

Legal and Social Issues Committee, Legislative Council of Victoria
 Re: Inquiry into "end-of-life choices"

I write to strongly urge you to do three things, in your inquiry:

1. Examine and recommend ways in which people can be encouraged to personally accept, discuss with family members and plan for the inevitable end of life. Too many badly informed decisions are now made because people fear the prospect of death. Their reflexive desire to control, rather than be controlled by this fear, often leads them to make choices they would not otherwise make, if they had other options at their disposal. Death and dying must become a more familiar topic, if truly informed choices are to be made.
2. Stress the importance of a clearly-defined, well-funded and easily accessed system of palliative care that reflects the inherent value of human life which is the foundation stone of democratic society. This is the area to which public policy and practice should give its greatest attention. Its failure to do so effectively denies people the ability to choose freely how they want to be treated at the end of their lives. A reference to the old adage that the integrity of a society can be measured by the way it treats its most vulnerable members warrants serious reflection here. This problem deserves thoroughly balanced examination.

The demand for the preferred option of palliative care far exceeds the supply. Successive Victorian governments, however, have confronted this fact with blind eyes and deaf ears. That lack of interest has forced some people and their families, howsoever reluctantly, to consider other far less humane and less expensive, but increasingly accessible options, such as those included in the Committee's brief. Government inaction has chosen and effectively promoted, by default – even in the face of clear and admitted violations of existing law by medical doctors – these easy, less expensive and less democratic options. It can do far better than that and has a responsibility to do so.

3. Be very cautious and circumspect about increasing the legal options or choices individuals have for ending their own lives with the assistance of others. There is plenty of evidence from overseas that, once legislative permission is given to use means other than some form of palliative care to deal with end-of-life issues, it takes on a life of its own in the absence of a political will to control it. The mere passage of such legislation – and the philosophy underpinning it – signal a degraded respect for human life and a very basic attack on the core value of democratic society. From there on, the evidence shows that the ethical responsibility of medical practitioners to care for their patients is also undermined and corroded by such legislation, with disastrous effects for some people.

The result is that, whether aided and abetted or not by family members, whose interests may be at odds with the party to be most affected by a decision to end his or her life, the participation of doctors facilitates an effectively unregulated extension of the practices into areas populated by the most vulnerable members of society. It cheapens the idea of life to the extent that even young people are killed and kill themselves for all the wrong reasons. This is not what democracy is all about. Victoria cannot say or hope that any legislation it might pass would be immune to such encroachments. They are part of it.

I am opposed to euthanasia and other forms of assisted suicide. I support much better access to a well-funded system of palliative care. People want it and will use it, if it is made available. This will be furthered by encouraging public and personal education about end-of-life realities and the informed and intelligent options they can be exercised when they arise.

Thank you for your consideration of my submission.

Mort Stamm