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Lilian Topic,
Secretary, Legal & Social Issues Committee
Parliament House,
Spring Street,
Melbourne VIC 3002

Submission into the Enquiry Regarding End-of-Life Medical Issues.

Discussions regarding assisted dying inevitably bring forth predictable arguments from those on either side of the debate. On the negative side we have concerns about “slippery slopes”, avaricious relatives pressuring the elderly and a range of religious arguments revolving around the sanctity of life.

On the positive side there are counter arguments, which generally are more considered and draw upon the experiences of those countries which have successfully implemented end of life processes without any significant realization of those fears.

In the middle of this debate our most vulnerable citizens lie and die in agony, or in circumstances which can only be described as torturous. Each year, while politicians avoid confronting the very real distress of those people our society continues to place this issue in the “too hard” basket, generally for political reasons. It is time that we, as a society and via our political processes put an end to this suffering by providing real alternatives to those amongst us who have no means of ending their own suffering.

As a percentage of the population these people may be in a minority, because existing facilities clearly manage end of life issues in a humane and effective manner. The argument that palliative care is already a sufficient remedy is one that is often used by politicians to justify their continued inaction when it comes to creating end of life solutions. However, my fundamental concern is directed towards those for whom palliation is not an effective solution.

There are various facts and figures which have been used in this debate, but nowhere is there a qualified medical practitioner who will claim that palliation is 100% successful. Clearly it is not, and there is no suggestion that we shall achieve that 100% success rate. Once we accept that there are those for whom palliation is not enough (and this is simply a matter of fact), then the palliation argument ceases to have any validity, because a success rate anything less than 100% proves that there are those who still have no solution to their end of life suffering. It is for those individuals that changed legislation is essential if we are to claim that we live in a compassionate society.

Objections from religious lobbyists should also be ignored simply because no end of life legislation seeks to impose any level of compulsion upon anyone. Therefore all religious individuals of whatever faith would remain free to choose their own solution irrespective of what others may do. This is a fundamental flaw in many of the objections raised over the years. The passing of end of life laws has never imposed any obligations upon those who do not agree with early termination of life. Legislation on this issue seeks to make these decisions a purely individual choice, and thus does not impact upon the freedom of any individual.

Currently our society recognizes that animals should not be allowed to suffer, and we have enacted laws which impose penalties upon those whose actions (or inactions) lead to an animal suffering. Ironically, our politicians consistently ignore human suffering simply due to a lack of political will. They do so in the face of overwhelming public support for change in this area.

Probably the greatest barrier to a more enlightened and compassionate approach to this issue is the political framework in which it is discussed. Despite our politicians being elected as representatives of the people, when it comes to politically sensitive issues their actions are determined primarily by the party, without reference to the views of the electorate. That party platform is, in turn, influenced by the religious and conservative lobby groups rather than the wishes of the electorate. I recently interviewed my local member who freely admitted that his support for this issue would be determined firstly by the direction he received from his party; secondly as a response to his own personal view, and lastly by reference to his electorate. As both he and the party were opposed to change, the views of the electorate were to be ignored. Given that successive polls show a huge level of support within the community for changes to end of life legislation, it is clear that our democratic process is not achieving its most fundamental purpose. It is my view that Australia is in grave danger of falling behind other enlightened countries in legislating to provide better options for the terminally ill or those with intractable suffering. Change is inevitable, but despite overwhelming support from the community, change simply is not happening in our country or this state despite many years of lobbying successive governments.

History suggests that when governments do not enact legislation to resolve issues, the population is more likely to take unilateral action to achieve the desired end result. A case in point has been the medical use of marijuana. Those who have needed marijuana to resolve medical issues have done so from illegal sources simply because their needs cannot wait for the wheels of government to recognize a legitimate need. The legitimacy of medical marijuana is only now being accepted by government, partly in response to the clear need which exists in the community.

On a similar level, those who seek to end their lives will continue to do so irrespective of what governments do (or do not do). Surely it makes more sense to make more palatable alternatives available which can be controlled in a caring atmosphere rather than furtively in isolation?

Experience has shown that often the availability of "death on demand" actually prolongs life. Often those who have terminal drugs made available find the strength to continue, knowing that they have a final solution if the suffering becomes too great.

I have been involved in this debate for many, many years, and in my lifetime I have seen little change in the attitudes of Australian politicians. I have become frustrated at what amounts to selfishness in the political structures of our nation as year after year politicians bury the issue while their constituents bury each other. It is time for change. As with the medical marijuana issue I know full well what I shall do if I find myself at a point where my life is too painful to continue. Unfortunately, due to existing laws this will mean that I shall have to die alone, without my family and possibly at the emotional expense of those who might find me. There are better ways to die, but unless the government finds the political courage to change legislation then that shall be my only alternative.

Is that a sign of a mature, compassionate society? I suggest not, and therefore I strongly recommend that the current enquiry should seek to break this conservative stranglehold on an issue which will become increasingly relevant as our population ages.

Regards,

Bob Thomas