End of Life Assistance (Scotland) Bill

Daphne Foster

Do you agree a person should be able to request end of life assistance from a registered medical practitioner?

Yes – but I wish to qualify this by stating my concern that this designated practitioner has the power to block the request from the beginning. A very sick, and therefore disempowered, person may not have the energy to get past this block. This possible situation needs to be addressed in the Bill.*

Are you satisfied with the requirements for age and connection with Scotland as set out in the Bill?

One reservation: 16 years of age is just on the cusp between immaturity and maturity. Particular care must be taken when making this assessment.

Are you satisfied with the two categories of people who would qualify to be assisted under the terms of the Bill?

4(2)(a) “terminally ill … death within six months… can reasonably be expected”. I think that six months is much too long for a person to have to wait who is suffering relentless pain which cannot be controlled.

4(2)(b) What is “intolerable”*? This is subjective and depends upon the life experiences and the perception of the assessor. This is so crucial that more than one person must be involved in this judgement.

The Bill outlines a two-stage consent and verification process that would be required to be followed for an eligible person to receive end of life assistance. Are you satisfied with this process?

No! I am concerned that there are people who need end of life assistance but who will be excluded because of the nature of their distress. In particular there are those who are paralysed, either because of progressive nervous disease, or accident or stroke. These people will not be able to sign any request and may not be able to speak because of vocal cord paralysis. Such people will not be able to make either a first formal request or a second formal request. Each request requires a signature.

The final agreement also needs the requesting person to sign*

In addition the requesting person may not be able to access another medical practitioner if their own medical practitioner refuses their requests.* It is very important that a medical practitioner who does not wish to be involved in an end of life situation be legally bound to find a medical practitioner who will assist in this.
Do you consider the level and nature of safeguards as set out in the Bill to be appropriate?

The safeguards will prevent anyone being coerced into requesting death, but they will also exclude many people - as mentioned above.

Do you have any other considerations on the Bill not included in answers to the above questions?

Too much power given to the designated practitioner.

Difficulty in accessing an alternative designated practitioner

Inability to conform to the terms of the Bill because of paralysis

Mrs Daphne Foster
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