Be alert and alarmed

Political game-playing threatens VAD reform

Recent weeks have seen a lot of senseless game-playing by a number of political parties on the issue of voluntary assisted dying that should make Queensland voters both alert and alarmed.

The Guardian news website reported on 28 July that the Liberal National Party was discouraging its MPs and candidates from engaging with advocates of voluntary assisted dying such as members of the My Life My Choice coalition.

The story helped explain the reticence among some senior figures in the LNP’s parliamentary and organisation wings even to acknowledge voluntary assisted dying law reform as a significant community issue and an issue that can help decide which way some Queenslanders will cast their votes on election day in October.

On 3 August The Australian carried a story indicating that both One Nation and Katter’s Australia Party would not support a VAD Bill going to parliament in the next term.

The current state government would be expected to receive a Bill drafted by the Queensland Law Reform Commission next March and send it to parliament for our 93 state MPs to consider. It is not known if that would happen under an LNP government, and if a minority LNP government relied on support from One Nation or KAP MPs then it certainly would not occur.

It is short-sighted of any political party to shut the door on discussion of VAD, as it is an issue that rightly should cross party lines — not to mention the fact that it is consistently shown to have 70-80% voter support.

If and when a VAD Bill reaches the floor of the Queensland Parliament, MPs of all parties should expect to exercise a conscience vote so the “official” policy or attitude of their party means little. In addition, all MPs regardless of their personal attitude towards VAD should be willing to vote in line with the interest of their constituents.

The MLMC partners will be quizzing all MPs and candidates seek re-election or election in October on their views on VAD law reform. We look forward to letting you know where they stand when we collate the results.

In the meantime voters themselves should take every opportunity to ask their local candidates if they will vote for VAD.

Candidates need to get the message that VAD can mean votes.

David Muir
Chair
The Clem Jones Trust

INSIDE:
The key questions candidates must answer

National Party leader backs NZ’s new laws

Constituents’ stories help change UK Conservative Party MP’s mind

Tassie MP behind VAD Bill rejects criticisms by ‘pop-up’ church group

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Where do your would-be MPs stand on VAD?

The Queensland Law Reform Commission is currently working to draft a VAD Bill after the current government referred to it the findings of the Parliamentary Health Committee’s inquiry into end-of-life issues.

The QLRC has been asked to present its draft Bill by March 2021 to whatever party or parties form the next government for the 2021 to whatever party or parties present its draft Bill by March 2024 term.

While the details of a Bill won’t be known until March next year voters need to know right now the views of those who are seeking to represent them in the next Queensland Parliament by standing as candidates at the 31 October state election.

It’s up to all of us as voters to quiz our would-be MPs about their stand on VAD.

The fate of a VAD Bill will rest in the hands of the 93 men and women Queensland voters elect at the October poll.

Even though no VAD Bill exists right now, MPs and candidates can still say whether or not they back voluntary assisted dying in principle.

Do they believe voters should have the right to seek access to VAD or not?

The answer to that question does not rely on the details of any legislation.

The VAD debate has been raging for decades and anyone seeking to enter public life must have an in-principle view.

Even if they personally oppose VAD, will they vote in support of a VAD Bill because it is what their constituents want?

These are the questions all candidates should be able to answer right now.

If any of them won’t, you need to find and support one who will.

The recently elected leader of the Nationals — New Zealand’s major opposition political party — is a supporter of voluntary assisted dying laws.

Judith Collins (pictured) was elected in July as party leader and NZ’s Opposition Leader and would-be PM in the wake of the surprise resignation of Todd Muller after less than two months in the job.

As a Nationals MP, Ms Collins had voted against a previous VAD Bill in 2003.

She also voted against the first reading of the End of Life Choice Bill last year, but later in debate changed her stand to be among 69 MPs supporting its passage while 51 voted against it.

In an emotional speech to parliament, Ms Collins cited her experience watching her father die from bone cancer as a factor in her change of mind.

She said although she was once opposed to voluntary assisted dying, she now believed that giving people the choice to die with dignity was the right thing to do.

