

Court of Session to hear 'right to die' case today



A three judge panel at the Court of Session in Edinburgh will today hear the appeal of Gordon Ross, former Treasurer of Humanist Society Scotland (HSS), who is seeking an order to clarify the legal position regarding his right to die.

Gordon suffers from several serious medical conditions, including Parkinson's disease and loss of sensation in his arms and legs. He is unable to walk and is confined to a wheelchair. He cannot feed or dress himself, nor attend to his personal needs.

In September, Lord Doherty, [ruled not to compel](#) the Lord Advocate to publish guidelines regarding assisting someone to take their own life, a decision which Mr. Ross is now appealing.

At present Gordon, former Treasurer of HSS, does not want to die, but fears that should a time come when he has 'had enough', unlike an able-bodied person, he will not be capable of ending his life without help and that anyone who assists him may be charged with murder or manslaughter. He believes that such discrimination, on account of his disability, is unfair.

The case will be heard at the Court of Session in Edinburgh today and tomorrow. In his appeal, Gordon Ross is calling upon the Lord Advocate to issue guidance to clarify whether any person who helps him end his life would be charged with an offence. Such guidelines have been published in England by the Director of Public Prosecutions but these do not apply to Scotland.

Gordon MacRae, Chief Executive of HSS said: "It is highly unusual that prosecution guidance exists for compassionate acts of assisted dying in England and Wales, but not Scotland.

"We believe that people with life-shortening conditions should have the dignity and choice, with strong safeguards, to seek assistance to end their lives at a time and place of their choice.

"We hope that the Court will see sense in this matter and

compel the Lord Advocate to bring forward prosecution guidance.”

Gordon Ross said: “I am utterly undaunted by the judgement at the Court of Session in September, in which Lord Doherty decided not to compel the Lord Advocate to publish Guidelines regarding assisting someone to take their own life.

“I remain convinced that I am being unfairly discriminated against on account of my disability which is why I am appealing against that decision.”