- “There are many examples where people with no speech and no ability to use their hands can do things with the aid of the computer including communicate their wishes.”

The involvement of facilitators

Question 8

Do you have any comment on the role of licensed facilitators as provided for in the Bill?

- Our members feel that the age limit should be over 25. It is felt that 16 is too young and may impact the individual if involved in this process.
- It is felt that having a 'licensed facilitator' present is a good idea.

The role of the police

Question 9

Do you have any comment on the role of the police as provided for in the Bill?

- Members feel it is important that the police ensure the paperwork is correct and the procedure was carried out correctly.
- The role for police needs to be clearly defined, to ensure family members/facilitators feel confident with the procedure.
- Our members feel that the police do not need to be directly involved.

Scottish Disability Equality Forum