

A call to action

With a new Victorian Parliament now holding the reins, it's time for us all to let our representatives know which way they should be heading in the matter of choices for the terminally ill. We can do this by writing, phoning or, best of all, seeing them in their offices.

If you can engage in dialogue, so much the better. Listen respectfully to all views on aid-in-dying, accepting that some people will never hold our point of view. But we hope that others may come to acknowledge that choice in dying is a matter for individual conscience in a secular society.

What we're about is choice!

We all need to convince politicians that workable law exists elsewhere, and could do here. We want the Parliament to investigate, with an open mind, how this state could legislate compassionate choice, and an excellent way is for the Government to make a referral to the Victorian Law Reform Commission for full community consultation.

Other helpful actions you can take include calling talkback radio, writing to media and leaving comments on websites, as well as talking about the issue with friends and family.

As a start, why not visit the DWDV website, www.dwdv.org.au, and click on the 'Take Action!' tab, then 'Contact Your Politician.' Here you'll find all your own politicians' names, along with an email form and helpful tips on what you might say or write to them.

The ethics of one-sided discussion

Let me first wish all our members and readers health and happiness in the coming year as we continue our drive for legislative support for dying with dignity. Recent and forthcoming developments here and abroad suggest that the movement is gaining ground, giving us some cause for optimism.

However, my recent attendance at the 2011 national Catholic Bioethics Colloquium held in Melbourne in January showed me that the voices of opposition are still strong. Around 60 people attended from around the country. The theme was 'Eugenics in Contemporary Bioethics.' Eugenics is the advocacy of, or practices aimed at, improving the genetic composition of mankind for its own perceived benefit.

There was certainly some lively discussion, particularly around genetic screening and physician-assisted dying. But much of it was given the Catholic focus — that is, at one end of the spectrum. I did remark during proceedings that the ethics of a colloquium based on a single religion's assumption that it had 'the one true answer' for all of society, including those of different faiths or of no faith, could be

questioned. The answer was simply 'of course we're ethical and not trying to force our view on anyone.'

If that is true then I challenge the Catholic Church to say what it likes to its congregations within its churches, but not to engage in political lobbying of the parliamentary process of an independent secular state, as it has done in the past, including the Victorian State election last November.

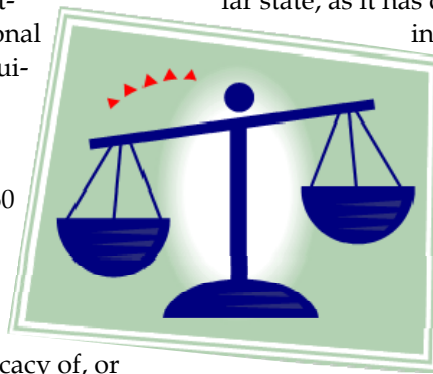
Lobbying to deny a freedom of choice to rational, competent adults who do not share the Vatican's world view is indeed seeking to ensure that all of society enacts

that one world view.

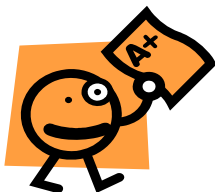
On the other hand, lobbying to facilitate freedom of choice suffers no such ethical dilemma: each individual can in a climate of choice observe and practise in accordance with their own values and beliefs.

Having said that, I was extremely grateful to be afforded the courtesy of being able to attend. Respectful dialogue and engagement is always welcome.

*Neil Francis — President and CEO
More on the Colloquium, see page 3.*



Pollie-watching — please report



If you have a conversation with a politician about dying with dignity, or receive a response to a letter or email that you've written expressing your views and expectations, please let us know. It's important for us to be aware of what your representatives are saying to you. And tell us if you feel you had some success in putting over your point of view.

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From near & far

Movement in Tasmania

Hobart — Newly elevated Lara Giddings is the first Tasmanian Premier to publicly voice commitment to physician-assisted dying legislation. In her recent press conference she confirmed the issue is 'close to her heart.'

Previously, as Health Minister, Ms Giddings supported Greens' leader Nick McKim's unsuccessful *Dying with Dignity Bill* in 2009.