“I’ve talked to many people about this issue,” Ms Collins told the NZ Parliament during debate in June 2019.

“It’s troubled me for a long time, and this year I have been very troubled by it because I’ve felt that, having been opposed to it, I was on the wrong side. I am on the wrong side of it in opposing it.

“I’m on the right side now, saying that everybody deserves some dignity in their lives,” she said.

NZ’s National Party leader backs VAD law

Kiwis still support choice

A recent opinion poll shows a majority of New Zealanders support voluntary assisted dying.

VAD laws passed by NZ’s Parliament are subject to approval by voters at a referendum at the country’s 19 September election.

The results of a poll by Research NZ showed 64% of respondents favoured VAD, 18% did not support it, 9% did not have a view either way, and 7% said they didn’t know.

When the same question was asked in December last year about 70% were in favour of the legislation.

Mr Muller had opposed the VAD law which will be the subject of a referendum on NZ’s 19 September election day.

He said his Catholic faith helped him decide his conscience vote against the law in parliament but he had not and would never try to impose his views on others.
Constituents prompt UK Conservative Party MP to change his mind

A long-serving Conservative Party Member of the House of Commons in the UK, Andrew Mitchell, has outlined his reasons for backing voluntary assisted dying and pushing for law reform by the British Parliament after decades of opposing it.

When I entered the House of Commons in 1987, I was adamantly opposed to all forms of assisted dying.

But over the years (perhaps it is part of the ageing process) I have completely changed my mind. Let me explain why.

It is first and foremost because of my experience as a constituency MP.

I have sat in my office in the Royal Town of Sutton Coldfield and heard stories from so many of my constituents.

Often with tears pouring down their faces, they have given me deeply intimate details of the last days of someone they loved but who died a miserable and sometimes very painful death.

By the end of these meetings, often with tears coursing down my own face, I was invariably left with two overwhelming feelings: the first is that we would not let an animal we loved be treated in such a way and, second, I do not myself wish to go through the sort of end of life experience that my constituents have so often eloquently described.

And just as I would not want it for myself, I no longer want members of my family or those I represent in Parliament to have to navigate so awful an end.

I believe the time is approaching when Parliament must examine this again. This is not a party political issue subject to whipping; it is an issue of conscience where members of the House of Commons hold different views reached entirely honourably on the basis of their own personal beliefs.

Assisted dying could be the great liberal reform achieved by this government. Public support for assisted dying is overwhelming and consistent across all parts of society. Out of the British public, 84% support assisted dying including 86% of Conservative voters.

Of Conservative Party members, 67% support assisted dying. It is interesting also to note that 79% of people of faith and 86% of people with disabilities support assisted dying.

Support is also highest in the North East, East Midlands and Yorkshire and Humber. It is lowest in London.

So this is not a liberal metropolitan issue; it is one that unites the country.

‘Around 300 terminally ill people take their own lives every year behind closed doors.’

Assisted dying is legal in 10 states in the United States of America (some for more than 20 years), two states in Australia, in Canada and likely to be nationwide in New Zealand later this year.

It is interesting to note that in no country with legalised assisted dying has the law been repealed.

In Britain we now have the opportunity to look at the differing legislative approaches in all of these countries, evaluate them, and deliver the best possible results for our constituents.

Consider these facts. Every day 17 people in the UK will die in pain and distress that cannot be prevented by even the very best palliative care.

Hospices now acknowledge that some dying people are in so much pain medication doesn’t work.

One Britain travels to Switzerland for assisted dying every week at a cost of around £10,000, the expense, the difficulty of traveling when terminally ill and the challenges of obtaining the necessary documentation put this option out of the reach of all but a few.

Those who accompany their loved ones to Switzerland run the risk of police prosecution.

Around 300 terminally ill people take their own lives every year behind closed doors. The effect of these suicides on their family and on responders can be devastating. Some of them have gone wrong, which has added to the immense distress.

The medical profession’s views are shifting too: the Royal College of Physicians moved its position to neutrality in 2019 and the Royal College of General Practitioners who surveyed their membership this year found a surge in support for assisted dying – 41% compared to just 5% in 2013.

