

# GET INFORMED – HAVE YOUR SAY

## Briefing pack update – May 2021

### Developments in the UK

**October 2020:** The results of our all BMA member survey on physician-assisted dying was published on 8 October. A summary of key findings, and a link to the full report, can be found [here](#).

**October 2020:** The Dignity with Dying Bill in the Republic of Ireland passed its second stage in the Dáil Éireann and entered the pre-committee scrutiny stage. If passed in its current form by the Dáil, and subsequently by the Seanad, its provisions would extend to those who have lived in Northern Ireland for at least 12 months.

**November 2020:** On 25 November, it was reported that the Appeal Court had refused permission for Paul Lamb to judicially review the UK's law on assisted dying. Mr Lamb had previously sought a judicial review alongside Tony Nicklinson in 2014.

**May 2021:** Baroness Meacher announced that she would introduce a private members' bill on physician-assisted dying in the House of Lords on 26 May. A date for second reading has not yet been set.

### International developments

#### Austria

In December 2020, Austria's Constitutional Court ruled that its blanket ban on physician-assisted dying was unconstitutional as it violated the right to self-determination. It is expected that legislation will be introduced in advance of the existing law being repealed on 31 December 2021.

#### Germany

In February 2020, Germany's federal Constitutional Court ruled that a 2015 law, which made commercial promotion of assisted dying a criminal offence, was unconstitutional. It ruled that it should be permissible for doctors to prescribe drugs for self-administration. It is expected that legislation will follow.

#### New Mexico, USA

[End of Life Options Act 2021](#) permits doctors to prescribe drugs for self-administration. The Act is due to come into effect in June 2021.

#### New Zealand

[End of Life Choice Act 2019](#) was supported by a referendum in October 2020. The law permits doctors to prescribe drugs for self-administration and, in cases where an individual is physically unable to self-administer, to administer the drugs. It is due to come into effect in November 2021.



**Spain**

Legislation passed in 2021 permits doctors to prescribe drugs for self-administration and to administer. The Act is due to come into effect in June 2021.

**Tasmania, Australia**

[End-of-life Choices \(Voluntary Assisted Dying\) Act 2021](#) permits doctors to prescribe drugs for self-administration and to administer. The Act is expected to come into force in around 18 months.

## Public and professional opinion on physician-assisted dying

**Royal College of Physicians**

In March 2020, the Royal College of Physicians published a clarifying statement to make clear that its position of neutrality meant that it was neither supporting nor opposing a change in the law, to try to represent the breadth of views within its membership. The full statement can be found [here](#). There are [no ongoing legal proceedings](#) against the RCP in relation to this decision.

**Royal College of General Practitioners**

In September 2020, a legal challenge was issued to the RCGP's decision to remain opposed to physician-assisted dying following its member survey. Details of the claim can be found [here](#).

**BMA**

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