

# *When will Medically Assisted Rational Suicide land on the UK? - Healthcare and Secularism Part 8*

Video available at: [https://www.youtube.com/watch?v=fWC1ZMm\\_-fY](https://www.youtube.com/watch?v=fWC1ZMm_-fY)

## **Introduction by Dr Antony Lempert**

0:00:04.570,0:00:10.570

We've come to that time already - our last, our last specialist speaker. Perhaps

0:00:10.570,0:00:15.370

needs less introduction to many of you than most - Dr. Michael Irwin

0:00:15.370,0:00:19.119

who was twice former chair of the Voluntary Euthanasia Society now known as

0:00:19.119,0:00:24.279

Dignity in Dying, former Medical Director of the United Nations. Michael and I

0:00:24.279,0:00:28.449

first met when I took over from Michael ten years ago as coordinator of the

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Secular Medical Forum - the SMF which Michael founded initially as a separate

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entity from the NSS. Michael suggested to me that a couple of hours a week might

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do the job. It's not quite how it panned out Michael but I thank you for not

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scaring me off at the outset at the enormity of the task. So Michael's now

0:00:49.059,0:00:53.920

involved in My Death, My Decision and has

assisted several people to Dignitas in

0:00:53.920,0:00:57.609

Switzerland and will now address the question - when will MARS - Medically

0:00:57.609,0:01:02.280

Assisted Rational Suicide land on the UK?

### **Talk by Dr Michael Irwin**

0:01:06.310,0:01:19.119

I hope my voice will hold up because I had a bad cold the last few days and I

0:01:19.119,0:01:26.350

was quite hoarse this morning. I must first of all though kind of say that you

0:01:26.350,0:01:30.670

have done a wonderful job Anthony in the way you have developed the Secular

0:01:30.670,0:01:34.720

Medical Forum and I'm most grateful to you when we had that conversation - you

0:01:34.720,0:01:40.990

say ten years ago - I do remember saying it might take only a couple of hours a

0:01:40.990,0:01:46.420

week or so and I apologize for that but you've been a wonderful person in

0:01:46.420,0:01:58.450

what you've done and here is proof of it in the room this afternoon. So, when will

0:01:58.450,0:02:08.470

Mars arrive on the UK? It was back in 1996 - I was on the Radio Four Moral Maze

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program - I was then chairman of the Voluntary Euthanasia Society and Michael

0:02:14.350,0:02:22.390

Buerk asked me "when will it happen?" and I said in about 10 years.. Now, 20 years

0:02:22.390,0:02:30.239

later in June of 2016, I was back on the Moral Maze, Michael Buerk was still there

0:02:30.239,0:02:35.910

and he reminded me that I'd said 'about 10 years' something like 20 years ago -

0:02:35.910,0:02:41.980

what's going wrong? Well Jackie has given you many reasons for what's gone wrong,

0:02:41.980,0:02:48.609

or what hasn't happened yet but in my mind it is a 'rolling' 10 years, and that's what I think

0:02:48.609,0:02:50.970

will happen.

0:02:51.190,0:02:57.799

Now I agree much of what Jackie has said although I think you did say that I was

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not so much in favour of the Oregon bill. I'm very much in favour of the Oregon bill,

0:03:03.200,0:03:12.769

but as a start - it should go much further. The major opponent of course is religion

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and I can remember when Lord Joffe, Joel Joffe, who was a very close friend of

0:03:18.650,0:03:25.760

mine when he was in the House of Lords back in 2006 introducing a bill very

0:03:25.760,0:03:31.849

much like the Falconer bill and he said then that the main opposition he had was

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from the Roman Catholic Church led by the Archbishop of Cardiff, a man called

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Peter Smith, but what was more surprising was that the National Right to Life

0:03:43.849,0:03:49.970

Committee in America provided much of the money to help the Roman Catholic

0:03:49.970,0:03:57.859

Church at that time. The medical establishment, Jackie has touched on that

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as a possible opponent - but I can remember being at the annual conference

0:04:02.150,0:04:10.660

in 2005 when on the very last day of the conference most of the traditional

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attendees at conference had already left on the last day, gone off to play golf and

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so on and we got through a motion that the BMA would adopt a neutral position

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on change in the law. Unfortunately, a year later under pressure from the

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Christian Medical fellowship, that position was reversed but having

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mentioned that, the Royal College of Nursing has adopted a neutral position

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since 2009 and still has maintained that, so that's one good example of a medical

0:04:46.780,0:04:52.190

institution which wants to say "well if the Parliament changes the law, we will

0:04:52.190,0:04:59.440  
be willing to accept it". A brief bit of  
history to show how times have changed -

0:04:59.440,0:05:05.400  
the Voluntary Euthanasia Society,  
now called Dignity in Dying, was the first

0:05:05.400,0:05:12.270  
right to die society in the world  
established back in 1935 by two main

0:05:12.270,0:05:18.810  
groups: a group of doctors, led by Lord  
Moynihan the president of the Royal College of

0:05:18.810,0:05:24.150  
Surgeons and a group of clergy - cannon  
Dick Sheppard of Sir Martin in the

0:05:24.150,0:05:30.960  
fields in London and they were two  
leading people in the formation of VES.