In 2010, as Deputy Premier, she announced there would be a community consultation process before Parliamentary Counsel drafted a new Private Members Bill which she would move jointly with Nick McKim in the Spring 2011 session.

Our sister organisation Dying With Dignity Tasmania supports the proposed process and expects to be closely involved. The community consultation stage will be an excellent opportunity to spell out facts and challenge misleading statistics and false claims put forward by many opponents of reform.

And in South Australia

Adelaide — Sadly, the South Australian Legislative Council voted down the Mark Parnell aid-in-dying Bill last November after a flurry of misguided assaults from reform opponents. However, we believe that the Bill is 'still alive' and due for revisions on the basis of feedback from last year's debate.

And SA Health Minister John Hill is considering introducing a different kind of Bill that would modify criminal law by providing a defence for a doctor assisting a patient to die — namely, that the patient had requested it in their own best interest.

There is a good chance for one or other of these Bills to be passed in SA.

France continues to ponder

Paris — In January the French Senate voted against legalising aid-in-dying. However, a national survey aims to cast more light on end-of-life issues and related medical practices in France, including looking at processes in other countries where aid-in-dying is legal. So the door has not been slammed firmly shut, but is still open for further conversation.

Third US State may legislate

Montana — A Montana State Senator has introduced a Bill in the Montana Legislature which would protect terminally ill patients to choosing aid in dying. This follows a 2009 ruling that there is no state legislation preventing patients from seeking the help of physicians to die.

If passed, Montana would join Oregon and Washington in having legislation supporting death with dignity. Recent indications are that the Bill has a good chance of success. Fingers crossed.

Taiwan's progressive law

Taipei — Taiwan's parliament has approved a revised Bill to allow close relatives to request the withdrawal of life support for patients who are terminally ill and also non-cognitive. Requests would be subject to assessment to check that there was no chance of the patient either recovering or regaining consciousness. The legislation revises Taiwan's *Hospice and Palliative Care Act*, which previously required the patient to have given prior permission for life support to be turned off in the case of terminal illness.



Dutch clinic plan

Netherlands — If financial support can be found, the Dutch voluntary euthanasia society NVVE is planning to open an eight-person clinic in 2012 where people can go to end their lives. It estimates that about a thousand people a year would likely use its facilities, which would cater for people previously refused aid in dying by their physicians.

Although euthanasia is legal in the Netherlands, doubts have been expressed about the proposed clinic, including by the Dutch medical association which opposes it in principle.

Influential British supporter

UK — A pioneering heart transplant surgeon has announced his support for Britain's right-to-die campaign.

Sir Terence English performed Britain's first successful heart transplant in 1979 and is a former president of the Royal College of Surgeons. By publicly announcing his stance, he adds weight to demands for doctors to be allowed to help terminally ill patients to die at a time of their own choosing.

Sir Terence has said he would be prepared to personally assist a patient to take their own life provided that he knew the patient was terminally ill, of sound mind and had not been unduly influenced by friends or relatives.

Oregon doco wins at Sundance

Utah — *How to Die in Oregon*, a compassionate documentary by US filmmaker Peter Richardson about terminally ill patients choosing a doctor-assisted death, has won the Grand Jury Prize at the prestigious 2011 Sundance Festival in Park City. It will air in the USA on the HBO channel later this year.

The film is described as 'heartbreakingly honest' and should be a valuable resource in the aid-in-dying conversation—now receiving growing attention in the context of the national healthcare debate in the US.

'In the end, we will remember not the words of our enemies, but the silence of our friends.'

Martin Luther King
(1929–1968)

Let your politicians
know your views *today!*

SBS TV shows *Living the End*

Australia — An impressive Australian documentary was shown on SBS1 in January. Titled *Living the End*, it showed three patients in Sydney's St Vincent's Hospital coming to terms with the prospect of dying.

Though the question of physician-assisted death wasn't directly canvassed, programs like this encourage the community to discuss what constitutes a 'good death.'

The doco will remain viewable for a short while on the SBS website at www.sbs.com.au/documentary/.

Catholic 'Eugenics' colloquium report

The opening public keynote address of the colloquium was delivered by NSW Government Whip in the upper house, Greg Donnelly, who is vehemently opposed to aid-in-dying reform. He provided no argument against aid-in-dying: its evils were just assumed. That was probably appropriate given that I was the only reform-supporter in the room!