As assisted dying becomes more established and understood in other English-speaking countries, demands in the UK for the law to change will continue to grow. So finally, what are the modest changes those of us who want reform are seeking?

We want to give people who are terminally ill (and also in the final months of their lives) the option of dying on their own terms. We want this to be an active choice by a rational person to end their own life as they wish.

The change in the law we propose would contain stringent safeguards to protect people; it would only be accessible to mentally competent adults.

Two doctors would assess the person making the request to ensure that they met the eligibility criteria under the law. They would explain all other care options in full.

A High Court judge would examine the person’s request and make sure that it was being made voluntarily – free from any pressure or coercion.

Once the request was approved, a doctor would be able to prescribe life-ending medication for the person who would then take it themselves under the supervision of a doctor or another healthcare professional.

Healthcare professionals who wanted to exercise conscientious objection would, of course, be able to do so.

There would be clear reporting procedures for doctors as well as monitoring through an annual report published by the government.

The law change we propose is based on one that has operated in Oregon in America for 23 years. We would like to add additional safeguards to make it right for the UK. There have been no cases of abuse of Oregon’s law and no extension of its eligibility criteria throughout these 23 years.

This model of assisted dying legislation has since been adopted in nine other US states and passed by lawmakers in Australia and NZ.

Wherever you stand on this issue, let us now have a calm and measured debate on the best way forward. I believe this is a reform whose time is approaching.
Tasmanian MP calls out opponents

Gaffney rejects claims on safeguards in VAD Bill

The Tasmanian independent upper house MP behind the latest effort to have the state enact voluntary assisted dying laws rejects claims about safeguards made by a newly formed anti-VAD lobby group.

Mike Gaffney said his Bill contained the necessary safeguards to protect vulnerable people.

Responding to criticisms of his Bill by the new Live and Die Well group, he suggested that opponents examine the text of the Bill “more thoroughly and carefully”.

Live and Die Well — including a number of member churches — claimed Mr Gaffney’s Private Member’s Bill contained eligibility criteria which were too broad.

“No-one will be eligible for [VAD] just because they’ve got a particular condition - they must meet many requirements including intolerable suffering and serious, incurable and irreversible medical conditions with no chance of recovery, improvement or relief,” he said.

“They must also be competent adults, making repeated, voluntary and informed requests, that are checked and agreed by at least two doctors.”

Mr Gaffney said Live and Die Well were repeating the same claims peddled by a minority of community members who “opposed voluntary assisted dying wherever laws have been proposed”.

“In every campaign against VAD laws, there are ‘pop-up’ groups like this with very few members and which are religious-based, repeating claims that have little basis in evidence or reasonable assumptions,” he said.

Read the consultation draft of Mike Gaffney’s End of Life Choices (Voluntary Assisted Dying Bill) 2020 by following this link.

Greens’ petition breaks record

An online petition calling on Tasmania MPs to pass Mike Gaffney’s VAD Bill has drawn a record response.

The petition sponsored by the leader of the Tasmanian Greens, Cassy O’Connor, was initiated in February and had more than 11,300 signatures when it closed on the Tasmania Parliament’s website on 6 August.

Ms O’Connor said the petition was largest e-petition to ever be submitted to the state’s parliament and demonstrated that Tasmanians supported Mr Gaffney’s proposed VAD law reforms.

Ex-pollie backs reform efforts

A fellow former independent Tasmanian MP has fully backed the Gaffney Bill.

Kerry Finch, who announced his retirement in June as an upper house MP, said he viewed VAD as “a deeply personal choice”.

“Each person will be guided by their own faith and convictions. It will always come down to a matter of conscience,” Mr Finch wrote.

He said the Gaffney Bill took account of the need for strict safeguards both for patients choosing to access voluntary assisted dying and for the health professionals involved as well as those with conscientious objections.

It also proposed a legislative framework that would sit alongside palliative care.

“I strongly applaud the Independent Member for Mersey, Mike Gaffney MLC for the tireless work he has done on this bill, it deserves strong support,” Mr Finch said.

