

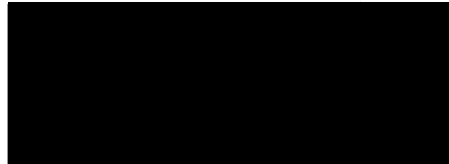


SUBMISSION TO THE LEGISLATIVE COUNCIL STANDING COMMITTEE

ON

LEGAL AND SOCIAL ISSUES

END OF LIFE CHOICES



27 July 2015

Legislative Council Standing Committee on Legal and Social Issues
End of Life Choices

Submission by Norman Geschke
27 July 2015

As I believe the Committee has already received over 80 submissions it is likely that many of my views have already been covered and I will try to brief and restrict my comments which can be elaborated upon at a hearing of the Committee if the committee should so wish.

The Central paper deals with 3 main topics and the two appendices A with some observations on the Andrew's Euthanasia Bill of 1996 , and Appendix B copies of some relevant documents in use today

(1) End of life choices belong to an individual and not to a country, State, secular or non secular organisation or religious body.

My basic premise is that I believe a person has an unalienable right to choose end of life procedures and to expect these will be honored.. I do not accept that this right or choice should be influenced or controlled by the beliefs of others such as the Kevin Andrews bill of 1999 which effectively overturned the Northern Territories Euthanasia law. I will further discuss some observations of this Bill and the second reading speech in

Appendix 2. I believe his action was one of unacceptable arrogance which had a disregard for the democratic rights of others who were not consulted.

I am an Atheist who believes that the choice of a religion and the degree of participation while a member of a religion is a matter of personal choice. I do not believe anothers religious choice gives them a right or an ability to influence my life. I do not kick balls in their schoolyard and they should keep out of mine.

(2) Matters which have influenced my views

* In December 1954 I sat with my father for some weeks before he died from Prostrate Cancer He was terminally ill, in constant pain and as the cancer was widespread throughout his body every movement caused pain..

** In 1984 my wife regularly sat with her Auntie in the last few months before she died. Her Auntie who was incontinent, as to both bowel and bladder and was bilious after almost every meal.

She couldn't walk and she was bedridden. She prayed every night that she would die during the night and would not have to live through further days. She would often say "what have I done to be punished with a life sentence of mental suffering.". She was praying to a God who did not listen or exist and had no one else who could help her. My wife came home each time very upset and through tears would say it would be real act of kindness for her to die.

*** A couple of months ago my wife died through the dreaded Alzheimer's disease. She had been admitted to an aged care home ten months prior to her death. Nearly every night I would collect her from the dining room at about 5.30 PM and take her back to her room. She had three meals daily in the dining room eating in silence as she could no longer talk and have any conversations. I tried my best to get her to smile but rarely with any success. She quickly became distressed, agitated and unhappy and often cried until she was put to bed. I sat with her each night until she fell asleep, kissed her good night and then often left with tears in my eyes. These tears were not for me but for her. Can your committee appreciate what her future had to be under the present laws. " could not talk or walk, unable to read or write operate a TV remote control and had to be hand fed as she could no longer get her spoon to her mouth. In the morning having to be lifted out of bed by a machine, showered--dressed put in a wheel chair., taken to breakfast then virtually sentenced to a day of not speaking until going to bed. There can be no doubt with this routine a person would get depressed agitated, unhappy and want to die. She wanted to die and at times she was screaming.

Sadly there are probably many thousands of persons in this situation. I felt I could not go on much longer watching her suffer, A loving loyal mother and wife of 66 years marriage. Each night before kissing her goodnight I was aware of her pitiful call in her eyes for me to help her.

So I started to make some Enquirer as to where I could get some. Nembutal tablets I knew that had I used them It would have been charged and convicted of Murder but while 66 years of love and loyalty might mean nothing for some, it warranted some sacrifice on my part and I would have accepted serving a prison sentence in exchange for the end of her suffering

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I have just outlined three cases given 3 cases for which I had a personal involvement but there are many others I am aware of through my circle of friends, newspaper articles and letters to the editor.

In my father's case physical pain was the problem with the other two it was the mental pain. In my wife's case it was a situation of being locked into the infamous Alzheimer's prison which has no key.

