



NT Voluntary Euthanasia Society Inc

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Newsletter

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FORUM ON END OF LIFE ISSUES

On 15 March 2008, a forum jointly hosted by COTA (NT) and the NT Advisory Council on Ageing was held at the Museum Theatre. Issues discussed included palliative care, aged care services, decisions about housing, and remote and rural issues from a general practitioner's perspective. The NTVES president's talk entitled "Is there a role for euthanasia?" was well received and is reproduced here.

Is there a role for euthanasia?

From the 1st of July 1996, euthanasia was legal in the Territory. The *Rights of the Terminally Ill Act* (ROTI) allowed terminally ill people to request a lethal injection to end life at a time and place of their choosing. There were safeguards; it was not compulsory; no one was forced to use it. In fact, only the most determined would jump through all the hoops necessary to get the precious piece of paper required to be able to use ROTI.

The passage of Kevin Andrews' private member's bill in March 1997 made ROTI no longer usable. Some people would say improvements in palliative care since then mean we no longer need euthanasia anyway. I disagree. Yes, palliative care can deal with nearly all of the physical pain but for some people, the emotional and mental trauma of the helplessness and loss of independence that comes with a terminal illness is much harder to bear. Some people don't mind being 'looked after' but others find it humiliating. Palliative Care Australia has now conceded that even with optimal palliative care, the desire for euthanasia remains.

Youth suicide makes the news but not many people are aware that, in the five years to 2004, 723 Australians over the age of 75 committed suicide.

And their methods were not pleasant, for them or for the people who found them.

Many years ago, my late husband Bob worked for a retirement complex in South Australia. On our way to my workplace early one morning, we passed a high-rise building which was part of the complex. A police car was parked out front so I said to Bob, "I'll walk the rest of the way. You had better see why the police are here."

That evening, Bob told me that the 87 year old man who lived on the 5th floor had jumped to his death. In his flat, his possessions were stacked in piles with a relative's name on each pile. His cancer had reached the terminal stage and he took a quick way out. But how traumatic was it for the relatives, Bob who had to clean up the footpath, the police who attended and the jogger he nearly hit on the way down. And I shudder to think what it must have been like for the man himself, watching the concrete rising up to meet him.

Contrast that with Bob's hastened death under ROTI. He lay in his own bed with me standing beside him holding his hand. A needle was put into the vein in his arm and connected to a syringe containing the drug. He answered yes,yes,yes to the computer set up to operate the syringe and the drug was fed into his arm. All signs of pain and stress disappeared from his face. He fell asleep and didn't wake up.

I know which of these two ends I would choose if I become terminally ill.

Euthanasia is legal in some parts of the world. The State of Oregon in the USA has a law which allows terminally ill people who meet the requirements to obtain a lethal prescription. In the 10 years the law has been in use, 292 people filled their prescriptions and ended their lives by taking the drug. This works out to be about 1 in 1000 deaths in that state. The law's opponents claimed it would destroy end-of-life care, would harm vulnerable populations and would become a slippery slope for abuse. None of that has happened.

Senator Bob Brown has proposed his own private member's bill to undo the amendment to the self-government act which wiped out ROTI in 1997. I was disappointed to hear Chief Minister Paul Henderson say that although he supported ROTI in 1995, he would have to re-think the situation now because improved palliative care made ROTI unnecessary. It should not be a one or the other situation. Both options should be available.

And has the Chief Minister asked his constituents what they would like? Each time a survey is conducted on community attitudes to voluntary euthanasia, the number approving the practice increases. The latest survey in 2007 showed that 80 per cent of respondents felt that doctors should be allowed to provide a lethal dose to a hopelessly ill patient at the patient's request. I hope that the politicians elected to represent those people vote in favour of Senator Brown's bill which has reached the second reading stage in the Senate.

And I have just found out that there will be a Senate enquiry into Bob Brown's Bill. Written submissions must be sent to the committee by 9 April 2008, with a public hearing in Darwin 14-15 April. Anyone who would like further information about this, please see me in the break.

Territorians no longer have ROTI but we still have the Natural Death Act, passed in 1988. Anyone over 18 can fill out the prescribed form, specifying what sort of treatment is acceptable in the event of a terminal illness. This is a legally-binding document if the correct form is used. You can fill out a form even before you are sick. If you don't have internet access to download the form from the government website, you can go to the Casuarina Community Care Centre and the staff there will download and print the form for you. Your signature must be witnessed by two people over 18 and I would recommend that the witnesses not be beneficiaries in your will. Discuss what you want with your family. We are all going to die sometime and ignoring that fact won't make it go away.

In life, we have many choices. I choose to belong to both the NTVES and to Palliative Care NT. Shouldn't we have choices when it comes to dying too?

