

MY LIFE MY CHOICE

A newsletter for supporters of voluntary assisted dying law reform in Queensland — No.9 February 2020

MAKE YOUR VOICE HEARD

Pro-VAD rally set for March 19 outside Parliament House

Supporters of swift action by our 93 state MPs on voluntary assisted dying law reforms should join our rally next month outside the Queensland Parliament.

The My Life My Choice rally is aimed at letting all MPs know that Queenslanders want them to act quickly on any new laws recommended by the current cross-party Health Committee Inquiry due to report by the end of March.

Our rally will be held at Speaker's Corner outside Parliament House in George



Street near the entry to QUT. We hope as many supporters as possible will attend to show MPs the depth of public feeling on

need for action on VAD laws in this term of parliament, before the state election in October, and in line with action already taken in West

MAKE SURE YOU'RE THERE:

- Thursday 19 March 2020
- 1.00pm to 2.00pm
- Speaker's Corner, George Street outside Parliament House



@DWDQLD

Phone: 1300 733 818

Australia and Victoria.

Please let us know you'll be coming along and bring your friends.



Jos Hall
President
Dying With Dignity
Queensland
www.dwdq.org.au

Premier wants to see report then decide on timing

Queensland Premier Anastacia Palaszczuk says she will read the Health Committee Inquiry's report on voluntary assisted dying and then make a decision on how to proceed with any law reforms.

The Premier was quizzed in State Parliament about her approach to the report by the Independent Member for Noosa, Sandy Bolton.

Ms Bolton, a supporter of VAD law reform asked about the Premier's plans for dealing with VAD, given the relatively few sitting weeks available in 2020 before the scheduled October state election.

"With only four sitting weeks scheduled following the Budget session, will the Premier give a guarantee



Sandy Bolton

that recommendations from the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee's voluntary assisted dying inquiry will be debated by members of this parliament before the end of this term?" Ms Bolton asked.

In reply the Premier said: "What I will say to this House is that once I look at that report I will make further comments to this House about what the government proposes to do with that.

"As I have said very clearly, I need to read that report first. I think members would agree with me.

"I think every member would want to read that report. We look forward to the tabling of the report.

"Then once I have read that report I will make a definitive recommendation to this House about whether or not we proceed with that this term."



Aaron Harper

The Inquiry has a reporting deadline of 31 March.

The Premier said VAD was a "deeply personal issue for a lot of people" and the Inquiry chaired by the Member for Thuringowa, Aaron Harper, had conducted "one of the most extensive consultation periods" ever undertaken by a Queensland Parliamentary committee.

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By-election candidates must state VAD stand

New MPs need to support swift action

Two looming by-elections give candidates the chance to tell voters where they stand on voluntary assisted dying.

The elections to fill vacancies caused by resignations of two long-serving state MPs will also allow voters to decide if potential new local MPs share their views on VAD.

The Member for Currumbin in our Queensland Parliament since 2004, Jann Stuckey, has resigned for personal reasons causing a by-election for her seat on Saturday 28 March.

Another experienced MP, Jo-Ann Miller, the Labor Member for Bundamba since 2001, has also resigned.

At the time of publication it was expected the Bundamba by-election could also be held on 28 March.

As a local member Ms Stuckey made every effort to listen to the views of her constituents on the issue of voluntary assisted dying.

She surveyed her electorate on the issue and also hosted a

public information forum last year on VAD at which I had the opportunity to speak.

As an LNP MP, Ms Stuckey firmly believed the issue of VAD must be decided by giving all of our 93 state MPs a conscience vote.

Although her own party's policy is officially opposed to VAD, Ms Stuckey found that the majority of people in her seat wanted the current State Parliament to act quickly to consider any VAD law arising from the cross-party Health Committee Inquiry due to report by the end of March.

As the MP for Bundamba, Ms Miller also offered strong



Jo-Ann Miller



Jann Stuckey

encouragement to those of us pushing for urgent law reforms.

Their advocacy will be sorely missed from our Parliament and all VAD backers should recognise and thank both women for their past support.

As attention now turns to the by-elections to fill the Currumbin and Bundamba seats in our Parliament, our attention turns to the views of the candidates who are vying to be the new local MPs.

As part of our campaign to see VAD laws considered as soon as possible after the Health Committee reports its recommendations, we

will be quizzing candidates standing in both by-elections on their views.

They will be two of the 93 lawmakers to decide the future of VAD in our state and their votes will be critical.

It is important that the new MPs in both state seats have a commitment to backing the views of the voters in their electorates.

That means supporting VAD laws being considered in this term of our Parliament — before the October state election.



David Muir
Chair

The Clem Jones Trust



NSW National Party MP leads on VAD

A National Party member of the NSW Upper House is seeking to revisit the issue of legislating for voluntary assisted dying but recognises now is not the best time to take action.