0:05:30.960,0:05:38.730  
And the very first public meeting of VES  
took place at the headquarters of

0:05:38.730,0:05:46.950  
the British Medical Association on  
December the 10th, 1936. A question: why

0:05:46.950,0:05:56.040  
is December the 10th so important? - It's  
human rights day. It wasn't in those days -

0:05:56.040,0:06:00.750  
that happen of course after the Second  
World War but that became, that to me

0:06:00.750,0:06:08.310  
is a very symbolic date - December the 10th, 1936, the BMA house hosting a discussion

0:06:08.310,0:06:12.980  
on this and now that is human rights day.

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Jackie touched on the degree of public support in the region of 75, 80 percent

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but it's not a rock-solid 75 percent. If you only ask three questions - do you

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agree to change in the law?, you don't agree?, you don't know? then you get 75

0:06:33.690,0:06:39.750

percent plus but if you ask five questions - do you strongly agree in

0:06:39.750,0:06:45.840

change in the law?, only about fifty percent will say yes, do you tend to

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agree to change the law?, you get 25 percent saying yes, saying they agree,

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so it's not a rock-solid figure and unfortunately many politicians play upon

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that fact. Another big problem I think is the definition of what is terminal

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illness. The General Medical Council, their document, 'end-of-life care', talks

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about someone dying in the next 12 months.

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The Scottish government just a few months ago in July revised its Social

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Security Act which made no reference to how long terminal illness would be and

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in that in the debates in the House of Lords, Lord Falconer's bill in the House

0:07:33.099,0:07:38.739  
of Commons, Rob Marris's bill , a lot of time was wasted in the opponents saying

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well how conductors determine who is terminally ill. Now, as Jackie has said,

0:07:46.209,0:07:53.979  
that's based upon the the Oregon model - a very good model indeed but even in

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Oregon they are now uneasy about that six-month criteria and in February next

0:08:00.489,0:08:06.879  
year there will be a debate in their state assembly to expand that act to

0:08:06.879,0:08:15.159  
include persons with serious degenerative diseases. And you refer to

0:08:15.159,0:08:21.219  
the Canadian law passed two years ago - they didn't follow the Oregon model

0:08:21.219,0:08:26.789  
fortunately - they didn't limit it to the terminally ill but they said to include

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grievous irreversible medical conditions. And Spain, more recently, there's a debate

0:08:34.930,0:08:39.729  
going on right now in the Spanish Parliament where they will talk about a

0:08:39.729,0:08:46.889  
bill, a law, for a serious and terminal illness or a chronic severe disability.

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Excuse me, my mouth's going quite dry.

0:08:57.060,0:09:03.190

Now another thing to remember is that euthanasia is happening already in this

0:09:03.190,0:09:07.810

country. Professor Clive Seal of London

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University did two surveys in 2004 and 2008 involving almost 4,000 doctors but

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showed that there were at least 1,000 deaths a year due to voluntary

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euthanasia and 2,000 deaths a year due to non-voluntary euthanasia. Unfortunately

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it often happens when people have private doctors - you won't find many rich

0:09:33.190,0:09:38.769

people dying in hospices nowadays. Anyway those results of those surveys were so

0:09:38.769,0:09:44.980

reliable that they were printed in the magazine Palliative Medicine in April

0:09:44.980,0:09:51.490

2009, so it's happening already in this country, so I always say well why not

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legalize what is already happening.

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Now, I don't want to sound too callous but we all know about Noel Conway who is

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not yet terminally ill but pretty close to it - he has to rely upon oxygen I think

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about 20 hours a day - he has  
motor neuron disease and you could

0:10:16.060,0:10:20.829  
argue, this is where the palliative care  
people will say, well Noel Conway can stop

0:10:20.829,0:10:25.660  
relying on his oxygen and then his  
palliative care doctors will have to

0:10:25.660,0:10:30.579  
take care of the symptoms, respiratory distress and so on and put him into a

0:10:30.579,0:10:35.079  
continuous deep sedation - that may take  
several days of course it'd be much

0:10:35.079,0:10:40.029  
nicer for Noel if he had a chance to  
take say a pill or swallow some liquid and

0:10:40.029,0:10:44.500  
die quickly but that is a way that  
people who are terminally ill can be

