

MY LIFE MY CHOICE

A newsletter produced for the dominant purpose of educating and raising awareness of the need for voluntary assisted dying law reform in Queensland — No.18 November 2020

OUR CAMPAIGN GOES ON

Election outcome signals start of a new phase

Before discussing the outcome of the 31 October state election and its implications for our campaign for voluntary assisted dying laws, I want to thank and pay tribute to a special group of people.

They are the members and supporters of groups like Dying With Dignity Queensland, other organisations, and individuals who have fought for VAD laws for many years, sometimes for decades.

New laws or changes in existing laws never happen by accident.

It takes a lot of hard work that must be backed by evidence to convince lawmakers that change is needed.

It is the efforts of DWDQ and others over a considerable period that have helped us reach the point where VAD laws for Queensland could become a reality.

Many of those individuals have not lived to see how close we are to achieving their goal. We must never forget them as we continue to work towards laws that deliver far better end of life

options for Queenslanders.

But despite the election of a government that has promised to give all MPs a say on VAD laws, we still have no grounds for complacency.

Annastacia Palaszczuk's commitment to submit a government-backed VAD Bill to the Queensland Parliament in early 2021 was a most welcome development in the election campaign.

But that alone does not mean a VAD law is guaranteed to pass.

The only difference between now and where we were before the election campaign started is that we can be assured that a VAD Bill will be put before our 93 state MPs for them to debate.

But the exact Bill they will have to consider is not yet known.

We are yet to see the Bill that is currently being drafted by the Queensland Law Reform Commission for presentation to the government.

Our VAD campaign has merely



The Sunday Mail
1 November 2020

completed one of its phases.

The election outcome does not mean our own efforts should slacken or halt.

We will seek to continue discussions on the need for VAD law reform with all state MPs in the weeks and months ahead.

The fight will never be over until VAD laws are a reality in our state.



David Muir
Chair
The Clem Jones Trust

A BIPARTISAN APPROACH IS ESSENTIAL

Throughout our campaign for voluntary assisted dying laws in Queensland the My Life My Choice coalition has always maintained that the issue cuts across political party lines.

We have worked with, and will continue to work with, people of all political colours to achieve our goal.

Our approach recognises that any vote on a VAD Bill in our State Parliament will be a conscience vote. MPs will not be bound to vote in line with their party's official policy.

The results of our survey of the 597 candidates standing at the recent election proved that there is a diversity of views across all parties.

We recognise that some Labor MPs may not support a VAD Bill and some LNP MPs will back one.

That is why we will continue to deal with MPs on the basis that on this issue they should be representatives of their constituents and not of their political party.



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Senior church figures take election stands

The election campaign saw several church leaders enter the public debate on voluntary assisted dying to oppose the Premier's plan to take a draft VAD Bill to State Parliament.

The Catholic Archbishop of Brisbane, Mark Coleridge, issued a letter to all congregations which *The Australian* newspaper described as "a blistering attack" on Ms Palaszczuk's government.

The letter was to be read by priests at all Saturday and Sunday masses on the weekend prior to polling day.

In addition, the Catholic Bishop of Townsville, Tim Harris, and the Catholic Bishop of Cairns, James Foley, both made public statements against VAD law reform.

Anglican Church leaders did not raise

the issue nor express their opposition as vigorously as their Catholic counterparts.

The Anglican Bishop of North Queensland, Keith Joseph, did write to the *Cairns Post* to express his support for Bishop Foley's stand. But he said the issue of VAD was one for voters to decide at the ballot box.

A letter to the editor from Bishop Joseph after the election said he now expected parliament would legislate for voluntary assisted dying.

However, that does not mean he and his church along with others will not strongly oppose any VAD Bill.



Hierarchy out of touch with congregation

As church leaders prepare to fight VAD law reform, it is important to remember that reliable research consistently shows their views are out of step with 70-80% of the wider population.

More particularly, recent research commissioned by the Clem Jones Group shows church leaders to be well out of step with their own congregations.

The research conducted by YouGov in February this year (at right) shows a majority of respondents identifying as having religious affiliations were supporters of VAD. Of the major mainstream churches, support was highest among Uniting

Church/Presbyterians. VAD was supported by 68% of those identifying as Catholic.

Even when respondents were broken down into practising and non-practising adherents of a church, the polling showed 60% of practising Catholics backed VAD.

The outcomes make it clear that the church leaders campaigning against VAD as a better end-of-life option are well out of step with fellow followers of their faiths.

As a VAD Bill is drafted, released publicly, and sent to State Parliament we need to remember that anti-VAD messages from the pulpit don't reflect the views of those in the pews.

