End of Life Assistance (Scotland) Bill

Mr Chris R. Penny

I do not believe that it is appropriate for the Scottish Parliament to pass this Bill – in its present form or however it might be modified as part of this consultation. Whatever care is exercised in protecting the interests of all parties – the patient in question, family and friends, and society at large, it is not possible to establish systems that can do enough to ensure ideal – or even partial - justice. It is not for the Parliament, nor the civil administration, nor local government, nor the medical profession, nor individual medical practitioners, nor friends nor relatives, however caring and well intentioned, to act as God.

In these days of secular influence, when mention of God can be interpreted as an irrelevance or a distraction, the case might be made in terms of trying to establish a perfect balance of interests between all individuals and society in general, and applicable in all times and circumstances. It simply is not possible – either by the members of the Scottish Parliament, or the executive, or the judiciary, or by any individuals.

In so far that the intention behind the Bill’s purpose is to minimise suffering, there remains the risk that its alleviation in one instance would have the effect of transferring the pain or distress elsewhere. It is not necessary to elaborate by way of examples, but the pressure on an ailing relative to agree to be disposed of in the interests of reducing pressure on a family - is a case in point, likewise the pressure on a medical practitioner who has consistently observed the Hippocratic Oath to abandon these standards - is another. Further, it is hard to see that any devices adopted in such a bill as this could avoid blurring the boundaries between “mercy killing”, assisted suicide, and murder.

Although the Bill is directed at assisted suicide, there is a very narrow border between actual suicide and termination of life by an external party, both in the execution of the practicalities and also in the interpretation of evidence. Adoption of this Bill would make easier the abuse of justice through unlawful killing.

In these post-election days, when it might seem that the function of democratic government is simply to please the electorate, it should be recognised that it is also the role of the Scottish Parliament to provide a lead and guidance on what it considers would best suit the people as a whole. I do not believe that permission to kill individuals or to create situations by which individuals could kill themselves could possibly suit the population.

Mr Chris R. Penny

10 May 2010