

Battle for right to die revived, 20 years on

23 September 2016



Marshall Perron yesterday on the 20th anniversary of the death of Bob Dent. Picture: Lachie Millard

More than 20 years after he enacted the nation's first assisted suicide laws — later axed by the federal government — Marshall Perron says the battle to bring back the right to die has been revived.

Victoria and South Australia, Mr Perron says, now represent “the best prospects” for change since hopes in the Northern Territory evaporated. Mr Perron, who as Territory chief minister drove the campaign for change in 1995, has never given up his crusade for Australians to be allowed to die with dignity.

He concedes his efforts two decades ago were something of a social experiment but says whatever genuine doubts people then had about the cascading effects of legal suicide have passed into history, with the largely positive experiences of European nations, some US states and Canada. “We now have 10 countries around the world where assistance to die is legal and their collective populations are over 100 million,” Mr Perron told *The Australian*.

The reform is inching closer in Victoria after a cross-parliament committee urged the state to adopt voluntary euthanasia laws earlier this year, a finding that has the support of Health Minister Jill Hennessy and the apparent backing of Premier Daniel Andrews, whose views have evolved. Last week, half the Victorian cabinet publicly supported introducing euthanasia laws, with Opposition Leader Matthew Guy promising a conscience vote if it came to parliament.

South Australia will debate a euthanasia bill next week, with Premier Jay Weatherill and Opposition Leader Steven Marshall in favour of the legalisation.

Black Dog Institute chairman Peter Joseph, a prominent advocate of changes to the law, said yesterday: “Everyone is entitled to a good life which means everyone is entitled to a good death.”

Andrew Denton, the media personality who has become a leading advocate for the right to assisted dying, said yesterday no Australian should die in “lingering and untreatable pain”.

“Australians overwhelmingly support a compassionate law, with strong safeguards, that will help those most in need at the end of their life,” Denton said. “The cost to our society without a law — in elderly suicides alone — is unacceptable and needs to be addressed.”

Yesterday marked 20 years to the day that Bob Dent answered yes to the last question in his life: “In 15 seconds, you will receive a lethal injection and die. Do you wish to proceed?” He was the first person in Australia to die legally with the help of a doctor, although it was a “death machine” set up by campaigner Philip Nitschke that delivered the lethal dose.

Only four people used the law to die at a time of their choosing before the federal government stepped in. Liberal MP Kevin Andrews moved a private member’s bill from the backbench in 1997 to cauterise the ability of territories such as the ACT, NT and Norfolk Island to allow assisted suicide and with the help of Labor’s Tony Burke ended euthanasia.

States have since tried, and failed, to restore assisted suicide laws. Mr Perron retired from politics shortly after the bill was passed in 1995 but has never given up the battle for lasting change.

“The legislation was introduced and passed to relieve the huge suffering of a very few people near death,” he said. “Those people have been dying (through suffering) in these 20 years as a result of John Howard’s and Kevin Andrews’ and Tony Burke’s actions in running the campaign to overturn the NT’s legislation.

“That is what has driven me to remain involved in the cause: those people who would have used it then and those that will use it when such a law comes again.”

Data from the Australian Bureau of Statistics shows that in 2014 men and women over the age of 85 killed themselves at a rate of 37.6 for every 100,000 people, the country’s highest rate and much higher for people in their early 40s and early 50s, 29.9 and 29.2 respectively.

Mr Joseph, who also chairs The Ethics Centre (previously known as St James Ethics Centre), added “public opinion has moved strongly” in favour of change. “The evidence in favour from the experience in other jurisdictions such as Switzerland, the Netherlands and Oregon, that has had an assisted dying law for 19 years, is highly persuasive.”

Philip Nitschke helped all four Australians die legally in the NT in the brief window before the laws were struck out. But Mr Perron said Mr Nitschke had been a “double-edged sword” in the euthanasia cause, adding his radical views had been damaging. “He believes that every competent adult should have the right to access the peaceful

means to die, and in that respect he goes too far, for the rest of the movement and there is a feeling that his actions are damaging in pushing that hard,” he said. “Philip’s position today scares the politicians to the point where they, as I understand, say: ‘if you are pushing Philip’s position I don’t want to talk to you’.”

Additional reporting: John Lyons