Former D-P identifies VAD as a key point of difference

Queensland former deputy premier Jackie Trad says there is a clear difference between the state’s two major parties on the question of voluntary assisted dying.

In an article published in The Australian on 1 August (pictured), Ms Trad said Ms Trad, who faces a tough fight to retain her inner-city seat of South Brisbane in the wake of a rise in local voter support for the Greens, said voters could expect a returned Labor government to receive a VAD Bill from the Queensland Law Reform Commission and put it to parliament.

“What we don’t know is whether the LNP will do the same,” she told The Australian.

In a separate interview with the National Secular Lobby Ms Trad said the growing influence of the so-called “religious right” in conservative political parties was a worry.

She alleged “highly organised and motivated ideologues” were determined to change the LNP “from the inside”.

Ms Trad said the LNP leader Deb Frecklington herself had talked of “backroom bully boys” trying to control the party in their bid to have it reflect their “hardline conservative” beliefs that were anti-VAD.

“This is all occurring without the knowledge of branch members and to the detriment of their parliamentary representatives.”

As expected for a Labor Party MP, Ms Trad warned of what she saw as the consequences for supporters of voluntary assisted dying and any VAD Bill if the LNP were elected in October.

She said VAD would be off the table completely.”
US state shows how it can be done

New Jersey issues first report on its VAD system

The American state of New Jersey has issued its first report on the operations of its voluntary assisted dying system, or medical aid in dying as it is often known in the USA.

The report contains data relevant to the current debate over VAD in Queensland because it shows the type of people seeking access to voluntary assisted dying and the low numbers of people who make use of it.

The state in the north-east of the US with a population of 8.9 million has offered VAD since late August 2019 under its Medical Aid In Dying Act.

The report covers the five months from the introduction of VAD to the end of December 2019 and shows:

- 12 New Jersey residents ended their lives in the August-December period,
- they included six men and six women who received life-ending prescriptions under the MAID Act,
- the patients ranged in age from 50 to 94,
- their average age was 71,
- a form of cancer was the leading underlying illness in seven of the 12 cases,
- there were three cases of patients with a neurodegenerative disease, each with amyotrophic lateral sclerosis (ALS),
- the remaining two patients had a pulmonary disease and a gastrointestinal disorder.

A significant figure to emerge from the report was the fact that 10 of the 12 patients died at home, another at a nursing home and one at another person’s home.

It highlights one of the benefits of VAD which allows the terminally ill who are experiencing intolerable suffering to plan the time and place of their death.

The New Jersey report also shows the relatively low number of people who access VAD, contrary to the blatant and misleading scaremongering of opponents who wish to deny a better end-of-life choice to others.

Catholic leader backed law giving VAD choice to NJ

The New Jersey legislature passed the Medical Aid In Dying Act early last year which was due to take effect from 1 August last year.

However, its implementation was delayed as a result of a legal challenge which was eventually dismissed and the law took effect from last year which was due to take effect.

When the MAID Bill passed, the state’s Governor Phil Murphy, a Catholic, signed it into law saying he could not allow his own beliefs to dictate what New Jersey citizens might choose for themselves.

“I have concluded that, while my faith may lead me to a different conclusion, he said.

“Allowing terminally ill and dying residents the dignity to make end-of-life decisions according to their own consciences is the right thing to do.”

Czech government blocks proposed new law

The Czech Government has blocked a second attempt by MPs to introduce a VAD law.

Under the proposed Bill adult patients with terminal conditions due to injury or illness who did not wish to undergo palliative care could seek access to VAD provided they made the decision themselves, voluntarily and without coercion.

Supporters of the Bill included the director of the Czech Republic’s Association of Hospice and Palliative Care Providers.

It was opposed by a number of government agencies and the Czech Bishops Conference.

The government claimed the proposed Bill did not contain enough safeguards. But sponsoring MPs said it did include measures to minimise the risk of abuse.

A previous attempt to introduce a VAD Bill in 2016 was also rejected by the Czech government.

Czech President Milos Zeman is an opponent of voluntary assisted dying. He has previously stated that if MPs ever passed a VAD law he would veto it.