

# The evidence and ethics of vulnerability in assisted dying reform

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## Three key questions

- Do people with disabilities oppose assisted dying laws?
- Do assisted dying laws harm people with disabilities?
- Do assisted dying laws disrespect or stigmatize disabled lives?

## Do people with disabilities oppose AD laws?

- The proportion of disabled people who support assisted dying is high, and about the same as in the general population. (cf Faden et al 2003, Hwang 2005, Shakespeare 2016, Tucker 2017).
- Most UK disability rights organisations are either silent (88%) or openly neutral (4%) concerning assisted dying, and relatively few are openly opposed (4%). (Box and Chambaere 2021).
- As DRUK say: 'This is a complex issue on which people hold different, passionately held views. Disability Rights UK respects those different views.'

## Do AD laws harm people with disabilities?

- Three systematic reviews found no evidence of disproportionate uptake amongst vulnerable groups, including disabled people. Rietjens et al 2012; Steck et al 2013; Emanuel et al 2016.
- Specific studies of Oregon find 'no current factual support for so-called slippery slope concerns'. (Battin et al 2007)
- Even in a much more permissive regime than the proposed Scots law, e.g. in Belgium and the Netherlands, studies found no evidence of disproportionate uptake. (Norwood et al 2009, Smets et al 2010, van Wesemael et al 2011, and Snijdewind et al 2015.)

## Do AD laws disrespect disabled lives?

- The proposed law concerns terminal illness, not disability.
- The disability rights movement focuses on ensuring disabled people have control over their lives through exercising meaningful choice.
- There's just as strong a case for saying that prohibition is the stance which shows disrespect.
- 'Denying people with disabilities the right to exercise autonomy over their own life and death says powerfully damaging things about the disabled, their abilities, and their need to be protected' (Riddle 2017. cf also participants in Faden et al 2003 and Drum et al 2010).

## Conclusions

- Key point for public discussion in Scotland around the proposed bill: people with disabilities do not speak with one voice on this matter (as with medical professionals and religious people).
- Rather than listening only to (often self-appointed) advocates for groups, the legislative process should engage with *individual* views.
- That means we should show respect for individual ethical perspectives, including where someone opposes assisted dying ...
- ... but showing that respect means creating a regime where everyone can act on the basis of their sincere views, including a safe and legal option of AD if they want it.