

“On Dying Well” Revisited - Paul Badham’s Handout

The most notable contribution of the 1975 Report

‘There comes a point in the course of a fatal illness when the doctor’s duty to the patient is no longer to use all efforts to preserve his life, but rather to care for him and comfort him in his dying’ (p.8) Dr. Cecily Saunders was a key member of the Working Party and the long term effect of its Report was to encourage Christian Churches to support the Hospice Movement.

Christian ethics and the teaching of Jesus Though a Christian world view should make one very hesitant about euthanasia or , yet in the light of Jesus ‘golden rule’ and his summary of the law one cannot take an absolutist position. ‘There are bound to be cases in which any of us who is honest with himself and asks “What do I wish that men should do to me in this particular situation ?” will answer “kill me”... a direct application of the teaching of Jesus to these cases would legitimize at least some instances of euthanasia. (p.22-23)

Why ‘On Dying Well’ rejected changing the law It believed few would benefit and many would suffer. Present law has enough flexibility to cater for rare cases. Society’s concern for the old and ill would be weakened if the law were changed. . The incentive to expand palliative care would be reduced. Patients would feel pressurized to ask for euthanasia and trust between doctor and patient would be ‘gravely weakened’ (p.62)

Would only a few benefit from changing the law? In the past 35 years there has been a steady rise in life expectancy and especially in the number of years we can expect to live with terminal illness. Between 1991 to 2001 life expectancy rose by 2.2 years but only 0.6 were years of health. The other 1.6 were extra years of illness.¹ ‘We are no longer thinking of a few hard cases, we are moving to a position where a majority of the very old may reach a position where their consciousness is totally absorbed by pain and distress.’²

Does the acceptance of assisted dying weaken health care provision? Assisted dying legal in Switzerland since 1941 yet Swiss have most hospital beds per 1000 (18.3) (UK 4.1)³ and longer hospital stays.⁴ It has 3.85 doctors per 1000 (UK 2.71)⁵ In 2007 per capita health expenditure in Switzerland was \$4011 but \$2560 in Britain.⁶ In 2009 Swiss life expectancy was 81.8 years (British 79.2 . years).⁷ Swiss do not feel pressure to ask for assistance to die just because it is legal. 53.6 % Swiss men survive cancer for more than five years, (UK 44.3)⁸

Does allowing voluntary euthanasia weaken trust in doctors? The country where doctors are most trusted out of 11 surveyed is the Netherlands where euthanasia has been legal for many years .⁹ Terminally ill patients more willing to talk to doctors in countries where euthanasia is legal than in countries where it is forbidden. 79% of Britons say they would trust their doctors more or the same if euthanasia were legalised.

Does legalizing assisted dying weaken the demand for palliative care?

Oregon Hospice Association opposed *Death with Dignity Act* and tried to get it declared unconstitutional. But during 8 years before Supreme court ruling they found ‘absolutely none of their dire predictions had been realised’ instead the number of people who died in hospices had risen from 22% to 51% during those 8 years¹⁰

¹ Guy Brown *The Living End* Palgrave Macmillan 2007 pp74 and 278

² Mary Warnock and Elisabeth MacDonald *Easeful Death* OUP 2008 p. 127

³ O.E.C.D. statistics from http://www.nationmaster.com/graph/hea_bed-health-hospitals-beds

⁴ O.E.C.D. statistics from http://www.nationmaster.com/graph/hea_dur_of-ho-health-duration-of-hospitalisation

⁵ OECD Healthdata_frequently asked questions 2010

⁶ <http://www.infoplease.com/ipa/AO934556.html>

⁷ http://apps.who.int/whosis/database/life_tables/life_table

⁸ Regina Herzlinger, ‘Switzerland has the medical bills covered, *Times* February 27th. 2009

⁹ Dignity in Dying *The Report* London 2006 p.19

¹⁰ Ann Jackson *The Reality of Assisted Dying in Oregon* All Party Parliamentary Group on ‘Compassion in Dying’ House of Lords Committee Room 4b 19th. April 2006