How have the law and BMA policy developed over the past twenty years?

**The Joffe Bill**
Lord Joffe's Assisted Dying for the Terminally Ill Bill reached Committee Stage in the House of Lords. It would allow doctors to prescribe lethal drugs to terminally ill adults 6 months or less to live for them to self-administer. The Bill did not progress further after the 2005 General Election was called.

**Diane Pretty**
Diane Pretty had motor neurone disease, and asked for a guarantee that she would not be prosecuted if she assisted her husband to die. Her case was rejected by the House of Lords, who held that the 'right to life' did not include a right to choose the timing and manner of death. She won her case at the House of Lords and the DPP was compelled to publish guidelines.

**Pretty v UK**
Diane Pretty took her case to the European Court of Human Rights, which also rejected her case. The Court did hold, however, that a right to choose how and when one's life was part of a right to private life – but that the UK's ban on assisted dying could be justified to protect vulnerable people.

**Debbie Purdy**
Debbie Purdy had multiple sclerosis and argued that the law in the UK was insufficiently clear as to when someone could be prosecuted for assisting another person's death. She argued that the Director of Public Prosecutions (DPP) must publish guidelines on how to decide to prosecute a case of assisted dying will be made. She won her case at the House of Lords and the DPP was compelled to publish guidelines.

**Tony Nicklinson and Paul Lamb**
Tony Nicklinson, who had locked-in syndrome following a stroke and Paul Lamb, who is paralysed from the neck down sought a declaration that the UK law was incompatible with their right to a private life. The Supreme Court rejected the case and held that an issue of this importance was for Parliament to decide.

**Martin**
Martin, who was paralysed following a stroke, joined the Nicklinson/Lamb appeal. He argued that the DPP's guidance was not sufficiently clear as to whether healthcare professionals who might accompany him to Switzerland would be prosecuted. The Supreme Court rejected his claim – but the DPP did add a new footnote to the guidelines to clarify that the involvement of a healthcare professional, with a specific and professional duty of care to the individual, will be a factor tending in favour of prosecution.

**Noel Conway**
Noel Conway, who had motor neurone disease, brought a legal challenge arguing that the UK's ban on assisted suicide is incompatible with his right to a private life. He proposed a model where a High Court judge would have to decide on a case-by-case basis who is eligible for assistance in dying. The Court refused permission for their cases to proceed to a full hearing, holding that Nicklinson was still the authoritative case on this issue. In November 2020, the Appeal Court refused permission for Mr Lamb to appeal against the High Court's decision.

**The Falconer Bill**
Lord Falconer's Assisted Dying Bill passed Second Reading in the House of Lords. It would allow doctors to prescribe lethal drugs to terminally ill adults 6 months or less to live for them to self-administer. The Bill did not progress further after the 2015 General Election was called.

**Margo MacDonald’s Bill**
Margo MacDonald's Assisted Suicide (Scotland) Bill reached First Stage debate in the Scottish Parliament. It would allow doctors to provide lethal drugs to terminally ill adults if those who were 'permanently physically incapacitated' for them to either self-administer or for a third party to administer to them. It was defeated by 85 votes to 16.

**Margo MacDonald’s Bill**
Margo MacDonald's Assisted Suicide (Scotland) Bill reached First Stage debate in the Scottish Parliament. It would allow doctors to prescribe lethal drugs to people with terminal, life-limiting, or life-shortening disease for them to self-administer. It was defeated by 83 votes to 34.

**The Marris Bill**
Rob Marris came first in the ballot for Private Members' Bills in the House of Commons and introduced a Bill modelled on the Falconer Bill – with an additional requirement for a High Court judge to approve each application for assistance. The Bill was defeated at Second Reading by 330 votes to 118.

**Debbie Purdy**
Debbie Purdy took her case to the European Court of Human Rights, which also rejected her case. The Court did hold, however, that a right to choose how and when one's life was part of a right to private life – but that the UK's ban on assisted dying could be justified to protect vulnerable people.

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**Meacher and McArthur Bills**
Baroness Meacher and Liam McArthur (MP) propose new private members bills in the House of Lords and Holyrood respectively.

**Phil Newby and Paul Lamb**
In separate applications, Phil Newby, who has motor neurone disease, and Paul Lamb, who had previously joined Tony Nicklinson’s appeal in 2015, sought to challenge the current law on assisted suicide in the UK. In both cases, the High Court refused permission for their cases to proceed to a full hearing, holding that Nicklinson was still the authoritative case on this issue. In November 2020, the Appeal Court refused permission for Mr Lamb to appeal against the High Court's decision.

**Gordon Ross**
Gordon Ross had Parkinson's Disease and brought a claim arguing that the Lord Advocate in Scotland should be compelled to publish guidance for prosecutors, similar to the DPP's guidelines in England and Wales. His case was rejected by the Scottish Court of Session, which held that the law in Scotland is sufficiently clear.

**The BMA’s annual representative meeting (ARM) debated and adopted a neutral position on assisted dying.**
This was reversed the following year.

**BMA gave oral evidence to the House of Lords Committee examining Lord Joffe’s bill.**

**ARM debated and adopted current position of opposition to assisted dying.**

**BMA gave oral evidence to the special committee set up to consider the End of Life Assistance (Scotland) Bill.**

**BMA carried out extensive engagement project on end-of-life care and physician-assisted dying.**

**BMA gave oral evidence to the Health and Sport Committee considering the Assisted Suicide (Scotland) Bill.**

**BMA published the results of its member survey on physician-assisted dying, one of the biggest surveys of medical opinion on the issue.**

**Noel Conway**
Noel Conway, who had motor neurone disease, brought a legal challenge arguing that the UK's ban on assisted suicide is incompatible with his right to a private life. He proposed a model where a High Court judge would have to decide on a case-by-case basis who is eligible for assistance in dying. The Court refused permission for their cases to proceed to a full hearing, holding that Nicklinson was still the authoritative case on this issue. In November 2020, the Appeal Court refused permission for Mr Lamb to appeal against the High Court’s decision.

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**The ARM debated and reaffirmed current position of opposition to assisted dying.**

**BMA gave oral evidence to the Health and Sport Committee considering the Assisted Suicide (Scotland) Bill.**

**BMA gave oral evidence to the special committee set up to consider the End of Life Assistance (Scotland) Bill.**

**BMA debated and rejected a motion calling for the BMA to support a change in the law to allow the choice of an assisted death by patients who are terminally ill.**

**BMA debated and rejected a motion calling for the BMA to adopt a neutral position on physician-assisted dying.**

**BMA debated and passed a motion calling on the BMA to survey members on assisted dying.**

**For more information on physician-assisted dying go to bma.org.uk/pad**

For more detailed information on the historical cases and legislation mentioned here, please see Chapter 3 of Volume 1 of the end-of-life care and physician-assisted dying report, available at www.bma.org.uk/endoflifecare For more information on current legislative proposals in the House of Lords and in Holyrood, please see: www.bma.org.uk/pad