In 1954 we were not offered palliative care and I do not know whether it existed then. I have also been unable to find out if there is any form of palliative care which can successfully be used for those people suffering mental pain rather than physical pain, and at this point of time I don't think it exists. except for drugging a person into insensibility or borderline unconsciousness.

At the aged care home where my wife was a patient I was pleasantly surprised at the loving gentle and caring staff involved with my wife. I don't think there was any occasion where I could have wanted or expected better. They tried to involve her in the regular activities but she could not cope. They of course couldn't help with her mental pain or frustration.

3 The Effect of Outside influences

In Appendix A I make some observations on the arguments used to get the Euthanasia Law passed. in 1996

I would like to have the opportunity of appearing before the committee in relation to this submission



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Replacement Page

Appendix A to the submission
on End of life choices by
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I have earlier commented on the gross arrogance of K Andrews in introducing this Bill. His 2nd reading speech shows little impartiality and the use of unjustified emotional language needs careful examination to see where it is coming from. Perhaps one could justifiably reach the conclusion that his views were seeded in the Vatican rather than on the compassionate pragmatic ways life works .

Effect of Euthanasia Laws Act of 1996

The possibility of having voluntary Euthanasia has been set back 19 years since the Andrews intervention of 1996 and I wonder how many persons have suffered unnecessarily over this period. The Act virtually traded suffering for possible abuse and took the line that it was better to have hundreds suffer to save possible abuse or an injustice to a few. That, a conscious vote by elected politicians will get the result desired by the Australian electorates voters. is, I suggest, a delusion. I doubt if any elected member of Parliament would have the faintest idea of how half an electorate will vote on certain issues eg. same sex marriage. I believe that there is a strong case for important life matters be decided by a referendum not by the whims of a few?.

I now want to comment on some issues raised in the second reading on speech on the Euthanasia Laws Bill introduced into Federal Parliament in 1996 following the Northern Territory Law on this subject .The heading titles are not verbatim but in the main encompasses his meanings.

Northern Territory has no rights but just responsibilities.

While this may be a strict legal interpretation of a document written over a hundred years ago it no longer reflects an acceptable democratic situation Times and attitudes have changed. Gradually we are taking note of the adage " Rules are made for the guidance of wise men and the obedience of fools." Andrews is saying , in effect, that the inhabitants of Northern Territory have no rights and therefore should not be heard. Is this a an acceptable discrimination between the inhabitants of the Territory and all the other states?.

Appendix A page 2

There are less people living in the Northern Territory than a Melbourne suburb

Size is not a most important factor in coming to the right answer or decision on how you want to achieve a compassionate and reasonable answer to any considerations affecting a group.

Andrews claims his Bill is to protect the vulnerable of leaving them to pressure, abuse and loss of autonomy

The End of Life Choices Inquiry hopefully will recognise that there is a difference between an end of life choice i.e. voluntary Euthanasia and Euthanasia. An end of life choice made by a person of mental capacity is a voluntary choice and a guidance to Carers, Nursing home and others involved with their care. Andrews comments completely ignore those many hundreds of persons who want to have in place a direction as their wishes. The forms at Appendix B are an example of those used in Aged Care Homes today. I know that just about every law will have its abusers, but the chance of this happening with Voluntary Euthanasia is minimal if proper safeguards are in place. However that abuse does not happen is the responsibility of Governments, Carers, Administrators, Courts, Regulators and Public Advocates. And these people must accept their responsibilities. Unfortunately however my experiences and the record clearly shows that there has to be a vast improvement to overcome the many weaknesses.

Other countries have rejected Euthanasia

I suggest there is nothing wrong with looking at other countries do, We are a democracy and should be an informed democracy, Voters should not be regarded as sheep but as shepherds.

In Summary

In summing up I am trying to say that the Andrews bill becoming law was a travesty of justice for the many people it affected, His arguments bore little substance or merit in supporting his Bill and should not be regarded as a reasonable Law in this day and age. I hate to think of the many people were kept suffering because of the unjustified actions of one man.


Norman Geschke

RE Appendix B

The forms are still being correlated and will be supplied at an interview with the Committee