0:10:44.500,0:10:50.560  
helped to die and I always feel the expression assisted dying is basically an expression

0:10:50.560,0:10:56.110  
for good palliative care. Now Noel  
Conway's case will be going to the

0:10:56.110,0:11:01.899  
Supreme Court very soon. The last time it  
was discussed in the Supreme Court in

0:11:01.899,0:11:07.450  
2014, the president then, Lord Neuberger  
said quote

0:11:07.450,0:11:12.790  
'quite apart from the notorious  
difficulty in assessing life expectancy

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even for the terminally ill, there seems  
to me to be more justification in

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assisting people to die if they have the prospect of living for many years a

0:11:23.530,0:11:29.890

life that they regard as valueless, miserable and often painful than if they

0:11:29.890,0:11:36.940

have only a few months left to live. Lady Hale is now the president of the Supreme

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Court - maybe I shouldn't say this in this gathering - but I mean but talking to her

0:11:43.570,0:11:49.090

a few years ago at a NSS lunch and I know that she's in complete agreement with

0:11:49.090,0:11:54.700

what her predecessor feels about this. So, back to the question, 'When will the law

0:11:54.700,0:12:02.170

possibly change?' I believe that there be a better chance of getting a change in

0:12:02.170,0:12:08.260

the law if we didn't limit ourselves to talking about the Oregon model but

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focused on what has happened in Canada, after all better to copy a Commonwealth

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country than an American state perhaps, what happened in Western Europe, the

0:12:18.850,0:12:25.180

Netherlands, in Belgium and to me the best example of good right-to-die law is

0:12:25.180,0:12:29.170

what the Belgians are doing that is it's integrated, voluntary euthanasia

0:12:29.170,0:12:35.440  
integrated into their excellent  
palliative care system. Another important

0:12:35.440,0:12:40.780  
area I think about is people with  
dementia. Now, in the early stages of

0:12:40.780,0:12:45.990  
dementia you still have sufficient  
mental competence, if you wish to do so,

0:12:45.990,0:12:52.420  
to go to Switzerland and have a doctor  
assisted suicide there at Dignitas. If the law

0:12:52.420,0:12:58.570  
were to change here to legalize medical  
assisted dying then people with dementia

0:12:58.570,0:13:04.990  
in the early stages could perhaps get  
that particular advantage and not have

0:13:04.990,0:13:09.760  
to go through the agonizing development  
of that awful disease but that means

0:13:09.760,0:13:12.570  
you've got to think about people who are  
not only terminally ill.

0:13:12.570,0:13:20.220  
Now, the secular Medical Forum  
presently limits itself to campaigning to

0:13:20.220,0:13:25.590  
change the law for the terminally ill.  
I'd like to quote three other

0:13:25.590,0:13:32.450  
organizations in this country that go  
beyond that: Friends of the End, based in

0:13:32.450,0:13:38.310  
Glasgow, a campaigning body to try and  
change the law in Scotland, and it may be

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possible that a law might change in the Scottish Parliament before it will

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change in the Westminster Parliament, anyway their objective is they say

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'medically assisted dying should be available to all competent adults with

0:13:53.100,0:13:59.490

either a terminal illness or incurable condition causing hopeless or unbearable

0:13:59.490,0:14:06.600

suffering', the organization that I now work with - My Death, My Decision - says 'we

0:14:06.600,0:14:10.800

believe medically assisted dying should be available for all mentally competent

0:14:10.800,0:14:15.720

adults with incurable health problems that reduce their quality of life

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permanently below the level that they feel able to accept', and Humanists UK

0:14:22.940,0:14:28.950

also have as their current position 'we do not think that there's a strong moral

0:14:28.950,0:14:35.220

case to limit assistance to terminally ill people alone and we wish to see

0:14:35.220,0:14:39.500

reform of the law that would be responsive to the needs of other people

0:14:39.500,0:14:46.770

who have permanent and incurable suffering'. So I will close by

0:14:46.770,0:14:53.610  
simply quoting from the European Court  
of Human Rights, the statement they made

0:14:53.610,0:14:59.760  
in 2002 about Diane Pretty, remember  
Diane Pretty who had motor neuron

0:14:59.760,0:15:07.280  
disease? and the European Court said  
quote 'in an era of growing medical

0:15:07.280,0:15:13.700  
sophistication combined with longer life  
expectancies many people are concerned

0:15:13.700,0:15:20.100  
that they should not be forced to linger  
on into old age or into states of

0:15:20.100,0:15:23.310  
advanced physical or mental decrepitude

0:15:23.310,0:15:29.790  
which conflict were strongly-held ideas  
of self and personal identity. Thank you

0:15:29.790,0:15:32.120  
very much.