

## Assisted suicide for the dying would reduce suffering, says Falconer

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A private member's bill to legalise physician assisted suicide for terminally ill patients in England and Wales has been tabled in the House of Lords by a former Labour lord chancellor, Charles Falconer.

The bill, which had its formal first reading on 15 May, follows the report last year of the independent Commission on Assisted Dying, chaired by Falconer, which branded the existing law "inadequate and incoherent."<sup>1</sup>

The bill was introduced in parliament in the UK, the same week that lawyers for two paralysed men argued in the Court of Appeal that doctors should be allowed to help them end their lives. The argument was rejected last year in the High Court, where two judges ruled that it was a matter for parliament, not the courts. The appeal court has reserved its judgment.

The bill would not have helped the late Tony Nicklinson, who refused food and died after unsuccessfully challenging the law, or Paul Lamb, one of the two men currently seeking the right to die. Neither man was terminally ill, and both were too paralysed to assist in their own suicide. They would have needed a doctor to actively end their lives, which would amount to murder.

The bill sets up a framework under which two doctors would have to certify that a patient was likely to live for six months or less, was mentally competent, and had a clear and settled intention to die. The patient would be given a lethal dose of drugs to self administer.

A private member's bill is highly unlikely to become law without the support of the government, which regards the matter as an issue of conscience for each MP. However, health minister Anna Soubry told the *Times* newspaper last year: "I think it's

ridiculous and appalling that people have to go abroad to end their life instead of being able to end their life at home."

Fellow health minister Norman Lamb said at the time that there was "a case for review of the law," while indicating that it was a matter for parliament, not the government. The bill is expected to have its first detailed debate in the House of Lords in the autumn.

A poll of 1015 people in the UK, published this week by Cicero Research, found that 80% supported the legalisation of assisted dying, but only 45% of those surveyed believed the right should be restricted to terminally ill people. Polls show that most doctors oppose the move, as does the BMA.

Falconer said, "The public are currently ahead of politicians on this issue. The current law which forces some terminally ill people to travel abroad to die or attempt suicide behind closed doors is not fit for purpose.

"The new law will safeguard patients, protect family members, and ensure that the medical profession can be involved. Furthermore, strictly limited to terminally ill, mentally competent adults, the bill will not result in more people dying but in fewer people suffering."

Assisting a suicide is an offence in Northern Ireland as well as in England and Wales. In Scotland, someone who helps another commit suicide may be prosecuted under the law of homicide.

1 Dyer C. Let doctors help terminally ill patients to die, says commission. *BMJ* 2012;344:e64.

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