RELIGION	SUPPORT VAD	OPPOSE VAD	DON'T KNOW
No religion	85	5	10
Catholic	68	16	16
Anglican	79	11	11
Uniting Church / Presbyterian	83	6	11
Other Christian	57	31	13
Other religion	72	7	21

Tables above and below from polling of 1,020 Queenslanders for the Clem Jones Group by YouGov from 31 January to 5 February 2020. Some figures rounded.

PRACTISING OR NON-PRACTISING	SUPPORT VAD	OPPOSE VAD	DON'T KNOW
Practising Catholic	60	24	16
Non-practising Catholic	73	11	16
Practising non-Catholic Christian	54	33	13
Non-practising non-Catholic Christian	83	6	11

Inflammatory terminology doesn't help debate

Opponents of VAD such as some church leaders deliberately but wrongly claim VAD is suicide.

For example, the [submission](#) to the Queensland Parliament's Health Committee Inquiry into VAD by the Anglican Church Southern Queensland made the erroneous claim that VAD is a form of suicide.

These claims are an attempt to mislead and influence the public and lawmakers by conflating two very different actions.

As the WA Parliament's VAD inquiry found: "It is important not to conflate suicide with assisted dying. It is possible to distinguish temporary suicidal ideation from an enduring, considered and rational decision to end one's life in the face of unbearable suffering."

The difference can be explained by considering the decision taken by New York's Chief Medical Examiner, Charles Hirsch, (pictured) when investigating the deaths of office workers who jumped from the Twin Towers during the terrorist attacks



in New York on 11 September 2001.

Faced with a terrible choice between a slow, agonising death by fire, or a quicker death by jumping from the building, many chose to jump.

Hirsch [found](#) that this was a rational choice by those who jumped from the towers as a way to avoid needless suffering.

He refused to classify their deaths as suicides.

As we approach the time when a VAD Bill is made public by the state government, advocates of law reform need to be alert to the type of misinformation peddled by opponents including church leaders and to rebut them whenever possible.

We're a lot closer but not there yet

A big effort by all for election 2020

I want to thank all of the members and supporters of Dying With Dignity Queensland for the hard work they did in the past weeks and months to put voluntary assisted dying on the election agenda.

Without the efforts and dedication of grassroots members and supporters of DWDQ the achievements made towards VAD law reform would not have happened.

We can all recall just how disappointed we all were when it became obvious that the advent of the deadly COVID-19 pandemic meant action on VAD laws in the 2017-2020 term of State Parliament would not eventuate.

That was a hard decision to accept because of how long and arduous our battle has been, plus the uncertainty surrounding the composition of the 2020-2024 Parliament.

Nevertheless, we did try to persuade the government to still proceed with the VAD law reform process but finally accepted the fact we would need to wait.



As a result, our efforts were directed to ensuring that the 2020-2024 State Parliament contained as many pro-VAD MPs as possible. Our own campaign in the lead-up to and in parallel with the overall election campaign was not to promote one party over another but to set out the facts to voters and convince them to think hard about where their local election candidates stood on VAD.

We achieved this through the remarkable efforts of many people who undertook media engagements, physical and virtual meetings, online forums, and many other forms of communication to get our message out to voters.

The Premier's clear campaign commitment to take a VAD Bill to the next Parliament helped our cause immensely.

But as we all should know, our fight is not yet over and we will all need to commit to more hard work in the months ahead to see VAD laws passed.



Jos Hall
President
Dying With Dignity
Queensland

www.dwdq.org.au

Kiwi voters back VAD in a landslide

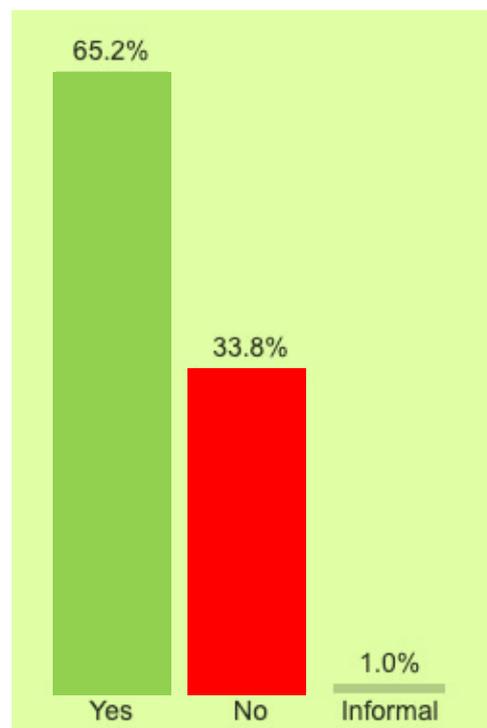
New Zealanders have voted overwhelmingly to approve the nation's voluntary assisted dying law passed by their parliament last year.

