

**Submission to the 2015 parliamentary inquiry into end-of-life choices  
from Dr Kate Shaw and sisters**

Our parents, [REDACTED], were highly intelligent and thoughtful people who up until their last years were fit and active. They had long discussed with us, their three daughters, their wish to choose the time and manner of their deaths (if they were lucky enough for it to come to that). They subscribed to Exit International to keep themselves informed of the latest modern methods. On Tuesday 27 October 2015, they died peacefully and together, according to their intent. They were both 87, had long and fruitful lives, and had had enough of being old.

We were aware of their plans. We were with them in the days beforehand. On the Tuesday morning we sat with them in the sun talking quietly, then we left them at midday and went for a walk along the beach. When we came back an hour and a half later everything had gone to plan. Our father had sat with our mother after she took a large dose of Nembutal, until he was satisfied that she would not wake and find him gone. He then walked to the back shed where he used nitrogen gas to very quickly, efficiently and painlessly (he told us in advance) end his own life.

Medics and police and detectives were involved, and it was so very clear what had happened – our parents' preparation was so careful – that by the end of the day they were deeply supportive and respectful. Several of the medics who attended told us personally that this was as close to the ideal process they had ever seen.

Following is the content of our parents' last letters:

17/9/2015

The purpose of this note is to assert that my suicide is entirely un-assisted and voluntary. No other person has influenced me, or been involved in it in any way. I obtained the means for it entirely by myself. I am sane, quite good-humoured, and not at all depressed. Why then am I doing it? Because I am rational, and in my present condition suicide is rational. I have had a good life, and prolonging it will not make it better. Senility is setting in fast. My mind doesn't work as well or as quickly as it used to, and it is getting worse day by day. My physical and mental vigour are reduced, and life is an effort. I am not afraid of dying but I am afraid of pain and incompetence, and I don't believe that palliative care will be sufficient. I am not religious, and I look forward calmly to a sleep from which I will not awake.

I have discussed this at length with my wife and daughters for months and years, and they are sympathetic and they understand and agree. With [REDACTED] agreement, I will put this note in an envelope addressed "From [REDACTED] Shaw, to each and all of my daughters", marked "To be opened after my death", and I will leave it with my solicitor (named).

[REDACTED] Shaw

23/9/2015

In case there should be any doubt, I declare that my death is by my own hand, with no help or pressure whatever from my family or anyone else. I am of sound mind, with no hint of dementia or depression or anything else except worsening arthritis and dizziness. I risk a serious fall, so I limit my movements.

I have discussed my end-of-life intentions with my family, and they consider them rational. Having seen my two sisters die in nursing homes, I have no wish to go that way. I have no religious faith. Life is becoming more of an effort, although I think I've been fortunate having [REDACTED] and the girls to share my life and I love them all very much.

[REDACTED] Shaw

While suicide is legal in Victoria, as the law stands many other aspects of our parents' actions were illegal. This leads us to make three points to this inquiry.

1. Our mother's acquisition and possession of Nembutal caused her great anxiety. She buried it in the garden because she had heard of other subscribers to Exit International being raided by police. Subject to an independent determination of intent to rationally suicide, possession of Nembutal or any other drug or mechanism that enables peaceful death should be legal.
2. Our father's walk from the house to the shed was fraught with danger for him. Had he fallen and hurt himself, or had his chosen method not been completely effective, he ran the risk of incapacitation and, if he were found to have assisted our mother's suicide, incarceration. This is beyond his worst nightmare. It should not have been illegal for their suicides to be assisted.
3. Had our parents been confident that their wishes would be honoured as soon as they or those with medical power of attorney said they were ready, they may well have felt less pressure to take their lives while they were still very capable. A clear and rational expression of intent of suicide, subject to independent determination of that intent, should be sufficient to allow confidence that a designated trigger will activate a peaceful and assisted death. Had this been the case in 2015, our parents may well have lived longer.

Dr Kate Shaw  
22 December 2015