

Clare Haughey
Convener
Health, Social Care and Sport Committee
Scottish Parliament
Horse Wynd
Edinburgh
EH99 1SP



30th May 2025

Assisted Dying for Terminally Ill Adults (Scotland) Bill

Dear Convener,

I am contacting you on behalf of the Royal College of Psychiatrists in Scotland (RCPsychiS) regarding the Assisted Dying for Terminally Ill Adults (Scotland) Bill.

Following extensive consultation with our Scottish membership, the RCPsychiS submitted written evidence to the Health, Social Care and Sport Committee during the call for views regarding the Bill. We were pleased to be invited to give oral evidence in the subsequent evidence sessions. We hope that you and your colleagues found our evidence helpful as you considered the general principles of the Bill and main issues arising.

Subsequently, in response to the Committee's detailed Stage 1 Report, we provided a [briefing to MSPs](#) on the issues of specific relevance to psychiatry - ahead of the Stage 1 debate and vote. Again, we hope that Members found this helpful. In this briefing, we offered our assistance as the Committee and other Members consider amendments, particularly those regarding our areas of concern, which include:

1. The assessment of capacity, especially when it is:
 - I. fluctuating or otherwise borderline
 - II. called into question by mental disorder

(There is the related question of whether capacity assessments are adequate tests to bear the decision-making burden when it comes to assisted dying. We can offer views on this.)

2. The establishment of a central register of psychiatrists willing to undertake assessments in this area, which we support.

The HSCSC Stage 1 Report also raised concerns about how to prevent the future expansion of eligibility for assisted dying. We would be happy to contribute our expertise to this discussion and to express our reasoning for our opposition to extending eligibility to individuals with mental disorders in the absence of physical illness.

We write now to formally reiterate our offer to you, as the Committee's work enters the next stage. We would be pleased to meet with Members of the Committee, or the Committee as a collective, should this be helpful in considering Stage 2 of the Bill.

Kind regards,

Dr Stephen Potts
Assisted Dying Lead, RCPsych in Scotland