

## Your views on dying with dignity?

By Neil Francis

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Today is the 10th anniversary of the first law in the world to recognise the right of terminally ill people with profound suffering to request medical assistance to die with dignity. Enacted in the Northern Territory in 1996, it operated for nine months before being overthrown by the Federal Government.

In the past 10 years, similar laws have come into operation in the Netherlands, Belgium, Switzerland and Oregon in the United States. Many US states are moving towards it. So are Japan and a number of other countries. Annual audits of the Oregon law in operation over eight years have clearly demonstrated a complete absence of abuse of the process.

In Victoria, new Liberal Party leader Ted Baillieu has already made it clear that he is strongly in favour of voluntary euthanasia but will not seek to make it law unless it has widespread support. It already has.

The overwhelming majority of Australians believe the terminally ill should have a right to choose to die with medical assistance. Independent polls since 1978 have consistently shown this. In the most recent poll (Morgan 2002), 73 per cent of Australians and 76 per cent of Victorians want this law reform and, in repeated surveys, the majority of people from all major religions in Victoria want it. Legislation therefore lags behind the will of the people.

The Federal Government does not have the power to override state voluntary euthanasia legislation.

Steve Bracks has been Victorian Premier for more than six years, but we still have little idea of his position on many social issues such as this. In the lead-up to the next Victorian election, he and all Victorian politicians are being asked where they stand on this issue. Members of the non-profit organisation Dying With Dignity Victoria are asking their elected representatives and election candidates this question, and responses are being posted on the society's website at [www.dwdvictoria.org.au](http://www.dwdvictoria.org.au)

During the brief time the Northern Territory act was in operation, Bob Dent, suffering dreadfully from terminal cancer, became the first person in the world to die legally with medical assistance. After careful deliberation, he pressed a button indicating his decision to end his life and then dropped off to sleep and died peacefully within 10 minutes. People throughout the world are demanding this ultimate right of choice for terminal sufferers, and Victoria is no exception.

Last year, Steve Guest, a terminal cancer sufferer in great pain, publicly appealed for changes to be made to the Victorian law to enable him die with dignity. As he pointed out, terrible suffering and unintended negative consequences occur when there is no right to medical assistance to die with dignity. With no other recourse, many terminal patients attempt to hasten their own end by violent means such as hanging, knife wounds, overdose, exhaust gassing or jumping in front of a train. Even more tragically, many attempts fail, leaving the sufferer in a worse condition.

At present, anyone in Victoria giving advice or assistance to a terminal sufferer who takes their own life risks 14 years' jail. Even being present when the sufferer takes their own life means a risk of prosecution. The result is that sufferers often end their own lives in isolation to avoid the risk of their loved ones being prosecuted. It's a very lonely way to depart this earth and leaves many relatives with feelings of guilt and anxiety - for being powerless to

help the sufferer experience a more dignified, humane and loving departure.

Despite this threat of incarceration, Dr Rodney Syme, president of Dying With Dignity Victoria, has counselled more than 500 terminal sufferers over the years including Steve Guest, for which he continues to be under police investigation. Many sufferers say the availability of advice and medical options itself provides such a profound peace of mind about their end of life that they often don't have to avail themselves of the end immediately.

So, 10 years after the world's first legislation, we are now poised for change in Victoria. Victorians are in overwhelming support of the rights of the terminally ill to die with dignity. The proposals for law reform put forward by Dying With Dignity Victoria in a legislative charter, posted on its website, have already been endorsed by the Australian Nurses Federation (Victoria), the Doctor's Reform Society of Australia, the Victorian AIDS Council, the Victorian Council for Civil Liberties and the Humanist Society of Victoria, as well as by a number of Victorian politicians.

Ultra-conservatives will no doubt continue to make a lot of vitriolic noise in opposition to reform. However, theirs is a stand squarely against the respect for terminally ill people to choose for themselves whether they wish to continue or to go. This time, a November state election is confronting an electorate that is more galvanised and more informed. The will of the people of Victoria is for compassionate recognition of the right for the terminally ill to make their own choices.

Neil Francis is vice-president of Dying With Dignity Victoria.

For assistance or information visit [www.beyondblue.org.au](http://www.beyondblue.org.au), call Suicide Helpline Victoria on 1300 651 251 or Lifeline on 131 114.

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