[Trevor Khan](#) was behind a bid for VAD laws in 2017 which failed to pass by one vote.

He was recently reported as saying he still backed VAD but the aftermath of the bushfire crisis meant there were other immediate priorities to consider.

CHURCH SEEKS DEBATE

The head of the Uniting Church in NSW has called for a renewed public debate on voluntary assisted dying.

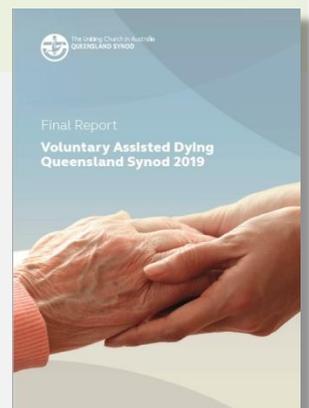
The Reverend Simon Hansford said the church as a major aged-care provider would be affected by any future VAD policies.

His statement recognised the potential inevitability of VAD laws in NSW and other states.

"It's going to happen and we

in the church think we'd rather be in front of it than behind it," he was quoted as saying. "We should have this conversation."

The official position of the Uniting Church in Queensland remains opposed to VAD and the church's [policy statement](#) (pictured) says if legalised, it would not offer VAD services in its facilities but "the Church is committed to offering a compassionate and pastoral



response to people and families who choose this path."

Date set for Kiwis to vote on VAD

Referendum to be held on September 19 election day

A [referendum question](#) on voluntary assisted dying laws will be put to New Zealanders when they go to the polls on Saturday 19 September.

NZ Prime Minister Jacinda Ardern has announced the election date almost eight months out from polling day.

Another referendum on the legalisation of the personal use of cannabis will also be held at the same time.

The NZ Parliament last year passed the [End of Life Choice Act 2019](#) giving people with a terminal illness the option of requesting assisted dying.

While the Act was passed by Parliament it will not take effect unless it receives majority support — more

than 50% voting in favour — at a national referendum.

If the referendum passes it will become law 12 months after the final vote count is announced. Referendum results are expected to be released on 2 October.

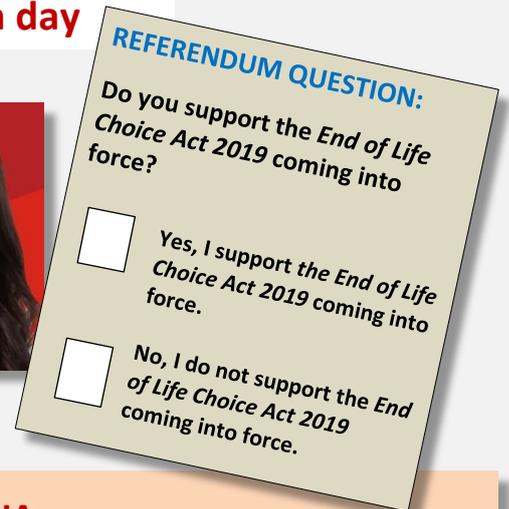
NZ's VAD law was a private member's Bill introduced in 2015 by David Seymour MP of the largely conservative ACT Party.

The Bill passed its first reading by a vote of 76/44 in December 2017, its second reading by 70/50 in June 2019, and its third reading by 69/51 in November 2019.

Two previous attempts to pass VAD laws failed in the NZ Parliament in 1995 and 2003.



Jacinda Ardern



KEY CRITERIA:

To seek access to voluntary assisted dying under the [End of Life Choice Act](#) a person must be:

- aged 18 years or more
- a NZ citizen or permanent resident
- suffer from a terminal illness likely to end their life within six months
- be in an advanced state of irreversible decline in physical capability
- experience unbearable suffering that cannot be relieved in a manner that they consider tolerable
- be competent to make an informed decision about assisted dying.

PORTUGAL AND SPAIN EMBRACE REFORMS

Portugal's Parliament has passed voluntary assisted dying laws.



The package of Bills was [reportedly passed](#) by comfortable margins.

However, Portuguese President Marcelo Rebelo de Sousa could still try to block the legislation. But a second vote by the parliament would override the veto.

In neighbouring Spain, MPs have voted to support draft voluntary assisted dying laws and will have a final say on them later this year.



[The vote of 208 in favour and 140 against](#) also follows decades of opposition by the Catholic Church and conservative MPs.

Two previous attempts to legalise VAD in Spain have failed largely because of church opposition.

As in Australia, opinion polls in Spain show overwhelming community support for VAD. A 2019 poll found 89% of Spaniards supported VAD for people with incurable conditions.

Family backs Tas MP's efforts

The daughters of a Tasmania woman who died aged 58 from gastric cancer are supporting VAD laws proposed by an MP in the state's upper house.