Donnelly's speech said nothing constructive, and railed from start to finish—firstly against the Greens, and then against YourLastRight.com, the national alliance of all state and territory Dying With Dignity and VE societies. He complained at length how effective we are! Cold comfort for his audience, but I think we should be heartened that our opponents think we shall succeed in law reform in Australia in the not-too-distant future...for so do we.

The conference covered a wide range of topics including genetic screening, disabilities, aged care and aid-in-dying. To qualify as eugenics, any 'improvement' has to ultimately pass on intended changes of genetic makeup (whether by inclusion or exclusion) to future generations. However, nobody at the meeting explained quite how the staying alive or otherwise of a person suffering intolerably and without relief at the end of life (presumably with negligible to no reproductive capacity) would in any way 'improve the genetic composition of mankind.' The criterion is clearly not relevant in near-death medical cases.

Papers presented ranged from the factual and scholarly (such as a presentation

on the law in relation to assisting a suicide), to the anecdotally interesting (e.g. spiritual care), to what can most generously be described as slavishly quoting the Vatican as the world's only source of information on aid-in-dying.

While one affords respect to all those who observe the Catholic tradition, providing just one viewpoint without balance is hardly the stuff to inform public policy, including for the great majority of Australians who are not Catholics. Even three out of four Catholics disagree with the Vatican's position on physician-assisted dying (*Newspoll research, 2007*), believing it should be a choice.

DWDV Vice-President Dr Rodney Syme presented a literature review and discussion on terminal sedation, equating it to 'slow euthanasia', the only difference from explicit aid-in-dying being the time to death. In heated response, a journal paper was brandished about, with some

shouting that it proved that terminal sedation does not hasten death.

The proffered paper did no such thing. Although its approach to patients was highly ethical, its methodology was so loose as to deserve a range of serious criticisms (too many to set out here). Even the authors themselves described at least two specific medical pathways via which terminal sedation can be reasonably foreseen to induce an earlier death.

There was much confusion among the audience as to what constitutes 'terminal sedation'. Dr Syme was talking specifically about deep continuous sedation provided to the patient until death occurred. But the audience confused this with any form of sedation, however light or intermittent, or with whatever class of drug, applied during palliative care.

Also, various speakers confused voluntary euthanasia with non-voluntary and involuntary. Many made vague claims about 'vulnerable' subgroups, and supposed negative effects on the quality of palliative care, without ever considering the clear published evidence to the contrary. Some misrepresented data from lawful jurisdictions (e.g. Belgium and Oregon). One speaker railed at length about how the professional body of which she was a member expected her to have no conscience because its position on aid-in-dying for the terminally ill is neutral.

Poppycock and straw men! The very point of its neutrality is to afford each one of its members the independence to form and exercise their own personal stance on aid-in dying.

Neil Francis

Oregon 2010 report

- 96 terminally ill patients were issued with prescriptions for medications.
- 65 ingested medications and died. Their median age was 72.
- This corresponds to approximately 21 deaths per 10,000 total deaths.
- Most died at home, and most were enrolled in hospice care at the time of their death.
- A total of 525 patients have died under Oregon's *Death with Dignity Act* since the law was passed in 1997.

Support Bob Brown's Restoring Territory Rights Bill

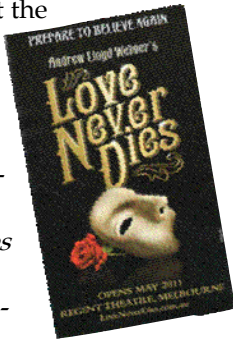
In addition to letting the new Victorian Parliament members know your views on aid-in-dying, the Senate is soon due to debate and vote on Bob Brown's bill aimed at restoring territory rights to legislate on the subject.

Unless you speak up, the Bill is likely to be lost. So write to or call all Victorian Senators and urge them to support the Bill. If you leave it to someone else, they'll leave it to you, which means Senators won't hear from any of you. They need to know the wide degree of support for this reform amongst Victorians, for Territorians to have the same representational rights as citizens of Australian States.