If you want to know more about Bob Brown's bill, Dr Philip Nitschke will be giving a free public talk in Darwin on 31 May. The talk will be followed by a workshop. Phone Amanda on 1300 103948 for further information.

BOB BROWN'S PRIVATE MEMBER'S BILL

In response to an invitation from the Senate Committee, the following submission was sent.

Submission to the Senate Committee inquiring into the Rights of the Terminally Ill (Euthanasia Laws Repeal) Bill 2008

As President of the Northern Territory Voluntary Euthanasia Society, I welcome Senator Brown's bill and strongly support its passage. Our Society is unique in that it was incorporated after voluntary euthanasia legislation had been passed and now is prohibited from lobbying our government for legislation for euthanasia, the main goal of a voluntary euthanasia society. Our greatest wish is for the *Rights of the Terminally Ill Act 1995 (ROTI)* to be restored.

As the widow of Bob Dent, the first person to use Marshall Perron's "most compassionate piece of legislation" (my husband's words), I want to see Senator Brown's legislation passed. Getting his piece of paper signed by the necessary three doctors gave my husband enormous peace of mind. Opponents say good palliative care obviates the need for euthanasia but even good palliative care becomes burdensome. When the terminally ill person reaches the stage where he is still alive but no longer living, the chance to use ROTI gives much comfort. Palliative Care Australia now concedes that even with optimal palliative care, the desire for euthanasia remains. ROTI was the first euthanasia legislation in the world. Now other jurisdictions have similar legislation; none is compulsory, safeguards are in place to prevent abuse, there is no evidence of the slippery slope alluded to by those who are against such legislation. To them I say, you don't have to worry, this is one law you can safely ignore if you want to.

As an Australian citizen who chooses to live in the Northern Territory, I resent being demoted to second-class citizenship by the passage of the *Euthanasia Laws Act 1997*. Even if I did not believe in voluntary euthanasia, I would want the self-government act restored to the status it had before Kevin Andrews' private member's bill was passed so that the people of the territories have the same rights as the people of the states.

A list of about 600 submissions is on the following web address (as of 18 April)
http://www.aph.gov.au/senate/committee/legcon_ctte/terminally_ill/submissions/sublist.htm
Total received was about 2000. Not all listed can be read. Numbers readable may increase before the Senate Committee is required to report (23 June 2008)

The Senate held a hearing in Darwin on 14 April 2008. Invited to address the committee chaired by Senator Trish Crossin were representatives from the Chief Minister's Department, Australian Christian Lobby, Darwin Christian Ministers Association, Aboriginal Medical Services Alliance of the Northern Territory, Palliative Care Unit – Royal Darwin Hospital, Northern Territory Law Reform Committee and Marshall Perron, Daryl Manzie, Dr Philip Nitschke from Exit international and Judy Dent.

It seems unlikely that Bob Brown's bill will pass in its present form. If it does pass in the Senate, it would then have to be voted on in the Lower House. The Chief Minister's Department representatives indicated that the NT government would welcome the amendment to the Self-government Act that would allow the NT to pass euthanasia laws again but that the resurrection of ROTI would be 'problematic' as it had been dormant for more than 10 years.

MAGNIFICENT GESTURE

The following article appeared in the Sunday Mail (Qld) 13 April 2008

“There was a greatness about Clem Jones in life; there is a magnificence about him in death. The size of his will is staggering; the breadth of his posthumous generosity is humbling. The former lord mayor's estimated \$150 million fortune will further some causes that were intensely private and others with which he was always – and will always be – associated.

Many will not share his support for legalised euthanasia and an Australian republic, but they will respect his passion and the boldness of his monetary commitment.

And even those on the other side of the euthanasia divide will be moved by his expressions of love for his late wife Sylvia, a love that drove his belief in the right of individuals to control their destiny until the end.

In life he kept his thoughts on euthanasia largely to himself, but his generous support for sporting and community causes – particularly those involving young people – was a byword in Brisbane.

His generosity will touch everyone from hungry school children to the needy aged; from prospective soccer stars to casual sport participants; from medical researchers to old and loyal friends.

And, the canny conditions to some of his bequests will come as no surprise to anyone who knew this hard-headed but big-hearted man.

Dr Jones's will and testament is the final stunning chapter in the story of a true giant.”

An amount of \$5 million has been left to the euthanasia cause. Marshall Perron has offered to co-ordinate the approach to the executors of Dr Jones' will.

REMINDER

The Annual General Meeting will be held at 10am Saturday, 9 August 2008, at Malarndirri McCarthy's office, Casuarina Village. The Special General Meeting mentioned in the October 2007 newsletter will not be required. The quorum was set at 5 when the model constitution under the *Associations Act* was accepted at the 2005 AGM.

Official notice of the meeting and the agenda will be sent early in July.