

Written evidence submitted by Lord Colin Low of Dalston (ADY0209)

I have spent several decades working to improve the lives and life chances of people with disabilities. As such, I am writing to draw the Committee's attention to the evidence below which demonstrates that a safeguarded assisted dying law – which allowed terminally ill, mentally competent adults access to a prescription for medication which will enable them to end their life at a time of their choosing – is far safer and fairer than the current blanket ban on assisted dying.

1. Inequalities will not be resolved by reducing choices

- The campaign for disability rights in the UK is about giving disabled people choice and control in every aspect of their lives. Similarly, the argument for assisted dying is about giving dying people choice and control at the end of life.
- As Dr Stephen Duckworth OBE, a veteran disability rights campaigner who has been a wheelchair-user for 40 years highlighted – *“There is no hierarchy of rights. Equality for disabled people cannot be addressed by denying dying people the autonomy, choice and control that they want and deserve over their lives”*. ([Independent, 4 Feb 2021](#))
- It is unacceptable that people with disabilities continue to face social stigma, inequalities in access to public life and adequate support including at the end of life. Those problems need urgent attention. But it would be a mistake to conclude, as some do, that we should oppose legalising assisted dying until those wider problems are fixed - in fact, this debate could be seen as an opportunity to shine a light on other areas needing reform.
- Dr Frances Ryan similarly argued that – *“As cuts trample the lives of sick and disabled people, thinking of the right to die may seem like the wrong direction. But the fight for a meaningful life, rightly grasped by activists against disability cuts, can run alongside the fight for the right to death. It must. At their core is humanity and the right to what we choose.”* ([Guardian, 14 May 2013](#))

2. Definitions

The assisted dying laws that have been successfully working in the US Australia and New Zealand and that have been proposed in the UK are narrow and precisely targeted, aiming at giving those who are diagnosed by two independent doctors as being terminally ill, mentally competent with less than six months to live the choice of an assisted death. A disabled person who is not also terminally ill will not be eligible for an assisted death. This is the legislative model that I support.

3. The voices of disabled people

We need to listen to people living with disabilities.

- A recent survey of 140 disability rights organisations in the UK indicated that only 4% explicitly oppose assisted dying laws (Box G, Chambaere K. J Med Ethics 2021)
- Polling has shown that 86% of people living with a disability support assisted dying as a choice for terminally ill people (Populus 2019)
- It is therefore wrong to oppose assisted dying laws on the grounds that people with disabilities and disability rights organisations oppose them. Not only is it disrespectful and incorrect, it fails to take seriously the full spectrum of opinion held by disabled people across society.

4. Fears over law change have not played out in practice

- In 2014 I visited Oregon in the USA which has had an assisted dying law since 1997, and learned that people were pleased to live in a state where this choice was available to dying people, and felt that the law included robust protections for potentially vulnerable people.
- Careful studies of the implementation of the law in Oregon demonstrate that concerns the law would target or be disproportionately used by disabled people and other potentially vulnerable groups have not been borne out in practice ([Battin et al 2007](#))
- Disability Rights Oregon, an organisation committed to protecting Oregonians living with disabilities, has never received a complaint of abuse or attempted abuse under Oregon's law - <https://compassionandchoices.org/letter-from-disability-rights-oregon-dro/>
- The End of Life Liberty Project in the US was founded in 2015 as a program within the Disability Rights Legal Center (DRLC), the nation's oldest disability advocacy organization. DRLC's launch of the ELLP makes clear that commitment to disability rights and end of life liberty can be reconciled. <https://www.cascadianow.org/end-of-life-liberty-project/>
- [Prof Ben Colburn from the University of Glasgow](#) reviewed ten studies that have explored the question of whether assisted dying laws harm people with disabilities, looking at data from all jurisdictions where assisted dying is legal, and none found evidence of harm, disproportionate impact, or an erosion of protection.
- In Victoria and Western Australia, older people's groups and disabled people's groups contributed to the parliamentary inquiries. Prominent members of the disability community were appointed to the Advisory Panels by the responsible Ministers to ensure that the voices of people with disabilities were included in the consultations and in the drafting of legislation – we can and must learn from these good practices to as we consider law reform.

5. Conclusion

- There is far more potential for abuse and harm for disabled people under the current options (e.g. outsourcing the problem to Dignitas, or doctors making end-of-life decisions without robust safeguards, transparency or oversight) than there would be under a safe, legal assisted dying law.
- For all these reasons, I strongly believe that a transparent assisted dying law with upfront safeguards and effective regulation would only enhance the rights and choices of disabled people at the end of life.
- Moreover, as a disabled person I would personally be reassured that should I be diagnosed with a terminal illness I would be able to consider the option of assisted dying. This knowledge would increase my quality of life. Surely this is what we all strive for.

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