



# NT Voluntary Euthanasia Society Inc

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## RESTORING TERRITORY RIGHTS BILL 2022

Australia's two territories are a step away from being able to legislate on voluntary assisted dying, providing hope to those advocating for decades for change.

A bill to repeal the 25-year federal ban passed the lower house 99 to 37, with the architect of the Northern Territory's 1995 voluntary assisted dying legislation, former chief minister Marshall Perron, lamenting how long it had taken.

"Very sadly, probably many people have died badly who would've used the Territory legislation had it stayed on foot in 1997, but that's all history now," he said.

The Northern Territory became the first place in the world to legalise voluntary assisted dying, under the Country Liberal government led by Mr Perron.

The federal parliament used its powers over the territories to stop the practice in 1997, but a bill to overturn the ban is now just a Senate vote away from passing into law. Debate will continue with no indication of when a vote might be taken. Many previous attempts to restore territory rights have failed.

## COMMENT FROM THE RATIONALIST SOCIETY OF AUSTRALIA

A Labor senator's claim that voluntary assisted dying is "state-sanctioned suicide" is an insult to terminally ill Australians who have accessed the end-of-life option and their families, says the Rationalist Society of Australia.

In a speech to the Senate on the Restoring Territory Rights Bill 2022, Senator Deborah O'Neill – a Catholic from New South Wales – said that those who supported the bill wanted to enable "state-sanctioned suicide" in the Australian Capital Territory and the Northern Territory.

Senator O'Neill – who wanted Labor to boost its appeal among voters from faith communities and sought a bipartisan approach on the Morrison government's Religious Discrimination Bill – said it was important to put on record a "faith perspective" on the issue of VAD in the territories.

“I think a review of the contributions of those who will support the bill will show that, as much as they declare it is not so, they indeed do know that enabling state-sanctioned suicide in the ACT and the Northern Territory is, in fact, exactly what they are seeking to achieve today,” she told the Senate on Monday (5 Sept).

“To a Catholic, the dignity of a person is fundamental, regardless of what they look like or what they can do, or how old or how infirm they are. That belief in the essence of life is actually what informs a theological position that is opposed to voluntary assisted dying.”

Earlier this year, the RSA welcomed the Albanese government’s commitment to restore the right of the territories to make laws to allow VAD. Debate on the bill is expected to continue when the Senate resumes.

RSA president Dr Meredith Doig condemned Senator O’Neill’s characterisation of VAD as ‘suicide’.

“It’s straight from the playbook of the bishops and it’s simply not true. Australians right across the country know the difference between suicide and voluntary assisted dying. Indeed, most state VAD laws contain clauses intended to clarify that VAD is not suicide,” she said.

“It’s insulting to all those terminally ill Australians who have chosen VAD to end their suffering, and to all of their families and loved ones.”

Public surveys show that most religious Australians and, indeed, the majority of Catholics support VAD laws. In his authoritative *Religiosity in Australia* series, social researcher Neil Francis noted that religious clergy, such as leaders of the Catholic Church, were out of step with the views of their own flocks.

In the 2019 Australian Election Study, by the Australian National University, 74 per cent of Catholics, 78 per cent of Anglicans, 81 per cent of Uniting/Methodists, and 48 per cent of minor Christian denominations favoured VAD laws. Those opposed to VAD were in a small minority – 15 per cent of Catholics, 12 per cent of Anglicans, 5 per cent of Uniting/Methodists, and 20 per cent of minor Christian denominations.

The RSA is calling on the Albanese government to amend laws to ensure medical practitioners can consult about VAD with patients using telehealth. The Commonwealth Criminal Code Amendment (Suicide Related Material Offences) Act 2005 prevents or severely limits the use of telehealth in relation to VAD.

A number of state agencies charged with administering VAD laws have raised concerns that, under the Act, VAD could be defined as “using a carriage service to counsel or incite committing or attempting to commit suicide”.

## **PERU CONFIRMS A WOMAN’S RIGHT TO EUTHANASIA**

LIMA (Reuters) – After a long legal battle in Peru for the right of an assisted death, Ana Estrada said she now feels free to avoid suffering from an incurable and debilitating illness that has plagued her for three decades.

The Peruvian Supreme Court this week confirmed a prior ruling that allows Estrada, a 44-year-old psychologist, to end her life after a five-year legal battle and years of illness.

