

## Submission to the End of Life Choices Inquiry

I'd like to thank the Legal and Social Issues committee for the opportunity to make a submission to the End of Life Choices Inquiry.

I am a liberal and have a liberal outlook on life. I value individual freedom and responsibility for one's choices. Individuals have a right to life, liberty and the pursuit of happiness. Individuals have the right to control what happens to their bodies. Individuals have the right to determine when their life quality of life is diminished to the point where the pursuit happiness is no longer possible. Individuals have a right to dignity at death.

When faced with a terminal condition or chronic pain individuals should be able to access voluntary euthanasia.

Some conservative medical practitioners argue that the first rule of medicine is "Primum non nocere", a Latin phrase that means "*first*, do no harm." I am sure that you will hear that argument in submissions to this inquiry. Some will argue that the state should uphold the first rule of medicine to protect individuals from harm.

However is it the role of the state to intervene?

John Stuart Mill in the first chapter of *On Liberty* argued:

"That the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant. He cannot rightfully be compelled to do or forbear because it will be better for him to do so, because it will make him happier, because, in the opinion of others, to do so would be wise, or even right... The only part of the conduct of anyone, for which he is amenable to society, is that which concerns others. In the part which merely concerns himself, his independence is, of right, absolute. Over himself, over his own body and mind, the individual is sovereign.

I could not say it better.

There is no harm in medical practitioners assisting an individual to access voluntary euthanasia when an individual has made an informed determination that their quality of life is diminished. The state cannot compel an individual to continue to live when they have decided the pursuit happiness is no longer possible.

Medical practitioners will need to have legal surety and clear guidelines on voluntary euthanasia. They should not be left liable to prosecution after enabling a person to voluntarily end their life. The Abortion Law Reform Act 2008 (Vic) provided clear guidelines for medical practitioners, and I am sure any legislation to enable voluntary euthanasia can do the same.

Advanced care directives should be able to allow instructions for voluntary euthanasia. An individual should be able to include directions to die with dignity if they at some stage become incapable of administering euthanasia themselves or find themselves unable to provide consent due to inability to communicate. The advanced care directives of the individual made when capable should be respected.

Opponents of voluntary euthanasia often invoke religious arguments. As a person without religious belief I do not want the religious beliefs of others limiting my choices. In our secular state the state should not require religious adherence. Section 116 of the Australian Constitution forbids imposing any religious observance, and I would consider any restriction on religious grounds as a violation of S.116.

One of the slippery slope arguments often raised in debate of voluntary euthanasia is that the elderly and sick will be pressured to euthanase themselves to save the state or the beneficiaries of an estate money that would otherwise be spent on their care. We should continue to value life and emphasise the value of life.

To help in this I would like to see ethics classes introduced to our education system that teaches critical thinking rather than religious adherence. Classes should discuss the rights of the individual, the value of life, and compare religious and non-religious beliefs. With curriculum providing ethics classes in our schools I like to think that life would continue to be valued and the concept of quality of life will be better understood. We should have nothing to fear from healthy ethics education. Information is a stronger currency than ignorance.

Family and friends will play a significant role in many an individual's choice to access voluntary euthanasia. I understand that family and friends may not always agree with an individual's choice. They must be treated in a humane and compassionate way, but the choice of the individual should be the foremost consideration of medical practitioners. The ability of family or friends to override the wishes of an individual must be limited.

I saw my mother battle cancer as it spread from her colon to her liver, to her lymph nodes and finally to her brain. She underwent numerous sessions of chemotherapy and radiation therapy to no avail. Our family discussed her options and she expressed a desire that she would choose voluntary euthanasia if the option was available to her, but she ended up spending her last months heavily dosed and non-responsive to visitors in palliative care. She had no quality of life as her body withered and was left with no dignity.

I do not want to suffer the same indignity if I find myself in a similar situation.

I wish to thank those who have campaigned for many years to legalise dying with dignity and voluntary euthanasia. They have advanced the argument with care, empathy and compassion. I would like to thank those medical practitioners who have bravely risked their careers to go public with their advocacy and their assistance to Victorians to end their own lives. And I would like to thank those anonymous medical professionals who have helped many to die with dignity.

Polls consistently show that the majority of Victorians support voluntary euthanasia. It's time that our elected representatives reflect that opinion and enable Victorians to have access to dignity at death. I hope this committee has the integrity to recognize the right of the individual where no harm is done to another.

To not allow an individual dignity at death would be cruel and callous.

Sincerely,

Christopher Johnson