Submission to:

Victorian Parliament’s Legal and Social Issues Committee: End-of-life choices

Civil Liberties Australia’s position is that end-of-life choice is an individual human right.

The state has no authority over the right of people to make their own individual choice regarding ending their life. Any such attempt at legislation is moot, because it is unenforceable after the event anyway.

Where people freely choose to end their own life, but are physically incapable of doing so, it is their right to receive assistance to implement their free choice. The state has a role in crafting simple laws to ensure such a person is making a completely free choice.

People who, through their religious or like belief, are opposed to individual choice over end-of-life are free to exercise their own convictions for themselves. They are not free to impose their beliefs on people with different (or no) religious or like beliefs. The state has no role in legislating for religious or like beliefs, which are individual (or group) choice matters.

Supporting the common sense of the above statements, public opinion polls over decades have shown overwhelming support – regardless of mainstream religious belief – for the right of terminally ill people to have medical assistance to die, provided there are legislated safeguards ensuring the choice of death is freely made. Parliamentary representatives should endorse the expressed wishes of the vast majority of the electorate, usually reported in reputable polls as greater than 70%: for elderly people (over 70) – those for whom the issue is important and relatively more timely – support for such legislated free choice is even greater.

Knowing that one has control over the end-of-life life decision gives peace of mind in what are usually distressing physical circumstances. If a state negates that practical choice, it is effectively inflicting additional mental pain and uncertainty suffering on someone in terminal ill health in what could amount to “unusual punishment”.

Civil Liberties Australia urges the Victorian Parliament to again stand up for human rights by legislating for assisted individual choice over end-of-life, with responsible safeguard mechanisms.

Yours truly

Dr Kristine Klugman OAM
President

5 August 2015