

Scottish Parliament Cross Party Group on End-of-Life Choices

Draft minutes of meeting and AGM – Tuesday, 27th September 2022

- 1. Welcome, introductions and apologies**
- 2. Minutes of previous meetings (Tuesday, 26th April 2022)**
- 3. Matters arising**

Assisted Dying for Terminally Ill Adults (Scotland) Bill update (Liam McArthur MSP).

Liam McArthur (LM) and his team gave an update on the proposed Assisted Dying for Terminally Ill Adults (Scotland) Bill process. The consultation report has been published. Unfortunately, the final proposal (along with the consultation report and responses) was published on the morning of Her Majesty's death – before we had word of this. LM had one month to gather 18 signatures from across the political parties (at least two different parties). This was achieved within hours of lodging the final proposal. It concluded with 36 MSPs signing, despite parliament being shut down for two weeks due to HM's death. This figure reflects neatly the number of MSPs who supported the previous Bill at stage 1 in 2015. Liam will earn the right to formally introduce the proposal and drafting will begin. LM thanked the campaigning organisations and staff supporting him. LM outlined the work of the Medical Advisory Group, chaired by Dr Sandesh Gulhane MSP. The MAG provides expert guidance and recommendations for the Bill.

Rona Mackay MSP (co-convener) thanked LM and his team for their hard work and opened questions.

Jackson Carlaw MSP: There are almost 100 new MSPs from when the topic was last debated in 2015. It will be wrong to give the impression that there is no opposition to the proposal. FM has expressed sympathetic soundings. There is still a lot of work to do in parliament even if the mood seems more favourable.

LM agreed with Jackson and advised that votes should not be taken for granted despite many signatures. There's a lot of activity on arguments around disability. International evidence shows assisted dying can be legalised safely and responsibly, with no adverse effects on people with disabilities. Specifically, the proposal does not allow the choice of assisted dying for people who are disabled only, the criteria are for adults who are terminally ill and mentally competent (amongst many other safeguards). It's going to be a challenge over the next 18 months to 2 years.

- 4. Presentation and discussion**

Dr Jaimee Mallion is a lecturer and researcher in the field of Psychology at London South Bank University. Jaimee's area of expertise is the application of research and evidence to the law. She particularly focuses on models of basic human needs and how these impact on

people's behaviour. With support from Dignity in Dying, Jaimee has been exploring how basic human needs influence attitudes toward, and pursuit of, an assisted death. In her presentation, Jaimee discussed her findings from interviews with 18 participants who had experience of terminal illness or were family members of those who had experienced a 'bad death', or had travelled abroad for an assisted death. A more detailed note of the presentation can be provided on request.

5. AGM

- a) Rona Mackay MSP reviewed the meeting minutes from 28th Sept 2021, 21st Jan 2022 and 26th April 2022.
- b) Office Bearer nominations – Convener asked for any nominations. LM nominated Rona McKay and Rachael Hamilton to continue as co-conveners, seconded.
- c) Matters arising – Conveners Report.

Convener provided a summary of events since the re-establishment of the CPG.

At the first meeting in Session six on Tuesday 28th September 2021, Liam McArthur MSP updated the CPG on his Bill proposal, advising that his public consultation was now live and encouraged members of the group to submit responses. The group, including eight MSPs, engaged in a lively discussion about some of the key issues surrounding the process. Rona Mackay and Rachael Hamilton volunteered as co-conveners of the CPG, with Sorcha Hume from Friends at the End continuing as secretary.

The meeting on Tuesday 25th January 2022 was equally well attended, with seven MSPs and dozens of interested members of the public. LM again provided an update on his proposed Bill, advising the group that the consultation period had ended in December 2021 and that all responses would now be processed and summarised in a report with the help of NGBU. Presentations were given by Tom Shakespeare CBE, professor of disability research, a social scientist and bioethicist, and a disabled person himself, and by Ben Colburn, professor of political philosophy at the University of Glasgow. Both speakers dispelled a number of myths about disabled people being vulnerable to assisted dying legislation and shared evidence to support their arguments.

The meeting on the 26th April 2022 included a further update from LM, who notified the group that the consultation responses were still being processed but that he had been working closely with campaign groups and had set up a medical advisory group to consider some of the finer details of any proposed legislation. He advised that he could not give a timeline for when the consultation report would be completed as work was ongoing, but that he would keep the group updated. Presentations were given by Dr David Obree and Dr Sarah Kelly, medical ethicists from the University of Edinburgh who challenged the group to think about the assisted dying debate differently and urged campaigners on both sides to see where their similarities rather than differences lay.

Ally Thomson (Dignity in Dying), SORCHA Hume (Friends at the End), Fraser Sutherland (Humanist Society Scotland) and LM and his team have been in talks and attending meetings with a steering group of MSPs, as well as working with other professionals/stakeholders. As a priority, these discussions have covered assurances over safeguards for those seeking assisted death. There have also been various discussions with the Medical Advisory Group and with academics and clinicians overseas regarding the progress they have made since assisted dying was legalised in their respective countries.

6. AOCB

7. Date of next meeting

Tuesday 6th December 2022 at 6 pm (cancelled, rescheduled to 23rd May 2023).