VAD laws have been considered by the Tasmanian Parliament on three previous occasions, most recently in 2017, but have failed to pass.

Upper house MP, Mike Gaffney (*pictured*), has put forward a private member's Bill, the [End of Life Choices Bill](#), and is undertaking [a series of community meetings](#) to hear feedback.



The daughters of Diane Grey said their mother's last few months were "torturous" and "hell".

Natalie and Jacqui Grey said their mother had wanted to die in her own home on her time, but Tasmania's current laws prevented it.

They [told ABC News](#) that their mother's



Natalie and Jacqui with their mother Diane Grey

pain was "never at a tolerable level".

Before she died in September last year Diane wrote: "I can accept dying. I cannot accept dying a slow death in intolerable pain. This pain in itself has me wishing nothing more than to die and to end my own suffering."

Her daughters said they would honour their mother's legacy by fighting to alter the law in Tasmania so others did not have to suffer.

Mr Gaffney's Bill is expected to be introduced in the upper house in August.

Victoria answers key questions

The latest six-monthly report on the operation of voluntary assisted dying in Victoria should answer many questions our Queensland MPs and others may have about how a law in Queensland might operate.



Dr Sid Finnigan MBBS, FRANZCO
Queensland Convenor
[Doctors For Assisted Dying Choice](#)



When announcing the cross-party Health Committee Inquiry into end-of-life issues in 2018 Premier Anastacia Palaszczuk said one element she wanted to consider was how Victoria's law worked after it took effect in June 2019.

The key finding of the state's VAD Review Board show the Victoria legislation has worked as intended and is answering the community's desire to have another option at the end of life.

Victoria's *Voluntary Assisted Dying Act 2017* established a [Voluntary Assisted Dying Review Board](#) to report to the state parliament on the operation of the law.

The Board's [latest report](#) covers the six-month period after the state's VAD law took effect, from 19 June to the end of December. The figures

REVIEW REPORT'S MAJOR FINDINGS:

- The *Voluntary Assisted Dying Act 2017* operated safely in its first six months.
- 136 people commenced the VAD assessment process. Of those 136 commencements there were 52 confirmed deaths.
- The 52 deaths represent 0.2% of all deaths in Victoria over the six-month period.
- 100% of cases were compliant with the Act.
- The Board retrospectively reviews cases each month. Board members discuss all cases and determine compliance.
- No cases were referred for investigation in the reporting period.

detailed in the report show 136 assessments of applicants for VAD which — after the assessment process, the finding of some applicants to be ineligible, the need to clarify some information, and withdrawal of some applications — resulted in 52 deaths in the six-month period reviewed.

These figures are broadly in line with other jurisdictions

around the world such as in the US state of Oregon where VAD was available from 1997 and uptake in its first year was less than 0.05% of total deaths in the state.

The review board's report also showed that 365 doctors in Victoria had so far applied to undertake VAD training and 134 were registered after training.

EXPERT OVERSIGHT

The VAD Review Board consists of a range of experts to ensure the law works as intended and possible improvements are identified as needed:

Chair: Justice Betty King
Retired Supreme Court Justice
Deputy chair: Charlie Corke
Intensive care specialist
Margaret Bird
Consultant physician in geriatric medicine
Molly Carlile AM
Senior healthcare leader and palliative care expert
John Clements
Consumer and IT consultant
Sally Cockburn
GP and broadcaster
Mitchell Chipman
Medical oncologist and palliative care physician
Jim Howe
Neurologist
Danielle Ko
Palliative care physician
Margaret O'Connor AM
Emeritus Professor of Nursing
Paula Shelton
Lawyer
Nirasha Parsotam
Medication safety expert
Melissa Yang
Respiratory and sleep physician, consumer

"Because of the [VAD] medication, the family was able to experience saying their goodbyes to an alert person — not a person suffering. The process was quick, dignified and gentle. It was comforting to those involved that the person had their wishes fulfilled."

Along with some suggestions for improvements, comments cited in the report from several of the contact persons nominated by VAD applicants were positive about the process.

"The family felt that finding a medical practitioner who would be involved in the process took a long time. However, the process went smoothly once established."

"I would like to praise the care and compassion of all involved specifically the positive support received from the care navigators through the process."

"The experience was peaceful and dignified. They were granted their final wish of dying the way they wanted."

The *My Life My Choice* newsletter is produced by the Clem Jones Group, Dying With Dignity Queensland, and Doctors For Assisted Dying Choice (Queensland) for supporters of voluntary assisted dying law reform in Queensland. Contact: The Clem Jones Group 07 3391 3406 / admin@clemjonesgroup.com.au



Doctors for Assisted Dying Choice