Under Peruvian law, assisting someone’s suicide and killing a terminally ill patient are punishable with prison time.

In a deeply Roman Catholic country where abortion and gay marriage remain illegal, the court's decision is seen as a milestone in the debate over euthanasia. In Latin America, only Colombia allows the procedure, but under certain conditions.

"This victory will help me better cope with this imminent, inevitable deterioration of the disease. It will give me peace of mind and calm," she told Reuters.

Estrada suffers from polymyositis, a rare disease that attacks her muscles with a degenerative deterioration. She has spent most of her life lying prostrate in a bed connected to a mechanical respirator and with almost daily assistance from a nurse.

The Supreme Court ruling issued this week ratifies a previous court decision requiring Peru's state health insurance to provide "all the conditions" for Estrada's euthanasia, which must be executed within a period of 10 days from the date she expresses her will to end her life.

The Supreme Court exempted the doctor who eventually supplies a drug intended to end Estrada's life from any punishment.

"Why death with dignity? Because I want to avoid suffering, I want to avoid pain, but above all because this is about life and it is about freedom," Estrada said, lying in bed after her nurse placed a pillow on her.

"Establishing the right to death is a fundamental precedent. It is the first case and it is irrevocable, and it allows Ana Estrada to be able to make a decision to end her life at a certain time," said Walter Gutierrez, Estrada's lawyer and a former ombudsman.

## **JEAN-LUC GODDARD CHOOSES ASSISTED DYING**

Jean-Luc Godard, the maverick French-Swiss director who revolutionised post-war cinema in Europe, died by assisted dying, his lawyer has confirmed.

The medical report on the death of the 91-year-old director said he had chosen to end his life. He "had recourse to legal assistance in Switzerland for a voluntary departure" because he was "stricken with 'multiple incapacitating illnesses'", Godard's legal council, Patrick Jeanneret, told AFP.

The influential director was said by his family to have died "peacefully at home" with his wife, the Swiss film-maker, Annie-Marie Miéville.

Godard, who was born in Paris in 1930 to a Franco-Swiss family, had lived as a virtual recluse in the Swiss village of Rolle for decades.

The French paper Libération quoted an unnamed source close to the family who said: "He was not sick, he was simply exhausted. So he had made the decision to end it. It was his decision and it was important for him that it be known."

The practice of assisted dying – helping someone take their own life at their request – is regulated in Switzerland and permitted if offered without a selfish motive to a person with decision-making capacity to end their own suffering.

Libération quoted Godard's 2014, appearance on Swiss TV at that year's Cannes festival, when had been asked his views on dying. He said he didn't foresee wanting to continue living at any cost. "If I'm too ill, I don't have any desire to be lugged around in a

wheelbarrow ... not at all," he said. Asked whether he could imagine resorting to assisted dying, he said: "yes", but added "for now", saying that the choice was "still very difficult."

In France, the law allows doctors to keep terminally ill patients sedated until death but stops short of allowing assisted dying.

In a separate development before Godard's death was announced, the French president Emmanuel Macron confirmed this week that a national debate would be held to potentially broaden end-of-life options in France, with a citizens' assembly to consider issues around euthanasia and assisted dying.

During Macron's campaign for re-election earlier this spring, he had promised to open the issue up to debate, suggesting he was personally in favour of legalising doctor-assisted dying. Macron told journalists this week that change was necessary but that it was not "an easy or simple subject."

## **SCOTLAND'S SIR PATRICK STEWART URGES MSPs TO BACK ASSISTED DYING**

Sir Patrick Stewart has urged MSPs to back new legislation that would legalise assisted dying in Scotland. The Star Trek and X-Men star insisted terminally ill people should not be forced to end their lives in pain. Scottish Liberal Democrat MSP Liam McArthur is bringing forward a Bill that would allow terminally ill and mentally competent adults to end their lives. It is the third attempt to legalise assisted dying in Scotland. Two doctors would need to confirm a person was terminally ill and mentally competent, and there is a suggested reflection period of 14 days. Mr McArthur argues the Bill contains "strong safeguards" and does not go as far as previous plans. He said he believed MSPs will back it, making Scotland the first place in the UK to legalise assisted dying.

### **AGM 27 August 2022**

The following office bearers were elected at the recent AGM: *President* Judy Dent, *Vice-President* Robyn Harrison, *Secretary* Janie Mason, *Treasurer and Public Officer* AdamTurley

