



Go Gentle Australia

News Update



The road ahead in Victoria

2017 is a year of great promise for anyone who supports the choice of voluntary assisted dying. As we report later in the newsletter, there is action – at various stages – across virtually all Australian states. In Victoria the clock is now ticking on a conscience vote to be held in the state parliament in the second half of the year.

To date Victoria has been an object lesson in how to bring politicians and the public along in the process of legislative change. The milestones are:

- Midway through last year a cross party Victorian Upper House committee recommended that the government introduce voluntary assisted dying legislation.
- At the end of last year, Victorian Premier Daniel Andrews agreed that the government would back the introduction of legislation. This was a critical move. It meant that the resources of government would be committed to supporting the bill in its passage through the house. Virtually all previous attempts in Australia have been private members' bills, which means they do not get nearly the same level of support.
- Earlier this year the Victorian Health Minister, Jill Hennessy, introduced a further layer of consultation when she appointed an expert committee to advise on the technical aspects of the legislation. Significantly, the

Minister appointed as chair Professor Brian Owler, a neurosurgeon and immediate past Federal president of the AMA. The AMA, of course, has maintained a policy of opposition to voluntary assisted dying even though an internal survey last year revealed its membership is close to evenly split on whether or not VAD should be legalized.

The Owler committee is [seeking stakeholder comment](#) on key areas of legislation such as eligibility and safeguards, with comments closing on April 10.

Significantly the Victorian Health Minister has made it clear that the legislation will have a narrow scope, similar to legislation which has operated successfully in the USA. She has positioned it this way:

‘The Andrews Labor Government believes that all Victorians are entitled to high quality end of life care, consistent with their preferences and values. This includes people having access to high quality palliative care, the right to consent and refuse medical treatments through advance care directives and, in limited circumstances, the option of voluntary assisted dying for those with a terminal illness who are dealing with unbearable suffering.’

At the same time there has been a landmark legal decision which endorses the approach of Dr Rodney Syme, well known to Australians for his advocacy of voluntary assisted dying under strict conditions. The Medical Board of Australia had accused Dr Syme of being a ‘danger’ to patients because he had supplied, or offered to supply, Nembutal to dying patients facing unbearable suffering. However, the Victorian Civil and Administrative Tribunal found in favour of Dr Rodney Syme last December, noting that:

‘The holistic approach adopted by Dr Syme is entirely focused upon supporting the patient in life rather than pre-empting the patient’s death’ and that his actions were consistent with the AMA’s advice that ‘all patients have a right to receive relief from pain and suffering even when that may shorten their life’.

The Tribunal was critical of the Medical Board, saying that they ignored ‘the fact that a rational and competent patient may reach a stage when they choose not to endure any further intolerable suffering or rely upon traditional palliative care’.

It went on to say that ‘the Board effectively dismisses or discounts:

1. The right of any individual of sound mind to seek reassurance that they will be able to, if they wish, control the manner of their dying.
2. The palliative effect on a patient, knowing that they are dying; and

3. That the reassurance of the promise or actual possession of the drug does not, from the patients' perspective, place them at any risk.'

Of equal importance is the tribunal's finding that Dr Syme's work was entirely consistent with good palliative care, and indeed that it was indistinguishable from it. Significantly, two palliative care experts advised the tribunal in its findings.

It now remains to be seen if the Victorian government's careful legislative process and the power of the facts of Dr Syme's case will convince a majority of the Victorian parliament to vote in favour of the legislation.

The case looks compelling. But we will need your help to make it happen. If you live in Victoria, the best thing you can do is contact your local state member to let them know – via email or in a meeting – that this issue really matters. Victorians – and indeed anyone in Australia - can also make a financial contribution, to help us with our campaign effort.

Change won't happen without you. And now is the time.



Developments from around Australia

Shayne Higson covers developments around the country:

- NSW - Cross party working group close to releasing its final draft Bill.
- Tasmania - Bill tabled in November 2016 could be debated as early as next month
- WA - Freedom of Choice campaign launched by Dr Alida Lancee
- Queensland - Health committee cannot make a decision about an Inquiry into End of Life Choices.
- South Australia - SAVES continues to campaign
- ACT & NT - Federal Parliament considers Restoring Territory Rights (Assisted Suicide Legislation) Bill 2015

[Read more](#)

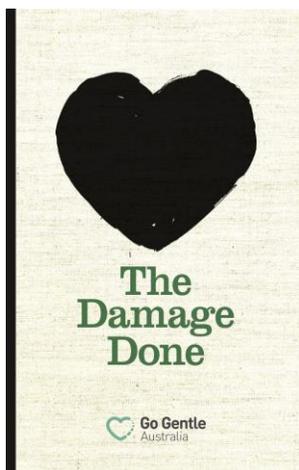


Keep the fire burning

As promised last year, our website now includes the beginnings of a Knowledge Centre, that aims to provide you with information and tools so you can educate yourself and equip yourself, your family and the people around you with the means to have a better conversation about death and dying.

We are aiming to develop materials that help you voice your concerns to your MP. In addition, we are looking at developing some practical tools for end of life planning and getting the conversation going.

To help us continue our work, keep the fire burning by making a [donation on our website now](#).



The Damage Done - now available as eBook!

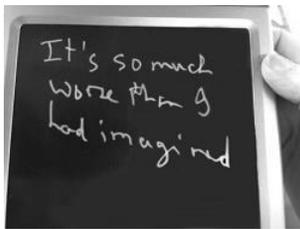
This book is a collection of testimonies that describe the suffering across Australia caused by the absence of a law for voluntary euthanasia.

Order your copy now from our [web store](#) in paperback, ebook for eReaders and Kindles, as well as PDF.

All proceeds from our web shop will be used to help fund our campaign.

[To visit our web shop, click here.](#)

It is also available in all [Readings book stores](#) in Victoria ([click here for locations](#)) for only \$19.99.



Share your story

The Damage Done was only the first collection of testimonies and since then we have received quite a few more. But we know there are many, many more out there, and we'd like to hear them. If you would like to share your story with us, please do so via our dedicated [web page here](#).

We welcome all different formats: written, spoken or video, for example recorded with a smartphone. If we publish your story on our website, we also would love to include the best photo of the person you are writing about, one that shows them happy and full of life.

DONATE

You can also keep up with Go Gentle Australia on [Twitter](#) or [Facebook](#).

Go Gentle Australia, ABN 61 613 668 643 · PO Box 11, St Leonards, NSW 1590, Australia
This email was sent to robjonquiere@worldrtd.net. To stop receiving emails, [click here](#).