The *End of Life Choice Act* was [approved](#) by NZ MPs on the condition it was put before voters at a referendum held in conjunction with national elections on 17 October.

The [preliminary voting results](#) showed more than 65% of voters approved of the new law.

Under the terms agreed to by MPs at the time of its passage, the law will take effect 12 months from the declaration of final voting figures which is scheduled for 5 November.

About 2.42 million votes were cast including more than 1.57 million "yes" votes, almost 816,000 "no" votes, and just more than 25,000 informal votes.



NZ's End of Life Choice Act 2019

BILL INTRODUCED
8 June 2017
FIRST READING
13 December 2017
SELECT COMMITTEE
9 April 2019
SECOND READING
26 June 2019
COMMITTEE OF THE WHOLE HOUSE
23 October 2019
THIRD READING
13 November 2019
ROYAL ASSENT REFERENDUM
17 October 2020
ACT TAKES EFFECT
5 November 2021

Have your say on the VAD Bill

Key provisions require careful consideration

Recently representatives of the My Life My Choice coalition met with staff of the Queensland Law Reform Commission as part of its work developing a draft VAD Bill as required by the state government.

Our meeting was very helpful as it gave us a chance to outline the written submissions made by my own organisation, Doctors for Assisted Dying Choice, as well as those submitted by Dying With Dignity Queensland and the Clem Jones Group.

The QLRC has released a consultation paper that contains a great deal of information it has already compiled on voluntary assisted dying including provisions of VAD laws enacted in Victoria and Western Australia as well as in jurisdictions overseas.

As part of its process the QLRC has set out 50 key questions in its consultation paper to help guide those people or groups seeking to make submissions and help shape the Bill.

Some of the questions ask if a Queensland VAD law should include a provision contained in the interstate laws that prohibits doctors initiating discussions on VAD with patients. (See box at right)

I believe this provision in the interstate laws is wrong and the same mistake should not be made in any Queensland VAD law.

It could have the effect of limiting a patient's knowledge of the entire range of options available to them at the end of life, and may prolong their suffering.



Visit [www.qlrc.qld.gov.au](http://www qlrc.qld.gov.au) to read the consultation paper on voluntary assisted dying and make your submission.

Terminally ill patients deserve to know all options when it comes their treatment including the option of voluntary assisted dying.

The inclusion of the prohibition provision in the Victorian VAD Act – debated and passed in late 2017 and enacted from June 2019 – appears to have been motivated by a desire to protect vulnerable patients and to ensure they were not exploited or coerced.

There are other ways to ensure those events do not happen and it would be unfortunate if under any Queensland VAD law patients were disadvantaged by being not fully informed.

CHAPTER 5: INITIATING A DISCUSSION ABOUT VAD

Q-15 Should the draft legislation provide that a health practitioner is prohibited from initiating a discussion about voluntary assisted dying as an end of life option?

Q-16 If yes to Q-15, should there be an exception to the prohibition if, at the same time, the practitioner informs the person about the treatment options available to the person and the likely outcomes of that treatment, and the palliative care and treatment options available to the person and the likely outcomes of that care and treatment (as in Western Australia)?

This is one key provision that should be addressed by any Queenslanders wanting to have their say on a VAD Bill through the consultation process offered by the QLRC.



Dr Sid Finnigan MBBS, FRANZCO
Queensland Convenor
Doctors For Assisted Dying Choice



Decision delayed on Tasmanian VAD Bill

The Tasmanian Parliament is expected to resume debate on a voluntary assisted dying Bill next week.

The Legislative Council has been considering the VAD Bill sponsored by Independent MP, Mike Gaffney.

It decided last week to adjourn debate until 10 November.

That is when a final vote by the upper house is now expected. If passed, the Bill would proceed to the lower house, the House of Assembly, for debate.

Premier Peter Gutwein said he would ensure the Bill was considered and that MPs in the lower house would be able to exercise a conscience vote.



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Doctors for Assisted Dying Choice

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The *My Life My Choice* monthly newsletter is produced by the Clem Jones Group, Dying With Dignity Queensland, and Doctors For Assisted Dying Choice (Qld) for the dominant purpose of educating and raising awareness of voluntary assisted dying.