

The Royal College of Psychiatrists in Scotland oppose the Assisted Dying for Terminally Ill Adults (Scotland) Bill following the removal of section 18

The Royal College of Psychiatrists in Scotland (RCPsychiS) has moved to oppose the Assisted Dying for Terminally Ill Adults (Scotland) Bill following the removal of section 18 at Stage 3.

Throughout the Bill's development, we have consistently sought to constructively engage with the process to strengthen the proposed legislation. We have engaged across multiple forums at each stage of the Bill by providing evidence and proposing a range of amendments. However, while the College remains neutral on the principle of assisted dying, the decision to remove the entirety of section 18 from the Bill has drastically weakened essential safeguards for psychiatrists and other healthcare professionals. As a result, the Bill now poses unacceptable risks to the general public and the psychiatric workforce, meaning that we have no option but to oppose the Bill.

Section 18 previously provided crucial statutory protections, ensuring that healthcare professionals could choose not to participate in assisted dying without fear that this would affect their employment, regulatory standing, or relationships within clinical teams. Its removal eliminates clear legal guarantees and moves these protections into uncertain future secondary legislation, leaving clinicians exposed and the public inadequately safeguarded.

The RCPsychiS have concluded that we cannot support the Bill in its current form and we wish to highlight the following concerns to MSPs ahead of the final vote:

1. A reduced level of scrutiny for matters of major ethical consequence

By shifting fundamental protections to a future Section 104 Order, the Bill bypasses full parliamentary debate and reduces public transparency on issues that warrant the highest legislative scrutiny. This poses significant risk to the public and medical workforce.

2. A loss of statutory clarity and professional certainty

The removal of section 18 leaves psychiatrists without clear legal assurance that their right to conscientiously opt out will be protected. This erodes confidence and creates ambiguity around professional expectations.

3. Increased potential for pressure and conflict in clinical settings

Without explicit legal backing, psychiatrists are concerned that they may face pressure from colleagues or employers, or be placed in professionally contentious situations without adequate safeguards. This raises risks both for practitioners and for patients.

4. Risks to workforce morale, recruitment, and retention

Scotland already faces longstanding shortages of consultant psychiatrists. The removal of core protections risks further damaging morale within the workforce and discouraging future recruitment to a profession under increasing pressure.

Our position

The College's position reflects a consistent principle: we do not take a stance on whether assisted dying should be permitted, but we cannot support legislation that lacks the necessary safeguards to protect the public and the clinicians who work with vulnerable people every day.

As Scotland considers introducing assisted dying, it is vital that legislation is supported by clear, robust, and transparent statutory protections. With section 18 removed, those protections are no longer in place.

The RCPsych in Scotland will continue to offer clinical insight and constructive engagement, but we must be unequivocal: we oppose the Assisted Dying for Terminally Ill Adults (Scotland) Bill as it currently stands.

We are calling on MSPs to consider our serious concerns about the Assisted Dying for Terminally Ill Adults (Scotland) Bill ahead of the final vote.