Inquiry Name: Inquiry into End of Life Choices

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SUBMISSION CONTENT:

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Informing the discussion on voluntary euthanasia

In the interests of a balanced, rational and informed discussion, the following information is provided in relation to common misinformation and misleading claims concerning the operation of voluntary euthanasia in countries where it is legal.

1. The claim: Since the introduction of laws supporting voluntary euthanasia, such as in the Netherlands, there has been an increase in the use of euthanasia without consent.
   * The incidence of non-voluntary euthanasia has not increased since the legalization of voluntary euthanasia in the Netherlands. On the contrary, the rate has dropped since legalization, from 0.8% in 1990 to 0.2% in 2010. (1) In Belgium the rate has dropped from 3.2% in 1998 to 1.8% in 2007.(2)

2. The claim: Legalisation of euthanasia threatens the funding of palliative care research.
   * A briefing paper from the European Association of Palliative Care in 2011 showed that research into palliative and hospice care in countries with a euthanasia law has increased in the years following legislation (3)

3. The claim: Depression is the most common factor in requests for assisted suicide.
   * There is no doubt that depression can be present in patients who request euthanasia. A systematic review of 21 studies (4) showed that in the Netherlands the incidence of depression in patients requesting euthanasia is not different from that in the general population of terminally or seriously ill patients and that most patients with depression have their request refused.

4. The claim: Legalising euthanasia allows society to underinvest in palliative care.
   * Palliative care funding has been strengthened in the Netherlands and doubled in Belgium since the passage of voluntary euthanasia legislation. (5) (6) (7). A review of palliative care provision in the USA found that the states with physician-assisted dying laws rank very highly.(8) Research across six European countries concluded that assisted dying legislation does not undermine palliative care provision. (9)In addition, the availability of voluntary euthanasia is seen to support transparency in palliative care services (10).

5. The claim: People with disabilities fear that euthanasia may be forced on them by family or the medical profession.
   * There is no evidence of disabled people being targeted after euthanasia is legalised. (11) Voluntary euthanasia legislation includes extensive safeguards to ensure persons requesting euthanasia make the decision for themselves.

6. The claim: Elder abuse includes pressuring elderly people to agree to euthanasia.
   * There is no published evidence to support this statement. The processes and procedures required to comply with voluntary euthanasia legislation do not allow external pressure to be applied to an older person.

7. The claim: Euthanasia supporters use fear and half truths to garner support for legislation.
   * The facts refute this unsubstantiated claim. The Australian Medical Association acknowledge that end-of-life suffering cannot always be relieved.(12) Wide-ranging Australian research shows that an arguable majority of medical practitioners support a change to the existing law.(13) Euthanasia supporters base their arguments for euthanasia on research and hard data.

8. The claim: Euthanasia supporters use unrealistic scenarios to gain support for the legalisation of euthanasia.
   * Examples of where palliative care is unable adequately to manage the pain, the effect of the illness or side effects of drugs are from documented, direct medical experience.(14)

9. The claim: Euthanasia supporters pretend euthanasia is about choice but really the doctor makes the decision.
   * All legislation requires the ill person to make the choice to request euthanasia. A medical practitioner may accede to, or refuse, the request based on his or her personal values and clinical judgement.
10 The claim: Legalising euthanasia in South Australia will let the genie out of the bottle and it will be impossible to control.

* This assertion is not substantiated by the evidence in jurisdictions allowing voluntary euthanasia or physician-assisted dying. The Netherlands, where euthanasia has been legalised for over 10 years, has a population of over 16.5 million. In 2012 only 3% of deaths were from voluntary euthanasia (15). Oregon USA has a population of approximately 4 million. The 16th Annual Report (2013) on the Death with Dignity law shows that, since this law was passed in 1997, only 753 of 1173 patients receiving a prescription have died from ingestion the medication.(16)

11 The claim: In Belgium 32% of euthanasia in the Flemish region is without request or consent

* This statement is based on selective quotation from one article (17) in which examined a stratified sample of 208 physician assisted deaths in Flanders in 2007. Sixty six of the 208 deaths (the basis of the 32% figure) were classified as having occurred “without an explicit request”. The quotation neglects to explain that 70.1% of these patients were comatose and that the authors suggest that, as the most commonly used drugs in this group were opioids, this resembles the “double effect” of pain relief, not euthanasia, and that death in many cases was not hastened. The incidence of voluntary euthanasia in Belgium, without specific request has, in fact, dropped from 3.2% in 1998 (prior to VE law) to 1.8% in 2007 (18)

12 The claim: Opinion Polls showing over 80% support for euthanasia are based on fear.

* Australian opinion poll use professional bodies with statistically valid survey sampling methodologies and the unambiguous question ‘If a hopelessly ill patient, experiencing unrelievable suffering, with absolutely no chance of recovering, asks for a lethal dose, should a doctor be allowed to give a lethal dose or not ?’ Affirmative responses were 80% in 2007 (Newspoll), 85% in 2009 (Morgan), 77% in 2011 (Newspoll) and 82.5% in 2012 (Newspoll). A poll by The Australia Institute in 2010 showed 75% support for choice for voluntary euthanasia.

13 The claim: It’s just the upper middle class who want euthanasia.

* The above scientific polling refutes this claim and indicates that the high level of support crosses socio-economic, party political, gender, age and other indicators (Newspoll, 2012).

14 The claim: Euthanasia is a solution for the increasing health budget and the problem of an ageing population.

* The drive for law reform is based on compassion for suffering, not economic indicators. Safeguards in the legislation preclude forced euthanasia of the elderly.

15 The claim: Pressure will be placed on people in a stressful time of life to ask for euthanasia.

* Advance Directives that are revokable both in writing and verbally are a mechanism to ensure people make a choice about their life and death when they are not under stress. All legislation requires a considered approach to euthanasia, with the decision being required to be reviewed in the presence of medical and or independent witnesses and a mandated ‘cooling off’ period.

16. The claim: Euthanasia allows vulnerable people to be targeted.

* The Australia21 report in 2013 concluded “Safeguards to protect the vulnerable are working well internationally.” (19) In June 2012, after hearing a challenge against physician assisted dying laws in British Columbia, Canada, Hon. Madam Justice Lynn Smith of the Supreme Court of British Columbia concluded there is “No evidence of inordinate impact on vulnerable populations appears in the research.”(20) Research in the Netherlands and Oregon USA concurs (21).


6) Centeno C; Clark D; Rocafort J; Lynch et al., Task Force on the Development of Palliative Care in Europe, European Association for Palliative Care (EAPC).

7) Palliative Care Development in Countries with a Euthanasia Law, European Association for Palliative Care (EAPC) Kenneth Chambaere, Carlos Centeno, Erick Alejandro Hernandez, Yanna Van Wesemael, Francisco Guillt-n-Grima, Luc Deliens, Sheila Payne

8) Centre to Advance Palliative Care, http://www.capc.org/reportcard/


15) Regional euthanasia review committees Annual report 2012 (Netherlands)


20) Read the judgement at: http://archive.org/stream/609392-bc-130303-righttodie/609392-bc-130303-righttodie_djvu.txt