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Newsletter

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Despite the NT Parliament being denied the right to consider the subject of voluntary euthanasia for the past 20 years, the subject is very much on the agenda in Canberra.

The action taken by then PM John Howard, his colleague Kevin Andrews and Labor MP Tony Burke in 1996 was very effective. The aim was not only to stop anyone using the provisions of the Rights of the Terminally Ill Act to die with dignity at a time they chose, it was also to prevent the Territories ever passing such legislation again.

The Australian states have no such restrictions and every one of them except Queensland has debated private members Bills on voluntary euthanasia or assisted dying. While to date none of those Bills has passed into law, the members of Parliament have been free to consider the subject, discuss alternatives and vote to amend, accept or reject the proposition.

There are politicians in Canberra who believe strongly that powers should be returned to the Territories and are doing something about it. Interestingly none of them is from the Territories, the very people you would expect to be championing the cause.

The first attempt in Federal parliament to give the Territories back the authority taken from them was in February 2007. It was former leader of the Greens Bob Brown who introduced that Bill. His proposal at the time was aimed at restoring the NT Rights of the Terminally Ill Act (RTIA) as well as the Legislative Assembly's power to legislate on the subject. That Bill was never debated and Brown introduced another in Feb 2008.

This Bill was considered by a Senate Committee and constitutional opinion was that 'an element of uncertainty' existed about whether the Federal Parliament could revive the RTIA but no doubt it could return the powers for the Territory to re-legislate if it chose to do so.

Brown introduced a third Bill in Sept 2010. This one lapsed at the next Federal election. In November 2012 Senator Di Natale introduced a Restoring Territory Rights Bill. It was a copy of the 2010 bill and suffered the same fate at the 2013 election.

Nothing happened until 2015 when Senator Leyonhjelm introduced a Bill to restore the powers; however it had a different title to earlier ones. Not to be outdone Senator Di Natale introduced another in March 2016. Both these Bills lapsed with the 2016 Federal election following which they were both restored to the notice paper where they remain.

Confusing? Yes, but the issue is being kept on the agenda by Senators from other states; why former and current NT Federal MPs are nowhere to be seen is a mystery. Hopefully they will eventually pick up the ball and do what they are paid for – representing Territorians.

QUEENSLAND

Dying with Dignity Queensland has ramped up its bid to have the Queensland Parliament's Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee respond to Speaker Peter Wellington's call for an inquiry into End of Life Choices. Dying with Dignity Qld president Sharon Tregoning of Noosa said the committee's failure to make a decision on whether to conduct the inquiry meant it was really saying that dying Queenslanders were not important. Former Northern Territory Chief Minister Marshall Perron who has long called the Sunshine Coast home, said there had been 28 private member's bills introduced in Australian states since the NT legislation was vetoed in 1997. Every state has had at least one Bill introduced except Queensland.

SOUTH AUSTRALIA

The Death with Dignity Bill 2016 was defeated on the 16th-17th November by the narrowest of margins, on the casting vote of the Speaker, Hon Michael Atkinson, a long term opponent of voluntary euthanasia. SAVES continues regular one page newsletters which summarise current debates in the campaign to legalise voluntary euthanasia and these are given to all SA MPs during every sitting week. The Newsletters can also be accessed by supporters in order to update their knowledge and as a basis for discussion with their MPs <http://www.saves.asn.au/newsletters.php>
SAVES is planning its next campaign to support a new VE Bill, expected after the 2018 State election.

WESTERN AUSTRALIA

IN WA, the ALP swept to power with a crushing defeat of the Barnett Liberal Government. The structure in the Lower House is now a lot more favourable to the cause; however in the Legislative Council, Labor will need to do deals to pass legislation. Alannah MacTiernan MLC (ALP) is hoping to gain cross party support for a bill. As a result of polling prior to the election, Dying with Dignity WA now know who is in favour of a proposed VAD Bill. The task ahead is to talk to those that do not support them

and hopefully finally get their representatives to actually “represent” them. Some conversions will be needed before any bill is presented later this year.

While DwDWA is happy with the new government, the Australian Christian Lobby is definitely unhappy as shown in this post:

The ACL has warned against moves by new WA Health Minister Roger Cook to advocate for state-sanctioned assisted suicide.

ACL WA director Dahlia Messiha said the community would be rightly concerned if efforts were directed at removing safeguards which seek to prevent state-sanctioned suicide.

“Mr Cook claims there is a “growing demand” to allow for assisted suicide, however, many have expressed concerns regarding this issue, especially those who would be the most vulnerable to concerted efforts to remove current safeguards,” Ms Messiha said.

“The State Government has only just been appointed and already the health minister is advocating for euthanasia when palliative care provides better options.

“How this became the first health priority for WA is extremely unclear.

“The responsibility for the health minister should be to improve our hospitals and ensure better health care for the vulnerable by exploring palliative care options.

“Euthanasia laws around the world have a track record of failing to protect vulnerable people being pressured to end their life,” Ms Messiha said.

“Research shows there is no such thing as ‘safe’ euthanasia legislation. As a community we need to send a clear signal to everyone requiring assistance, they are not better off dead but are valued human beings.

“Belgium and the Netherlands are held up as ‘best practice’ examples by euthanasia proponents, but over time so-called safeguards had been whittled away, and undue pressure has been placed on vulnerable people such as those with disabilities or the elderly” Ms Messiha said.

“While ACL understands and shares the desire to see people relieved of their pain, this can be better achieved by investing in better palliative care methods and technologies” Ms Messiha said.

“Many medical practitioners who specialise in end of life treatment agree that palliative care is a more prudent and ethical way of ensuring a dignified death than public policy which is open to abuse and which unwittingly or wittingly puts pressure on the ill and vulnerable to end their lives.”

TASMANIA, NSW, VICTORIA

While Tasmania is still in line to be the first State with assisted dying legislation because a Bill has already been introduced into the Parliament, other States are moving towards it.

A new Assisted Dying Bill will be debated in NSW this year. It was announced just before the resignation of both the Premier, Mike Baird, and the Health Minister, Jillian Skinner, who were opponents.

Victoria will definitely also have a Government assisted dying Bill. We have yet to see whether it will follow the assisted dying framework recommended by the Victorian inquiry into end of life choices. An Expert Panel has been appointed to make recommendations to the Government.

A split has emerged in the highest ranks of the Victorian government over voluntary euthanasia, with Premier Daniel Andrews and his deputy at odds about the state's plans to permit assisted dying. One week after the government announced it would draft legislation giving terminally ill people the right to an assisted death, Deputy Premier James Merlino has confirmed he does not support changing the law and will vote against the bill when it is introduced into state parliament next year. Health Minister Jill Hennessy said conversations and decisions about assisted dying were "difficult, complex and extremely challenging". Therefore, she said, "we need to make sure we have the right people in place to develop a robust regulatory and legislative framework that has the proper safeguards, and checks and balances in place to protect vulnerable Victorians".

NORTHERN TERRITORY and ACT

People who choose to live in the Territories remain second-class citizens, unable to lobby their parliaments for legislative change. The federal politicians supposedly representing territory inhabitants don't seem to care.

NTVES AGM

The AGM is to be held on Saturday 5th August 2017. Please renew your membership before the meeting.