Victorian Senator	Likely to...	Email	Phone (03)
Kim Carr	Support	senator.carr@aph.gov.au	9639 2798
Jacinta Collins	Oppose	senator.collins@aph.gov.au	9890 7022
Stephen Conroy	Oppose	senator.conroy@aph.gov.au	9408 0190
David Feeney	Oppose	senator.feeney@aph.gov.au	9384 6077
Steve Fielding	Oppose	senator.fielding@aph.gov.au	9802 1922
Mitch Fifield	Unknown	senator.fifield@aph.gov.au	9584 2455
Helen Kroger	Oppose	senator.kroger@aph.gov.au	9888 0091
Julian McGauran	Oppose	senator.mcgauran@aph.gov.au	9650 3622
Gavin Marshall	Unknown	senator.marshall@aph.gov.au	9348 9699
Michael Ronaldson	Oppose	senator.ronaldson@aph.gov.au	9650 0255
Scott Ryan	Oppose	senator.ryan@aph.gov.au	9326 1088
Judith Troeth	Oppose	senator.troeth@aph.gov.au	9614 4266

Support our Phantom fundraiser!

Help DWDV at the same time as enjoying yourself, by purchasing much-sought-after tickets to this magical show.



Love Never Dies is the long-awaited sequel to The Phantom of the Opera, Broadway's longest-running box office smash hit. The Melbourne show is set to star Ben Lewis (McLeod's Daughters, Priscilla, Spamalot) and

Anna O'Byrne (Phantom, De Fledermouse, Midsummer Night's Dream).

We have acquired a limited number of matinee tickets, available at concession (Seniors and Pension card holders) \$80 and non-concession \$95.

Book now so you don't miss out on helping DWDV at the same time as enjoying a superb afternoon's entertainment. This looks like it's shaping up to be the don't-miss show for 2011!

Wednesday 17 August, arrive in plenty of time for a 1:00 pm start at the Regent Theatre, 191 Collins Street.



PHANTOM FUNDRAISER TICKET ORDER FORM

Please detach and post to DWDV, 319 b Salisbury Ave, Blackburn, Vic 3130

No. of tickets @ \$80 each:

OR pay by credit card as follows:

No. of tickets @ \$95 each:

Mastercard Visa AmEx

Total order price: \$

Card : / / /

Your name and address for mailing:

Expiry date: /

.....

Signature

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Please charge my card the total order price shown on this form.

Please make cheque or money order payable to Dying With Dignity Victoria.

(Proof of concession eligibility may be required at the theatre.)

Thanks to Jill Paterson for organising another exciting fundraising event.

New members very welcome

You can join online with secure credit card payment at www.dwdv.org.au (click Membership Application at bottom right of the start page). Alternatively, phone our office on 9877 7677 and ask Rowena to send you a form. Annual memberships are \$20 (single pensioner), \$40 (single non-pensioner), or \$60 (family).

Please pass on your copy of Update to anyone you know who may be interested.

Meetings & Workshops

Members Information Session

Our next informal and informative get-together will be held in Balwyn on 19 March, 2 to 4pm for members, particularly new ones, and other interested people. Why not bring a friend? Gold coin donation requested on the day.

Workshop 1: Advance Directives

Led by Dr Rodney Syme, this friendly and comprehensive workshop will teach you all you need to know about completing and storing DWDV documents aimed at ensuring your end-of-life choices are respected. To be held in Kew on 11 April, 10am to 12.30pm.

Workshop 2: Dignity in Dementia

To be conducted in Kew for the first time on 9 May, 10am to 12.30pm, by Dr Rodney Syme. Based on his experiences of many people's fear of developing dementia, attendees will (1) learn about dementia and its effects; (2) understand how it is diagnosed and managed; (3) have the chance to undertake a simple test as a baseline for future diagnosis of dementia; and (4) complete DWDV's new Advance Directive for Dementia to document your treatment or refusal wishes.

Workshop fees: Member pensioner \$20; Member non-Pensioner \$40; Non-member pensioner \$40; Non-member non-pensioner \$80.

For all meetings and workshops ...

Easy public transport access. Please call the office on 9877 7677 to register your attendance. Workshop fees can be paid by credit card, cheque or money order. More details given upon registration.