

Why our lawmakers should legalise physician-assisted death



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Victoria's lawmakers appear likely to be given a conscience vote early next year on legalising, under strict conditions, physician-assisted death. *The Age* embraces the news, and urges parliamentarians to support any such bill. We believe there is a compelling case for the change, which polls have shown has long been supported by as many as four in five Australians, and which has happened elsewhere in the world.

After an extensive investigation that included about 1300 submissions, a cross-party committee recommended six months ago that doctors be given the legally protected right to assist some terminally ill patients to die.

A similar piece of legislation, drafted by Greens leader Richard Di Natale, a doctor, is parked in the Senate, and thus success in Victoria might well spread nationally. Senator Di Natale's move more than a year ago followed a cross-party Senate committee that reached the conclusion the Victorian committee did some months later.

The case for change is, we have long argued, overwhelming. In short: there can be a crescendo of suffering as death nears; a doctor's duty is to relieve suffering; some suffering will only be relieved by death; a doctor's duty is to respect a patient's autonomy; some patients rationally and persistently request assistance to die; palliative care cannot relieve all the pain and suffering of dying patients.

Some of the strongest arguments against assisted death are that ill people will seek it either because they are coerced by unscrupulous relatives or make the decision when mentally unwell. These are valid concerns, but they should be assuaged by the strict safeguards it is believed would be in the legislation.

Under the committee's proposal, which mirrors the position of experts including one of the nation's leading advocates for assisted death, Melbourne urologist Dr Rodney Syme, only adults with decision-making capacity, suffering from a serious and terminal condition, with months or weeks left to live, would be given the choice to die. The patients would need to be able to demonstrate they were mentally

competent. Further, two doctors would have to sign off on the prescription of the fatal drug.

Views change with experience. Both committees were convinced by the testimony of people who had witnessed the unnecessary suffering of those they love.

Lawmakers' emerging embrace of the change also reflects personal experience.

The Senate committee's chairman, Liberal Ian Macdonald, said his mother's demise helped shape his view terminally ill people should have a right to assisted death.

And here in Victoria, more than half the cabinet have declared support, led by Premier Daniel Andrews, who became in favour of such change after watching his father die from cancer earlier this year.

Dr Syme has openly admitted helping many patients die, and is prepared to face a jury. But he has never been charged, so vexed has been this issue. The bulk of the population clearly believes compassionate medicos like Dr Syme should not be open to criminal charges for such action.

We believe the case for assisted death is buttressed by the fact that only about a third of people who are given the option of ending their own lives in this way actually exercise it. But each and everyone who is given the means and knowledge to end their suffering immediately benefits from a reduction in fear and anxiety.

Not everyone is going to suffer a slow and excruciating end from terminal illness, but everyone has the moral right, should they be in such extremis, to physician-assisted death. It is overdue that that right become legal, too.

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